

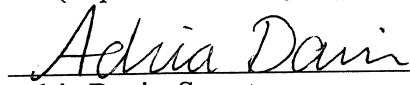
NOTICE AND AGENDA

Notice is hereby given that the Planning Commission of Millville City will hold a meeting on Thursday, **Nov 7, 2019** in the Millville City Office, at 510 East 300 South, Millville, Utah, which meeting shall begin promptly at **8:00 p.m.**

1. Roll call
2. Opening remarks/Pledge of Allegiance.
3. Review and approval of agenda
4. Review and approval of minutes from Sept 19, 2019.
5. Agenda Items:
 - A. Zoning Clearance – Dusty & Makayla Hancey, residence at 120 S 550 E, Millville.
 - B. Knowles minor subdivision - Final Plat review
 - C. Jenson subdivision review
 - D. Commercial definitions
 - E. Other
6. City Council Reports – review minutes from the Sept 26, Oct 10 and Oct 24, 2019 meetings.
7. Agenda items for next meeting.
8. Calendaring of future Planning Commission Meeting.
9. Adjournment.

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

Notice was posted on Nov 4, 2019 a date not less than 24 hours prior to the date and time of the meeting and remained so posted until after said meeting. A copy of the agenda was sent electronically to the Utah Public Meeting Notice Website (<http://www.utah.gov/pmn/index.html>) on Nov 4, 2019.



Adria Davis, Secretary
Millville City Planning Commission

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

Sept 19, 2019

1. Roll Call:

Chairman Garrett Greenhalgh, Commissioners Bonnie Farmer, Rachel Thompson, Darcy Ripplinger (Alt.) and Matt Anderson (Alt.).

Others Present:

Development Coordinator Harry Meadows, Treasurer Tara Hobbs, Chad Kendrick and Jed Grunig. Secretary Adria Davis recorded the minutes.

2. Opening Remarks/Pledge of Allegiance

Chairman Greenhalgh opened the meeting at 8:00 p.m.
He led all present in the Pledge of Allegiance.

3. Review and Approval of agenda

The agenda for the Planning Commission meeting of Sept 5, 2019 was reviewed. A motion was made by Commissioner Ripplinger (Alt.) to approve the agenda as presented. Commissioner Anderson (Alt.) seconded. Commissioners Greenhalgh, Farmer, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioners Lewis and Dickey excused.

4. Review and Approval of the Minutes from Sept 5, 2019

The Planning Commission meeting minutes were reviewed. A motion was made by Commissioner Ripplinger (Alt.) to approve the minutes as outlined. Commissioner Farmer seconded. Commissioners Greenhalgh, Farmer, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioners Lewis and Dickey excused.

5.A. Zoning Clearance – Jed Grunig, residence at 484 E 100 N, Mond Aire lot 48, Millville.

Property owner already had a septic permit granted from Bear River before the moratorium. Commissioner Thompson made a motion to approve the clearance. Commissioner Ripplinger (Alt.) seconded. Commissioners Greenhalgh, Farmer, Thompson, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioners Lewis and Dickey excused.

5.B. Other

Reminder of the public hearing on Sept 26th at 7:00 pm at the elementary school for the progress towards sewer.

6. Agenda Items for Next Meeting

Nothing pending

7. Calendaring of future Planning Commission Meeting

The next regularly scheduled meeting will be held Thursday, Oct 3, 2019 at 8:00 pm.

8. Adjournment

Chairman Greenhalgh moved to adjourn the meeting at 8:20 p.m.



00867

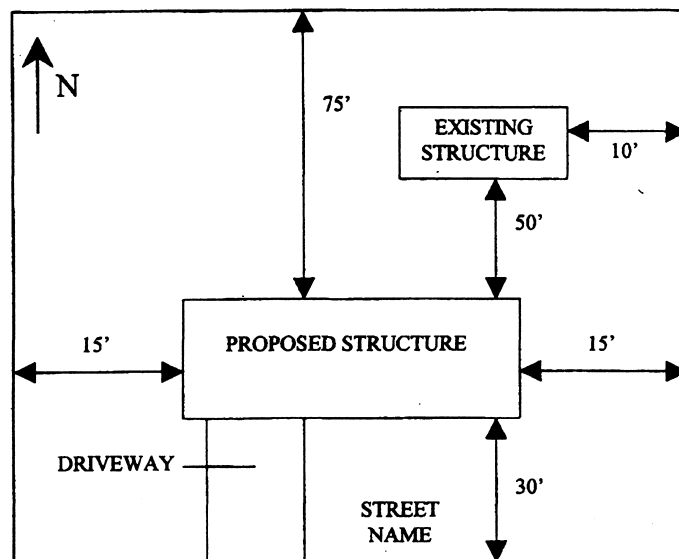
MILLVILLE CITY
ZONING CLEARANCE FOR BUILDING PERMIT
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

APPLICATION INFORMATION

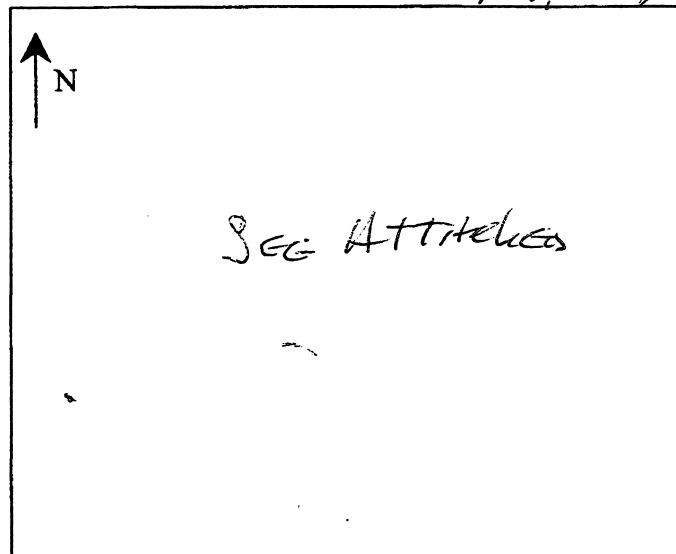
1. Dusty + Makayia Hancey
APPLICANT'S NAME
2. PO BOX 298
MAILING ADDRESS
- Millville VT 04326
CITY STATE ZIP CODE
3. 435-760-9472 4. _____
HOME TELEPHONE BUSINESS TELEPHONE
5. _____
OWNER'S NAME (if different from applicant)
6. single family home
TYPE OF STRUCTURE
7. 1760 8. R1
SQUARE FOOTAGE ZONE
9. _____
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 03 - 036 - 0026
TAX IDENTIFICATION NUMBER
11. 120 S 550 E
ADDRESS OF CONSTRUCTION
12. 1 acre 13. 4,777 ft.
LOT SIZE LOT ELEVATION
14. SEWER ☐ SEPTIC TANK ☒ N/A ☐
(choose one)
15. CITY WATER ☒ PRIVATE WELL ☐ N/A ☐
(choose one)
16. ELECTRICITY ☒ GAS ☒ OTHER UTILITY ☐
(specify in remarks)
17. _____
REMARKS

SAMPLE PLOT PLAN

(numbers do not represent required setbacks)



PLOT PLAN



APPROVED - PLANNING AND ZONING

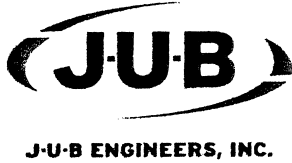
DATE

FEES PAID - TREASURER

DATE

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





J-U-B COMPANIES



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

MEMORANDUM

DATE: July 3, 2019
TO: Millville City
CC: Chad Kendrick
FROM: Zan Murray S.E.
SUBJECT: Knowles Subdivision

I have reviewed the Knowles Minor Subdivision Final Plat submission received July 2, 2019. This review includes information from the previous review dated May 31, 2019. The comments made as part of the previous review are in normal font with updated comments in bold.

- The text below the subdivision title describes the Subdivision as "containing 0.96 AC+ \- & 2 lots." This does not match the description in the certificate of dedication where it outlines the subdivision as "an area of 2.02 acres" or the three lots outlined in the drawing.
 - **This item has been resolved**
- The lots should include street addresses.
 - **This item has been resolved**
- The location of future driveways should be considered with respect to the proposed sidewalk on the site plan. According to Millville City's Manual of Construction Standards the sidewalk is required to be six inches thick through residential driveways.
 - **This submission does not include the site plan, this items can be addressed at the Zoning Clearance approval.**
- The subdivider should be made aware of the limited number of septic tank permits for the City at this time. It may affect his efforts moving forward.
 - **This submission does not include the site plan. This item can be reconfirmed at the Zoning Clearance Apporoval.**

At this point we see no concern with moving forward with approval of the plat from an engineering standpoint.

Please feel free to contact me with any questions.



