

NOTICE AND AGENDA

Notice is hereby given that the Planning Commission of Millville City will hold a limited meeting on Thursday, **Mar 19, 2020** in the Millville City Office, at 510 East 300 South, Millville, UT at **8:00 p.m.**

***Due to recent government restrictions on public gatherings to prevent the spread of the COVID-19 virus there will not be a full meeting held. Participants listed on the agenda will be able to come to the city offices at the noted time to complete their paperwork and pay fees. All other communication and voting will be done through email.**

Business items: Commissioners will submit responses/voting through email

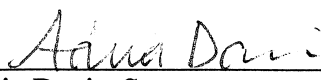
1. Review and approval of agenda.
2. Review and approval of minutes from Mar 5, 2020.
3. Review of City Council minutes

Agenda Items:

- A. Zoning Clearance – Berry Banham, remodel of residence at 108 E 200 S, Millville
- B. Zoning Clearance – Orchid Homes, residence at 370 N Main, Park Meadows, Lot 2, Millville
- C. Zoning Clearance – VHD, LLC, residence at 35 E 700 N, Millville
- D. Zoning Clearance – Reed and Joan Findlay, residence at 249 E Center Street, Millville
- E. Zoning Clearance – Zollingers, commercial building at 1200 W 925 N, Millville

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 Mar 16, 2020 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 Mar 16, 2020.



Adria Davis, Secretary
Millville City Planning Commission

MILLVILLE PLANNING COMMISSION MEETING

**City Hall - 510 East 300 South - Millville, Utah
Mar 5, 2020**

1. Roll Call:

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

Others Present:

Development Coordinator Harry Meadows, Treasurer Tara Hobbs, Mayor David Hair, Chris Funk, David Olsen, Richard Zollinger, Crae Williams, Brett Hadfield, Mike Kelly, Councilman Daniel Grange, Chad Kendrick and Recorder Corey Twedt (who arrived near the end of the meeting). 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 Mar 5, 2020 was reviewed. A motion was made by Commissioner Thompson to approve the agenda as presented. Commissioner Ripplinger (Alt.) seconded. Commissioners Dickey, Greenhalgh, Thompson, Ripplinger (Alt.) and Anderson (Alt.) voted in Favor, with Commissioners Lewis and Farmer excused.

4. Review and Approval of the Minutes from Feb 20, 2020

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

5.A. Zoning Clearance – Brett and Meagan Hadfield, residence at 512 N 300 E, Copperleaf, Lot 15, Millville

Commissioner Dickey made a motion to approve the clearance. Commissioner Anderson (Alt.) seconded. Commissioners Dickey, Greenhalgh, Thompson, Ripplinger (Alt.) and Anderson (Alt.) voted in Favor, with Commissioners Lewis and Farmer excused.

Development Coordinator Meadows noted that Bear River will be inspecting the dry sewer line at the same time they inspect the septic tank.

5.B. Zoning Clearance – Kaleb and Katie Evans, residence at 543 N 300 E, Copperleaf, Lot 17, Millville

This application is in a Hillside Overlay Zone. JUB has reviewed the hillside overlay and has approved the application with all items of concern being sufficiently addressed.

Commissioner Thompson made a motion to approve the clearance. Commissioner Ripplinger (Alt.) seconded. Commissioners Dickey, Greenhalgh, Thompson, Ripplinger (Alt.) and Anderson (Alt.) voted in Favor, with Commissioners Lewis and Farmer excused.

Harry again noted that Bear River will be inspecting septic and sewer lines at the same time.

5.C. Zoning Clearance – R. Michael Kelly, accessory building at 215 S 100 E, Millville

Mike is rebuilding an existing structure but not changing the footprint. The shed does not meet current setbacks but it will be allowed because he did not change the foundation.

Commissioner Thompson made a motion to approve the clearance. Commissioner Dickey seconded. Commissioners Dickey, Greenhalgh, Thompson, Ripplinger (Alt.) and Anderson (Alt.) voted in Favor, with Commissioners Lewis and Farmer excused.

5.D. Olsen Petition for annexation

A group of 10 landowners have all joined together to petition for annexation into Millville City. Dave Olsen was the sponsor for one of the petitions. He stated that growth is inevitable and they wanted to join Millville. They did not like the high density development that Providence was planning for their lands.

Richard Zollinger was also present for this group, and stated that the landowners want a more rural feel with larger lots.

Commissioner Thompson made a motion to recommend to the City Council to accept the Olsen petition for annexation. Commissioner Dickey seconded. Commissioners Dickey, Greenhalgh, Thompson, Ripplinger (Alt.) and Anderson (Alt.) voted in Favor, with Commissioners Lewis and Farmer excused.

5.E. Zollinger Petition for annexation

This request is for the parcels shown on the map titled Guymon-Theurer-Stauffer addition. It was also included in the previous discussion.

Commissioner Thompson made a motion to recommend to the City Council to accept the Zollinger petition for annexation. Commissioner Ripplinger (Alt.) seconded. Commissioners Dickey, Greenhalgh, Thompson, Ripplinger (Alt.) and Anderson (Alt.) voted in Favor, with Commissioners Lewis and Farmer excused.

5.F. City Sidewalks discussion

Commissioner Ripplinger (Alt.) proposed some areas to be included in a future sidewalk development plan. They include:

- The block surrounding the elementary school.
- 100 West
- 300 South, and connecting route to the elementary
- A walking loop throughout the city
- 550 East
- Main street

Other proposed ideas included:

Major subdivisions should be required to install sidewalks, while minor subdivisions would only be required to install them if they were in a sidewalk development area.

Also, the sidewalk width was proposed to increase from 4 feet wide to 5 feet wide.

This item was tabled to the next meeting.

5.G. Other

Commissioner Dickey inquired if the city was going to have garbage bins this year.

There will be no bins for garbage, and the green waste bins have been cut back to only a few months in spring and fall. The green waste will eventually be going away entirely.

6. Agenda Items for Next Meeting

2 building permits
Sidewalk discussion

7. Calendaring of future Planning Commission Meeting

The next regularly scheduled meeting will be held Thursday, March 19, 2020 at 8:00 pm.

8. Adjournment

Chairman Greenhalgh moved to adjourn the meeting at 9:08 p.m.

