

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 business that is being requested.

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.

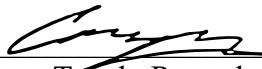
NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold their regularly scheduled Council Meeting on Thursday, October 24, 2019, at the Millville City Office, 510 East 300 South in Millville, Utah, which meeting shall begin promptly at 6:30 p.m. (Please note that all times listed are approximate.)

1. Call to Order / Roll Call – Mayor David Hair.
2. Opening Remarks / Pledge of Allegiance – Councilmember Mark Williams.
3. Approval of agenda and time allocation.
4. Approval of minutes of the City Council Meeting – October 10, 2019.
5. Agenda Items—
 - A. Public Comment Period (2 min/person; sign-up sheet available at door prior to meeting).
 - B. Discussion on Millville Baseball/Softball – Mayor Hair.
 - C. Commercial Zoning Code Changes Preview – Dev. Coordinator Meadows.
 - D. Weed Cut Enforcement – Dev. Coordinator Meadows.
 - E. New Cat Code Proposal – Dev. Coordinator Meadows.
 - F. Discussion on Impoundment Code 6.04 – Dev. Coordinator Meadows.
 - G. Consideration for accepting Dusty Hancey dedication of property in exchange for reduction in impact fees – Dev. Coordinator Meadows.
 - H. Irrigation ditch concern on Main Street between 200 North and 300 North – Mayor Hair.
 - I. Consideration for Cancelling City Council Meeting scheduled for November 28, 2019 – Mayor Hair.
 - J. Councilmember Reports and Other Items for Future Agendas.
6. 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 days prior to the meeting.

This agenda was posted on October 21, 2019 to the City posting locations, the City Website and the Utah Public Meeting Notices Website.



Corey Twedt, Recorder

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. 2019-8, 2019; 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.~~

A. Manufacturing

1. 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.

2. 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.
3. Manufacturing businesses can choose to sell their products directly to consumers, to other manufacturers, to distributors or to wholesalers.

B. Retail

1. 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.
2. There are four major categories of retailers:
 - a. Hardlines - things that tend to last a long time, such as appliances, cars and furniture.
 - b. Soft Goods or Consumables - things like clothing, shoes and toiletries.
 - c. Food - things like meat, cheese, produce and baked goods.
 - d. Art - things like fine art, as well as books and musical instruments.
3. Within those categories you'll find different types of retail stores. Some of the most common types include:
 - a. 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.
 - b. Big Box Store - major retailers that specialize in one type of product, such as electronics. Best Buy and Bed Bath and Beyond are examples.
 - c. Discount Stores - department stores that stock discounted items and lower priced brands. Walmart and Kmart are examples.

- d. Warehouse Stores - these no-frills warehouses often require you to be a member to access their low prices. BJ's and Costco are examples.
- e. Mom-and-Pop Stores - smaller, often niche stores run by small business owners. These are your corner stores and local storefronts.
- f. 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.

C. Services

1. Services are the non-physical, intangible parts of our economy which we cannot touch or handle.
2. Services such as banking, education, medical treatment and transportation make up the majority of the economies.
3. 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.
4. 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.
5. 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.
 - a. Intangibility - you cannot touch or handle them. Neither can you transport, stock, manufacture, mine or farm them.
 - b. Inventory (Perishability) - you cannot store them for future use. Once the provider delivers the service, it irreversibly vanishes.
 - c. 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.

(Ord. 2019-8, 2019; Ord. 2012-4, 2012)

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.
7. When any area of the lot exceeds slope class 1 specifications, a hillside development permit shall be required with the application.

