

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
May 11, 2017

PRESENT: Michael Johnson, Cindy Cummings, Julianne Duffin, Tara Hobbs, Harry Meadows, Chad Kendrick, Corey Twedt, Richard Zollinger, Luke Anderson, Mark Williams, Gary Larsen, Zan Murray, Robert Wick, Roxie Hancey, Megan Miller, Garrett Greenhalgh, Rachel Thompson, Chrissy West, Kayla Monson, Bradey Monson, Bob Bates, Todd Condie, Jenny Condie, Ryan West, Jon Hancey, Martha Balph, Kyle Hancey

Call to Order/Roll Call

Mayor Michael Johnson called the City Council Meeting to order for May 11, 2017 at 7:09 p.m. The roll call indicated Mayor Johnson and Councilmembers Cindy Cummings, Julianne Duffin and Mark Williams were in attendance with Councilmembers Michael Callahan and Ryan Zollinger excused. Also Treasurer Tara Hobbs and Recorder Corey Twedt were present.

Opening Remarks/Pledge of Allegiance

Councilmember Cummings welcomed everyone to the Council Meeting and led all present in the pledge of allegiance.

Approval of agenda and time allocations

The agenda for the City Council Meeting of May 11, 2017 was reviewed. **Councilmember Duffin moved to approve the agenda for May 11, 2017.** Councilmember Cummings seconded. Councilmembers Cummings, Duffin and Williams voted yes with Councilmembers Callahan and Zollinger absent. (A copy of the agenda is included as Attachment “A”.)

Approval of minutes of the previous meeting

The Council reviewed the minutes of the City Council Meeting for April 27, 2017. **Councilmember Duffin moved to approve the minutes for April 27, 2017.** Councilmember Cummings seconded. Councilmember Duffin pointed out a mistake on page 7 where it was referenced that the petitions for fireworks restrictions were for property east of 550 East and should have been east of 500 East. Councilmembers Cummings, Duffin and Williams voted yes with Councilmembers Callahan and Zollinger absent. (A copy of the corrected minutes is included as Attachment “B”.)

Report on P & Z Meetings held May 4, 2017

Mayor Johnson reviewed with the Council the Planning Commission's draft minutes for the meeting held May 4, 2017. The Council had no comment other than a discussion on the proposed Center Street Road that would be discussed later on in the discussion part of the City Council Meeting. (A copy of the draft minutes from the P&Z Meeting is included as Attachment "C".)

Request for a Business License for R&S Customz at 130 West 300 North

Robert B. Wick has submitted a request for a business license for R&S Customz for RV and Trailer repair. Councilmember Cummings asked if the repairs would be done in a garage. Mr. Wick stated that the repairs would be done outside in an open field on the West side of his home. Councilmember Duffin asked how many vehicles under repair would be on site at a time to which the answer was no more than two.

Development Coordinator Harry Meadows discussed the issue of spare parts and concern of having accumulation of parts and trailers in the yard. Mayor Johnson agreed that this was the biggest concern; that it would turn into a junkyard. Robert said that most of what he would be doing would be maintenance and upkeep and that he would keep the area clean of spare parts. He said that it would be only a few jobs at a time for a short period of time and no long-term storage. Robert said that repairs would typically be done in less than a couple of weeks and no longer than a month.

Meadows commented that maybe a limit should be set on the number of trailers that could be on the property at a time. The Council agreed that this might be a good idea. Councilmember Cummings stated that her concern was that this didn't really fit within the parameters that had been set as a home business since the work was being done outside and not in an enclosed space. She said that a set limit of the number of trailers would be good.

Mayor Johnson mentioned that a business license renewal is required every year, so if the requirements weren't being met, a renewal wouldn't be issued next year. Councilmember Williams also mentioned that some business holders had been called in to report to the City Council when they had not followed the City Statutes.

Councilmember Williams moved to approve the business license for R&S Customz with the stipulation that there be a three trailer limit (in addition to his own trailer) on site at any time and that the grounds be kept clean of parts and garbage.

Councilmember Duffin seconded. Councilmembers Cummings, Duffin and Williams voted yes with Councilmembers Callahan and Zollinger absent. (A copy of the license application is included with the minutes as Attachment "D".)

Consideration of Route for Ridgeline High School 2017 Homecoming Parade

The Ridgeline High School Homecoming Parade is scheduled for the evening of September 27, 2017. Student Body Representative Luke Anderson discussed the proposed

parade route. Last year the parade began at the City South Park. Luke reported that starting at the park caused serious issues with traffic. This year, the student body proposes starting at Ridgeline High School, which would provide more space and convenience. Starting from the south side of the school, the parade would go east to 100 West, head south, go around Millville Elementary, go north on Main Street for three blocks and then head back to Ridgeline. The Council agreed that this would be a much better option. Mayor Johnson asked if arrangements would be made with the Sheriff's Department for blocking the streets and directing traffic. Luke said that this was the plan.

Councilmember Duffin moved to approve the proposed route for the 2017 Ridgeline High School Homecoming Parade. Councilmember Cummings seconded.

Councilmembers Cummings, Duffin and Williams voted yes with Councilmembers Callahan and Zollinger absent. (A copy of the proposed parade route is included with the minutes as Attachment "E".)

Consideration of Resolution to Rezone Parcel 03-001-0002 for Zollinger Commercial Warehousing from Agricultural to Commercial as Submitted by Lance Zollinger

Mayor Johnson reviewed the resolution regarding the rezoning and zoning map update request. Richard Zollinger was present at the meeting. Councilmember Duffin and Mayor Johnson clarified that the rezone was only for parcel 03-001-0002 and did not include any of the surrounding parcels.

Councilmember Williams moved to approve the rezone of property from agricultural to Commercial for Parcel 03-001-0002, Resolution 2017-6. Councilmember Cummings seconded. Councilmembers Cummings, Duffin and Williams voted yes with Councilmembers Callahan and Zollinger absent. (A copy of the resolution is included with the minutes as Attachment "F".)

Consideration for Approving the Monson 300 East Subdivision at approximately 260 South 300 East

Mayor Johnson reviewed with the Council the resolution to approve the Monson 300 East Subdivision, a minor subdivision located at approximately 260 South 300 East. Bradey Monson was present at the meeting. He brought a half water share with him as required. Development Coordinator Meadows reported that all of the City's requirements had been met.

Councilmember Duffin moved to approve the Resolution for the minor subdivision known as the Monson 300 East Subdivision, Resolution 2017 – 7. Councilmember Williams seconded. Councilmembers Cummings, Duffin and Williams voted yes with Councilmembers Callahan and Zollinger absent. (The resolution is included with the minutes as Attachment "G".)

Consideration for adopting a revised Fireworks Ordinance

Councilmember Duffin reviewed the changes that she had made to the ordinance since the last meeting. The major change being what was requested by the majority of the residents that attended the Public Hearing to restrict all fireworks use east of 500 East. In addition, there were some very minor changes in the language:

- 1) Section 08.50.050 – “ ...over or onto the street, public property or the property of another,” was changed to, “...over or onto the property of another.” This was done to clarify that fireworks were not restricted from the streets in front of homes in the City.
- 2) Section 08.50.060 – “Except as provided in Section 08.50.040 and 08.80.070, it is unlawful...” was change to, “Except as provided in Section 08.50.040, it is unlawful...” This was done to remove potential confusion on restrictions of fireworks use.

Councilmember Duffin also clarified that section 08.50.040 as written did not mean that anyone wanting to ignite fireworks would need a permit from the Mayor in that it is prefaced by, “Except as otherwise allowed under this chapter...”

Councilmember Duffin moved to adopt the revised Fireworks Ordinance, Ordinance 2017 – 1. Councilmember Williams seconded. Councilmembers Cummings, Duffin and Williams voted yes with Councilmembers Callahan and Zollinger absent. (The Ordinance is included with the minutes as Attachment “H”.)

Bills to be paid

The bills were presented. They are as follows:

J-U-B	General/Water/Stormwater	\$11,510.29
Rocky Mountain Power	General/Water	\$2,521.16
Chad Kendrick	General - Reimbursements	\$580.30
Cache County Treasurer	General	\$90.23
Utah League of Cities and Towns	General - Road School Chad	\$230.00
Century Equipment Company	General - Roads	\$166.07
Intermountain Hydraulics, Inc.	General	\$166.53
Watkins Printing	General Miss	\$153.65
Riverside Carwash	General	\$23.12
Lowes	General - Roads	\$7.12
Utah State University USU Catering	General - City Celebration	\$1,865.59
Cache County Service Area	General - Sanitation	\$13,228.74
Hancey Backhoe Service Inc.	General	\$60.00
South Fork Hardware - Logan	General	\$65.52
Intermountain Farmers Association	General - Fertilizer	\$305.95

Olson & Hoggan, P.C.	Legal	\$135.00
Caselle	Water	\$125.00
Calvin Jessop Estate	Water - Refund	\$200.67
Peterson Plumbing Supply	Water	\$196.96
AT&T	Water	\$57.53
Cache Valley Publishing	General	\$52.91
Public Treasurers Investment Fund	Water	\$7,667.00
Maverik Fleet Card Services	Water	\$359.62
CenturyLink	Water	\$184.10
Code 4 Vehicle Lighting	Capital - Truck	\$761.34
Salary Register		\$14,283.10

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

The City Reports Portion of the meeting was moved to after the Center Street Public Input Discussion.