DRAFT



00885

MILLVILLE CITY

ZONING CLEARANCE FOR BUILDING PERMIT

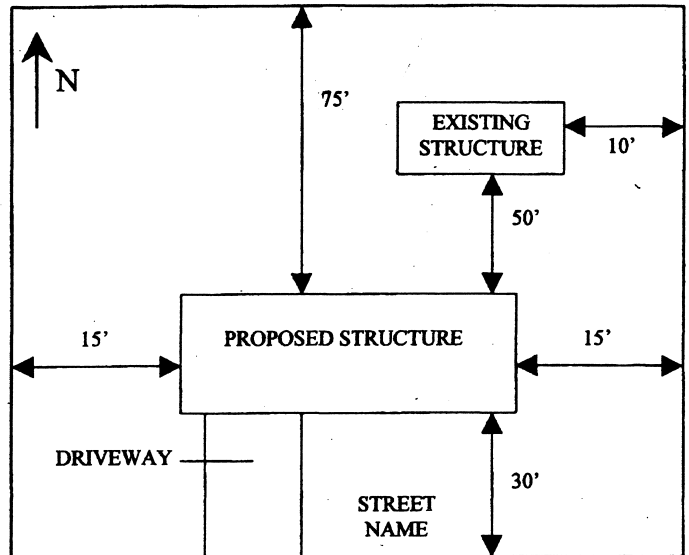
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

APPLICATION INFORMATION

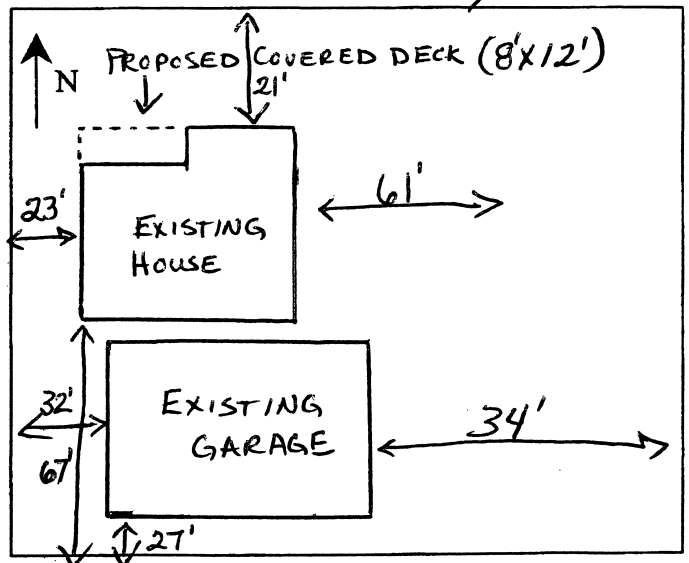
1. BERRY BANHAM
APPLICANT'S NAME
2. PO Box 500
MAILING ADDRESS
- MILLVILLE UT 84326
CITY STATE ZIP CODE
3. (435) 232-5965 4. SAME
HOME TELEPHONE BUSINESS TELEPHONE
5. BERRY BANHAM
OWNER'S NAME (if different from applicant)
6. Covered Porch & Remodel
TYPE OF STRUCTURE
7. 1066 8. R1
SQUARE FOOTAGE ZONE
9. LOT 2 KNOWLES MINOR
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 03 - 035 - 0043
TAX IDENTIFICATION NUMBER
11. 108 'E. 200 S.
ADDRESS OF CONSTRUCTION
12. .33 acres 13. _____
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)



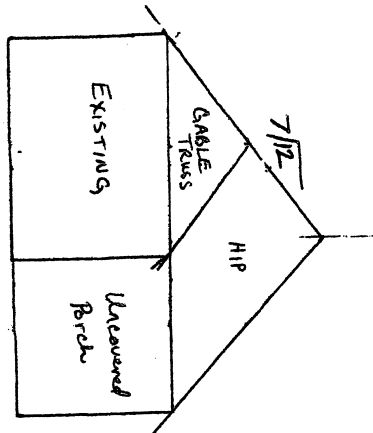
PLOT PLAN *height 18'*



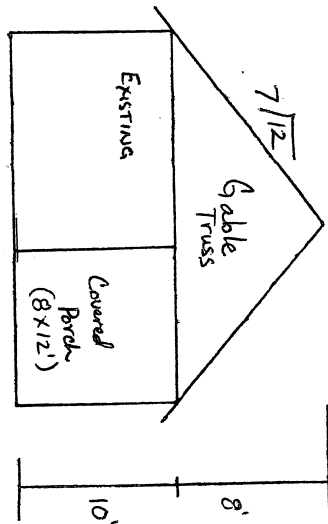
APPROVED - PLANNING AND ZONING _____ DATE _____ FEES PAID - TREASURER _____ DATE _____

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)