B. Drainage Control Plans: A drainage control plan and report based upon the following criteria:

1. Independent Drainage Systems: All drainage systems shall be independent from the sanitary sewer or septic system.
2. Natural Drainage Channel: No natural drainage channel shall be filled, obstructed, or diverted, nor shall the point of entrance and exit from the property be changed without the approval of the city engineer.
3. Drainage Basin Upstream: All of the drainage basin upstream of the development shall be considered in the analysis as fully developed and considered in the design of any stormwater drainage facilities.
4. Effects On Downstream Property: The effects on the downstream property owners relative to increased flood potential shall also be considered in the design, including acquisition of easements, construction or modification of improvements where needed.
5. Existing Drainage Channels: Developments shall use existing drainage channels or newly constructed control structures and retention facilities to control its stormwater runoff so that no net increase in storm runoff will occur on the downstream properties.
6. Stormwater Adequately Conveyed: The stormwater from a 50-year frequency storm with a duration equal to the time of concentration shall be adequately conveyed within the storm drainage channels, from the project to established drainage outlet channels without creating flood hazards to adjoining properties.
7. Underground Pipe System: When an underground pipe system is required, it shall be designed to carry a 10-year storm. The minimum storm drain size shall be twelve inches (12").
8. Cross Gutter Drains: Cross gutter drains on streets shall be avoided where possible. They shall not be allowed on major streets.
9. Groundwater Sources On Property: When springs or other groundwater sources are found on the property, development plans must be reviewed and approved by Bear River health department or appropriate government agency.
10. Constructed Outside Floodplain: All buildings shall be constructed outside the limits of any of the 100-year floodplain. Foundations within five hundred feet (500') of the floodplain boundary shall be a minimum of eighteen inches (18")

above the 100-year flood stage, except on floodplains subject to FEMA regulations, in which case they shall be a minimum of two feet (2') above the 100-year flood stage.

11. Stormwater Permits: Discharge permits are required from most industries that discharge stormwater runoff to surface waters such as lakes or streams. Stormwater pollution prevention plans must be in place prior to application. All construction activities that disturb more than five (5) acres (clearing, grading and excavating) are required to obtain a UPDES construction stormwater permit (mainly for sediment and erosion control).

C. Geology Soils Report: A geology soils report shall contain at least the following information:

1. A foundation investigation including bearing strength capacity, sheer strength, and shrink/swell potential of soils and conclusions and recommendations on the effects of soil conditions on foundation and structural stability.
2. Location and yield of seeps and springs;
3. A description of geological structural features, including any geological limitations;
4. Conclusions and recommendations regarding the effect of geologic conditions on the proposed development, together with recommendations identifying the means proposed to minimize any hazard to life or property or adverse impact on the natural environment.

D. A Landscape Plan: The plan shall be of adequate scale and detail to indicate general grading and plantings along irrigation and temporary erosion control. For areas to be used as surface retention basins for stormwater runoff, the plan shall identify the location and sizing of control facilities and address operation and maintenance of the control facility in conjunction with the landscape improvements.

E. Additional Information: Other reports, plans, and information as may be deemed necessary by the planning commission, city council, or city engineer may be requested as a condition to the application procedure. (Ord. 2019-8, 2019: Ord. 2013-2, 2013: Ord. 2012-4, 2012)

17.26.050: AREA, SETBACK AND HEIGHT REQUIREMENTS

- A. Yard Requirements: The minimum yard requirements for all main and accessory buildings are as follows:
1. Front yard: Thirty feet (30');
 2. Side yard:
 - a. Thirty feet (30') if adjacent to ~~an~~ residential or agricultural zone or facing ~~on~~ a street,
 - b. No minimum side setback required when abutting other commercial property;
 3. Rear yard:
 - a. Thirty feet (30') if adjacent to a residential or agricultural zone, or facing ~~on~~ a street,
 - b. Twenty feet (20') if adjacent to other property zoned as commercial. ~~commercial zones.~~
- B. Building Height: The maximum height of a building or structure shall be ~~fifty feet~~ (50') ~~thirty-five feet~~ (35'). The planning commission may reduce the height allowed at locations where a reduction in height is necessary to minimize the impact on surrounding land uses.
- C. Lot Corners: Lot corners will be marked with five-eighths inch ($\frac{5}{8}$ ") rebar (#5 rebar) that is eighteen (18) to twenty four inches (24") long, capped with the surveyor's red cap containing the surveyor's name or license number driven down to ground level. (Ord. 2019-8, 2019: Ord. 2014-3, 2014: Ord. 2013-2, 2013: Ord. 2012-4, 2012)

17.26.060: SPECIAL PROVISIONS

- A. Trash Prohibited Outside Containers: No trash, rubbish, weeds, or other combustible material shall be allowed to remain on any lot outside of approved containers in any commercial zone. No junk, debris, abandoned or dismantled automobile or automobile

parts, or similar material shall be stored or allowed to remain on any lot in any commercial zone.