Center Street Public Input Discussion

Councilmember Duffin said that she had received a call from Roxie Hancey with concerns on the proposed Center Street Road as part of the Mond-Aire Phase 3 Final Plat. Councilmember Duffin felt that some of the concerns were valid and wanted to make sure the public was heard. Several residents from Millville were present at the meeting with concerns about the proposed road.

Roxie Hancey addressed the Council and read a prepared statement. (This statement as well as Chapter 16.20.050 from the Millville Code that was referenced is included with the minutes as Attachment “I”.)

Roxie’s main concern was the completion of a Center Street Road on the East Bench that would connect to the lower Center Street Road and allow for another outlet for traffic coming down from the new subdivisions. She approved of the roads as proposed in the Preliminary Mond-Aire Plat, but did not approve the most current road layout that is being discussed with Phase 3 for final approval by the City.

Councilmember Duffin agreed that another westbound outlet was needed for the homes on the east bench. Although Roxie referenced the eastern part of Center Street on the Master Plan, Councilmember Duffin said that she didn’t see this portion of Center Street on any of the Master Plans, whereas a 200 South Road was on the Master Plan and provided an outlet from the bench all the way through and out of Millville.

Mayor Johnson discussed the importance of the Master Plans in that a lot has changed over the past several years in Millville with the High School and all of the subdivisions. The Master Plan is a long-range vision of the road system and other important aspects of the City designed to guide development. Mayor Johnson also referenced section 16.20.050 in the City Code that had been presented by Roxie Hancey that discusses the restrictions on changes made after a final plat has been accepted/approved by the City. Because the City has not yet accepted Mond-Aire Phase 3, this ordinance does not apply in this case. Changes to the plans were acceptable and expected from the preliminary plat to the final plat as engineers get more involved to find the best solutions for the roadways.

Chad Kendrick – who lives on Center Street – commented on his concern with moving all of that traffic to Center Street as is being proposed by some of the residents. He believes that without major construction, the current Center Street Road is not wide enough for the traffic that would be going down to the Elementary School. He was also concerned with the speed of traffic that would result.

Mayor Johnson stated that many of these issues exist because of all of the new growth and construction. He discussed the importance of having the developers cover the cost of the roads, as the City does not have the funds to handle all of the new roads that come with the new growth. The driver factor for new road construction in the City is new development. The developers are required to put in the new roads when they build, but if they don't build, the road will not be completed. The cost of all of these roadways is too much for the City to afford.

Engineer Zan Murray commented that a grid system does not work in areas of cities that are built on hillsides. He pointed out the benches of Providence, which are a great example of not being able to maintain a grid when building on hillsides. He also said that it is difficult to build a road on a steep grade. The Center Street Road that is being requested would require large retaining walls. This is expensive for developers now, but more importantly, expensive for the City to maintain after it is built. It would also result in difficult lot layouts and steep driveways in the new developments. The more recent plan as included in the proposed Mond-Aire Phase 3 Final Plat conforms better to the Master Plan and allows for more effective development and more cost effective maintenance. Engineer Murray showed the map of the current road system proposal with the roads avoiding the steep grades that would not require retaining walls.

Mayor Johnson mentioned that this proposed layout was also good in that it didn't require collaboration between the developers who were working on different timelines. The proposed design allowed them to complete their parts whenever they were developing their land.

Roxie Hancey commented that bigger lots on the hillside would be better. Mayor Johnson said that the landowners would make that decision and the City couldn't tell them what to do with the land as long as they were abiding the City Ordinances and requirements.

Planning Commissioner Rachel Thompson discussed chapter 16.20.050 of the Millville City Code that Roxie had referenced earlier about not being able to change the design of dedicated roads. She suggested that these new drawings would need to go through a new public hearing. Development Coordinator Meadows and Mayor Johnson explained that these roads had not yet been dedicated, as the City had not yet approved Phase 3. There had been a Public Hearing and acceptance of the preliminary drawings, but they were preliminary. Phase 1 and Phase 2 had also been approved and accepted, but Phase 3 had not and therefore this ordinance did not apply.

Planning Commissioner Garrett Greenhalgh commented that although the ordinance did not prohibit a change in roads between acceptance of a preliminary drawing approval and final plat approval, the public hearing was held on preliminary drawing with roads that were no longer planned and the public wasn't given the opportunity to comment on the current road plan. He asked if there should be another public hearing with the current drawings to provide that opportunity. Mayor Johnson said that there were many cases where the City was required to hold public hearings. In this case, by code, the City is not required to hold a public hearing, but with the magnitude of this change, he believes an additional public hearing is warranted.

Commissioner Greenhalgh said that from the last Planning and Zoning Meeting, the Commission did not recommend approval of Phase 3, because they were uncomfortable moving forward with this big of a change and no hearing. The Planning Commission had not heard about the road changes in advance and Commissioner Greenhalgh felt that the City was catering to the developer in this case so that the developer wouldn't have to pay for the Center Street Road. Mayor Johnson said that consideration of saving the developer money had never been factored into the design or plans. The road was designed in this manner because it made the most sense, when taking everything into consideration and was most beneficial to the City.

Roxie Hancey expressed concern about paving the 550 East Road in that Providence traffic will travel south through Millville whereas a Center Street Road would divert some of that traffic down and out without them passing through the south part of the City. Mayor Johnson replied that we couldn't stop the Providence traffic from coming through Millville. He said that a lot of thought and engineering had gone into this to try and determine the best option for these roadways.

Councilmember Duffin asked Commissioners Greenhalgh and Thompson if they felt like having a new public hearing on the proposed roadways would be beneficial. Commissioner Greenhalgh said that he felt this would be a good idea to provide the public an opportunity to voice their opinions.

Mayor Johnson said that now there are potentially new options that land might be for sale that previously was not. Maybe there is a way to put the Center Street road in and avoid the steep hillside. The City just needs to make sure that when roads go in, they go in for the long-term benefit of the City and that they are safe and can be maintained. Zan Murray commented about the amount of planning that went into the current design. Taking

everything into consideration, he believes the current plan is the best road design for Millville City.

There were some comments made saying that even if the Center Street Road was built the way it was laid out in the initial preliminary plat, there was no guarantee that it would ever be developed between where it would end on the east (heading west) and where it currently ends on the west (heading east). It is very similar to the 100 South and 200 South Roads that will potentially be built in the future. No one knows when or if they will be completed. It will depend on when or if the landowners develop that property.

Commissioner Greenhalgh referenced the original early discussions of the Center Street Road in Planning and Zoning. He felt that there was never a good option for that road and that the consensus was that they would just see what would happen as development progressed.

Zan Murray read from City Code Section 16.16.020 paragraphs L and M. From this it is not clear that this type of road change would have to go back to a public hearing, but with all of the concerns addressed tonight, it may make sense to hold another hearing. Councilmember Cummings agreed that this was a big enough change and very different from what was reviewed at the preliminary plat public hearing and that it should have another hearing.

Mayor Johnson asked Recorder Twedt to add an action item on the next agenda for consideration of setting a public hearing for the Mond-Aire Phase 3 Final Plat. If the public hearing is scheduled during the May 25, 2017 City Council Meeting, the hearing could be held on June 8, 2017. The associated documents will be made available to the public prior to a hearing. (The maps presented and discussed by Zan Murray are included in the minutes as attachment "J".)

City Reports

ROADS:

Superintendent Gary Larsen said that City Staff had met with J-U-B and created a punch list of items that needed to be completed on the 450 North/550 North project. This list has been submitted to the contractor.

Also, the School's portion of this project still had improvements that needed to be completed. Superintendent Larsen will need to meet with them and make sure they finish their portion. Mayor Johnson asked that Councilmember Zollinger be included in this as the High School Liaison.

PARKS:

Superintendent Larsen stated that the South Park Splash Pad is scheduled to open right around Memorial Day Weekend.

Councilmember Duffin asked if Superintendent Larsen had hired help for the summer as had been discussed in the past. He said that he hadn't yet, and may not need additional help until more water meters are installed after the end of the fiscal year and that for the time being, they were getting by.

WATER:

Superintendent Larsen said that there is no need to keep the old pickup truck and suggested it be sold. Mayor Johnson and the Council agreed that it should be sold.