Bond Summary

Client: Millville City
 Project No.: 57-19-004-001
 Date: July 23, 2019
 Development: Knowles Minor Subdivision
 Number of Lots: 3
 Original Bond Summary Date:
 Bond Posting Date:
 Warranty Beginning Date:
 Warranty Completion Date:
 Warranty Release Date:
 Release Number: N/A
 Release Date: N/A
 Final Plat Recording Date:

Millville Canyon Ridge

Completed To Date

Item #	Description	Unit	Estimated Quantity	Bond Unit Price	Bond Amount	% Complete	Amount	Remaining Amount
General				Subtotal	\$ -	0.00%	\$ -	\$ -
Roadway				Subtotal	\$ 17,978.75	0.00%	\$ -	\$ 17,978.75
10	4" Concrete Sidewalk	Square Feet	2,935	\$ 4.75	\$ 13,941.25	0.00%	\$ -	\$ 13,941.25
11	6" Concrete Sidewalk (Through Driveway)	Square Feet	450	\$ 6.75	\$ 3,037.50	0.00%	\$ -	\$ 3,037.50
12	ADA Pedestrian Curb Ramp	Each	2	\$ 500.00	\$ 1,000.00	0.00%	\$ -	\$ 1,000.00
Construction Subtotal					\$ 17,978.75		\$ -	\$ 17,978.75
Construction Total					\$ 17,978.75			\$ 17,978.75
Column1	Column2		Column4	Column5	Column6	Column42	Column53	Column64
10% Bond Increase			% Construction Total	10%	\$ 1,797.88			\$ -
Total Bond Amount					\$ 19,776.63			\$ 19,776.63

Total Completed to Date:	\$0.00
Previously Released:	\$0.00
Warranty Amount being Released:	\$0.00
Construction Amount being Released:	\$0.00
Construction Amount Remaining:	\$17,978.75
Warranty Amount Remaining:	\$1,797.88
Total Bond Remaining	\$19,776.63

Penny Jenson wishes to discuss the sidewalk requirement if she subdivides parcel 03-030-0004.

When the City Council discussed the Commercial Manufacturing zoning change that was referred to them by the P&Z, they were concerned with the wording of 17.26.020: PERMITTED USES.

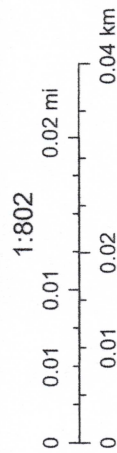
I have deleted that part and am suggesting that instead we insert these definitions. When someone proposes to build we evaluated the business and assign a manufacturing, retail or services designation then apply the appropriate requirements.

Parcel Map



11/1/2019, 11:37:43 AM

- ☐ State Roads
- ☐ Parcel Tax ID Label
- ☐ County Centerline
- ☐ County Boundary
- ☐ Municipal Boundaries
- ☐ Cache Parcels



MILLVILLE CITY CODE

TITLE 17 – ZONING

CHAPTER 17.26 - COMMERCIAL ~~MANUFACTURING (CM)~~ General (CG)

17.26.010: PURPOSE

17.26.020: PERMITTED USES

17.26.030: CONDITIONAL USES

17.26.040: APPLICATION REQUIREMENTS

17.26.050: AREA, SETBACK AND HEIGHT REQUIREMENTS

17.26.060: SPECIAL PROVISIONS

17.26.070: APPLICATION REVIEW FEE

17.26.010: PURPOSE

To provide commercial ~~manufacturing~~ General areas to serve the residents of the city and a larger geographic area. (Ord. 2012-4, 2012)

17.26.020: PERMITTED USES

~~Uses approved by the city council as being in harmony with the health, safety and welfare of the citizens. (Ord. 2012-4, 2012)~~

Manufacturing

Manufacturing refers to a large or small-scale production of goods that converts raw materials, parts, and components into finished merchandise using manual labor and/or machines. The finished goods can be sold directly to consumers, to other manufacturers for the production of more complex products, or to wholesalers who distribute the goods to retailers.

A manufacturing business is any business that uses raw materials, parts, and components to assemble finished goods. Manufacturing businesses often employ machines, robots, computers, and humans to produce the merchandise and typically use an assembly line, which enables a product to be put together step by step, moving from one workstation to the next.

Manufacturing businesses can choose to sell their products directly to consumers, to other manufacturers, to distributors or to wholesalers.

Retail

A retail sale occurs when a business sells a product or service to an individual consumer for his or her own use. The transaction itself can occur through a number of different sales channels, such as online, in a brick-and-mortar storefront, through direct sales, or direct mail. The aspect of the sale that qualifies it as a retail transaction is that the end user is the buyer.

There are four major categories of retailers:

Hardlines — things that tend to last a long time, such as appliances, cars, and furniture

Soft goods or consumables — things like clothing, shoes, and toiletries

Food — things like meat, cheese, produce, and baked goods

Art — things like fine art, as well as books and musical instruments

Within those categories you'll also find different types of retail stores. Some of the most common types include:

- **Department Stores** — the oldest, and often largest, place for consumers to shop for a variety of products under one roof. Target and Macy's are examples.
- **Big Box Store** — major retailers that specialize in one type of product, such as electronics. Best Buy and Bed Bath and Beyond are examples.
- **Discount Stores** -- department stores that stock discounted items and lower priced brands. Walmart and Kmart are examples.
- **Warehouse Stores** — these no-frills warehouses often require you to be a member to access their low prices. BJs and Costco are examples.
- **Mom-and-Pop Stores** — smaller, often niche stores run by small business owners. These are your corner stores and local storefronts.

- **E-tailers** online retailers that sell via the internet and have products delivered to your door. They typically do not have physical stores.
- Amazon and Etsy are examples.

Services

- Services are the non-physical, intangible parts of our economy which we cannot touch or handle.
- Services, such as banking, education, medical treatment, and transportation make up the majority of the economies.

They only exist while the provider is supplying it and the customer is consuming it. For example, a haircut is a service; you cannot transport or store a haircut.

In fact, the haircut only exists while somebody is cutting your hair.

When you pay for a service, you receive something intangible. In other words, you do not get anything solid, i.e., you cannot touch it

The buyer of a service gets something he or she needs. However, the customer does not own any physical, solid, or fixed property resulting from the transaction.

- **Intangibility:** you cannot touch or handle them. Neither can you transport, stock, manufacture, mine, or farm them.
- **Inventory (Perishability):** you cannot store them for future use. Once the provider delivers the service, it irreversibly vanishes.
- **Inseparability:** the provider must deliver the service at the time of consumption. Unlike a good, a service can only be delivered and consumed when the provider is present.

17.26.030: CONDITIONAL USES

The following may be permitted conditional uses after application and approval as specified in section 17.64.070 of this title:

Education services both public and private. (Ord. 2013-2, 2013)

17.26.040: APPLICATION REQUIREMENTS

All applications to the planning commission for development in the commercial **manufacturing** **general** zone shall be accompanied by the following technical information reports, all prepared by a licensed engineer or landscape architect, as the case may be, in sufficient detail to allow evaluation of health, safety, and general public welfare aspects of the development. The reports shall include:

A. Site Development Plans:

1. A grading or earthmoving plan showing existing and proposed contours of the property. The contour lines shall extend to at least one hundred feet (100') outside the property lines, or a sufficient distance to show on site and off site drainage channels. The contour interval shall be two feet (2').
2. Detailed site plans and elevation drawings showing the location of all existing and proposed streets, easements, and drainage channels.
3. Traffic flow study, if deemed necessary by the city engineer.
4. Detailed site plan showing the location and proposed connection points of utilities, including, but not limited to, water, natural gas, electricity, sewer and telecommunications.
5. A fire protection plan accompanied by letters of approval from the fire chief and the county fire marshal.
6. Detailed site plan showing the boundaries of any established FEMA or any other floodplain within the property and within six hundred feet (600') of the property lines.