B. Screening:

1. All trash or refuse receptacle areas shall be completely screened from surrounding properties by a fence, landscaping, or wall that is a minimum of six feet (6') high or shall be enclosed within a building. Any trash or refuse receptacle area shall be a minimum of ten feet (10') from any ~~zone. agricultural use.~~
2. All ground mounted mechanical equipment including, but not limited to, heating and air conditioning units, shall be completely screened from surrounding properties by a fence, landscaping, or wall or shall be enclosed within a building.
3. All utility connections shall be compatible with the architectural elements of the site and not be exposed except where necessary. Pad mounted transformers and/or meter box locations shall be included in the site plan with an appropriate screening treatment. Power lines and other utility cables shall be installed underground where possible.
4. Loading areas and docks shall be screened by landscaping and/or visual barriers from adjacent properties where possible.

C. Perimeter Wall:

1. All uses shall have a wall along all rear and side yards not fronting on a public street, which abut an ~~residential or~~ agricultural zoned property. These requirements may be waived by the city council upon a determination that the wall is not necessary to buffer the adjacent use. Such walls shall not be located in the required setback from a public street.
2. All perimeter walls shall be a minimum of six feet (6') high unless the planning commission approves or requires an increase or reduction.
3. The city council may allow appropriate access to trails, creeks or other open space amenities.

- D. Landscaping: The owner, tenant and any agent shall be jointly and severally responsible for the maintenance of all landscaping in good condition and free from refuse and debris so as to present a healthy, neat and orderly appearance.

- E. Access And Parking: The number of access points along public streets shall be minimized by sharing and linking parking areas with adjacent properties. Reciprocal ingress and egress, circulation and parking agreements shall be required to facilitate the ease of vehicular movement between adjoining properties. On corner sites access points shall be located as far from the corner as reasonably possible and in no case less than sixty feet (60') from the point of intersection of the property lines. Vehicular circulation shall be designed to preclude the intrusion of traffic directly into residential or agricultural areas.
- F. Hours Of Operation:
1. ~~Commercial uses may be open for business twenty four (24) hours a day, seven (7) days a week, unless restricted by the city council.~~ Commercial uses may be open for business from eight o'clock (8:00) A.M. to six o'clock (6:00) P.M. Hours may be adjusted based on adjacent property and type of business, unless restricted by the City Council.
 2. Commercial garbage and rubbish collection shall only occur between seven o'clock (7:00) A.M. and six o'clock (6:00) P.M., if there is a residential zone or residential use within three hundred feet (300') of the collection point.
- G. Coverage Restrictions: A building or group of buildings, with their accessory buildings shall not cover more than fifty percent (50%) of the project area unless the city council approves a higher percentage.
- H. Lighting:
1. The maximum height of luminaries shall be eighteen feet (18') unless the city council requires a lower height. The light shall be low intensity, dark sky and shielded from uses on adjoining lots, and directed away from adjacent property in an agricultural zone or an ~~residential zone-adjacent agricultural use.~~
 2. All parking luminaries, except those required for security, shall be extinguished one hour after the end of business hours. The exception for security lighting applies to a maximum of twenty five percent (25%) of the total luminaries used, unless the city council approves a higher percentage.
- I. Nuisance Factors And Hazards: Operations shall be in compliance with the city's nuisance ordinances, state and federal laws for activities which emit offensive or objectionable noise, vibration, smoke, odors, dust or gases, air pollution, water pollution, or generates heavy truck traffic. Precautions shall be taken in all operations against radiation, radioactivity, fire and explosion hazards.

Activities conducted on the premises shall comply with all local, state and federal laws and regulations and permits.

- J. Pedestrian Walkways: Pedestrian walkways, a minimum of ~~five~~ four feet (54') wide, shall be provided to accommodate pedestrian movement between activity centers within the site.

Public easements for walkways, jogging paths and similar uses may be required.

