

NOTICE AND AGENDA

Notice is hereby given that the Planning Commission of Millville City will hold a meeting on Thursday, **Nov 21, 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 Nov 7, 2019.
5. Agenda Items:
 - A. Commercial definitions
 - B. Ordinance 17.40.30 revisions
 - C. Other
6. City Council Report – review minutes from the Nov 14, 2019 meeting.
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 18, 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/pmnn/index.html>) on Nov 18, 2019.



Adria Davis, Secretary
Millville City Planning Commission

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

Nov 7, 2019

1. Roll Call:

Chairman Garrett Greenhalgh, Commissioners Lynette Dickey, Darcy Ripplinger (Alt.) and Matt Anderson (Alt.).

Others Present:

Development Coordinator Harry Meadows, Treasurer Tara Hobbs, Chad Kendrick, Mayor David Hair, Penny Jenson, Jeff Strate, Dusty Hancey and Chris Funk. 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 Nov 7, 2019 was reviewed. A motion was made by Commissioner Dickey to approve the agenda as presented. Commissioner Anderson (Alt.) seconded. Commissioners Greenhalgh, Dickey, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioner Farmer excused, and Commissioners Lewis and Thompson absent.

4. Review and Approval of the Minutes from Sept 19, 2019

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

Councilman Daniel Grange and Commissioner Larry Lewis arrived at the meeting.

5.A. Zoning Clearance – Dusty & Makayla Hancey, residence at 120 S 550 E, Millville.

Property owner already had a septic permit granted from Bear River before the moratorium. Mr. Hancey stated he will be building his residence further back on the property to allow for future expansion of the street. Commissioner Dickey made a motion to approve the clearance. Commissioner Ripplinger (Alt.) seconded. Commissioners Greenhalgh, Dickey, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioner Farmer excused and Commissioner Thompson absent.

5.B. Knowles minor subdivision - Final Plat review.

Jeff Strate is the developer. All the sidewalks must be installed before building permits will be issued. However, since the lots can't sell with the moratorium in place, it will be allowed for the subdivider to hold off on installing all the required sidewalks at this point in time.

Commissioner Dickey made a motion to recommend to the City council the approval of the Knowles minor subdivision. Commissioner Ripplinger (Alt.) seconded. Commissioners Greenhalgh, Dickey, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioner Farmer excused and Commissioner Thompson absent.

5.C. Jenson subdivision review

Penny Jenson came in to inquire what would be required if she subdivided her property. In her previous inquiries it was required that she install sidewalks on both sides of the property that fronted a street. The property on 200 South has a steep embankment rising about 5 feet from the street elevation which would require cutting back a large amount of the earth in order to lay a level continuous sidewalk. Different options were discussed, and it was decided that the same requirements would apply here as in the prior Knowles request. The sidewalks would be required on all sides fronting a street, however she would not have to install them until the new parcel was ready to develop. At that point in time the city would work with the new home builder to grade and slope the entrance from the street to allow for both their driveway and the required sidewalk. The city would require a bond to cover the landscaping, but she could wait to bond until the sewer is complete as the moratorium could potentially delay the selling of the property for quite some time.

5.D. Commercial Definitions

The city council is requesting specific definitions for what each type of Commercial category will include. Harry Meadows has drawn up some detailed definitions and also Corey Tvedt had presented some simplified definitions. The commissioners will review these during the next few weeks and make a decision at the next meeting.

5.E. Other

Harry presented a building permit for Chris Funk, who had already been approved last summer. He was going to connect his home on 100 West directly to the sewer line near the school through his back yard. This turned out to be more involved and expensive than planned and his timeframe for approval has expired (90 days).

Chris has now decided to install a septic tank in the meantime until the full sewer implementation rolls out. Commissioner Lewis made a motion to approve the Zoning clearance for Chris Funk for the residence at 223 North 100 West in Millville, pending septic approval from Bear River. Commissioner Ripplinger (Alt.) seconded. Commissioners Greenhalgh, Dickey, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioner Farmer excused and Commissioner Thompson absent.