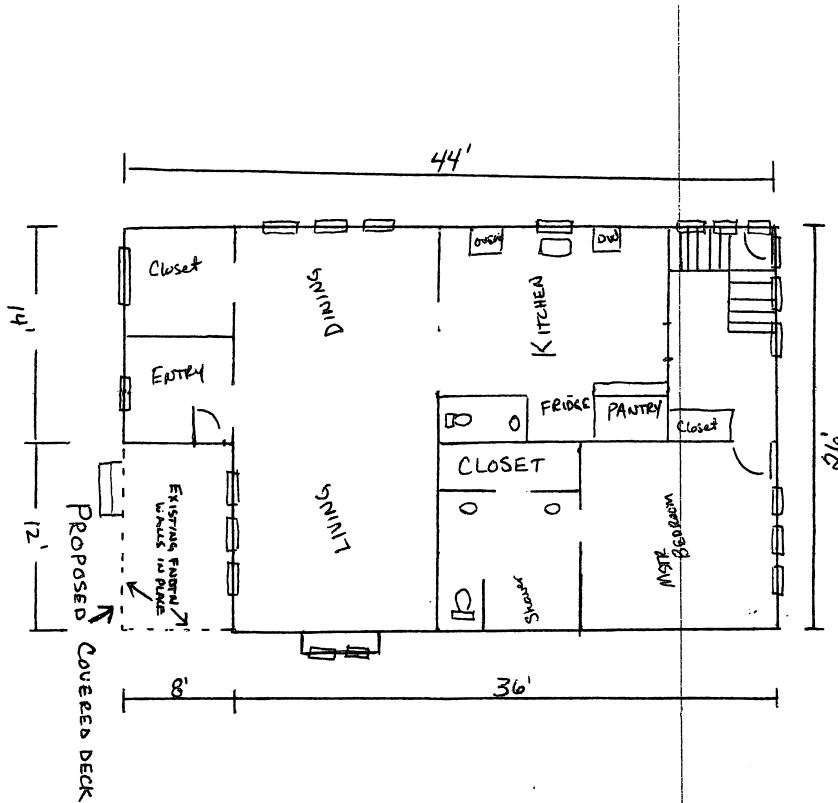
EXISTING ROOF



PROPOSED 26' WIDE GABLE ROOF



Berry Bankham
 108 E. 200 S. MILLVILLE UT 84326
 (435) 232-5965



Berry Bankam
108 E. 200 S. MILLVILLE UT 84326
(435) 232-5965

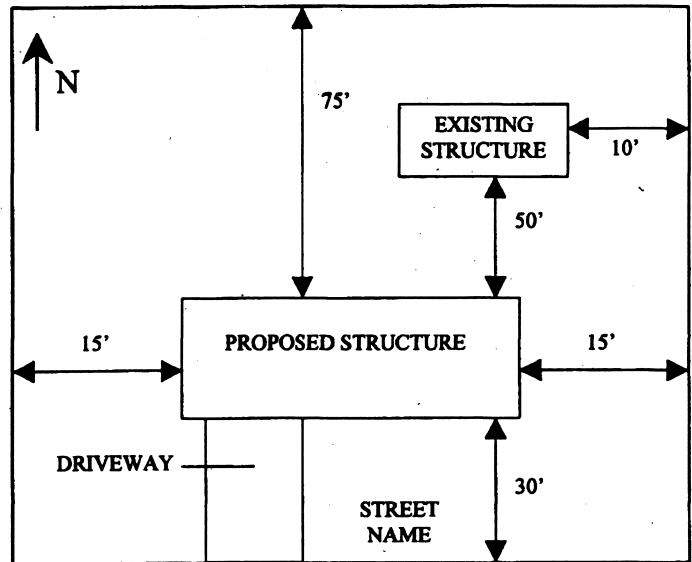
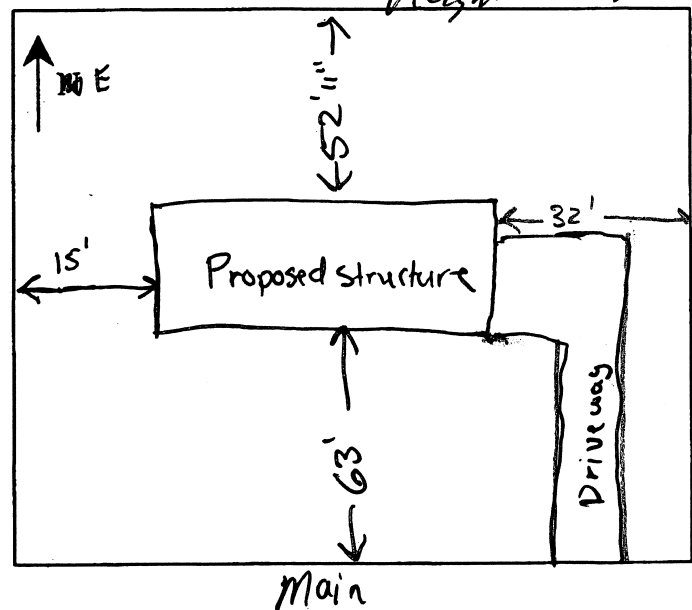


00883

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

APPLICATION INFORMATION

1. Orchid Homes
APPLICANT'S NAME
2. 255 to 2600 S
MAILING ADDRESS
3. Nibley UT 84321
CITY STATE ZIP CODE
4. 435-770-0809
BUSINESS TELEPHONE
5. Aaron Webb
OWNER'S NAME (if different from applicant)
6. Res
TYPE OF STRUCTURE
7. 1614 8. Res R1
SQUARE FOOTAGE ZONE
9. Park meadows #2
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 02 - 130 - 0052
TAX IDENTIFICATION NUMBER
11. Main
ADDRESS OF CONSTRUCTION
12. 45 13. 4,626
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**

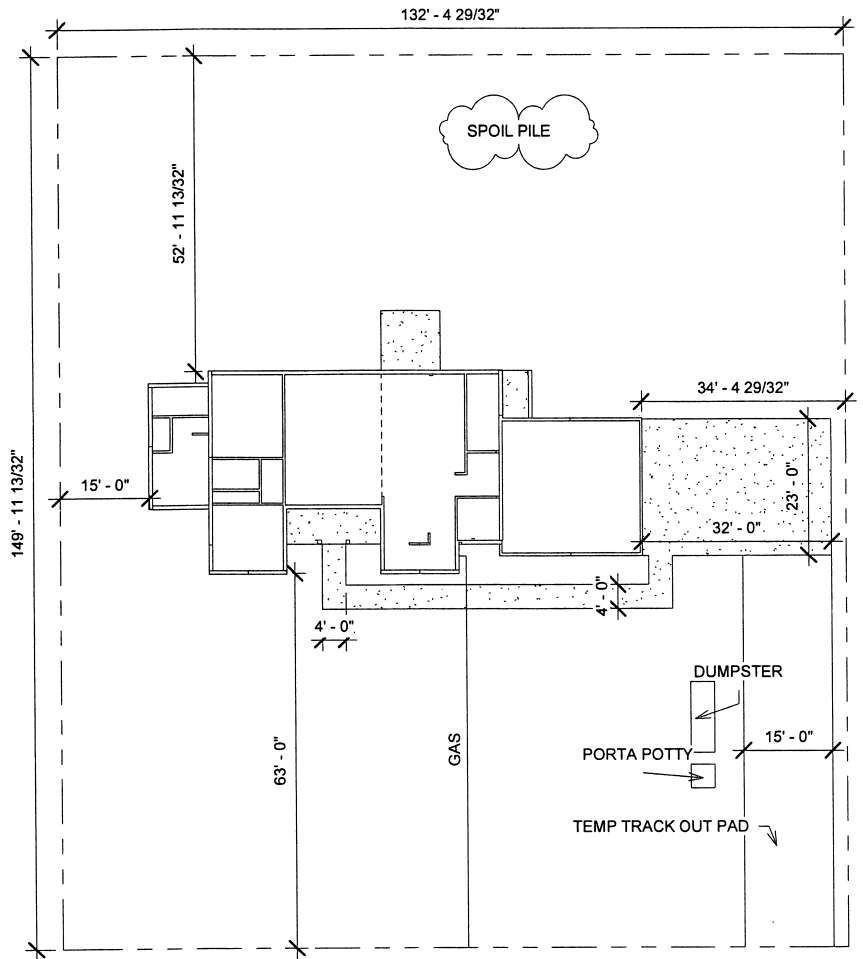
APPROVED - PLANNING AND ZONING

DATE

FEES PAID - TREASURER

DATE

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Aaron Web

370 North Main Millville, UT

No.	Description	Date
1	Revision 1	Date 1

Site plan 11x17		C2
Project number	301	
Date	02/02/2020	
Drawn by	Author	
Checked by	Checker	Scale 1" = 20'-0"



MILLVILLE CITY

ZONING CLEARANCE FOR BUILDING PERMIT

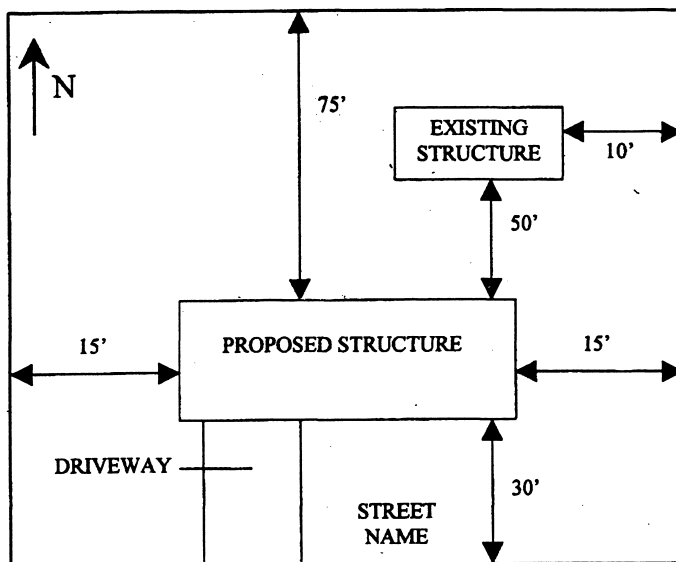
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