MILLVILLE CITY COUNCIL MEETING
Millville Elementary – 67 South Main – Millville, Utah
September 26, 2019

PRESENT: David Hair, Daniel Grange, Michael Callahan, Cindy Cummings, Mark Williams, Clay Wilker, Harry Meadows, Chad Kendrick, Corey Twedt, Roberta Black, Robyn Jenson, Ronald Jenson, Gary Gettman, Suzanne Gettman, Arlan Hovey, Lane Hovey, Steve Hovey, Ray Jorgensen, Irene Jorgensen, Tony Smith, Amanda Smith, Cole Smith, Chase Smith, Ryan Zollinger, Kurt Chaffin, Rob Taylor, Christin Taylor, Jesse Elsmore, Derek Meyer, Rose Munyan, Owen Jensen, Daleen Torbenson, Brent Torbenson, Eric Frandsen, Brian Harding, Monte Clark, Rose Mary Jones, Bart Esplin, Michael Jeppson, Terrel Huppi, Lance Houser, Chad Brown, Tyler Withers, Cameron Workman, Sonja Patterson, Robert Greg Patterson, Gary Larsen, Veloy Hansen, Heinz Mathys, Bonnie Farmer, Holly Jaacks, Richard Zollinger, Rose Gittins, Greg Gittins, Michael Cornia, Beverly Kreipl, Mike Bodily, Connie Bodily, Sandra Eames, Richard Worley, Shane Jackson, Mary Jo Davis, Sheryl Hair, Darcy Ripplinger, Brian Jensen, Marjorie Davis, Delfino Torres, Enedelia Torres, Mark Brunson, Doyle Zollinger, Wendy Wilker, Lynn Nish, Denese Nish, Jeff Sheen, Jason Norris, Robert Carpenter, Kathleen Cornia, Linda Webster, Joan Findlay, Frank Smith, Jerry Bellon, Adria Davis, Joel Duffin, Julianne Duffin, Julie Clark, Dale Willden, Sherry Willden, Gene Eggleston, Matthew Anderson, Jen Whelan, Scott Seely, Paul Goff, Guy Curtis, Michelle Bair, Pam June, Diane Vorel, Teresa Kendrick, Heidi Checketts, Mike Wilson, Carly Hess, Randy Oldham, Susan Oldham, Carly Nisbet, Brooklyn Monson, Presley Shewell, Annika Johnson, Jonah Bates, Kendal Shewell, Adelynn Bair, Addy Hess, Allie Williams, Aly Kendrick, Alyssa Anderson, Ashley Woffinden, Bradley Monson, Danee Whelen, Dillan Walton, Dylan Twedt, Elizabeth McConkie, Evelyn Casperson, Hadley Sheen, James Thatcher, Jaycie Williams, Katie Williams, Michael Duffin, Ryan Nisbet, Sadie Low, Samantha Gebert, Stephen Thatcher, Stockton Nielsen, Summer Nielsen, Sydnee Walton, Sydnie Barfuss, Thea Allard, Trey Hustad, Jonathan Christiansen, Ben Checketts.

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for September 26, 2019 at 6:30 p.m. The roll call indicated Mayor Hair and Councilmembers Cindy Cummings, Michael Callahan, Mark Williams, Clay Wilker and Daniel Grange were in attendance. Also, Recorder Corey Twedt was present with Treasurer Tara Hobbs excused.

Opening Remarks/Pledge of Allegiance

Councilmember Wilker 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 September 26, 2019 was reviewed.

Councilmember William moved to approve the agenda for September 26, 2019.

Councilmember Wilker seconded. Councilmembers Callahan, Cummings, Grange, Wilker and Williams 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 22, 2019.

Councilmember Grange moved to approve the minutes for August 22, 2019.

Councilmember Callahan seconded. Councilmembers Callahan, Cummings, Grange, Wilker and Williams voted yes.

Request for a Business License for Bowls and Stuff at 225 N. 350 E.

R. Greg Patterson has submitted a request for a business license for Bowls and Stuff. He was not present during this portion of the meeting. **Councilmember Williams moved to approve the business license for Bowls and Stuff.** Councilmember Callahan seconded. Councilmembers Callahan, Cummings, Grange, Wilker and Williams voted yes. (A copy of the license application is included with the minutes as Attachment "B".)

Report on P & Z Meetings held September 5, 2019 and September 19, 2019

Development Coordinator Harry Meadows reviewed with the Council the Planning Commission's draft minutes for the meetings held in September. Councilmember Callahan asked if the City was going to be able to speak at the Bear River Health Department meeting in October. Recorder Twedt confirmed that the City was on the agenda for that meeting. (Copies of the draft minutes are included as Attachments "C" and "D".)

Millville City Youth Council Introduction and Welcome

Councilmember Cummings welcomed the Youth Council to the meeting and asked them to go to the front of the auditorium. She then turned the time over to Youth Council Mayor Carlee Nizbit. Carlee introduced the other members of the Youth Council leadership: Recorder - Mikele Norris (not present), Treasurer - Brooklyn Monson, Councilmembers - Presley Shewell, Annika Johnson, Jonah Bates, Elizabeth Nichols (not present) and Kendal Shewell.

Millville City Youth Council Swearing in

Recorder Twedt then swore in the following members of the Millville City Youth Council who were present at the meeting: Carly Nisbet, Brooklyn Monson, Presley Shewell, Annika Johnson, Jonah Bates, Kendal Shewell, Adelynn Bair, Addy Hess, Allie Williams, Aly Kendrick, Alyssa Anderson, Ashley Woffinden, Bradley Monson, Danee Whelen, Dillan Walton, Dylan Twedt, Elizabeth McConkie, Evelyn Casperson, Hadley Sheen, James Thatcher, Jaycie Williams, Katie Williams, Michael Duffin, Ryan Nisbet, Sadie Low, Samantha Gebert, Stephen Thatcher, Stockton Nielsen, Summer Nielsen, Sydnee Walton, Sydnie Barfuss, Thea Allard, Trey Hustad, Jonathan Christiansen and Ben Checketts. (The complete MCYC 2019-2020 List is included as Attachment “E”).

Mayor Hair thanked the Youth Council for attending and commented that Millville has the best Youth Council due to the amazing leaders and all that they do.

Consideration of a Resolution Cancelling the Millville City 2019 General Election

Mayor Hair explained that in June, during the election candidacy filing period, five residents filed for candidacy for the three open City Councilmember positions for the 2019 municipal election. Lance Zollinger and Mark Bodily have since withdrawn from the election leaving Pamela June, Ryan Zollinger and Michael Callahan who will fill the three open Councilmember positions.

Councilmember Cummings moved to adopt Resolution 2019-18 to Cancel the Millville City 2019 General Election. Councilmember Grange seconded.

Councilmembers Callahan, Cummings, Grange, Wilker and Williams voted yes. (The approved resolution is included with the minutes as Attachment “F”).

Consideration of an Ordinance Modifying Millville City Code Regarding Commercial Zoning

Development Coordinator Harry Meadows explained the background and need for the code change. He said that the Zollinger Commercial Complex is a good example. This area is zoned Commercial Manufacturing, but contains different businesses that really fit each of the three commercial zone types (manufacturing, retail, services). The Planning Commission has determined that it doesn’t make sense to try and rezone each little area, but instead to create a single Commercial General Zone where any of the three types of commercial businesses can be located. Then there would be specific requirements for the type of commercial business within that zone.

Councilmember Wilker said that he was concerned with the proposed language for Section 17.12.050 where it says, *“The CG (commercial general) district is intended to provide various commercial uses deemed appropriate to the area in which it is located.”* He asked who would make the determination of what was “deemed appropriate” as it could be interpreted in many different ways. Development Coordinator Meadows said that this would be determined by the Planning Commission when new requests are made. Councilmember Wilker said that he was concerned with leaving this up for question where

the results might differ depending on who was serving on the Commission at the time of the request and treatment may be different from request to request. Councilmember Cummings said that she agreed with Councilmember Wilker and would prefer if it was spelled out and made a little clearer.

Councilmember Wilker motioned to send this ordinance back to P&Z with the request for them to identify general requirements for each of the three types of Commercial Zones (Service, Manufacturing and Retail) to create a clear guideline for businesses that want to come into the Commercial General Zone. Councilmember Grange seconded. Councilmembers Callahan, Cummings, Grange, Wilker and Williams voted yes.

Consideration of a Resolution Updating Sign Requirements and Restrictions

It was determined to wait on approval of an update to the sign resolution until the Commercial General Zone is finalized. Councilmember Wilker asked for clarification on why the Agricultural and Residential Zones were listed on the sign requirements matrix that was being reviewed here for the Commercial Zone update. Coordinator Meadows explained that the Agricultural and Residential Zones sign requirements were spelled out in the actual City Code and summarized in the matrix so that all requirements were listed in a single location. He said that he would review the matrix to confirm that the Residential and Agricultural requirements from the matrix matched what was in the City Code.

Councilmember Cummings motioned to move to Item "I" on the agenda as there was still time before the Public Hearing would begin. Councilmember Williams seconded. Councilmembers Callahan, Cummings, Grange, Wilker and Williams voted yes.

Councilmember Reports and Items for Future Agendas

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

Councilmember Callahan said that he had received feedback from several people that live near Ridgeline High School concerning how long and loud the Homecoming Dance was. He said that these concerns should be raised with the school if they want to do an outside dance again. Several other councilmembers indicated that they had heard similar concerns. Mayor Hair said that the Council had requested the dance be held on the north side of the school, but that it was held on the south instead which was closer to more homes. Councilmember Wilker said that when the request was made by the school to hold the dance outside, the Council asked the students to contact the homeowners that live near the school. Councilmember Cummings said that the final motion that had been approved requested that the students attempt to contact the neighbors and nobody was sure if this had happened.