- K. Consistency With Master Plan: Development shall be consistent with the comprehensive master plan for the city. (Ord. 2019-8, 2019: Ord. 2013-2, 2013: Ord. 2012-4, 2012)

17.26.070: APPLICATION REVIEW FEE

At the time the application for development in the commercial ~~general manufacturing~~ zone is filed, there shall be paid to the treasurer an application review fee for each application, as established by resolution of the city council. This fee is not refundable. (Ord. 2019-8, 2019: Ord. 2013-2, 2013: Ord. 2012-4, 2012)



AGENDA REPORT: NEW CAT ORDINANCE

October 24, 2019

Background

During the 10/10/19 City Council Meeting, Development Coordinator Harry Meadows pointed out some issues of concern in the City as a result to stray cats being fed by members of the community. He said that some people are feeding large numbers of stray cats. These cats are then an issue for neighbors.

Coordinator Meadows has prepared a rough draft proposed code addition to address this issue. For this meeting, the Council will only be reviewing the proposal and providing feedback and notes. If the Council would like to proceed with modifying the code, this would happen in future meetings.

Included Documents

- Cat Code Addition Rough Draft Proposal

MILLVILLE CITY CODE
TITLE 6 - ANIMALS
CHAPTER 6.20 - CATS

6.20.10: Cats

- A. No person owning or otherwise having a cat over six (6) months of age in his/her care, charge, control, custody, or possession, shall cause, permit or allow such cat to be in or on a public street, road, alley or other public place unless said cat is spayed or neutered.
- B. A person who feeds stray or feral cats is considered to own the cats and said cats are counted against total cats allowed. The owner of cats that damage other private property shall be responsible for said damage cost.
- C. Violation of this ordinance is punishable by a fine as set by resolution.
- D. The City shall not be responsible for the capture and disposal of cats.
- E. The City will have live traps available for those who wish to use them. (a refundable deposit is required)
- F. It shall be unlawful for any person to own, keep, maintain, possess or harbor upon the premises of one (1) household, other than a veterinary clinic, more than three (3) cats. An owner or keeper of cats may keep one litter of cats intact until the cats reach six (6) months of age. At no time shall the owner or keeper retain more than three (3) cats over the age of one (1) year.