APPLICATION INFORMATION

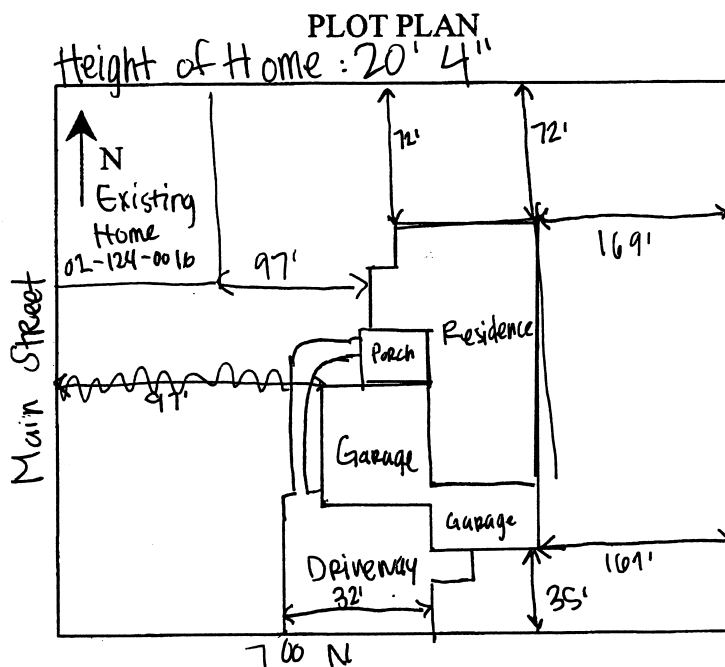
1. VHD LLC
APPLICANT'S NAME
2. 50 E 2000 N Ste 101
MAILING ADDRESS
- North Logan UT 84341
CITY STATE ZIP CODE
3. 435-752-1480 4. _____
HOME TELEPHONE BUSINESS TELEPHONE
5. Gary Gertman
OWNER'S NAME (if different from applicant)
6. Single family Residence
TYPE OF STRUCTURE
7. 2020 1560 m.f. 8. _____
SQUARE FOOTAGE ZONE
9. 700 N. Main Minor Subdivision
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 02 - 124 - 0029
TAX IDENTIFICATION NUMBER
11. 35 E 700 N
ADDRESS OF CONSTRUCTION
12. 1.69 acres 13. _____
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

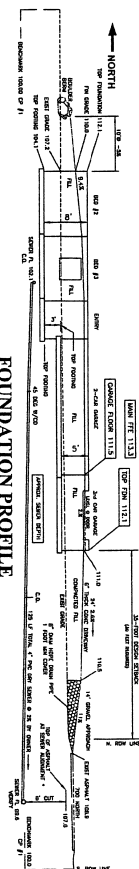
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DRAWN BY: GARY GETTMAN
DATE 02/12/2020 FINAL DRAFT

SENT TO VISIONARY HOMES
DATE: 02/12/2020

ADDITIONAL STAFF



NOTE: FINISH GRADES AND ELEVATIONS SHOWN HERE ARE INTENDED TO PROVIDE A GENERAL SITE DESIGN FOR THE CONTRACTOR TO FOLLOW. WITH OWNER'S APPROVAL, THE CONTRACTOR MAY ADJUST FINISH GRADES TO ACCOMMODATE ACTUAL SITE CONDITIONS.

WORK BY OWNER AND WORK BY CONTRACTOR

1. Constructing shall be done by Contractor according to this sub plan. Elevation and setbacks will be set using existing survey markers, control points, and other benchmarks.
2. Owner will remove trees at ground level that are in the way of construction.
3. Owner permits that Contractor install the boulevard along the west side of the property. Contractor will install a curb and gutter along the boulevard. Contractor will remove & dispose of any tree stumps that are in the way of construction.
4. Contractor will install a sidewalk along the boulevard. The sidewalk will be 5 feet wide along a minimum 16-foot wide perimeter around the home with a minimum slope of 5 percent per code.
5. Driveway to be a 6-inch thick curb and walk with a catch basin finish.
6. Contractor will install the gravel driveway approach. Contractor will pave the approach with asphalt after the Millville sewer installation. Contractor will install the 4-inch diameter drain pipe under the driveway approach.
7. Contractor will install a 4-inch diameter long sewer line outside of the home and verify the trap and flowline with the Owner. Owner will install the temporary septic system and a dry sewer lateral for their hookup to Millville sewer on 700 North.



MILLVILLE CITY

ZONING CLEARANCE FOR BUILDING PERMIT

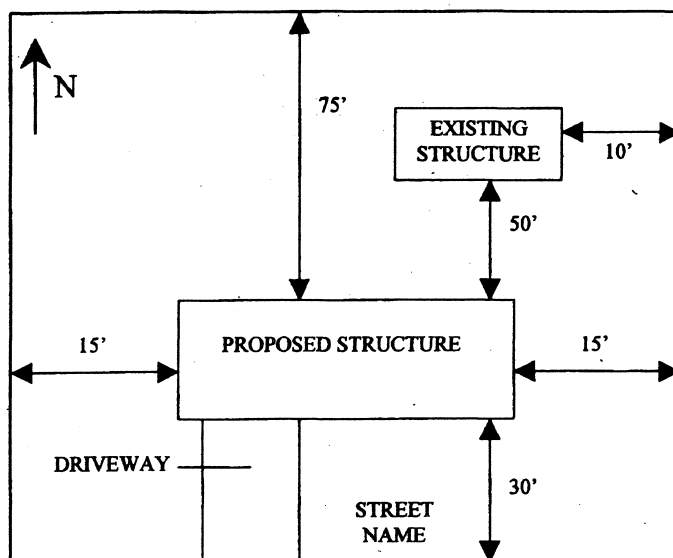
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

APPLICATION INFORMATION

1. Reed & Joan Findlay
APPLICANT'S NAME
2. 1337 E 2100 N
MAILING ADDRESS
- North Logan UT 84341
CITY STATE ZIP CODE
3. 435-770-3645 4. _____
HOME TELEPHONE BUSINESS TELEPHONE
5. _____
OWNER'S NAME (if different from applicant)
6. Single Family Residential
TYPE OF STRUCTURE
7. 1,690 8. R1
SQUARE FOOTAGE ZONE
9. Larson's Place Lot 1
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 529 - 94 - 2163
TAX IDENTIFICATION NUMBER
11. 249 East Center Street
ADDRESS OF CONSTRUCTION
12. .37 acres 13. _____
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