Harry was approached by a citizen who had a garage that was built in 1920 who now wants to add a second story to the garage. The structure is only 10' from the street and would not meet today's setbacks; however there were no setbacks when it was built.

It was determined that the structure would be grandfathered under the original requirements as long as the foundation was not changed.

Commissioner Ripplinger (Alt.) inquired if the sprinklers for the south park had a water source yet. Chad updated everyone on the progress with the sprinklers. They have not fully decided on a source yet, but are trying to find the best solution for the city. Everything could possibly be ready to go by spring.

The 4 new south park pickle ball courts have already started construction.

Commissioner Ripplinger (Alt.) expressed interest in reviewing the Master Plan and becoming more familiar with the details as this is what determines how the city functions.

6. City Council Reports – review minutes from the Sept 26, Oct 10 and Oct 24, 2019 meetings.

The Bear River meeting was reviewed briefly. Our Millville situation will be decided upon at the next meeting (held in November in Brigham). Millville is requesting release of septic permits for minor subdivisions and single residences.

The Habitat for Humanity project was reviewed along with the present condition of the abandoned structure. They will be picking the project back up and completing the home.

Commissioner Lewis was excused from the meeting at this time.

Commissioner Ripplinger (Alt.) inquired about the Smart Water purification system. It is a system to recycle sewer (gray) water back to the home for secondary uses such as toilets, sprinklers, etc. It is still being tested in Colorado, and would be about 5 years out to get it functional, which doesn't line up with our time table.

7. Agenda Items for Next Meeting

Nothing pending

8. Calendaring of future Planning Commission Meeting

The next regularly scheduled meeting will be held Thursday, Nov 21, 2019 at 8:00 pm.

9. Adjournment

Chairman Greenhalgh moved to adjourn the meeting at 9:12 p.m.

17.40.030: R-1, R-2, R-3 RESIDENTIAL

~~A. Required yard areas except those portions devoted to driveways and/or parking shall be reasonably landscaped with plants, trees, grass or similar landscaping materials.~~

A. Required yard areas for landscape.

1. Interior lot: 15 feet on side yard, 30 feet in front and rear yards.
2. Corner lot: 15 feet on interior side yard, 20 feet on side yard adjacent to the street and 20 feet on rear yard.

B. All required landscape areas shall be permanently maintained with suitable landscaping materials of plants, shrubs, trees, grass or similar materials.

C. Landscape installation must be completed within two (2) years of occupancy of building. (Ord. 2009-1, 2009: Ord. 99-02-18-01 § 2)

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
November 14, 2019

PRESENT: David Hair, Daniel Grange, Michael Callahan, Cindy Cummings, Mark Williams, Tara Hobbs, Harry Meadows, Chad Kendrick, Corey Twedt, Michael Evans, Jeffrey Strate, Jed Waldron, Pam Waldron

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for November 14, 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 excused. Also, Treasurer Tara Hobbs and Recorder Corey Twedt were present.

Opening Remarks/Pledge of Allegiance

Councilmember Callahan 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 November 14, 2019 was reviewed.

Councilmember Callahan moved to approve the agenda for November 14, 2019.

Councilmember Grange seconded. Councilmembers Callahan, Cummings, Grange and Williams voted yes with Councilmember Wilker excused. (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 October 24, 2019.

Councilmember Williams moved to approve the minutes for October 24, 2019.

Councilmember Callahan seconded. Mayor Hair suggested the following change on the second paragraph on page 3:

"He liked the retail definition in the proposed code from Coordinator Meadows that explains the nature of the ~~person that is making the purchase~~ business that is being requested."

The Council agreed. Councilmembers Callahan, Cummings, Grange and Williams voted yes with Councilmember Wilker excused.