Budget Discussion

Recorder Twedt said that the final budget revisions for FY2017 and the budget for FY2018 would need to be approved following a Public Hearing on June 8, 2017. That would mean that there would be a much more in depth budget review by the Council on the May 25th City Council Meeting. Recorder Twedt asked for some initial direction on the Parks and Roads Budgets so that he could be prepared for the discussion in two weeks. He displayed the current proposed budget for Parks and Roads for the remainder of FY2017 and for FY2018 including all of the anticipated projects that are either ongoing or expected in the coming year. They were reviewed and no major changes were made. (A copy of the budget items discussed is included in the minutes as Attachment "K".)

Councilmember Reports

(A copy of the Councilmember Assignments List is included with the minutes as Attachment "L".)

Councilmember Cummings reminded everyone that the City Celebration would be on June 10, 2017 and that there were some new activities that were being added this year. She said that there would be a pie eating contest and movie in the park in the evening. The Youth Council is planning to sell concessions for the movie as a fundraiser. Councilmember Cummings also said that the Millville Days Parade would be turning around after reaching the end of the route and making a second pass down Main Street so that everyone would be able to see it twice.

Councilmember Williams said that he had received a text message about flies being bad again this year.

Other items for Future Agendas

Treasurer Hobbs said that the roll off dumpster had met its limit for the year and was now being removed.

Recorder Twedt said that he had not received a single email or call from anyone interested in serving as the Millville City Representative on the Cache Valley Transit District Board of Trustees. Development Coordinator Meadows volunteered to fill this roll until someone else expressed interest.

Councilmember Cummings asked for an update on charges for dog license infractions. Development Coordinator Meadows explained that nowhere in the Millville City Code does it list a misdemeanor as the punishment for a dog license infraction and that since nothing is listed this must be the default based on Cache County Code. He said that the Millville Shared Master Offence Table (SMOT) needed to be updated with the desired penalties for various infractions in Millville. Mayor Johnson and Councilmember Cummings asked for action on this very quickly because a misdemeanor is far too heavy a punishment for this type of infraction. Mayor Johnson asked how and why residents were being charged with a misdemeanor if Millville City Code does not designate this. Coordinator Meadows said that he would follow up with Officer Powell to resolve the issue quickly.

Engineer Zan Murray said that the *Millville City Manual of Design and Construction Standards* is now ten years old and should be updated. He suggested that this be considered while creating the FY18 Budget.

Development Coordinator Meadows made a suggestion for a type of streetlight that should go into new subdivisions. In the future, this will be addressed in the *Manual of Design and Construction Standards* and Engineer Murray said that they could discuss this streetlight with the subdivisions that are under construction and try to get them included. Superintendent Larsen said that the City would need to determine who would pay for them. It could either be a monthly charge to Rocky Mountain Power to install and maintain or the City would need to buy them and cover all maintenance. Coordinator Meadows will look into the issue further with Rocky Mountain Power and see if this type of light was available.

Adjournment

Councilmember Cummings moved to adjourn the meeting. Councilmember Duffin seconded. Councilmembers Cummings, Duffin and Williams voted yes with Councilmembers Callahan and Zollinger absent. The meeting adjourned at 9:25 p.m.

REVISED NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold their regularly scheduled council meeting on Thursday, May 11, 2017, at the Millville City Office, 510 East 300 South in Millville, Utah, which meeting shall begin promptly at 7 p.m. (Please note the time given to each agenda item is an approximate time.)

1. Call to Order / Roll Call – Mayor Michael Johnson.
2. Opening Remarks / Pledge of Allegiance – Councilmember Cindy Cummings.
3. Approval of agenda and time allocation.
4. Approval of minutes of the previous meeting – April 27, 2017.
5. Action Items—
 - A. Report on P&Z Meeting held May 4, 2017 – Development Coordinator Harry Meadows – 7:03 p.m.
 - B. Request for a Business License for R&S Customz at 130 West 300 North – Robert B. Wick – 7:08 p.m.
 - C. Consideration for Approval of Ridgeline High School Homecoming Parade Route – Councilmember Ryan Zollinger and Student Body Representative Luke Anderson – 7:13 p.m.
 - D. Consideration of Rezone Request on Parcel 03-001-0002 from Agricultural to Commercial Manufacturing / City Zoning Map Update – Mayor Michael Johnson – 7:18 p.m.
 - E. Consideration for Approval for the Monson 300 East Subdivision located at approximately 260 South 300 East – Development Coordinator Harry Meadows – 7:23 p.m.
 - F. Consideration of Adoption of the Revised Millville City Firework Ordinance – Councilmember Julianne Duffin – 7:28 p.m.
 - G. Bills to be paid.
6. Discussion Items—
 - A. City Reports – Superintendent Gary Larsen.
 1. Roads
 2. Parks
 3. Water
 - B. Center Street Public Input Discussion – Councilmember Julianne Duffin.
 - C. Budget Discussion – Recorder Corey Twedt.
 - D. Councilmember Reports.
 - E. 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 Corey Twedt at (435) 881-2669 at least three working days prior to the meeting.

Notice was posted on May 8, 2017, a date not less than 24 hours prior to the date and time of the meeting and remained so posted until after said meeting. A copy of the agenda was sent electronically to the Utah Public Meeting Notices website (<http://www.utah.gov/pmn/index.html>) on May 8, 2017.


 Corey Twedt, Recorder

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
April 27, 2017

PRESENT: Michael Johnson, Michael Callahan, Cindy Cummings, Julianne Duffin, Mark Williams, Ryan Zollinger, Tara Hobbs, Harry Meadows, Gary Larsen, Corey Twedt, Kevin Maughan, Robert Strong Bear Bates, Sadie Anderson, Donny Anderson, Martha Balph, Sally Sears, Neal Artz

Call to Order/Roll Call

Mayor Michael Johnson called the City Council Meeting to order for April 27, 2017 at 7 p.m. The roll call indicated Mayor Johnson and Councilmembers Cindy Cummings, Julianne Duffin, Mark Williams and Ryan Zollinger were in attendance with Councilmember Michael Callahan absent. Also Treasurer Tara Hobbs and Recorder Corey Twedt were present.

Opening Remarks/Pledge of Allegiance

Mayor Johnson welcomed everyone to the Council Meeting and led all present in the pledge of allegiance.

Councilmember Callahan arrived at this time.

Approval of agenda and time allocations

The agenda for the City Council Meeting of April 27, 2017 was reviewed.

Councilmember Williams moved to approve the agenda for April 27, 2017.

Councilmember Cummings seconded. Councilmembers Cummings, Duffin, Callahan, 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 April 13, 2017.

Councilmember Cummings moved to approve the minutes for April 13, 2017.

Councilmember Duffin seconded. Councilmember Duffin asked for some added clarity on the location of the offset that was discussed by Councilmember Zollinger in the minutes of the previous meeting. The minutes have been revised to reflect this. Councilmembers Cummings, Duffin, Callahan, Williams and Zollinger voted yes. (A copy of the revised approved minutes is included as Attachment "B".)

Report on P & Z Meetings held April 20, 2017

Development Coordinator Harry Meadows reviewed with the Council the Planning Commission’s draft minutes for the meeting held April 20, 2017. Councilmember Duffin asked if the Zollinger Rezone was being done in the Zollinger Complex to which the answer was yes. Councilmember Duffin also asked for more information about the Monson Subdivision. Development Coordinator Meadows explained that this would be a minor subdivision. (A copy of the draft minutes is included as Attachment “C”.)

Report from Millville City Youth Council

Councilmember Duffin introduced Sadie Anderson from the Millville City Youth Council who reported on recent Youth Council activities:

- USU Leadership Conference in March – There were good speakers and good food. The focus was on developing leadership skills. There were 18 youth and 2 advisors from Millville that were in attendance at all times with some rotation to accommodate schedules.
- Easter Egg Hunt in March – Reported that the chocolate was good. It was a great activity that was well organized by the Youth Council and well attended by the community.

Councilmember Duffin moved to proceed to item “D” on the agenda and then return to the Public Hearing when it was closer to the designated time. Councilmember Callahan seconded. Councilmembers Cummings, Duffin, Callahan, Williams and Zollinger voted yes.

Consideration of a Resolution to Establish the Park Meadows Subdivision, a 10-lot subdivision located at approximately Main Street to 150 East between 350 North and 400 North

Mayor Johnson reviewed the resolution with the Council. The approval of the subdivision was discussed in great detail in the previous City Council Meeting. Councilmember Duffin pointed out a typo in the resolution as written designating the incorrect date for the scheduling of the Public Hearing. This was corrected during the meeting.

Councilmember Cummings moved to approve Resolution 2017-4, A Resolution to establish the Park Meadows Subdivision under the condition that the developers fulfill the remaining requirements as discussed in the last meeting. Councilmember Duffin seconded. Councilmembers Cummings, Duffin, Callahan, Williams and Zollinger voted yes. (The approved resolution is included with the minutes as Attachment “D”.)