AGENDA REPORT: HANCEY PROPERTY DEDICATION

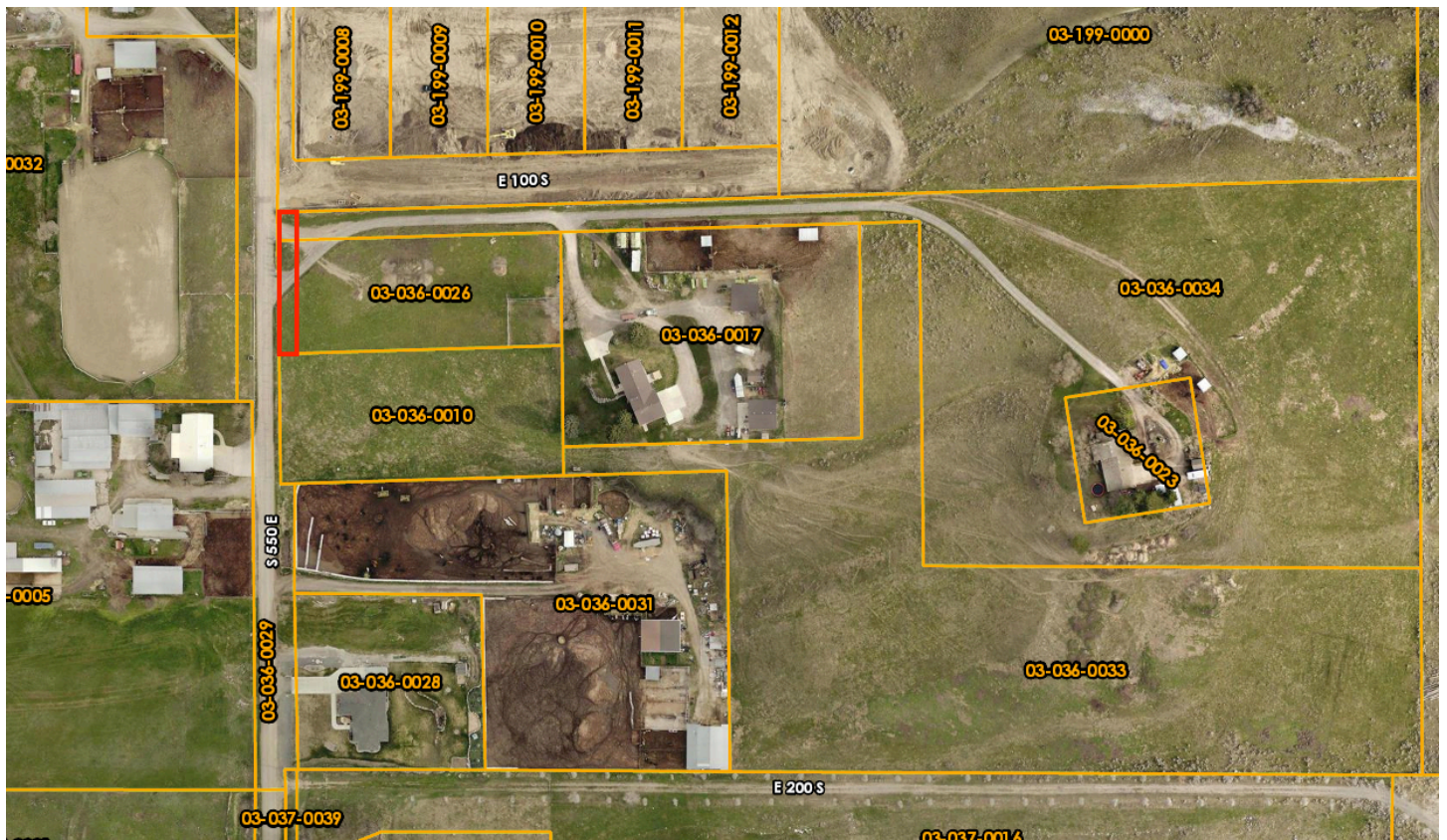
October 24, 2019

Background

Dusty Hancey would like the Council to consider an exchange of land he owns along the 550 East road in exchange for a reduction in impact fees when he builds on the property. His suggestion is that he transfers to the City one rod (16.5') along 550 East from parcels 03-036-0026 and 03-036-0023 in exchange for the market value reduction in fees.

Included Documents

- Parcel Viewer Map showing the area being offered highlighted in red.



Dusty Hancey Residence
Approx. 140 S. 550 E. Milville

Property Value is \$102,500

132' wide x 330' deep = 43,560 sq ft

Tax value per sq ft is \$2.35

Frontage wanted is 16.5' x 132' = 2,178 sq ft

2,178 sq ft @ \$2.35 = **\$5,118.30**



THIS IS NOT A BILL
DO NOT PAY

CACHE COUNTY
2019 Notice of Property Valuation & Tax Changes
JILL ZOLLINGER
CACHE COUNTY CLERK / AUDITOR
179 NORTH MAIN SUITE 102, LOGAN, UTAH 84321

HANCEY, DUSTY J & MAKAYLA
PO BOX 181
1050 E 2900 S
MILLVILLE UT 84326-7801

Parcel Number: **03-036-0026**
Tax Area: **007**
Last Review Date: **2019**
Tax Status: **CURRENT**

PROPERTY DESCRIPTION (NOT FOR LEGAL DOCUMENTS)

BEGINNING AT A POINT ON THE EAST LINE OF A TWO ROD RIGHT OF WAY LOCATED SOUTH 00°20'03" WEST 2024.45 FEET AND SOUTH 88°16'53" WEST 1305.24 FEET AND SOUTH 00°40'20" EAST 165.03 FEET FROM THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 11 NORTH RANGE 1 EAST; THENCE ALONG SAID EAST LINE NORTH 00°40'20" WEST, A DISTANCE OF 132.02 FEET; THENCE NORTH 88°16'53" EAST, A DISTANCE OF 330.06 FEET; T

PROPERTY ADDRESS

***** **NOTICE OF PROPERTY VALUATION** *****

Property Type	2018 Market Value	2018 Taxable Value	2019 Market Value	2019 Taxable Value
LAND VACANT	75,500	75,500	102,500	102,500
Total Value	75,500	75,500	102,500	102,500