Request for a Business License for Master Evans Martial Arts

Michael Evans has submitted a request for a business license for Master Evans Martial Arts at 695 West 1700 South, Bldg. 28 Suite 105. He was present at the City Council Meeting. Michael said that he has been in business in Logan for the past five years and has outgrown his current location and is moving to a larger location in the Zollinger Complex. He said he has been teaching martial arts for the past 47 years. **Councilmember Cummings moved to approve the business license for Master Evans Martial Arts.** Councilmember Callahan seconded. Mayor Hair clarified that the address was in Millville and the tax revenue should come to Millville City. Councilmembers Callahan, Cummings, Grange and Williams voted yes with Councilmember Wilker excused.

Recorder Twedt said that business licenses are renewed each calendar year starting in January. The Council decided that since it was so close to the end of 2019, the business license fee should be paid now and not be required with renewal in 2020. (A copy of the license application is included with the minutes as Attachment "B".)

Request for a Business License for Salon Solace

Pam Waldron has submitted a request for a business license for Salon Solace at 15 East 300 South. She was present at the City Council Meeting. Pam said that she has had a business license previously, but that she had forgotten to renew it for the past three years. She said that it was unintentional and that she hadn't realized that she hadn't renewed her license. **Councilmember Callahan moved to approve the business license for Salon Solace.** Councilmember Williams seconded. Councilmembers Callahan, Cummings, Grange and Williams voted yes with Councilmember Wilker excused. Pam said that she was willing to pay the fee for the past three years. The Council asked her to pay the full fee for 2019 and for 2020. (A copy of the license application is included with the minutes as Attachment "C".)

Public Comment Period

Mayor Hair opened the floor for any public comments. No one signed up for the public comment portion of the meeting.

Report on P & Z Meeting held November 7, 2019

Development Coordinator Harry Meadows reviewed with the Council the Planning Commission's draft minutes for the meeting held November 7, 2019. (A copy of the draft minutes is included as Attachment "D".)

Consideration for Acceptance of Knowles Minor Subdivision

Councilmember Grange explained the Jeffrey Strate was the developer for this subdivision and was requesting to split the one parcel into three lots. Councilmember Grange clarified that sidewalks were required on both streets that front the parcel for the entire subdivision.

There was some discussion on the timing for completion of the sidewalks. Mr. Strate said that the plan was to only install sidewalks in front of one of the parcels for now and the other parcels when the lots are bought and during construction of those lots.

Recorder Twedt asked how they should plan to enforce the construction of the rest of the sidewalk if it wasn't required now. He said that he didn't feel there was any real tollgate to ensure they get completed. The Council and P&Z had discussed this during the work meeting held in January and decided that the best way to handle this was to require sidewalks as part of the subdivision.

Jeffrey Strate said that the City could require completion of the sidewalks before building permits are issued. Recorder Twedt said that the City would then need a way to track which lots are needing sidewalk and the burden would fall to the homeowner. Lots could be sold years later and it would be difficult to enforce. Councilmember Cummings said that the sidewalks are the responsibility of the developer and should be done as part of the subdivision. Mr. Strate asked if he could subdivide and then sell the land to someone else who would put in the sidewalks. Councilmember Grange said that this would be a problem and that Mr. Strate should put in the sidewalks if he is doing the subdivision.

Mayor Hair said he agreed that Mr. Strate should install all of the sidewalks, but that he was okay with the sidewalk construction being delayed until spring as has been done with other subdivisions. Mayor Hair said that it would better that all of the sidewalks are installed at once and not done patchwork by several different people. Jeffrey Strate said that he would wait until spring and put in the entire sidewalk on both streets.

Development Coordinator Meadows explained that for this subdivision, Mr. Strate would need to provide the City with two water shares for the Millville Irrigation Company or pay the fee in lieu of \$6,000. The Council discussed this and decided that since Mr. Strait did not have shares for Garr Spring, he could decide if he wanted to pay with water shares or money.

Recorder Twedt said that they needed a tollgate to ensure the fees were all paid if the subdivision was going to be approved at the meeting tonight. It was determined that the Council could approve the subdivision and sign the resolution, but that the final plat mylar would not be signed until all of the fees had been paid and/or the water shares had been transferred to the City.