Councilmember Duffin moved to continue to item “E” on the agenda and then return to the Public Hearing when it was closer to the designated time. Councilmember Callahan seconded. Councilmembers Cummings, Duffin, Callahan, Williams and Zollinger voted yes.

Consideration of a Resolution Supporting the Ridgeline Community Council’s Request to UDOT to move the 45 mph Speed Limit Sign on Highway 165

Councilmember Mark Williams introduced the resolution and explained that it would be sent to the Utah Department of Transportation in support of the Ridgeline Community Council’s Request to move the speed limit sign 100 meters further north on the West side of Highway 165 visible to southbound traffic.

Councilmember Williams moved to approve Resolution 2017-5. Councilmember Cummings seconded. Councilmember Zollinger asked why this was being requested in the form of a resolution instead of a letter. Mayor Johnson explained that the resolution was just a more formal way of making and documenting the request. Councilmembers Cummings, Duffin, Callahan, Williams and Zollinger voted yes. (The approved resolution is included with the minutes as Attachment “E”.)

PUBLIC HEARING

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

PUBLIC HEARING: 7:15 p.m.
Commenced at 7:14 p.m.

PRESENT: Michael Johnson, Michael Callahan, Cindy Cummings, Julianne Duffin, Mark Williams, Ryan Zollinger, Tara Hobbs, Harry Meadows, Gary Larsen, Corey Twedt, Kevin Maughan, Robert Strong Bear Bates, Martha Balph, Sally Sears, Neal Artz

The purpose of the hearing was to receive public input on the proposed updated fireworks ordinance. (The ordinance as discussed is included in the minutes as attachment “F”.)

Mayor Johnson briefly reviewed the ordinance focusing on section 8.50.020 part F that designates the permanent restriction of fireworks. Namely restricting aerial fireworks between 500 East and 550 East and then all fireworks east of 550 East.

Public Comment:

Everyone from the public that spoke to the Council lives in the area on the East side of the City and would be directly affected by the decision of where the restriction starts and the nature of the restriction.

Tara Hobbs – Expressed her concern for the fire danger on the East side of Millville and said that she would like to see a complete ban of all fireworks East of 500 East instead of allowing ground fireworks between 500 East and 550 East. Tara said that there are other places that people can use fireworks that are safer.

Sally Sears – Said that she has lived here for 16 years, has lived through 3 fires in the area and that there had been another fire right before she moved in. Sally said that because of the invasive species of grass, there was a big fire hazard in the dry season. She told a story from the last fire East of Millville where the Fire Marshall was trying to fight the fire on the face of Millville Canyon while he could see fireworks being used in Millville City and was questioning why he was fighting the fire if the community wasn't concerned about the risks.

Councilmember Williams asked Sally if fireworks had caused any of the fires. She said that no, they had been started by lightning or other causes, but that didn't mean that there was no risk from fireworks. Councilmember Duffin commented that she agreed there was a risk and whereas lightning can't be controlled, fireworks can be controlled. Mayor Johnson asked if Sally was in favor of changing the ordinance to include a ban of all fireworks East of 500 East to which Sally said that she was.

Neal Artz – Stated that this ordinance was not something new. That there is precedence for issuing firework bans. Neal said he often works with the Forest Service, which focuses much of their efforts on the urban interface zone and fire protection for private property. The Forest Service has specialists who work on this and issue bans on fireworks in certain at-risk areas for certain times of the year. It might be good to follow the lead of the Forest Service and issue bans in Millville when the Forest Service issue bans protecting the National Forest Land. He thinks this could be better than a blanket ban of fireworks at all times. Neal does believe that it is the responsibility of the local government to try and protect the people and homes in the community no matter where they live. He stated that the last fire was very scary. With homes at risk he remembers moving pets out of Martha Balph's home. The conditions are right for a fire to move very quickly, cause significant damage and be difficult for fire fighters to access the land. He has big concerns about the use of aerial fireworks in the area and believes that there should be some restriction in the code and that the risk will only increase with all of the new construction happening in the area.

Martha Balph – In addition to the concerns already addressed, she believes there are additional reasons for the proposed modified ordinance completely banning all fireworks east of 500 East. She stated that the area on both sides of canyon road has been identified by BRAG as a high fire risk interface area. Fireworks are set off at the most dangerous time of the day and at the most dangerous time of the year. Martha is aware of at least 7 fires since she has lived here. Most have been during the day and have been put out after burning from a fraction of an acre up to 150 acres, which is a relatively small area. The two fires that happened at night were much bigger and were much more difficult to fight.

Fireworks have not started fires here, but other things that might be considered less risky, like a spark from a machine or a bullet from a gun have started fires. Yes, one was from lightning, but almost all have been human-caused. Certainly fireworks are a risk. Martha asked if Millville is among the first to issue a permanent ban in Cache Valley. The City Council wasn't sure if this was the case. Martha wants to make it the best ordinance possible to set an example to the neighboring communities. The complete ban of all fireworks east of 500 East has been supported for many years by 93% of all adults in homes that would be affected by the ordinance. The increased restriction would represent the will of the community. Concern that without the complete ban, firework restriction might be difficult to enforce. A complete ban would make it so that if you hear fireworks, the law is being broken and you wouldn't need to try and determine the type of firework being ignited. Martha doesn't believe that too much would be asked for people in the area that want to ignite fireworks to go a half block further West. Martha thinks that the desires of the homeowners should be met and that the City should issue a strong ordinance and set a good example to the rest of Cache Valley.

Kevin Maughan – Kevin is the Hyrum City Fire Chief. He said that Millville is not the first community to issue this type of firework restriction. He has been fighting most of the fires in the area for the past 29 Years. From a fire fighter's standpoint, Kevin agrees with modifying the ordinance to ban all firework use east of 500 East. He then read a prepared letter from his office. (The letter is included with the minutes as attachment "G".) Although he favors the more restrictive ordinance, he would support whatever the City decides to do. Can only remember one time on this side of the mountain when fireworks were the cause of a fire, but overall there are more fireworks caused fires with the increase of legal aerial fireworks.

Bob Bates – Has been working with other residents in the area for some time trying to pass an ordinance banning all fireworks east of 500 East. In 2015, Bob said that there was a fire caused by a ground-based spinning flower firework. At the time, he was driving by and put it out before it was an issue. He did not report it or call the fire department. Bob believes that there is much less of a fire risk west of 500 East due to it being much more green. Whatever can be done to reduce the risk would be better for the community. Believes it is a no brainer to issue the complete ban. Said that everyone in the area had been contacted. Concerning the effect that the ban will have on the new homes constructed in the Mond-Aire Subdivision, Bob said that the last street that is there now with homes is at 480 East

and would not be effected by the proposed modified ordinance. (The packet of information handed out by Bob Bates along with the 2014, 2015 and 2016 petitions for banning all fireworks east of 500 East are included in the minutes as attachment "H".)

Resident Emails - Councilmember Duffin then read emails that were received from both Galane Postma and Leanna and Clark Ballard expressing their concern of the risk and desire for the complete ban of fireworks east of 500 East. Other emails receive from Melanie Murphy and Martin Carlson - expressing the same wishes for a complete ban - arrived too late to be read at the meeting. (All four emails are included in the minutes as attachment "I".)

Martha Balph made an additional comment that she and others were surprised that the proposed ordinance draft was different than what had been requested by the affected residents in the petitions.

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

Mayor Johnson said that action on the ordinance would be taken by the City Council at a future meeting, but that it could be discussed at this time.

Councilmember Callahan said that he believed you could make an argument for either of the proposed restrictions and that he does see value in both sides. He sees value in allowing ground fireworks in the area in that it wouldn't have as much of a restriction on the rights of the people. But having said that he believes that with all of the invasive grass species, there is a heightened fire hazard risk. Callahan commented that the Council had just taken action on a resolution proposing a speed limit sign be moved to increase safety on the highway and reduce the risk of danger. To do that, nobody asked for a consensus from the motorists that would be affected if they wanted the sign moved. It was just done to mitigate risk. With the firework ordinance, 93% of the homes in question were requesting the larger ban. It has also now been a declared fire risk by the State. He looked at the long-range forecast and Cache Valley is expected to be hotter than normal in June and July, which will turn all of that grass into fuel. Taking all of this into consideration, Councilmember Callahan is in favor of a ban of all fireworks east of 500 East. He also believes that the City would bare some of the liability for a fire if ground-based fireworks in this area were the cause and the current ordinance was adopted.

Councilmember Zollinger asked why 500 East was becoming the defining line. He commented that it was kind of an arbitrary designation and that based on the BRAG map, the fire risk started much further to the West. The Council discussed the map provided by Bob Bates and don't believe it should be used to make a decision for or against the larger

ban due to the lack of clarity in the map. Councilmember Zollinger commented that he is not necessarily against the bigger ban, but that he is concerned about the future residents in that area. As more development occurs and the East side of Millville becomes less of a fire hazard, there will still be firework restrictions on those homes.