Recorder Twedt said that he attended the Providence City Council Meeting on Tuesday night where Utopia Fiber did a presentation on adding fiber internet infrastructure to Providence City. Several cities in Cache Valley are currently considering fiber internet. The way Utopia works is they install the infrastructure and as long as the subscription base within a City hits a certain level, the City does not need to pay any of the costs. The construction costs in these other cities is quite high since they need to dig up roads and yards to make connections to each home. That cost would be very minimal if Millville were to do it during the sewer system construction. Recorder Twedt said that he has reached out to Utopia Fiber to begin getting more information that will be presented to the City Council in the future.

PUBLIC HEARING

Mayor Hair introduced the background of why the City is doing what they are doing regarding the sewer and water projects. Because of the rising nitrate levels in the Glenridge Well, a moratorium has been placed on new building until a sewer system is installed in Millville City. Regarding water, for some time the City has been looking at options for what to do if and when we can no longer use the Glenridge Well as a culinary water source. There are expensive options to make that well last a little longer, but long term, the City will need another source to provide enough water during the summer months and to allow for any growth in the City. The City is now looking at a location for a new well near the upper water storage tank. It would be on property already owned by the City with easy access to the reservoir and at a high enough location to limit pumping. From the studies that have been done, it appears that there is water at that location.

Mayor Hair explained that the City has hired two different engineering firms for the two different projects. The selection process for the engineers included two Councilmembers, two Planning Commissioners, two City residents, the Mayor, Public Works Director and Recorder. CRS Engineering was hired for the water project and Franson Engineering for the sewer project. Both sets of engineers and the City have been working very hard on both the water and sewer projects.

Mayor Hair explained that he has met with Logan City regarding a potential agreement for them to take the Millville sewage. He was told at that meeting, that there would be a \$2,500/home fee if Millville goes to Logan. This would add approximately \$1.6 Million to the cost of the project. The City has also been looking at the possibility of creating a southern sewer district with other cities on the south end of the valley that would go to Hyrum.

Mayor Hair also said that the City will be trying get enough money for the project to pay for the individual home sewer hookups and not put that cost on the residents

All options are being considered and we will continue to keep you updated from month to month in the newsletter and on the City website of what is being done and where we are going. He also invited the residents to reach out and come to the City with questions or concerns and that he would be willing to listen to anything they have to say.

Councilmember Williams moved to go into the public hearing. Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Grange, Wilker and Williams voted yes.

PUBLIC HEARING: 7:00 p.m.
Commenced at 7:00 p.m.

PRESENT: David Hair, Daniel Grange, Michael Callahan, Cindy Cummings, Mark Williams, Clay Wilker, Harry Meadows, Chad Kendrick, Corey Twedt, Roberta Black, Robyn Jenson, Ronald Jenson, Gary Gettman, Suzanne Gettman, Arlan Hovey, Lane Hovey, Steve Hovey, Ray Jorgensen, Irene Jorgensen, Tony Smith, Amanda Smith, Cole Smith, Chase Smith, Ryan Zollinger, Kurt Chaffin, Rob Taylor, Christin Taylor, Jesse Elsmore, Derek Meyer, Rose Munyan, Owen Jensen, Daleen Torbenson, Brent Torbenson, Eric Frandsen, Brian Harding, Monte Clark, Rose Mary Jones, Bart Esplin, Michael Jeppson, Terrel Huppi, Lance Houser, Chad Brown, Tyler Withers, Cameron Workman, Sonja Patterson, Robert Greg Patterson, Gary Larsen, Veloy Hansen, Heinz Mathys, Bonnie Farmer, Holly Jaacks, Richard Zollinger, Rose Gittins, Greg Gittins, Michael Cornia, Beverly Kreipl, Mike Bodily, Connie Bodily, Sandra Eames, Richard Worley, Shane Jackson, Mary Jo Davis, Sheryl Hair, Darcy Ripplinger, Brian Jensen, Marjorie Davis, Delfino Torres, Enedelia Torres, Mark Brunson, Doyle Zollinger, Wendy Wilker, Lynn Nish, Denese Nish, Jeff Sheen, Jason Norris, Robert Carpenter, Kathleen Cornia, Linda Webster, Joan Findlay, Frank Smith, Jerry Bellon, Adria Davis, Joel Duffin, Julianne Duffin, Julie Clark, Dale Willden, Sherry Willden, Gene Eggleston, Matthew Anderson, Jen Whelan, Scott Seely, Paul Goff, Guy Curtis, Michelle Bair, Pam June, Diane Vorel, Teresa Kendrick, Mike Wilson, Randy Oldham, Susan Oldham, Adelynn Bair

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

- First draft of proposed sewer pipe design and City layout.
- Issuance of Millville City water and sewer revenue bonds, in one or more series, in the aggregate principal amount not to exceed \$15,000,000 for water and sewer system improvements and related improvements.

Mayor Hair explained that tonight the engineers would show the main sewer lines and how they would connect things. They do not currently have numbers for monthly costs. He said that the engineers would stay after the meeting and answer individual questions regarding how homes would connect to the main lines.

Chad Brown, the Project Manager from Franson Engineering on the sewer project, explained that they have large posters on both sides of the room where the residents could

come up and look at how it would affect them specifically. With the maps being shown on the projector he talked through the plan for the main sewer lines throughout the City. He explained that the desire was to make the entire system gravity fed and avoid pumping if at all possible. He explained that there was a natural ridge or high point throughout the City to basically split it in half to create a north and south collection system.

Councilmember Callahan asked if there would be any in-town pump stations under the current design. Lance Houser, the project engineer from Franson, said that there were no current plans for pump stations. The design was done for everything to be gravity fed. There would be some required pumping if land to the north gets developed, but this would not be part of the current sewer project and would be handled by the developers.

Bob Carpenter said that he understood that the main system was not designed to have lift stations, but what about the individual homes. Chad Brown said that they are trying to gravity flow every connection. There are a couple culs-de-sac that go to the west downhill (away from the main lines) that are questionable. If we are able to get easements, then these will be gravity fed as well.

Doyle Zollinger asked if sewer would go into the entire town. Chad Brown said that yes, every home would be connected, but clarified that sewer lines would not be installed in the undeveloped areas. The developers would be required to install sewer in those areas and connect to the rest of the City when development occurs.

Jim Blotter asked about the money that has been coming from the residents for the past several years with every utility check. Mayor Hair explained that the \$2 per month that each home has been paying has been going to the debt incurred by the City when they paid into upsizing the Nibley sewer lines to be able to fit the Millville sewage. The City is still paying down this debt and the upsized lines will now be used when the City installs the sewer system.

Mayor Hair said that at the original Bear River Health Department meeting, the decision to impose a moratorium caught the City completely by surprise. They allowed Mayor Hair to speak briefly where he explained the hardship this moratorium would put on several people that had purchased a lot and couldn't build on it. As a result, the Bear River Health Department has allowed a limited number of septic permits to be issued while the City works on the process of installing a sewer system. Mayor Hair also explained that the City was working hard to get grant money to pay for as much as possible of these projects. From one of the funding sources, 25% to 45% of the project could be paid for with grants.

Joan Findlay asked about the time frame for when people will be able to begin building again in Millville. Mayor Hair explained that there were still lots of unknowns. Much of this will depend on the decision made at the Bear River Health Department meeting in October. Mayor Hair also said that the sewer timeline is unknown at this point since there are questions as to where the sewage will go. A study was started several years ago to look at the feasibility of going to Hyrum with some other neighboring cities. That study wasn't completed at that time. Within the last couple of weeks, Millville has held a meeting with

the other cities on the south side of the Cache Valley to discuss a study to be done quickly to look at this again.

Doyle Zollinger said that years ago, when sewer came up to be voted on, it was voted down. He was in favor of the sewer back then. Septic tanks are problematic and he has had several issues with his over the years. He said that the City needed to finally accept it and install the sewer system and get it over with.

Bob Carpenter asked if the City was considering the additional cost that they might incur by going to Logan with the overages in their sewer system that is under construction and as they work to reduce nitrates and contaminates in the Logan water. Mayor Hair said that this is part of the consideration and that the Logan sewer system improvements that are currently underway are now more than \$50 Million over the original budget. This is why the City needs to take the time to look at all options and make the right decision for the City.

Ryan Zollinger asked about the cost estimates. Recorder Twedt explained that the current high-end estimate for the sewer is \$12.27 Million. Included in this amount is connections to each of the homes and \$1.6 Million for the impact fees that Logan wants (if Millville were to go towards Logan). Lance Houser said that this amount also included the abandonment of the septic tanks. It was later discussed that \$3 Million of the \$12.27 Million was the amount estimated for connecting each of the homes to the main sewer lines.

Mayor Hair explained that if they were to go to Hyrum, they could either do an interlocal agreement or create a sewer district. We would prefer create a district so that we continue to have a say in decisions that are made in the future.