Councilmember Callahan moved to adopt Resolution 2019-20, Accepting the Knowles Minor Subdivision with the conditions that had been discussed. Councilmember Williams seconded. Councilmembers Callahan, Cummings, Grange and Williams voted yes with Councilmember Wilker excused. (A copy of the approved resolution is included with the minutes as Attachment "E".)

Review of 2019 Business Licenses for 2020 Renewals

Recorder Twedt reviewed the current list of 2019 business licenses. Councilmember Callahan commented on the large number of licenses. Recorder Twedt asked if the Council had any concerns or if it was okay for him to send out renewal notices for 2020 to everyone on the list. The Council said to proceed with the renewals. (A copy of the Business License Report is included as Attachment "F".)

Irrigation ditch concern on Main Street between 200 North and 300 North

Councilmember Callahan said that he went by to look at the concern and that he agrees that this is a problem that the City should try to resolve. Public Works Director Chad Kendrick said that he and Mayor Hair have looked at several things trying to find a way to cover the hole. Director Kendrick said that he has asked Councilmember Grange if he might be able to find a grate to cover it up. Councilmember Grange said that he has some ideas and is trying to find some material that can be used.

Discussion on Cache County Emergency Medical Services (CCEMS)

Mayor Hair said that Logan City has decided to drop out of CCEMS. CCEMS purchases all of the ambulances and provides the emergency medical services to all of the cities in Cache Valley. He said the last meeting was Saturday night with the Mayors and Craig Butters, the County Executive. Craig talked about the different types of licenses that would make it more feasible to provide service with less employees. Logan has said that they will pull out of CCEMS in December of 2020 after complying with the one-year notice requirement. Therefore, the cities have one year to figure out their plan. Richmond's Mayor talked about doing a new partnership with all of the cities on both the north and the south excluding Logan City.

Councilmember Cummings said that it is unfortunate that Logan isn't more willing to have a better relationship with the surrounding cities considering that all of the residents throughout the Valley shop in Logan and generate tax revenue for their City. She said that she would like Millville to distance themselves from Logan and avoid making agreements with them so that Millville is not reliant on Logan City.

Mayor Hair said that the Mayors from the south end of the Valley have been meeting and will continue to meet to find a solution for emergency medical services, but that all of our prices are likely to go up over the next couple of years. Mayor Hair said that during the meetings with Logan City, Craig Butters expressed frustration with Logan that the County and other cities weren't included or involved in the discussions that led to them making the decision to pull out of CCEMS.

City Reports

Director Kendrick said that Mayor Hair found a used generator on KSL that would work for the booster pump. The City budgeted \$30,000 for a generator and this one would cost \$7,500. It is a diesel generator that has been used for about 300 hours. The Council and

Director Kendrick briefly discussed the best location for the generator. It was determined that the best location would be to place the generator at the booster pump as this would allow the City to provide water in case of a long-term power outage during the summer.

Director Kendrick reported that the new pickleball courts at the South Park were being built this week and are looking really good. Also, the sprinkler system at the South Park is half done and a lot of progress continues to be made.

Director Kendrick then asked for some direction on the \$2,000 landscape refund. He and the Council discussed the deadline for the refund and how much of the yard was required to be completed. Director Kendrick said that he has done what has been done for years and only required completion from the back of the house forward. He said that he felt the Code was a little vague.

Councilmember Grange said that he had been asked recently if sod was required or if having the sprinklers in and ready for grass was enough. Development Coordinator Meadows said that the point was to stabilize the soil from runoff and that grass or whatever they were going to do for landscaping is required before a homeowner will be eligible for the refund.

Mayor Hair said that the Council may want to consider leniency on the time if there are circumstances that put them beyond the two-year deadline. Treasurer Hobbs asked how she should enforce it if they don't complete the landscape within the two-year requirement. Several of the Councilmembers expressed concern with making exceptions to the two-year deadline in that they needed to be consistent and needed to draw the line somewhere. Mayor Hair said that if someone was asking for an extension, they would need to come to the Council and make a request. Councilmember Cummings said that she was concerned with everyone coming to the Council and making requests. This makes it difficult for the Council to be consistent on their decisions.