Mayor Johnson said that there was nothing that would prevent the ordinance from being changed in the future and lifting restrictions, but that now they needed to consider the desire and safety of the current landowners.

Councilmember Zollinger commented that he doesn't live here so it doesn't affect him. Councilmember Duffin then asked the Council what they would want if they did live there and their houses were at risk due to fire. She said that the reason 500 East was chosen is because for the past 3 years there have been petitions recommending this.

Councilmember Zollinger commented that the ordinance would also restrict firework use on New Years Eve when a fire hazard doesn't exist and that the restrictions would affect landowners all year long.

Councilmember Duffin again pointed at the petitions and that the people that lived there overwhelmingly agreed with the restriction of all fireworks east of 500 east with 39 adults voting for the ban and only 3 voting against the higher restriction. The single house that voted against the ban also has family in Millville City where they could go to ignite fireworks. She asked why the Council wouldn't accept the request of this many residents who live in the area and want to protect their homes.

Councilmember Zollinger said that the Council needed to realize that they are affecting future homes and homeowners in that area all year, every year. Although the ordinance could be changed in the future, it would be unlikely. The fire risk will decrease as more homes come in and landscape their yards.

Mayor Johnson said that it is good to have this discussion and not take action right after the public meeting to give time for discussion and comment and weighing the desire of the public. He said that he has gone back and forth on the issue, but is now in favor of the complete ban of fireworks east of 500 East. That sometimes you only hear from the vocal minority, but in this case, we are hearing from the great majority of the landowners and they want the restriction.

Councilmember Cummings stated her concern for the 10 new homes that would be built in the Josh Barnett neighborhood. They would be affected by the more restrictive ordinance. She said that she was okay with the restriction east of 550 East, but has an issue with the complete ban East of 500 East.

Councilmember Duffin commented that the percentage of dry grass is much higher east of 500 East. Councilmember Zollinger commented that there was still a lot of risk further west and again this line at 500 East may not greatly reduce the fire risk.

Mayor Johnson said that the fire risk increases the further east you go. If the restriction started at 550 East as currently drafted, it would allow houses on one side of the road to still ignite fireworks in a dangerous part of town.

Councilmember Duffin asked again if Councilmember Zollinger would favor the restriction if he lived in the area. Councilmember Zollinger said that if he lived there, he would want to be able to ignite fireworks. He feels that he would be responsible enough to be safe. Mayor Johnson said that he might be responsible, but that his hypothetical neighbors may not be responsible.

Councilmember Cummings asked if all of the homes in the area were making an effort to decrease the fire hazard risk. The residents present at the meeting commented on the large amount of money and work they had expended to clear grass and lesson the risk.

Mayor Johnson said that he is looking for direction from the Council on either leaving the ordinance as currently written which bans all fireworks east of 550 East and aerial fireworks between 500 East and 550 East or revising the ordinance to ban all fireworks east of 500 East as requested by the local residents so that action can be taken at the next meeting.

Councilmember Zollinger asked how the 500 East line would be enforced with no road or natural line. Mayor Johnson requested a map from Development Coordinator Meadows with a line of the proposed 500 East restriction to go along with the ordinance.

Councilmember Williams asked if fireworks would be allowed at the South Park since it sits at 500 East. Councilmember Duffin said that the park would be allowed since the ordinance would restrict fireworks East of 500 East. Mayor Johnson said that this could be clarified with the map.

Councilmember Duffin moved to modify the Firework Ordinance to ban the igniting of all fireworks East of 500 East and to take action on the modified ordinance at the May 11th City Council Meeting. Councilmember Callahan seconded. Councilmembers Duffin, Callahan, Williams and Zollinger voted yes and Councilmember Cummings voted no.

Bills to be paid

The bills were presented. They are as follows:

Julianne Duffin	General - Easter	\$63.53
Cache Valley Publishing	General	\$51.24
Olson & Hoggan, P.C.	General	\$1,062.00
Cache Metropolitan Planning Organization	Water	\$235.00
Chrissy West	General - Mini Miss	\$60.00
Michael C. Callahan	General - Rural Water	\$1,382.56
UDOT Comptroller's Office	General - TAP	\$10,960.65

Kilgore Companies LLC	General - East Bench	\$670.00
Utah Local Governments Trust	Water - Insurance	\$457.55
Questar	Water	\$148.80
Utah Water Users Association	Water	\$100.00
ACN Communication Services, Inc.	Water	\$14.23
Penny Jenson	Water - Refund	\$232.22
Lloyd H. Facer Trucking	Capital - 200 East	\$34,705.97
Meterworks	Water	\$4,553.80
Maverik Fleet Card Services	Water	\$439.13
Custom Pinstriping Inc.	Capital - Truck	\$65.00
Utah League of Cities and Towns	General	\$971.05
Ivie Seeholzer	General - Miss Millville	\$625.00
Kaitlyn Woolley	General - Miss Millville	\$400.00
Tia King	General - Miss Millville	\$300.00
Savanna Cummings	General - Miss Millville	\$56.44
Gloria Jenson	General - Miss Millville	\$163.26
Nicole Norris	General - Miss Millville	\$75.00
Maya Simmons	General - Miss Millville	\$53.17
Brittany Wall	General - Miss Millville	\$162.33
Whitney Tibbitts	General - Miss Millville	\$93.49
Utah State Tax Commission	Water	\$2,911.70
Cache Valley Bank	Water	\$50.00
Salary Register		\$8,950.48

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

The following bills were discussed:

- Facer Trucking is for the water line on 200 East
- The Meterworks charges are for water meters for new homes
- Miss Millville checks to the winners are funds that they are encouraged to use for schooling, but it is not controlled
- Olson and Hoggan for legal services. Roughly \$800 of which was for assistance with the Fireworks Ordinance

City Reports

ROADS:

Superintendent Larsen asked for clarification on the request to put up the 40 mph speed limit sign for eastbound traffic coming off of Highway 165 on 2300 South into Millville. There is already a sign there. The Council said that if there is a sign posted, everything should be fine.

The snowplow truck has a hole in the transfer case caused by a bolt. It should be around \$3,500 for repair.

Superintendent Larsen along with J-U-B engineers and Councilmember Duffin met with UDOT to discuss the TAP Grant project for 100 North and 200 North. The total amount awarded from the grant for the project was \$191,000 with Millville paying a match totaling roughly \$13,000. A new engineering estimate came in at \$205,000 for the complete project. The Grant won't pay anything over the \$191,000 so all costs over that amount will have to be paid by Millville City. This would add \$14,000 to the \$13,000 that Millville has already budgeted to pay for the project. The Council asked where the original estimate came from and why it had now increased by \$14,000. There was some confusion as to how this happened as well as why the engineering costs were so high. The Council asked if the City had the money for the project.

Superintendent Larsen showed a budget breakdown listing the projects being worked on this year and proposed projects for next year and where the money might come from. All of the projects listed on this budget sheet are very preliminary and have not yet been Council approved (The preliminary budget that was discussed is included in the minutes as attachment "J".)

The bench road on the list was discussed. The \$40,000 Larsen estimate is much less than the engineers are proposing and is admittedly a very rough estimate. Superintendent Larsen explained that his estimate of the road would take into consideration only a portion of the cost, as Providence City, Monde-Aire, Josh Barnett and Celco should pay for their parts. Zan Murray had said in an earlier email that there was a possibility of getting CCOG Funding for this road. Mayor Johnson said that the chances of that happening were small. Gary Larsen said that he believes the bench road construction will need to start by fiscal year 2018 although the extent of that project is unclear. Development Coordinator Meadows commented that Celco owns property where the road will need to cross and that they would need to deed the land over to Millville before road construction could begin.

Returning to the grant issue Mayor Johnson expressed his concern and disappointment in the change in the cost and especially in the amount of the engineering charges for this project.

The consensus of the council was to budget the money to deal with this change since the alternatives were very unfavorable and then see where the quotes come in. A final decision to proceed or not proceed with the project will depend on the received quotes and will be discussed at a future meeting.

Superintendent Larsen said there was nothing to report today on Parks or on Water.

Councilmember Assignments

(A copy of the Councilmember Assignments List is included with the minutes as Attachment “K”.)

Councilmember Cummings reported that work was being done as preparation for the upcoming City Celebration.

Councilmember Callahan mentioned that he was not interested in working on the Fair Booth. Councilmember Cumming said that he could contact Lindsay Zollinger who may have ideas for volunteers to help on the project.