***** **NOTICE OF TAX CHANGES AND TAX INCREASES** *****

Taxing Entity	Taxing Entity Phone Number	2018 Taxes	2019		2019		2019		***** BE HEARD ***** PUBLIC TAX INCREASE HEARING
			If No Budget Change	If Tax Increase Approved	If Tax Increase Approved	If Tax Increase Approved	Change If Increase	Percent	
			Rate	Tax	Rate	Tax	Tax	Percent	
CACHE CO GENERAL FUND	435-755-1900	124.42	0.001483	152.01	0.001531	156.93	4.92	3.2%	HEARING HELD 11/27/18
CACHE CO HEALTH FUND	435-755-1900	8.08	0.000096	9.84	0.000099	10.15	0.31	3.2%	HEARING HELD 11/27/18
MULTI-CO A & C	435-755-1900	0.68	0.000009	0.92	0.000009	0.92	0.00	0.0%	
CACHE CO A & C	435-755-1900	28.46	0.000341	34.95	0.000341	34.95	0.00	0.0%	
CACHE SCHOOL DISTRICT	435-792-7603	461.91	0.005569	570.82	0.006015	616.54	45.72	8.0%	8/22/19 6:30 PM - 2035 N 1200 E, N LOGAN
STATE SCHOOL LEVY-CACHE	435-792-7603	125.78	0.001661	170.25	0.001661	170.25	0.00	0.0%	
STATE CHARTER SCHOOLS-CACHE	435-792-7603	4.15	0.000057	5.84	0.000057	5.84	0.00	0.0%	
MILLVILLE CITY	435-750-0924	51.72	0.000596	61.09	0.000774	79.34	18.25	29.9%	8/15/19 7:30 PM - 510 E 300 S, MILLVILLE
MILLVILLE/NIBLEY CEMETERY		6.64	0.000075	7.69	0.000075	7.69	0.00	0.0%	
CACHE MOSQUITO ABATE. DISTRICT	435-764-6839	5.51	0.000066	6.77	0.000066	6.77	0.00	0.0%	
TAXES DO NOT INCLUDE TAX RELIEF, DELINQUENT TAXES, PERSONAL PROPERTY TAXES, OR SPECIAL ASSESSMENTS									
Total Property Tax		\$817.35	0.009953	\$1,020.18	0.010628	\$1,069.38	\$69.20	6.6%	

***** **APPEAL PROPERTY VALUE WITH COUNTY BOARD OF EQUALIZATION** *****

The market value may be appealed within **45 days** of this mailing, but no later than **Monday, 16 September 2019 at 5 pm**. Required forms and evidence supporting a different market value must be submitted to the County Auditor's office for a formal review by the Board of Equalization.

Auditor's Office	(435) 755-1706	Forms and information regarding tax rates, tax relief, and valuation appeals are available on the Auditor's web page at www.cachecounty.org/auditor
Assessor's Office	(435) 755-1590	Assistance with questions regarding property value. www.cachecounty.org/assessor
Recorder's Office	(435) 755-1530	Address, ownership, or legal description issues. www.cachecounty.org/recorder
Treasurer's Office	(435) 755-1500	Questions regarding delinquent taxes and tax payments. www.cachecounty.org/treasurer

THIS IS NOT A BILL - DO NOT PAY

03-036-0026

*****AUTO**5-DIGIT 84326 AA 14154 1/1 - P52 T41
HANCEY, DUSTY J & MAKAYLA
PO BOX 181
1050 E 2900 S
MILLVILLE UT 84326-7801

03-036-0026
007
CURRENT
Printed: 07/09/2019

Councilmember Assignments 2019

Updated 4/11/19

Councilmember Daniel Grange

- P&Z
- Roads
- Sewer

Councilmember Clay Wilker

- High School Liaison
- Ordinance Enforcement
- Water
- Fire

Councilmember Cindy Cummings

- First Responders
- Youth Council
- City Events (Easter, Christmas)
- Miss and Mini Miss Millville and Parades

Councilmember Mark Williams

- Millville Days and Night Out Against Crime
- Transit and CVTD
- Law Enforcement

Councilmember Michael Callahan

- Animal Control
- Cert Training/ Emergency Preparedness
- Fair Booth
- Parks
- Trails