Recorder Twedt asked if the Council thought that two years was enough time. He suggested they increase the time if they felt like it wasn't. Public Works Director Kendrick said that he would like a deadline that he could enforce so that it isn't always left up to a Council decision. Treasurer Hobbs said that the deadline currently starts after they move into the house. The Council discussed that this provides two growing seasons. Treasurer Hobbs said that people often have reasons of things they needed to do before they put in their yards, but the City shouldn't take into considerations everyone's different priorities. There should be a deadline. Councilmembers Cummings and Grange agreed that they needed to enforce the two-year deadline to ensure everyone was kept to the same standard.

The Code was reviewed concerning how much of the yard needed to be completed. It was discussed that this could be interpreted as the entire front and back yard completed, but that it is a little vague and that it hasn't been enforced like this in the past. They have required that the yard be completed from the back of the home and all of the front yard.

Development Coordinator Meadows said that the reason for this part of the code was to stabilize the soil and not for aesthetics of the yard. Director Kendrick agreed that maybe the backyard should be completed as well, but that this isn't what has been done in the past and there is some ambiguity in the code.

There was some discussion on how to deal with pastures or very large lots where they are not planning to landscape the entire thing. Development Coordinator Meadows suggested they might be able to address this by requiring landscaping within the setback areas. The Council said that they thought this was a good idea and asked Coordinator Meadows to review this in Planning and Zoning and make a recommendation on a change to the code to add clarification. Councilmember Cummings said that it is important that it be measurable so that the City can be consistent in their enforcement.

The consensus of the Council was to stick to the two years with everyone as this should provide plenty of time. It isn't fair to provide extensions to certain people when they come in asking for more time. Treasurer Hobbs asked specifically about a home in Copper Leaf. She said that because their landscape plans have changed, they want an extension on the two-year deadline. The Council said that the landscape plans are not the responsibility of the Council. The homeowner needs to complete the required landscaping within the two-year deadline to get the refund.

Councilmember Grange suggested that for now, the City enforce what we have enforced previously from the back of the home forward. Then this would change going forward based on what comes out of P&Z with the Code revision.

Councilmember Reports and Items for Future Agendas

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

Councilmember Callahan suggested they provide an update on the sewer status at the next meeting in December.

Councilmember Cummings said that she attended the Cache Summit. She said that the information was excellent and getting better and more organized each year. At the Summit, they discussed issues that affect everyone in the County and how to plan for growth. She said that there was an emphasis on the benefits of being in Cache Valley with the job availability and all of the opportunities that are here. Affordable housing was the number one issue and concern discussed. It is important that they have a plan and are thinking about the future.

Recorder Twedt reminded the Council that the next meeting, originally scheduled for Thanksgiving Day, has been cancelled. Also, the winter social for the City elected officials and employees will be on January 3rd at 6 p.m. at Maddox. He also reminded the Council

of the Bear River Health Department Meeting on Tuesday November 19th at 1 p.m. at the Brigham City Bear River Health Department. He said that he would send out a reminder next week.

Mayor Hair said that the School District had contacted him to see if the City was interested in taking ownership of the property between Ridgeline High School and the canal. The District is trying to get rid of this property and the canal company wasn't interested in taking ownership. The Council said they don't see any value in the City owning that property.

Mayor Hair asked Recorder Twedt to give the Council a short update on fiber internet. Recorder Twedt said that he was looking at all options and having discussions with other cities. He said that he really didn't want to pass up the opportunity of putting in infrastructure during the sewer construction. He will get back to the Council with information so that they can make decisions as soon as he can.

Adjournment

Councilmember Callahan moved to adjourn the meeting. Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Grange and Williams voted yes with Councilmember Wilker excused. The meeting adjourned at 7:58 p.m.