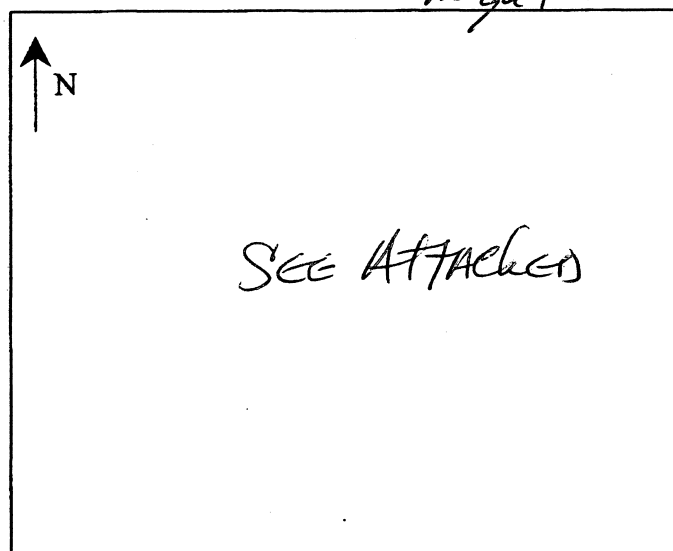
SAMPLE PLOT PLAN

(numbers do not represent required setbacks)



PLOT PLAN

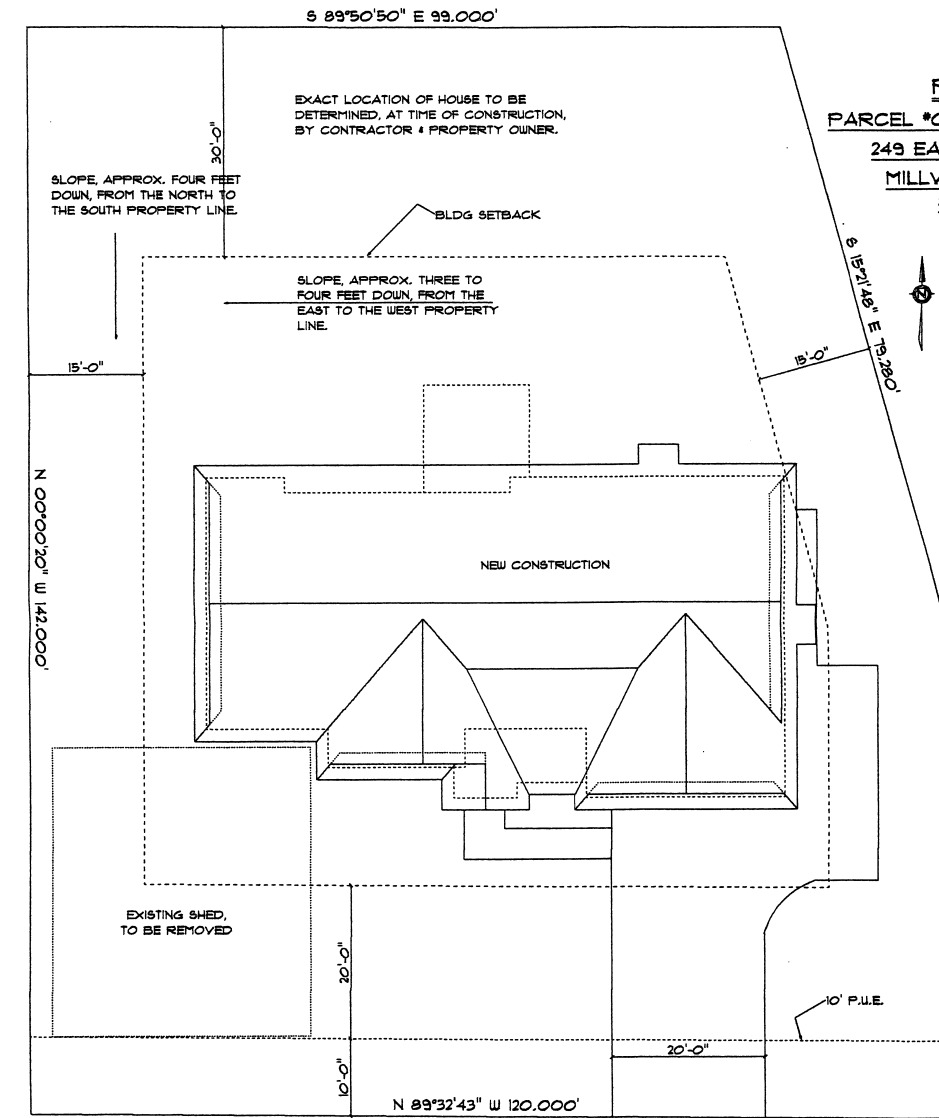
height 20'



APPROVED - PLANNING AND ZONING _____ DATE _____

FEES PAID - TREASURER _____ DATE _____

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PLOT PLAN
PARCEL #03-030-0114, .37 ACRES
249 EAST CENTER STREET
MILLVILLE, UTAH 84326
SCALE: 1/16" = 1'

UTILITIES LOCATED IN THE
5'-10' BETWEEN THE ROAD
AND PROPERTY LINE

SEWER CONNECTION TO
BE DETERMINED BY
MILLVILLE CITY

WILL CONNECT TO CITY
CULLINARY WATER

EAST CENTER STREET



00886

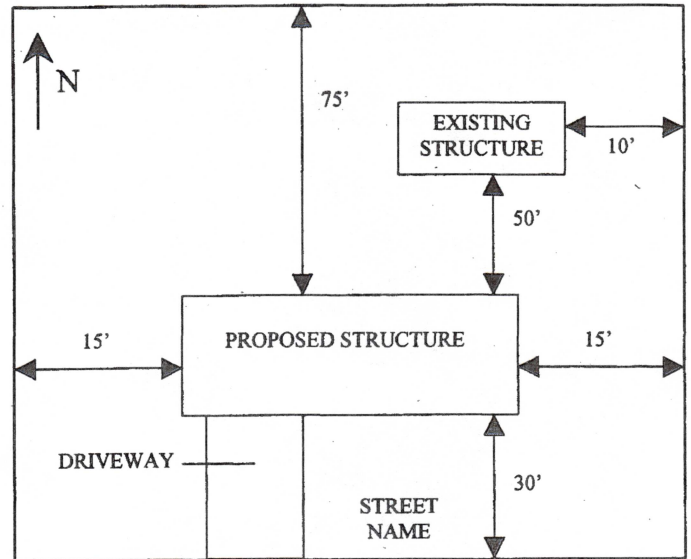
MILLVILLE CITY
ZONING CLEARANCE FOR BUILDING PERMIT
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