Councilmember Williams reported on the Miss Millville Pageant that was held on April 22, 2017. There were five participants in total with Ivie Seeholzer as the new Miss Millville, Kaitlyn Wooley in 2nd place and Tai King in 3rd Place. Councilmember Williams reported that it was a great evening and that the committee did an excellent job. Brittany Wall – who ran the committee – has committed to do the pageant for one more year. She will train a replacement during the 2018 pageant.

The City float was then discussed. Councilmember Williams said that he has no desire to change the float although there are some people from the two pageants that are interested in making a change. He said that the float gets used about 6 times a year. The suggestion was made to get ideas and costs for possible changes. Recorder Twedt stated that there isn't budget money left over to spend on the float.

Mayor Johnson said that he had made contact with the cemetery board and had provided them with the offer for sale of the City property adjacent to the cemetery. The meeting went well and they should be back in contact with Mayor Johnson soon.

Other items for Future Agendas

Development Coordinator Meadows received a call from the Providence Court about citations that were issued to Millville residents for not having licensed their dogs. Currently, in the Millville City Code, this citation comes with a misdemeanor instead of an infraction. The misdemeanor is a more serious offense that stays on a police record. Meadows suggested changing this to an infraction when the animal control ordinance is rewritten.

Coordinator Meadows attended a local City Manager Meeting. Craig Butters from the County said that they had received reports on expected snowmelt scenarios for Cache Valley. The Council reviewed the video presentation. It was located online at:

<https://www.youtube.com/watch?v=dZ7GkZ9yefw>

After the video, Councilmember Callahan and Superintendent Larsen both commented that the Blacksmith Fork River has less risk of flooding than the Logan River in the summer months, because of the elevation disparities.

Development Coordinator Meadows also commented that he would like to encourage the Council to consider a sewer line up 100 North toward the East Bench for an eventual City sewer system.

Adjournment

Councilmember Williams moved to adjourn the meeting. Councilmember Cummings seconded. Councilmembers Cummings, Duffin, Callahan, Williams and Zollinger voted yes. The meeting adjourned at 8:53 p.m.

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

May 4, 2017

1. Roll Call:

Chairman Jim Hart, Commissioners Bonnie Farmer, and Natalie Smith (Alt.)

Others Present:

Development Coordinator Harry Meadows, Treasurer Tara Hobbs, Councilmember Michael Callahan, Lance Zollinger, Ezra Eames, Brooke Croshaw, Adam Croshaw, Kyle Hancey, Jon Hancey, Roxie and Kora Hancey. Secretary Adria Davis recorded the minutes.

2. Opening Remarks/Pledge of Allegiance

Chairman Hart opened the meeting at 8:02 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 May 4, 2017 was reviewed. A motion was made by Commissioner Farmer to approve the agenda as outlined. Commissioner Smith (Alt.) seconded. Commissioners Farmer, Hart, and Smith (Alt.) voted yes, with Commissioner Dickey excused and Commissioners Greenhalgh, Thompson, and Lewis (Alt.) absent.

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

The minutes for the meeting of April 20, 2017 were reviewed. A motion was made by Commissioner Farmer to approve the minutes as outlined. Commissioner Smith (Alt.) seconded. Commissioners Farmer, Hart, and Smith (Alt.) voted yes, with Commissioner Dickey excused and Commissioners Greenhalgh, Thompson, and Lewis (Alt.) absent.

5.A. Consideration for recommendation to the City Council of the Final Plat for the Mond-Aire Heights Subdivision, Phase 3.

Commissioners Garrett Greenhalgh and Rachel Thompson arrived at the meeting at this time.

The commissioners were unaware of the changes to Center Street that Zan had worked out with Ezra Eames. The Plat now showed Center Street connecting onto 550 East. They were concerned with the changes to the subdivision, as they had previously been requiring Center Street to connect to the west. Zan was not present at the meeting for clarification on the matter.

Ezra explained that the city had adopted a new master plan which would have 550 East connecting down to Maverick through 100 south. Center Street was no longer being developed as it would stop just west of the elementary school. This new map (showing proposed future projections) was not available for the commissioners to view.

Commissioner Thompson expressed concerns with the increased amount of traffic that would now funnel down 100 North, feeling that the upper road would not be used much and the traffic would naturally flow downhill (especially since 550 East is unfinished). Funneling traffic down 300 South is another concern, as that is already a very busy road.

Commissioner Greenhalgh expressed concerns with Center Street now exiting onto 550 East but not to the west as was previously designed. The commission had been insisting (in the past) that this subdivision have another access going West (center street) to distribute the flow of traffic away from one single road (100 North). He was uncomfortable that this had changed.

Michael Callahan noted that just because something's on the Master Plan doesn't mean we have to make it.

All the commissioners felt uncomfortable making a decision without Zan or Gary present to confirm the direction that the city wants to go with this subdivision.

Chairman Hart confirmed that this subdivision still has the same number of lots as originally proposed; therefore it met the requirement of NOT changing more than 10%.

It had a 2nd access/outlet onto 550 E; which meets the requirement of having 2 outlets (roads) for more than 30 homes.

550 East will be a paved road, and Center Street will have a 4 way intersection to help with traffic.

Adam Croshaw commented that he appreciated that we were thinking towards the future. And asked 'If a subdivision meets the requirements (ordinances) how does it not move forward?

Kyle Hancey wanted to know what happened to the original plan of dropping Center Street down through his property, as Ezra had originally approached him about this idea. He had not known of these changes prior to tonight.

After an extended period of discussion the commissioners still felt uncomfortable with the changes to this plan, specifically those surrounding Center Street and the outlets.

Commissioner Greenhalgh made a motion NOT to make ANY recommendation to the City Council regarding the Final Plat for the Mond-Aire Heights, Phase 3. Commissioner Thompson seconded.

Voting was as follows:

Bonnie Farmer – Yes

Garrett Greenhalgh – Yes

Rachel Thompson – Yes

Natalie Smith (Alt.) – Yes

Jim Hart – No

Lynette Dickey – excused

Larry Lewis (Alt.) – absent

Ezra Eames left at this point. All remaining citizens listed under 'others present' at the beginning of these minutes were in attendance for the public hearing.

5.B. Public Hearing regarding a rezone request from Lance Zollinger, to rezone parcel 03-001-0002 from (A) Agricultural to (CM) Commercial Manufacturing.

Chairman Hart made a motion to open the public hearing at 8:45 pm. Commissioner Greenhalgh seconded. Commissioner Farmer, Hart, Greenhalgh, Thompson and Smith (Alt.) voted yes with Commissioner Dickey excused and Commissioner Lewis (Alt.) absent.

Lance Zollinger commented that the buildings will be multi-use, including a volleyball facility to be used by a volleyball club.

There will be one building with 4 spaces, and one building with a sports court facility.

No additional public comments were made.

Chairman Hart made a motion to close the Public Hearing. Commissioner Greenhalgh seconded. Commissioner Farmer, Hart, Greenhalgh, Thompson and Smith (Alt.) voted yes with Commissioner Dickey excused and Commissioner Lewis (Alt.) absent.

5. C. Consideration for recommendation to the City Council regarding the Zollinger Rezone.

Commissioner Greenhalgh made a motion to recommend to the City Council the **approval** of the rezone requested by Lance Zollinger. Commissioner Smith (Alt.) seconded. Commissioner Farmer, Hart, Greenhalgh, Thompson and Smith (Alt.) voted yes with Commissioner Dickey excused and Commissioner Lewis (Alt.) absent.

6.A. Citywide Curb and Gutter Regulation

Harry presented pictures of different options that other cities had used including an 18” cement ribbon to funnel water into the swells. Also presented were grassy swells, curb and gutter, and rock swells. Chairman Hart was in favor of always installing sidewalk with every new home. Curb and gutter may be a better option depending on the slope of the land. The Commission wanted input from Zan on what grade of slope would best work with gutters to funnel the water into retention ponds. This item to be continued at the next meeting.

6.B. City Council Report – review minutes from the April 27, 2017 meeting.

No comments were made.

6.C. Agenda Items for Next Meeting

Curb and Gutter discussion
Form Based code

6.D. Other

Harry asked for input on which type of streetlights should be included in the Mond-Aire and CopperLeaf Subdivisions. Yellow light, same as existing lights in the city, or LED lights, same as the roundabout on Main Street.

7. Calendaring of future Planning and Zoning Meeting

The next regularly scheduled meeting will be held **Wednesday, May 17, 2017** if there are any action items to review.

9. Adjournment

Chairman Hart moved to adjourn the meeting at 9:33 p.m.



Millville City
 PO Box 308
 510 East 300 South
 Millville, Utah 84326
 (435) 750-0924 FAX (435) 750-6206
www.millvillecity.org

CHECK APPLICABLE BOX

Commercial New Application
 Home Business Application Amendment

CHANGE OF:

Ownership Business Name
 Address Business Description

Business License Application

For businesses with a permanent physical location within the Millville City limits.
 This is not the application for special events, temporary businesses or solicitors.