Scott Seally asked about the option of doing a pressurized irrigation system. Mayor Hair said that the City was looking into this, but that the costs were not looking like they make sense. Pressurized irrigation would not be able to go into the same holes being dug for the sewer and would require meters at every connection making the costs very high. Recorder Twedt said that CRS Engineering is in the middle of doing an updated water master plan where they are considering the pros and cons of installing pressurized irrigation. The Council will review the feasibility once that study is complete.

Connie Bodily asked if there were other fees for the homeowners for the initial connections. Chad Brown said that the City is trying to include the home connection costs with the overall funding that would connect each home to the main sewer lines near the streets. They had hoped that as much of this cost as possible would be covered with grant money.

Holly Jaacks asked about how the septic tanks would be abandoned. Lance Houser said that there are four options for dealing with the septic tanks. After cleaning out each of the septic tanks you can break them down and backfill them, remove the tanks completely, fill them with sand or empty the tanks and leave them as they are.

Diane Vorel said that she lived in Arizona where the sewer was handled by a private company. If people didn't pay their bills, there were valves where the company would shut it down, backing up the sewer into the homes. Chad Brown said that there were no valves like this in the Millville design and that it would be a public utility and not run by a separate private company.

Richard Zollinger asked why you would want to destroy the septic tanks. He said that he would prefer empty the tanks and leave them there. Chad Brown said that this would be the most cost effective. As long as they were structurally sound, they would try to leave them alone.

Richard Zollinger also asked if the engineers were looking at the possibility of Millville doing their own treatment plant. Chad explained that they were focused on the plan for the sewer lines. The City is looking at all options for how to treat the sewage. Mayor Hair explained that there is a big benefit in combining with other cities to share and offset the liability if there are issues. Richard said that he believes the reason that Logan is \$50 Million over budget is because of the swampy location in which they are trying to build the sewer system. He said that he feels Millville would be better off not going to Logan City.

Julianne Duffin expressed her support in taking the time to find the best option for Millville. Not just for 5 years down the road, but 20 years. She said that she would hope that the City wouldn't rush into a decision that would have long-term negative consequences.

Frank Smith said that he lives near the current sewer lines that were installed for the school. He asked if he could connect sooner to the existing sewer lines. Recorder Twedt said that this wasn't out of the question, but that the sewage from the school and seminary currently go through Nibley and to Logan. To send additional residential sewage, they would need an agreement with Logan and need to figure out the \$2,500 impact fee.

Frank Smith also asked about the estimated costs of the sewer lines getting to Hyrum. Mayor Hair said that we don't have those numbers yet and would need information back from the study before they could provide any information.

Julianne Duffin asked if they were to go to Hyrum if they would need to build a new plant or use the existing Hyrum treatment plant. Mayor Hair explained that the facilities and system would need to be upgraded and additions would have to be made, but Hyrum has space that this could potentially be done at the same location as their current treatment plant.

Julie Clark asked for an estimate of how long it would take to do the study to look at creating a district and going towards Hyrum. Mayor Hair said that the initial meeting with the other cities had just happened and some of the others had agreed to participate in the study. The scope of work for the study is being created now. Recorder Twedt said that they were pushing to get this done quickly and it should be completed within the next six

months. Mayor Hair said that an estimate would be 4-5 years to get everything done and have sewer up and going if the City goes the route of creating a sewer district with some of the other cities.

Gary Gettman asked if the City was rolling over and playing dead with the Bear River Health Department. Isn't there something that can be done about the moratorium? Mayor Hair said that one thing that needs to be considered is the tax base. The home and property values in Millville are going down because of the moratorium and this should be factored into the property taxes. Gary said that the landowners were blindsided and that this really was unfair. He said that he was considering going in to challenge the property tax rates. Mayor Hair said that he hoped that the Health Department would allow building to continue after their review at the next meeting. Gary Gettman said that they needed to be open to allowing building after considering all of the progress that had taken place since the March meeting.

The starting date was again discussed. The question is where the sewage will go. Chad Brown said that construction could begin next summer if we knew right now where it was going to go. Gary Gettman asked about how long it would take to do the construction after it begins. Chad said that he estimated it would take about 2 to 3 years of construction as they move east from the existing sewer lines near the school. This would be done in phases.

Julie Clark asked if the engineers knew the cost inflation for sewer system construction materials. Lance Houser said that in the past, the inflationary cost has been approximately 3% per year.

Councilmember Callahan left the meeting at this time due to medical reasons.

Connie Bodily said that her top concern was the quality of the water. She said that she did not want a delay in the sewer system installation to impact the water quality. Mayor Hair said that he agreed and that maintaining high quality water was a top priority. This is why the City is working on a new water source by planning to drill a new well. They will continue to monitor nitrate levels at the Glenridge Well to ensure that only safe water is being distributed to the City. He also noted that the nitrate levels have decreased this year from what they were last year.

Julianne Duffin asked if they could briefly discuss the water project.

Mike Wilson from CRS Engineering said that they have been looking at the proposed well location. The well would be near the current City reservoir and would be designed to pump directly into the water tank. They are currently anticipating that the well would be approximately 400 feet deep with a capacity of several hundred gallons per minute.

Gary Gettman asked if the City would need additional water rights. Mike Wilson said that they were working within the existing water rights that the City has.

Ryan Zollinger asked about the estimated cost of the well. Mayor Hair said that the current estimate on the high side is between \$1.7 - \$2 Million.

Joan Findlay said that back on the sewer, would the lines be deep enough for basements so that they would not need to pump. Chad Brown said that the lines would be designed to be deep enough to avoid having to pump. Gary Gettman confirmed that with a home that fronts a street with the main line and a septic tank in the backyard, that they would still have the needed depth. The engineers confirmed that this was the plan.

Gary Gettman asked about the Bear River Health Department report indicating that Millville nitrates were affecting wells in Providence. Recorder Twedt said that there was no evidence to support this link and that the State Geologist had even said that he thought it was unlikely. Gary pointed out that the nitrates could absolutely be coming from the cattle in the area. Recorder Twedt said that this was a possibility and likely a factor. Humans are also a likely factor as trace amounts of antibiotics and caffeine have been detected in the high-nitrate Millville water.

Wendy Wilker, who works for River Heights City, said that River Heights has had major issues in dealing with Logan City on their utilities. Former Mayor Brackner has a book that he put together of the issues that they have had with Logan. Millville should try and look at this and make sure and consider the issues that River Heights has faced. She said that River Heights had tried to go a different route in the past, but didn't have time and had to sign a new agreement with Logan. Wendy also said that her father was serving in Providence when they connected to sewer in the 1970s. When this happened, her dad made a book, that is in the Providence City archives, about the sewer considerations that they were involved in. This book may also be a useful resource. It was put together by Glade Davis and the Town Council at that time. She cautioned the Millville City Council to be very careful in getting involved with Logan City. Mayor Hair pointed out that Lance Houser used to work for Logan City in their waste department and has been an asset for the sewer project with his wealth of knowledge on sewer systems.

There were no additional comments from the public.

Councilmember Williams moved to close the public hearing. Councilmember Wilker seconded. Councilmembers Cummings, Grange, Wilker and Williams voted yes with Councilmember Callahan excused. (A copy of the public information packet for the hearing is included with the minutes as Attachment "H".)

Adjournment

Councilmember Cummings moved to adjourn the meeting. Councilmember Williams seconded. Councilmembers Cummings, Grange, Wilker and Williams voted yes with Councilmember Callahan excused. The meeting adjourned at 7:59 p.m.

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
October 10, 2019

PRESENT: David Hair, Daniel Grange, Michael Callahan, Cindy Cummings, Mark Williams, Clay Wilker, Tara Hobbs, Harry Meadows, Chad Kendrick, Corey Twedt, Ana Liquin, Todd Cottle, Pam June, Mike Morgan

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for October 10, 2019 at 6:30 p.m. The roll call indicated Mayor Hair and Councilmembers Cindy Cummings, Michael Callahan, Mark Williams, Clay Wilker and Daniel Grange were in attendance. Also, Treasurer Tara Hobbs and Recorder Corey Twedt were present.

Opening Remarks/Pledge of Allegiance

Councilmember Grange welcomed everyone to the Council Meeting and led all present in the pledge of allegiance. He then offered a prayer.

Approval of agenda and time allocations

The agenda for the City Council Meeting of October 10, 2019 was reviewed.

Councilmember Wilker moved to approve the agenda for October 10, 2019.

Councilmember Williams seconded. Councilmembers Callahan, Cummings, Wilker, Grange and Williams 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 September 26, 2019.

Councilmember Williams moved to approve the minutes for September 26, 2019.

Councilmember Callahan seconded. Councilmembers Callahan, Cummings, Wilker, Grange and Williams voted yes.

Public Comment Period

No one signed up for the public comment portion of the meeting.