APPLICATION INFORMATION

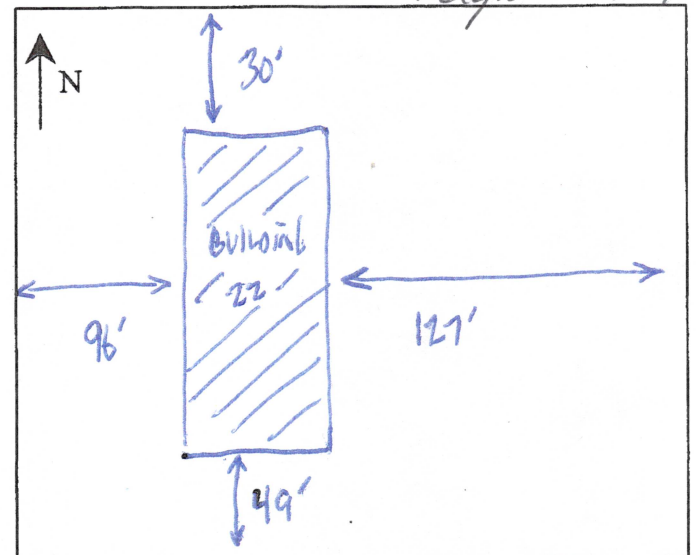
1. ZOLLINGER'S
APPLICANT'S NAME
2. 695 W 1700 SO.
MAILING ADDRESS
3. LOGAN UTAH 84321
CITY STATE ZIP CODE
3. 435-710-2450 4. 435-753-1122
HOME TELEPHONE BUSINESS TELEPHONE
5. GLOBAL PROPERTY 2014 LLC
OWNER'S NAME (if different from applicant)
6. STEEL BUILDING
TYPE OF STRUCTURE
7. 28,000 8. CG
SQUARE FOOTAGE ZONE
9. ZOLLINGER INDUSTRIAL LOT 4
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 03 - 001 - 0004
TAX IDENTIFICATION NUMBER
11. 1200 W 925 NO MILLVILLE
ADDRESS OF CONSTRUCTION
12. 2.31 13. _____
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