License No. 16S08001
 Date Received 9/16/2016

SECTION I: Business Information

Application Contact: Robert B. Wick Contact Ph: 435-881-6265

A. Business Name "DBA": R&S Customz

B. Business Location: 130 W. 300 N. Millville, UT 84326

C. Mailing Address: P.O. Box 276 Millville, UT 84326 Same as "B. Business Location"

D. Local Business Ph: 435-881-6265 Fax: N/A www: RSCUSTOMZ16@gmail.com

SECTION II: Business Description — General (complete the commercial or the Home Business AND the far right column)

COMMERCIAL

Building/plaza: 130 W. 300 N.

Is this a secondary use within an existing business location?

Yes, in _____ No

Hours of Operation: 8:00 AM - 6:00 PM

Type of Operation: (mark all that apply)

- Sales/Service: Customers typically come on site
- Sales/Service: Customers rarely come on-site
- Service no sales
- Fresh food service and/or preparation
- Manufacturing
- Medical/dental
- Daycare
- Instruction
- Preschool
- Other: _____

Previous use of location:

HOME BUSINESS

Please Note:

A home business does not change the aesthetic character of the area and zone.

On-site employees? Yes No

If yes,

Up to how many? _____ Working hours? _____

Where will they park? _____

On-site customers? Yes No

If yes,

Up to how many per day? _____

Up to how many per week? _____

Where will they park? _____

On-site business will be performed from a:

(mark all that apply)

- Home office Garage/storage room
- Desk and chair Carport/driveway
- Shed/out building Vehicle
- Other: _____

Do you intend to set-up off-site?

(i.e. in parking lot, at festivals, within stores)

Yes No

Proposed start date: _____

This Business Includes:

Yes No

- Signage
- Alcohol sales and/or services
- Live entertainment on-site
- Door-to-door solicitation
- Fireworks sales on-site
- Vending machines on-site
- On-site secondary business
- On-site events (ie. community party parking lot/sidewalk sales)
- Investment advice and/or service
- Pesticides use and storage
- Hazardous materials use and storage
- Vehicle sales
- Firearms or explosives sales
- Care of children or preschool
- Any construction jobs over \$1,000
- Piercing, tattooing, perm, make-up
- Used merchandise transactions
- Changes to existing garbage service
- Vehicles, trailers, mowers, etc. (stores on site)
- Electrical, plumbing, structural, or mechanical changes to site

SECTION III: Business Description — Specific

(attach additional pages if necessary)

Onsite Business to include RV & trailer repair.
OFF site Business to include framing, concrete work, finish work, painting, landscape, irrigation, flooring, and siding.

SECTION IV: Additional Information

E. Utah State Tax Commission — Sales Tax Number: _____ Not applicable
 F. State & federal regulatory agency licensing info: _____ Not applicable
(Not referring to an EIN or entity number)
 G. Did you use "One-Stop Online Business Registration" to Register your business with state and federal agencies?
 Completely Partially Not at all I do not know — someone else did it
 H. Previous Business Name: _____ Not applicable
 I. Previous Business Location: 215 N. 500 W. HYRUM, UT 84319 Not applicable

SECTION V: Ownership (Parent business entity and business officer information)

Parent Entity
 Parent Business Name: R & S Customz same as "A. Business Name DBA"
 State Entity Type: Sole Proprietorship Partnership LLC Corporation Non-Profit Corporation (w/501 c3 letter)

Officers (1)
 Officer Name: Robert B. Wick Contact Ph. 435-881-6205
 Home Address: 30 W. 300 N. PO Box 216 Millville, UT 84326
Street (include unit #) / PO Box Address City, State, ZIP
 This person can be contacted in the event of an after-hours police or fire emergency.

Sole Prop./Partnership	LLC	Corporation
<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Member	<input type="checkbox"/> President
<input type="checkbox"/> Local Manager	<input checked="" type="checkbox"/> Manager	<input type="checkbox"/> Director
	<input type="checkbox"/> Local Manager	<input type="checkbox"/> Officer
		<input type="checkbox"/> Local Manager

Officers (2)
 Officer Name: Misty D. Karasek Contact Ph. 435-213-5919
 Home Address: 30 W. 300 N. PO Box 216 Millville, UT 84326
Street (include unit #) / PO Box Address City, State, ZIP
 This person can be contacted in the event of an after-hours police or fire emergency.

Sole Prop./Partnership	LLC	Corporation
<input type="checkbox"/> Owner	<input type="checkbox"/> Member	<input type="checkbox"/> President
<input type="checkbox"/> Local Manager	<input checked="" type="checkbox"/> Manager	<input type="checkbox"/> Director
	<input type="checkbox"/> Local Manager	<input type="checkbox"/> Officer
		<input type="checkbox"/> Local Manager

SECTION VI: Notification and Verification of Authority

- Mandatory review process** – this application does not constitute a business license. All applications are subject to the review process mandated by Title 5 of the Municipal Code. Incomplete applications will not be processed. Decisions on applications will take 15 days (minimum), and are made based on:
 - the information provided on the application, and
 - review of the Mayor and City Council
- Additional Requirements** – Under the Municipal Code, additional Business License application requirements are necessitated for some business types.
- Denial of License** – Application denial or subsequent license suspension or revocation are most often the result of:
 - an inaccurate or incomplete application, or failure to update information with the City and/or
 - non-compliance with the Municipal Code, Land Use Code, and/or applicable building, fire, and environmental codes.
- Other regulatory bodies** – It is the applicant's responsibility to determine and comply with any requirements from other regulatory agencies.
- Signage** – Permanent signage requires a separate Sign Permit Application, which is located on the city web site, Millvillecity.org.
- Building alterations** – All alterations to buildings or spaces, including electrical, plumbing, and mechanical alterations, require a separate building application.

I/We hereby agree to conduct said business strictly in accordance with the business license regulations as set forth in the Millville City Code, and swear under penalty of law the information contained herein is true.

[Signature] Robert B. Wick 4-20-2017
 Signature of Owner/Authorized Agent Printed Name Date

SECTION VII: For administration use only

Classification: Conforming Non-Conforming Child Care Home Business Low Impact Medium Impact

Conditional Use: (If box is checked see conditions)

Agree Do not agree Signature: _____ Date: _____

Yes No City Council grants permission Signature: _____ Date: _____

FEES \$25.00

PAYMENT TYPE

RECEIPT

Ridgeline High School

Proposed Homecoming Parade Route

Date: Wednesday, September 27th, 2017

Route Directions:

- Start at south end of the high school heading east for one block
- Turn on 100 West and head south for two blocks
- Go around the Millville Elementary and head north on Main Street for three blocks
- Turn and head west for one block
- Turn on 100 West and head south for one block
- Return to south end of the high school (starting position)



RESOLUTION 2017 - 6

**A RESOLUTION TO APPROVE THE REZONE OF PROPERTY FROM
AGRICULTURAL TO COMMERCIAL
FOR PARCEL 03-001-0002**

WHEREAS, a petition to rezone property for parcel 03-001-0002 in the City of Millville has been received from Zollinger Commercial Warehousing as submitted by Lance Zollinger; and

WHEREAS, the Planning Commission has reviewed the request at the Planning Commission Meeting held on April 20, 2017; and

WHEREAS, the Planning Commission held a Public Hearing on May 4, 2017 to receive public input on the request; and

WHEREAS, the Planning Commission recommended to the City Council the approval to change the zoning as requested for said parcel;

NOW THEREFORE, be it resolved that the Millville City Council adopts Resolution 2017-6 and approves the rezone of property from Agricultural to Commercial for Parcel 03-001-0002 as shown in Attachment A.

EFFECTIVE DATE

This resolution is to become effective the 11th day of May, 2017.

Passed and approved by the Millville City Council, this 11th day of May, 2017.