CAPSA – Domestic Violence Awareness Month

Ana Liquin from CAPSA said that October is Domestic Violence Awareness Month. She handed out information packets to the Councilmembers. She then explained a little bit about what CAPSA does. Ana said that people often focus in on physical abuse, but that there are several different types of abuse and CAPSA works hard to protect and empower

the survivors of all types. Ana said that in Utah, one in three women and one in seven men experience some type of domestic violence which is higher than the National average.

Ana said that CAPSA provides a free shelter for those that are being abused with 32 beds and they help men as well as women. They offer free therapy, legal support and a number of other services to the survivors. Last year, CAPSA sheltered 17 men, 144 women and 139 children. They filed a number of protective orders and did education and training throughout the school system in Cache Valley. Ana said that there is still lots of work to be done. There are a many people that need help and it is important that they know that CAPSA is here and an available resource. She said that she would like to leave pamphlets in the City office to make people aware of the CAPSA Facebook page and website.

Councilmember Callahan asked about how the abuse rate in Cache Valley compares to the rest of the State. Ana said that Cache Valley was a little bit lower, but not hugely different than the rest of the State.

Mayor Hair asked about how financial status and education levels relate to the amount of domestic violence that occurs. Ana said that domestic abuse happens throughout the spectrum. She said that there are risk factors that are associated with certain groups, but they see violence in every level of education and social class.

Councilmember Wilker asked about the CAPSA funding. Ana said that the funding comes from State and Federal dollars. She also said that they receive donations as well that are helping with the growth that is needed in the organization.

Councilmember Williams asked about the process of moving victims from the transitional housing into long-term homes. He said that he understands that CAPSA is able to do this fairly quickly. Ana said that BRAG also helps out with this process.

The City Council said that Ana could leave information in the City Office and Mayor Hair said that the City could also potentially post information on the City Website. Ana thanked the Council for all they do and for allowing her time to speak with them.

Habitat for Humanity Home

Todd Cottle from Habitat for Humanity addressed the Council. Todd came before the City Council several months ago before beginning construction on a Habitat for Humanity home at 262 North 300 East. Todd explained that construction began, but that they have run into a number of significant issues. Construction has been halted for some time as they have a sunken floor and have been working to figure out what should be done. It was also discussed that there was an issue with a contractor abandoning the project. Todd said that he takes full responsibility for the project and wants to get things resolved and moving again. He said that he spoke with Habitat International to discuss the options and they decided to go ahead and make the required repairs to keep the home in the Habitat for Humanity Program. The plan is to get things moving again and be working on the home

throughout the winter. Mayor Hair thanked Mr. Cottle for his transparency and for coming before the Council to provide an update.

Stellar Auto Complaint Review and Parking in the City Right-of-Way

Councilmember Wilker reminded the Council of the initial complaint received in August and that the Council had decided to review the issue for 60 days and then revisit it. He said that he has driven past the home 10 different times to check on it and review the concern. Councilmember Wilker said that he hasn't seen any issues that would concern him. He said that he also spoke to Craig and Donna to see if they have had any recent issues or complaints from neighbors. They said that it has been quiet and they weren't aware of any concerns. Councilmember Wilker tried to speak to the neighbor that made the initial complaint, but wasn't able to connect with them. Councilmember Grange said that he agreed with this from his reviews and in speaking to a neighbor.

Mayor Hair said that he had also reviewed the concern and said that he believes there are other issues in the City that are more problematic with parking in the right-of-way. Councilmember Callahan said that he agrees that there are other issues that are more problematic. He pointed out that there was a home near the school that he felt was in clear violation of the City Code.

Development Coordinator Harry Meadows said that November would begin the winter parking restrictions for the City right-of-way.

Councilmember Cummings said that regarding parking in the right-of-way, she wasn't concerned about the occasional visitor parking there near a home, but she was concerned with residents parking their campers, trailers and work vehicles in the right-of-way for much of the year. She said that this is a large issue throughout much of the City.

Councilmember Wilker said that they could ask the Sheriff's Department to start issuing citations and that it should be done throughout the entire City and not in just specific locations.

Councilmember Grange said that as far as the Stellar Auto complaint was concerned, he didn't think any action needed to be taken at this time. Mayor Hair and Councilmember Wilker agreed. Councilmember Callahan suggested the Council close out that specific complaint because they didn't see any specific concerns and that they would have this watched along with the rest of the City as they work on the right-of-way parking issues. Councilmember Wilker suggested that they begin issuing citations for violations of the winter parking restrictions as needed.

Update from the Bear River Health Department Meeting regarding septic tanks

Mayor Hair said that yesterday, he and several other Councilmembers and staff attended the Bear River Health Department Meeting where Millville septic tank permits were discussed. Mayor Hair explained that the City had requested that the septic permit

moratorium be lifted for single families and minor subdivisions while the City is working on the sewer project. He said that he thought that the meeting went well although he was disappointed that they tabled the discussion and didn't make a decision that day. The plan is for the Board to review the septic tank moratorium again in November at which time they will make a decision. Councilmember Cummings said that she appreciated that the City was allowed to speak and that it was helpful that one of the landowners was present at the meeting to illustrate the hardship in them not being allowed to build on their property.

Mayor Hair said that Lloyd Berentzen from the Health Department had mentioned that a rate-setting committee had been established with representatives from many of the cities in Cache Valley for the Logan sewer rates. After the meeting, Mayor Hair spoke with Mayor Dustin from Nibley who said that this is correct, but that the voting allotment is weighted based on the amount of flow from each individual City giving Logan more than 50% of the vote and making the other votes insignificant.

Mayor Hair also mentioned that the City is looking at other sewer treatment options to find the best choice for the City. Recorder Twedt said that he and Public Works Director Kendrick had spoken with a company called Smart Water Group this morning about a sewer treatment technology that was developed in Israel and is being US piloted in a city in Colorado that is very similar to Millville City. He said that they would continue to explore all available options for treatment methods and locations to figure out what would be best and most cost effective.

Councilmember Williams motioned to advance to "Item K" on the agenda as Public Works Director Chad Kendrick needed to leave the meeting soon. Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Wilker, Grange and Williams voted yes.

City Reports

ROADS:

Director Kendrick said that the asphalt project on 550 E. was now complete.

He also said that Grant Winborg, who lives across the street from the Seminary had requested a yield sign for those exiting the grouping of homes where he lives. It was discussed that this is City property. Councilmember Grange said that he was okay with having a yield sign installed at this location. The consensus of the Council was to proceed.

PARKS:

Director Kendrick said that a lot of progress had been made in the sprinkler project for the South Park. The main lines are nearly done after which they will begin pulling the 2" lines. He said that it is looking really good.

WATER:

Director Kendrick said that a recent lightning storm had caused some damage to some electrical components in the well house. Providence had seen some damage as well. The broken parts have been repaired.

Councilmember Williams motioned to return to “Item F” on the agenda.

Councilmember Wilker seconded. Councilmembers Callahan, Cummings, Wilker, Grange and Williams voted yes.

Consideration of Bonding Authorization Resolution

Mayor Hair reviewed with the Council the resolution to authorize the bonding for the water and sewer projects. He explained that the funding source was not yet determined, but this was part of the legal bonding process in getting everything prepared for when the City was ready to proceed.

Recorder Twedt pointed out that there was a small update to the resolution that is being reviewed from what was sent out in the agenda packets. It is on the Recorder certification page certifying that public posting laws were followed for this meeting. The original copy had the date of September 26, 2019, which is when the Public Hearing was held, because initially this resolution was going to be presented for approval at that meeting. As it was being reviewed today, the date was changed to October 10, 2019.

There was a brief discussion on the involvement of the Council with the spending decisions going forward. It was discussed that the Mayor would clearly discuss the available rates and options going forward with the Council before the Master Resolution was signed.

Councilmember Cummings motioned to approve Resolution 2019-19. Councilmember Callahan seconded. Councilmembers Callahan, Cummings, Wilker, Grange and Williams voted yes. (The adopted resolution is included with the minutes as Attachment “B”).

Commercial Zoning Distinctions

Development Coordinator Meadows presented some notes showing proposed distinctions for the different types of commercial businesses that would be permitted in the Commercial General Zone and classified under the three different categories (Services, Retail and Manufacturing).

He said that when someone applies for a building permit, a determination would be made by Planning and Zoning, using the descriptions provided on which classification of general commercial it would get. Then the different requirements for signs, hours, etc. would apply.

Councilmember Wilker said that the ordinance still left room for subjectivity as this still didn't make clear which businesses would be appropriate or not appropriate and therefore someone is going to be making that decision. And the decision may differ on a similar business from commissioner to commissioner and over time.

Coordinator Meadows said that it was not possible to list every single type of business, so the list of definitions provided was meant to create categories so that it could be determined where each new business would fit. Councilmember Callahan clarified that this applied to someone building a new building and was not for a business moving into an existing building, which would be covered in the business license process.