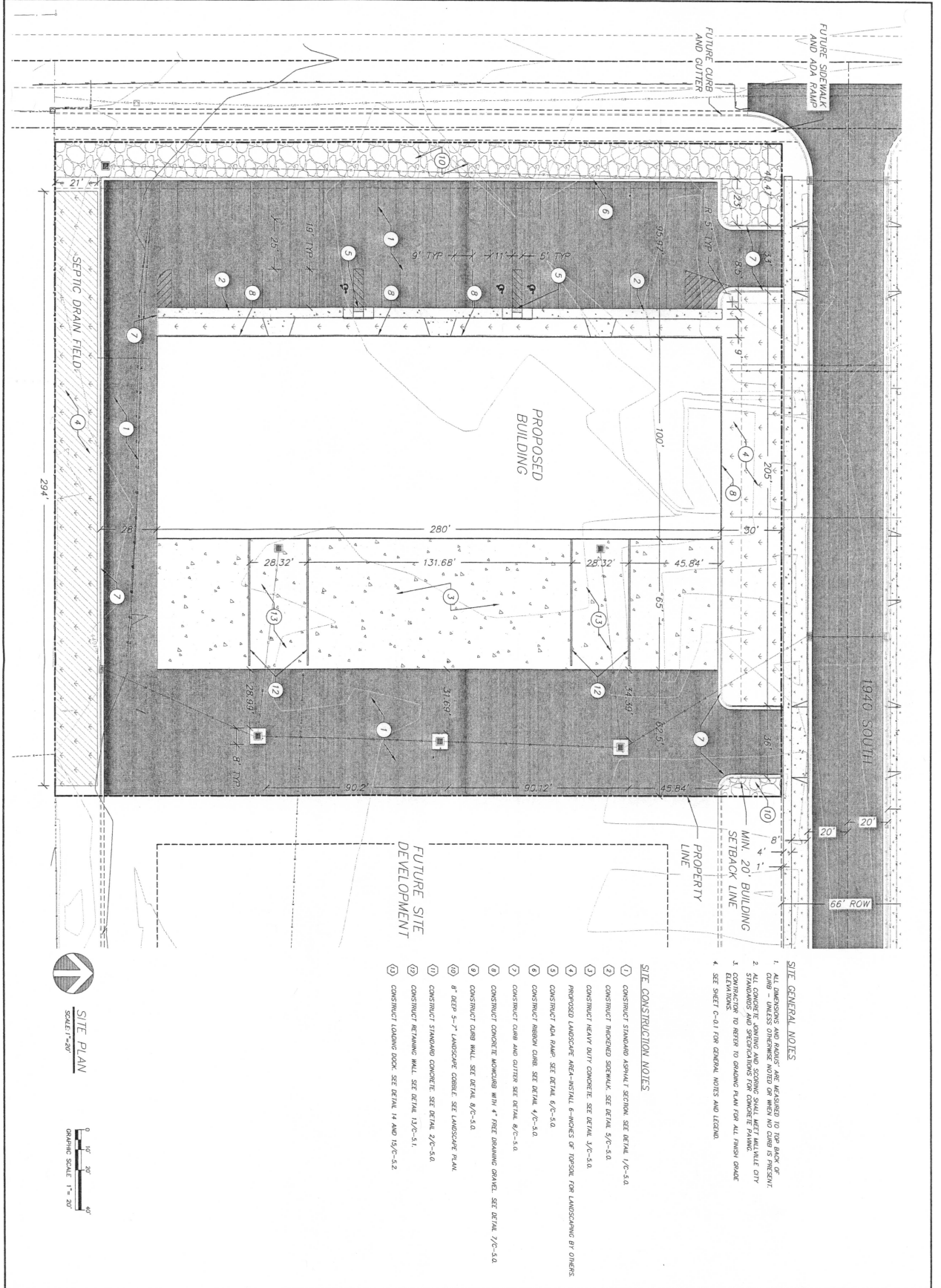
APPROVED - PLANNING AND ZONING

DATE

FEES PAID - TREASURER

DATE

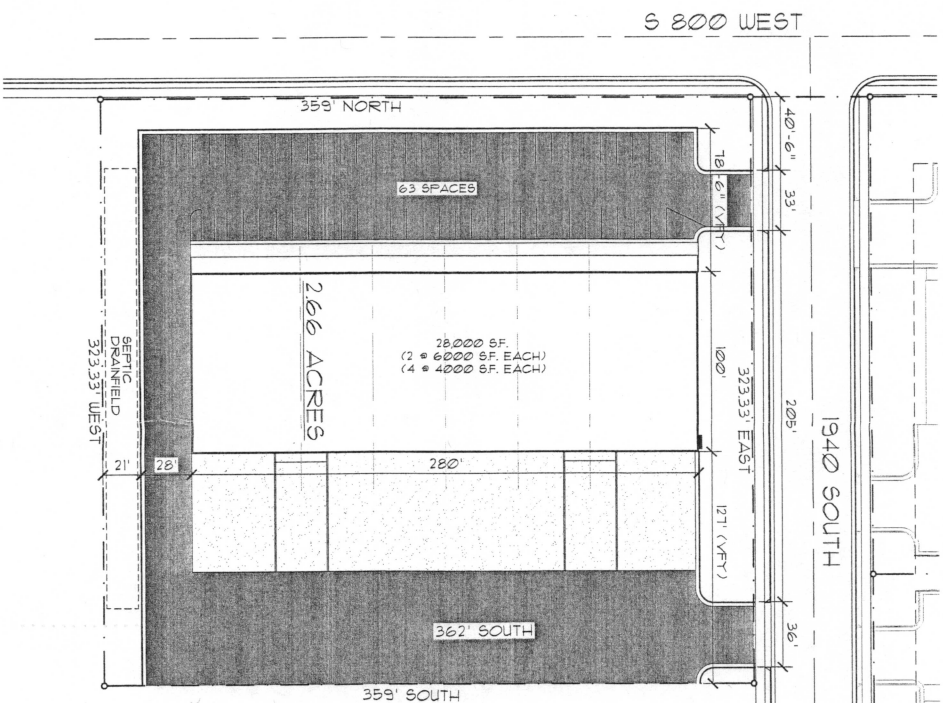
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JOSEPH T. BECK ARCHITECT, INC.
497 EAST 520 SOUTH
SMITHFIELD, UTAH
(435) 764-6742



Professional Engineer Seal for Joseph H. Hov, State of Utah, License No. 137544. The seal is circular with a scalloped border. The text "STATE OF UTAH" is at the top, "LICENSED ARCHITECT" is at the bottom, and "JOSEPH H. HOV" and "137544" are in the center.



REFERENCE SITE PLAN

REF. SITE PLAN

SHEET INDEX

[illegible]

PROJECT TITLE:

ZOLLINGER NEW BUILDING PROJECT
OFFICE/WAREHOUSE PROJECT
800 WEST BUILDNG #22
MILLVILLE , UTAH

Journal of Management Education 32(10)

REF. SITE PLAN
REFERENCE MAP
PLAN LEGEND

PROJECT NUMBER

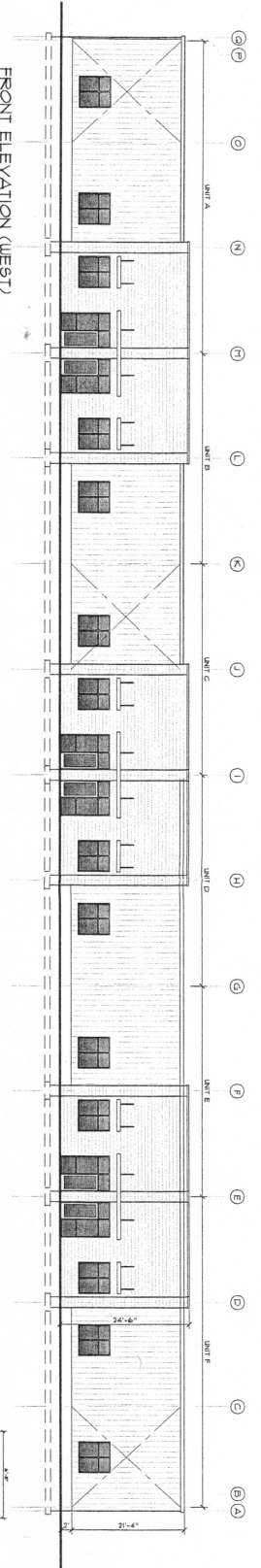
REVISION

SHEET NUMBER

A0.0

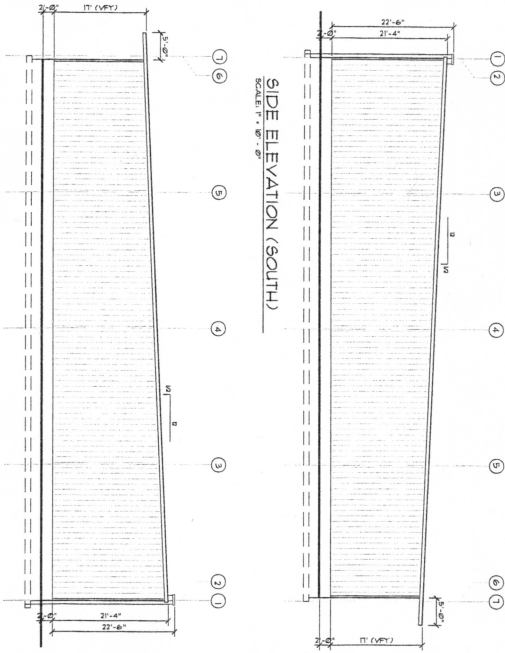
FRONT ELEVATION (WEST)

SCALE: 1" = 8'-0"



SIDE ELEVATION (SOUTH)

SCALE: 1" = 8'-0"

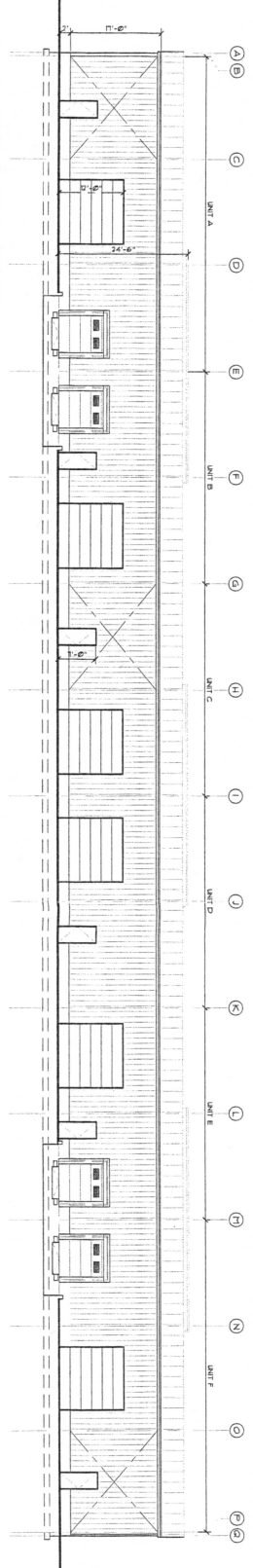


SIDE ELEVATION (NORTH)

SCALE: 1" = 8'-0"