SIGNED:



Michael E. Johnson, Mayor

ATTEST:



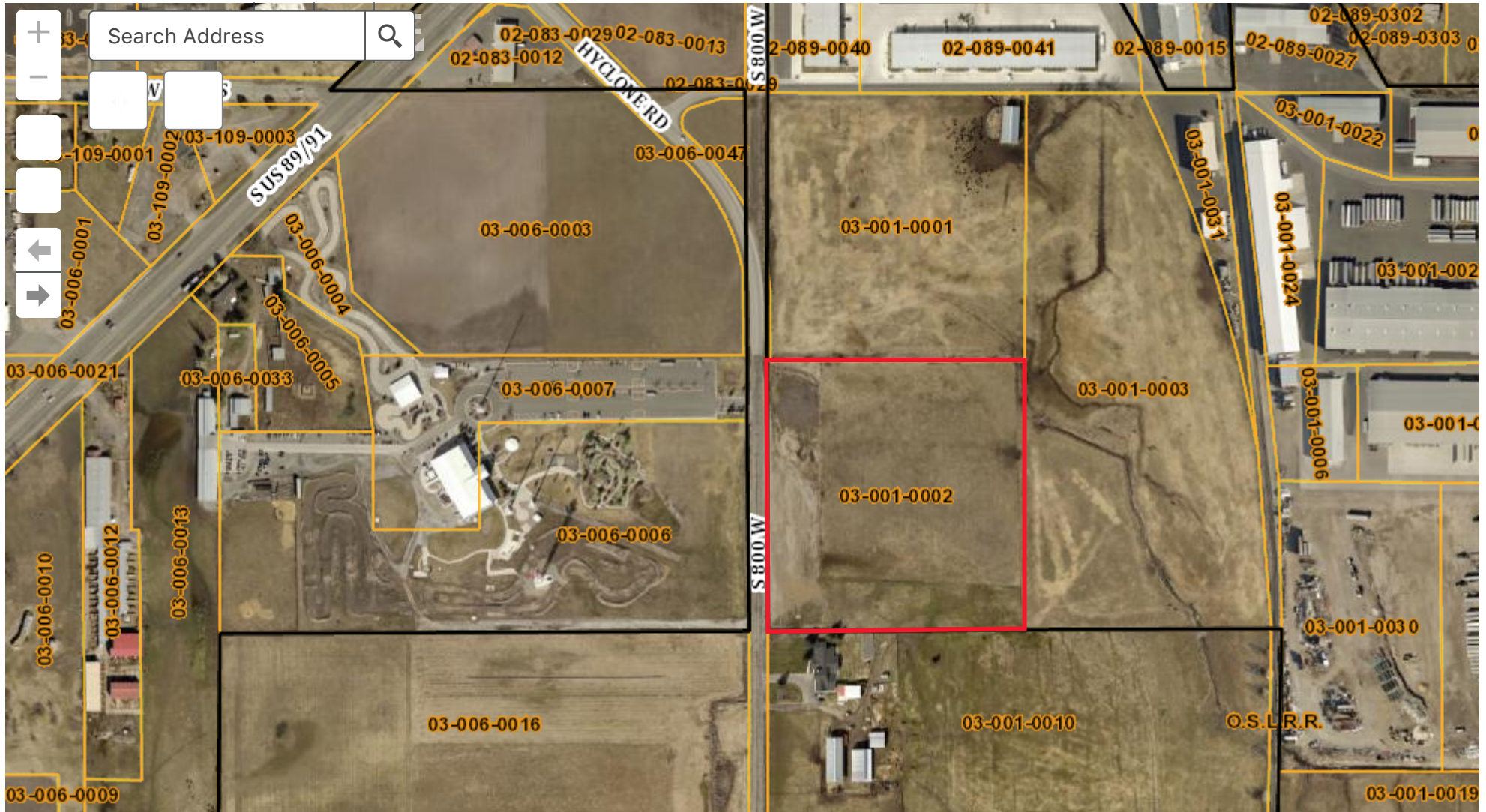
Corey Twedt, City Recorder

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



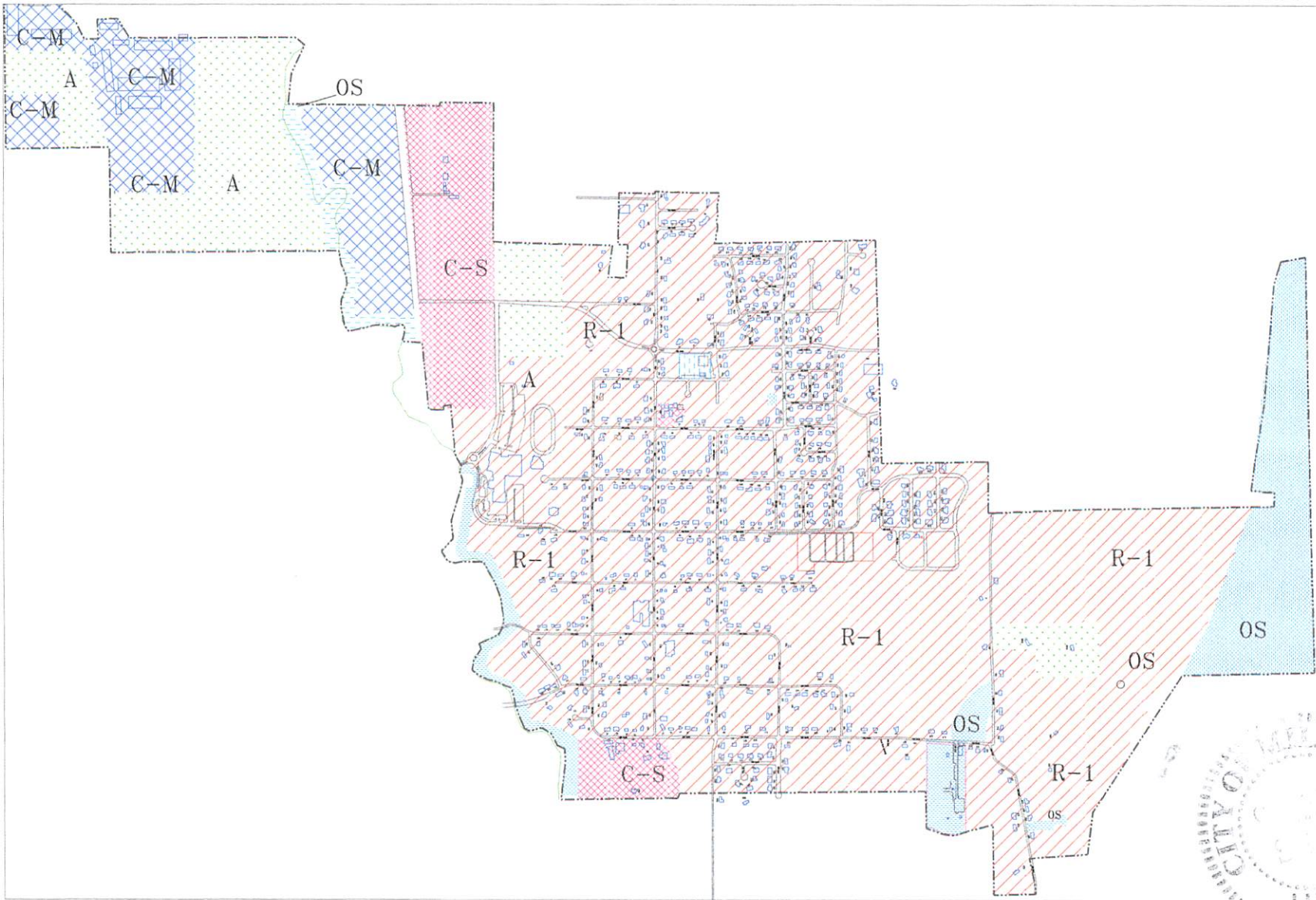
Parcel & Zoning Viewer

[clear web browser's cache help doc.](#) [NEW 300 ft mailing list help doc.](#)



400ft

111°51'04"W 41°41'52"N



Legend:

	Agricultural (A)		Residential (R-1)
	Commercial (C-M)		Open Space (OS)
	Commercial (C-S)		

Prepared by: David Dickey
 16 May 2017
 File: Zoning 2017 5-16 r10.dwg
 Ref File: Millmast 2017 3-30.dwg

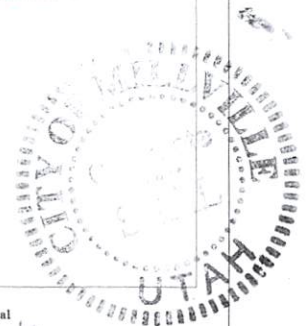
Zoning City of Millville



This is to certify that this map is the official zoning map for the city of Millville, Utah referred to in Section 6-4 of the Millville City Ordinance.

Michael Johnson, Mayor

 Ariest Curry Tvedt
 City Recorder
 Date: 5/11/17



RESOLUTION 2017 - 7

A Resolution to Establish a Minor Subdivision Identified as the Monson 300 East Subdivision located at approximately 260 South 300 East

WHEREAS, a request to subdivide parcel 03-035-0025 has been received; and

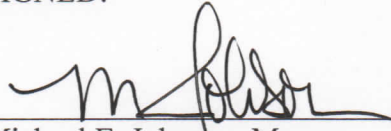
WHEREAS, the Planning Commission reviewed the request on April 20, 2017, and recommended the City Council approve this subdivision; and

WHEREAS, the City Council discussed and reviewed the request at the City Council Meeting held on May 11, 2017;

THEREFORE, BE IT RESOLVED that the City Council hereby accepts the minor subdivision of two lots as proposed in drawings and documents submitted. These documents have been found to be in compliance with applicable Millville City Ordinances.

Passed and approved by the Millville City Council this 11th day of May, 2017.

SIGNED:



Michael E. Johnson, Mayor

ATTEST:


Corey Twedt, City Recorder



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