Development Coordinator Meadows explained that the recommended ordinance had not yet been updated. This would be done in future P&Z Meetings before it comes back to the City Council for review. Today, the intent was to review the page defining the differences between the three categories.

Councilmember Wilker said that he was sensitive to the biases that might come as he had experienced this when he built his house and was treated completely different from his neighbor by the City Council at that time. He said that he wants to prevent this as much as possible with clear ordinances. (The proposed list showing the recommended distinctions is included with the minutes as Attachment "C".)

Utility Bill Adjustments for FY20 Q1

Treasurer Hobbs reviewed the utility billing adjustments made for the months of July, August and September. (The information reviewed is included with the minutes as Attachment "D".)

Budget Review for FY20 Q1

Recorder Twedt reviewed the budget for the first quarter of fiscal year 2020. He highlighted a couple of things that he said he wanted to briefly discuss and then asked the Council if there was anything else they would like to talk about regarding the budget. Recorder Twedt pointed out that the sanitation revenue was a little lower than the expenses, which doesn't make sense. The 911 fee revenue is also a little higher than expected, so he said that Treasurer Hobbs would be looking into this to make sure things were classified properly with the deposits. In looking into it for a few minutes before the meeting, they had found one item that was miscategorized that Treasurer Hobbs would fix and then look for more.

Recorder Twedt also said that at the next budget revision, they would need to make updates for the water engineering expenses now that they have a better understanding of how this would be working with the CIB Grant funds the City will receive. The City will pay these expenses and then the money will be reimbursed.

Councilmember Callahan asked if Recorder Twedt had any additional concerns with the state of the budget at this point in the year. Recorder Twedt said that he didn't and felt everything was progressing as planned. (The budget that was reviewed is included with the minutes as Attachment "E".)

Cache Summit

Development Coordinator Meadows presented a flyer for the 2019 Cache Summit. He said that he thought it would be good for the City to have attendance from both P&Z and the City Council. He suggested the City consider a sponsorship where they would get 20 passes to the conference. Councilmember Cummings said that she attended last year and thought that it was a great event and recommended people attend.

Recorder Twedt said that the City would need to send 20 people for the individual \$25/person price to justify the \$500 sponsorship package. He suggested that if people want to go, the City should buy individual tickets.

Mayor Hair said that he thought the Summit would have some good things, but that the City needs to be very careful as they look at growth and how the City will look in the future. Councilmember Cummings said that she felt that the Cache Summit provides forward thinking for the City as it grows. That it was very informative and helped her see other sides of the issues and other ways to look at the problems the City and State would be facing.

Mayor Hair said that there was money in the budget for this type of training and the City would pay for any City Councilmember or Planning Commissioner that decided they wanted to attend. (The flyer for the Cache Summit is included with the minutes as Attachment "F".)

Winter Social Discussion

Mayor Hair said that he would like the City Council to weigh in on the timing for the yearly winter social for the elected officials and City staff. He recommended that they hold the social in January and include the new Councilmembers as well as those that will be done in December.

Several possible locations were discussed. Because of how busy the months of November and December are, January 3rd was picked for the date of the social. Treasurer Hobbs will begin making phone calls to try and make a reservation.

Councilmember Reports and Items for Future Agendas

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

Councilmember Grange said that he had heard from a resident that lives on 100 N. near the new sidewalk. The homeowners said that it is difficult to flood irrigate the new grass on the City right-of-way between the sidewalk and road. He was asking if he could replace the grass in front of his house with rock. Development Coordinator Meadows said that they could do what they want as long as they meet the requirements in the Code.

Recorder Twedt said that the City Council needs to be trained annually on Public Meetings. He said that he was planning to do this at the beginning of the year so that the new Councilmembers could be included.

Recorder Twedt also said that a new water rate study was needed with everything that was going on. He said that he has been meeting with representatives from the Rural Community Assistance Corporation (RCAC) on this. Director Kendrick and Recorder Twedt had met with them at a training a few months ago and then Mayor Hair and Recorder Twedt met with them at the ULCT Conference. Recorder Twedt had a meeting since then to kick things off. The RCAC is a nonprofit that is willing to do the rate study for free.

Recorder Twedt also reported that Director Kendrick and he had done the annual stormwater report themselves this year instead of having an engineering firm do it and had been able to save the City some money.

Coordinator Meadows asked if Mike Morgan from BioMinerals could ask a quick question as he had missed the comment period of the meeting. Mike said that he wants to drill a well at Biomaterials on the southwest side of the City instead of using City water. The reason for this is that much of the work they do does not do as well with chlorinated water. Recorder Twedt said that he thought there were restrictions for businesses and homes inside the City where use of City water was required. Mayor Hair said that the Council would need to look into this further and it could be discussed in a future meeting.

Development Coordinator Meadows said that he was visited by the Census Bureau. They are in the process of hiring census workers. They are looking for people that are over the age of 18 and they will be required to pass a lengthy background test.

Coordinator Meadows also said that he has been contacted in the past few weeks by residents that are having issues with cats around their homes, because there are others in the community that are feeding stray cats. He recommended additions to the City Code that would allow the City to fine people for feeding stray cats. The Council asked that Harry recommend some language for an ordinance.

Adjournment

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

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
October 24, 2019

PRESENT: David Hair, Daniel Grange, Michael Callahan, Cindy Cummings, Mark Williams, Clay Wilker, Tara Hobbs, Harry Meadows, Chad Kendrick, Corey Twedt, Pam June, Mike Morgan, Dusty Hancey, Kyle Hancey

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for October 24, 2019 at 6:30 p.m. The roll call indicated Mayor Hair and Councilmembers Cindy Cummings, Michael Callahan, Mark Williams and Daniel Grange were in attendance with Councilmember Clay Wilker to arrive later. Also Treasurer Tara Hobbs and Recorder Corey Twedt were present.

Opening Remarks/Pledge of Allegiance

Councilmember Williams welcomed everyone to the Council Meeting and led all present in the pledge of allegiance. He then offered a prayer.

Approval of agenda and time allocations

The agenda for the City Council Meeting of October 24, 2019 was reviewed.

Councilmember Grange motioned to approve the agenda for October 24, 2019.

Councilmember Williams seconded. Councilmembers Callahan, Cummings, Grange and Williams voted yes with Councilmember Wilker to arrive later. (A copy of the agenda is included as Attachment “A”).

Councilmember Wilker arrived at this time.

Approval of minutes of the previous meeting

The Council reviewed the minutes of the City Council Meeting for October 10, 2019.

Councilmember Williams moved to approve the minutes for October 10, 2019.

Councilmember Grange seconded. Mayor Hair pointed out a grammatical error on the second to last paragraph on page six, which was fixed. Councilmembers Callahan, Cummings, Grange, Williams and Wilker voted yes.

Public Comment Period

Mayor Hair opened the floor for any public comments.

Mike Morgan from Biominerals said that he continues to work with his engineers to determine the best decision for water for his business and a possible new well. He said that

if they pursue a well, it is currently looking like the best location would be on the County portion of the property. It was discussed that nobody was aware of well restrictions in the Millville City Code. Mike said that he just wanted to make sure to keep the City in the loop on what he is working on. He thanked the Council for their time.

Millville Baseball/ Softball

Mayor Hair said that Mr. Lemon asked about starting a Millville City baseball team. There was not a lot of information available, but the Council said that they didn't have any concerns with this and would like it if the fields at the South Park were being used more frequently.

Commercial Zoning Code Changes Preview

Development Coordinator Harry Meadows reviewed his draft of proposed updates to a code change that would combine the commercial zone sections of the code into a single General Commercial Zone. He said that if someone comes in to request to build inside the new General Commercial Zone, the Planning Commission would use the definitions proposed to determine the type of commercial business which would then dictate the requirements for the business.

Mayor Hair said that he thinks it is too complicated and asked if it could be simplified. Coordinator Meadows said no. Recorder Twedt said that he also felt the proposed definitions were too extensive and had far more information than what was needed in the Code to determine the category of the business. He recommended that it be shortened to these three sentences:

- A. Manufacturing - A manufacturing business is any business that uses raw materials, parts and components to assemble finished goods.
- B. Retail - A retail business sells a product to an individual consumer through one or more different types of sales channels (ie. online, brick-and-mortar storefront, direct sales, mail, etc.)
- C. Services - A service business deals with the transaction of a non-physical product (ie. hair salon, movie theater, banking, education, medical treatment, etc.)

Development Coordinator Meadows said that he thinks it needs more detail than that, but that this would be reviewed by the Planning Commission.

Councilmember Cummings said that the purpose of this was to address the concerns of Councilmember Wilker. Councilmember Wilker clarified that his concern was that it be clear what the requirements were for the different types of businesses (setbacks, sign requirements, etc.) so that everyone is treated the same. Development Coordinator Meadows said that the requirements for the different types of zones are found other places

in the code. Councilmember Wilker said that he wanted to be clear that he was not looking for this level of detail on what the different commercial businesses are.

Recorder Twedt asked if the Council thought the shortened definitions he listed were descriptive enough. Councilmember Callahan said that he didn't think they were. He liked the retail definition in the proposed code from Coordinator Meadows that explains the nature of the person that is making the purchase.

Mayor Hair said that at this point it should go to the Planning Commission for review before it comes back to the City Council. (A copy of the proposed code as prepared by Development Coordinator Meadows is included as Attachment "B".)

Weed Cut Enforcement

Development Coordinator Meadows said that he is working on the Wildfire Protection Plan. Part of this deals with weed cut enforcement. He said that there are several areas throughout the City that are a problem. The City Code already has a section on weed cut enforcement. Coordinator Meadows said that in the spring, he would like to start enforcing it by sending out notice first and then have the weeds cut and send the residents a bill.

Mayor Hair said that when there was an issue earlier in the year, he contacted the owner and they took care of the problem. He said that communication with the owners can likely resolve the majority of the concerns. Coordinator Meadows said that notices would be sent first.

Mayor Hair said that land owners like Celco need to be contacted and need to take care of their property. The City would also need to deal with the City property near the deer fence.

Coordinator Meadows said that he will be meeting with the Cache County Fire Marshall in the spring to walk along the deer fence and see what needs to be done regarding wildfire protection. Then volunteers will be gathered to complete some of the work.

Coordinator Meadows said that the Wildfire Protection Plan is taking a lot of time and requires a lot of details. It was discussed that it might not need to be done to the level of detail that Harry is doing. Mayor Hair suggested the Council read the requirements of the Wildfire Protection Plan and decide how Coordinator Meadows should proceed. Harry said that Councilmember Wilker was over fire, so his name was listed on the report. Councilmember Callahan said that he was also interested in reviewing the plan and requirements.

New Cat Code Proposal

Development Coordinator Meadows reviewed a draft of a proposed code addition regarding cats to deal with the issue of some residents feeding stray cats which are causing issues with the property of other residents. He said that two different residents have spoken with him about this concern. Mayor Hair said that since there had been some complaints,

he felt something should be done. There was some discussion of concerns of costs that the City would be required to pay with this type of ordinance.

Recorder Twedt said that this was just a review of some draft code created by Coordinator Meadows. To make an addition to the City Code, the Council could decide if it made sense to hold a public hearing. Councilmember Grange said that he felt this was a big enough change that a public hearing should be held. Councilmember Cummings suggested that this could be combined with other things when the City has their next public hearing.

Councilmember Wilker said that he felt the City maybe shouldn't be getting in the middle of this type of issue and that he didn't think the City should be handing out traps as indicated in the recommended code additions. It was discussed that the current City Code did not allow for Animal Control to pick up stray cats.

Councilmember Williams motioned to table this issue until January. Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Grange, Williams and Wilker voted yes. (A copy of the proposed code addition is included as Attachment "C".)

Impoundment Code

Development Coordinator Meadows discussed the current Impoundment Code (Section 6.04). He said that there is a family in Millville with two Rottweilers that recently got out and killed two goats and chased a jogger. When Animal Control was called, they said that nothing could be done as far as impounding the animals, because of limitations in the City Code that only allow impounding if dogs were "at large". When Animal Control responded, the dogs were back at their home. Coordinator Meadows suggested that the Council may want to consider a change to the code to allow for impoundment of a dog after they have done something once they are back at their homes and no longer at-large.

Councilmember Wilker said that he has concerns of dogs being wrongfully impounded. Someone would have to make a judgement on if an animal is vicious and also which animal caused the problem. Harry said that no action would be taken without proper evidence. Councilmember Wilker said that he was not trying to minimize what had happened in this incident, but he wanted to make sure that they wouldn't be creating an issue in the future for other pets and their owners.

Councilmember Grange said that the Millville Code references the Utah and County Code. Nobody was clear on what the State or County Code said regarding impoundment. Councilmember Callahan asked Development Coordinator Meadows to review the different codes.

Consideration of Accepting Dusty Hancey Dedication of property in exchange for reduction in Impact Fees

Development Coordinator Meadows said that Dusty Hancey owns parcel 03-036-0026. North of that parcel, the Canyon Ridge Subdivision gave up property during the

subdivision process to allow for the 550 East Road to be wider at some point in the future. Now there are just three parcels (on the east side of the road) that would prevent widening of the road. Dusty owns one of the parcels and has proposed exchanging 16.5' to the City in exchange for a reduction in Impact Fees he would be required to pay when he builds on that lot.

Mayor Hair said that he has concerns with making allowances with the impact fees with all of the restrictions and rules that surround them. He said that if the City is going to buy property, they should pay for it and still require the impact fees be paid. Dusty said that he didn't care where the money came from. He just thought it would be a good idea to consider a transfer of this property so that the road could be wider when the time comes.

Councilmember Grange explained that this was family although he did not stand to benefit monetarily. Mayor Hair said that it was a conflict of interest.

Councilmember Callahan said that if the City waits to purchase the property, the value would likely increase. Councilmember Cummings said that setbacks would also be affected. Dusty said that he planned to build with the future setbacks in mind either way. Councilmember Callahan said that he wanted the City to begin the process of purchasing the property. Recorder Twedt said that he believes there are some requirements that need to be met with public notice and hearings before the City can purchase property.

Councilmember Callahan motioned to start the process and meet the requirements needed to purchase the property. There was no second.

Councilmember Williams said that the City would need an appraisal to verify the value of the property. Councilmember Wilker said that Dusty's parcel would give another piece of the puzzle, but that there was still a portion of another parcel that was needed if the road were to be widened. He asked if the City should be trying to get a rod of that parcel at the same time. Recorder Twedt said that the City did not have immediate plans to widen that road. When they do pursue widening the road in the future, they will likely do so with a COG application. There have been conversations with the COG and this project is on the list for when the City has time and resources to pursue it. If the road is made wider through a COG project, the City would only pay a small percentage match of the total project. Because of this, the City may not want to spend too much money right now buying extra property at full cost instead of at a percentage of the cost at some point in the future.

Councilmember Cummings motioned to hold off on the land acquisition until the City is ready to widen the road. There was no second.

Councilmember Williams proposed the City look at doing an appraisal after which this could be reviewed again. The cost of doing an appraisal was briefly discussed. Councilmember Callahan asked Recorder Twedt if the City had money for this purchase. Recorder Twedt said that this would be a budget revision as it was not planned in the current approved budget.

Councilmember Cummings motioned again to hold off on the land acquisition until the City is ready to widen the road. There was no second.

Mayor Hair asked how the Council wanted to move forward.

Councilmember Callahan said that he thinks it is a worthwhile purchase. Councilmember Wilker said that the future sewer lines are another factor that complicate things.

Councilmember Callahan motioned to table this topic until an undetermined future meeting. Councilmember Williams seconded. Councilmembers Callahan, Cummings, Wilker and Williams voted yes and Councilmember Grange abstained. (A copy of the information reviewed as Attachment "D".)

Irrigation Ditch Concern on Main Street between 200 North and 300 North

Mayor Hair said that there is a culvert underneath the road going from east to west leaving an open ditch. The neighbor that lives there said that when it snows, people run into the ditch which is approximately 3'x 6' and 1.5' deep. Railroad ties have been placed there, but have not fixed the issue and nobody wants to deal with it. Mayor Hair suggested the City should get it taken care. He said that a metal grate may fix the issue.

Councilmember Callahan recommended they defer a decision on this to the next meeting and asked Public Works Director Kendrick to go and have a look at it and see what it would take to fix the issue. Councilmember Wilker said that he would look at it as well.

Consideration for Cancelling City Council Meeting Scheduled for November 28, 2019

Mayor Hair explained that the regularly scheduled City Council Meeting on November 28, 2019 is on Thanksgiving and asked the Council what they wanted to do.

Councilmember Williams moved to Cancel the City Council Meeting scheduled for November 28, 2019. Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Grange, Williams and Wilker voted yes.

Councilmember Reports and Items for Future Agendas

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

Mayor Hair said that the next Bear River Health Department meeting will be on November 20th at 1 p.m. in Brigham City at 817 West 980 South.

Councilmember Williams said that someone is selling pine nuts from their vehicle on the highway and that he doesn't think it is very safe for cars to be stopping or pulling out of the highway in that location. After review it was determined that this portion of the

highway is in Providence City. Mayor Hair said that he would discuss the issue with Mayor Drew from Providence.

Adjournment

Councilmember Cummings moved to adjourn the meeting. Councilmember Callahan seconded. Councilmembers Callahan, Cummings, Grange, Williams and Wilker voted yes. The meeting adjourned at 7:45 p.m.