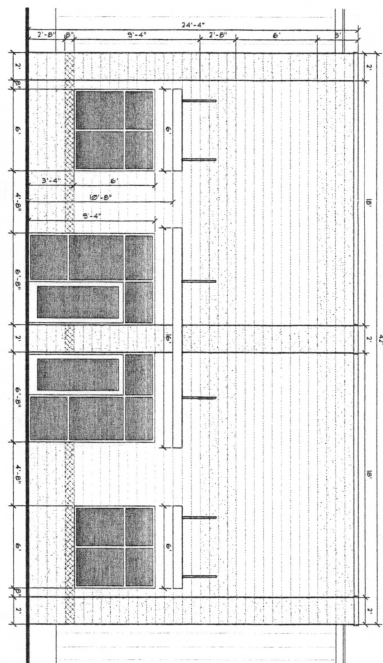
BACK ELEVATION (EAST)

SCALE: 1" = 8'-0"

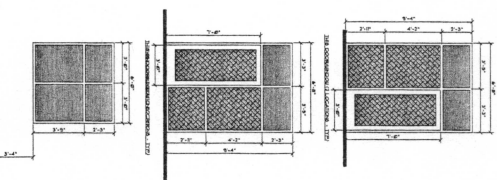


ENLARGED CHU ELEVATION

SCALE: 1/4" = 1'-0"



DATE: 06/03/2019
 PROJECT: ZOLLINGER NEW BUILDING PROJECT
 OFFICE/WAREHOUSE #22 BUILDING
 800 WEST 2000 SOUTH
 MILLVILLE, UTAH



JOSEPH T. BECK ARCHITECT, INC.
 487 EAST 520 SOUTH
 SMITHFIELD, UTAH
 (435) 764-6742

PROJECT TITLE ZOLLINGER NEW BUILDING PROJECT OFFICE/WAREHOUSE #22 BUILDING 800 WEST 2000 SOUTH MILLVILLE, UTAH	DATE JUNE 3, 2019
SHEET TITLE ELEVATIONS	PROJECT NUMBER
REVISIONS	SHEET NUMBER A2.0

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
March 12, 2020

PRESENT: David Hair, Daniel Grange, Clay Wilker, Michael Callahan, Pamela June, Ryan Zollinger, Tara Hobbs, Harry Meadows, Corey Twedt, Horelio Garcia, Gabriel Whelan, Steve Simmons, Howard Creed, Peter Whelan, Jose Garcia, Flor Garcia, Angel Garcia, Maria Garcia, David Olsen, LaRue Olsen, Lacey Jensen, Dean Stevens, Pablo Lambaren, Joanna Lambaren, Jennifer Lambaren, Mike Zollinger, Julianne Duffin, Deputy Todd Higbee, Rylan Zollinger, Jeremy Jensen, Seth Tait

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for March 12, 2020 at 7:00 p.m. The roll call indicated Mayor Hair and Councilmembers Pamela June, Michael Callahan, Ryan Zollinger, Clay Wilker and Daniel Grange were in attendance. Also, Treasurer Tara Hobbs and Recorder Corey Twedt were present.

Opening Remarks/Pledge of Allegiance

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

Approval of Agenda

The agenda for the City Council Meeting of March 12, 2020 was reviewed.

Councilmember Callahan moved to approve the agenda for March 12, 2020.

Councilmember Zollinger seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (A copy of the agenda is included as Attachment "A".)

Approval of minutes of the previous meeting

The Council reviewed the minutes of the City Council Meeting for February 13, 2020.

Councilmember Callahan moved to approve the minutes for February 13, 2020.

Councilmember June seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes.

Request for a Business License for LKJ Billing at 141 E. 600 N.

Lacey Jensen has submitted a request for a business license for LKJ Billing. She was present at the City Council Meeting. She said she would be doing medical billing from home. **Councilmember Grange moved to approve the business license for LKJ Billing.** Councilmember Callahan seconded. Councilmembers Callahan, June, Grange, Wilker and

Zollinger voted yes. (A copy of the license application is included with the minutes as Attachment "B".)

City Holiday Flags with Sea Scout Ship 716

Gabriel Whelan addressed the City Council and thanked them for allowing the Sea Scouts to provide the holiday flag service to the community. He said that they would like to continue the service for another year which would include putting up eight flags around the round-about for 10 different holidays/events. The cost is \$220 for the year.

Councilmember Grange moved to approve the continuation of the Scout flag service.

Councilmember Zollinger seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (A copy of the information presented is included as Attachment "C".)

Multiple Families in Single-Family Homes

Mayor Hair said that there have been some issues with multiple families living in single-family homes in the City. Mayor Hair and Councilmember Grange visited the home at 245 South 100 West after receiving complaints about the number of families living there.

Councilmember Grange said that when they visited, they determined that the home was broken up into at least three separate dwellings. They were trying to find the home owner, Horelio Garcia. When they approached the front door, they were told they needed to go to a separate entrance. When they found Horelio, he said it was all his family, but someone else approached during the visit and said that they pay rent to Horelio. Councilmember Grange said that there are at least two apartments being rented out in addition to the main home. It was also clear during the visit that the proper inspections had not taken place.

Mayor Hair said that if there are multiple families living there, they need to do it correctly to ensure that the proper requirements are met and safety inspections are done. The City contracts with Cache County for the inspections. The City also discussed what was allowed in a single-family home and the definition of a family as defined in the City Code. Councilmember Grange said that one of the issues is that there are people paying rent and this is a single-family home and not a duplex or a triplex.

Councilmember Zollinger said that if they were to use a single entrance with just two families, it would be permitted. But there are at least three families with multiple entrances.

Mayor Hair said that during their visit, they asked Horelio to come to the Council so that he could understand the issue and see what the Council might allow as far as a time to get in compliance before the code is enforced.

Councilmember Grange then translated the discussion into Spanish for Horelio and his family to ensure they understood what was happening.

There was a comment from someone else in the room that there are three separate kitchens in the home. The Council said that this was not allowed as it would make it a triplex which is not permitted in Millville.

Horelio said that to remove the kitchens, he would need four months. There was a discussion amongst the Council that they were thinking more like thirty days should be given to be put in compliance. Deputy Higbee said that he, like the Council, didn't like the idea of kicking people out of where they are living, nor does he want to charge the owner with a misdemeanor if it can be avoided. He suggested the Council allow for more time. Horelio said that it would take a lot of time since he couldn't do all of the work himself.

There was some additional discussion about what would need to be done. To be compliant with City Code, the Council suggested Horelio not worry about remodeling and removing the kitchen. Instead, he needed to deal with those that are renting so that he could be within the 'family' parameters as set by the City Code.

Councilmember Wilker motioned that Horelio be given sixty days to bring his home within compliance of the City Code for a single-family dwelling. Councilmember Callahan seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes.

Councilmember Grange translated the motion for Horelio and his family. Horelio asked for 90 days for the construction that was needed. Councilmember Grange clarified that construction was not needed if the renters were not there and those that live there meet the family requirements for a single-family home.

Treasurer Hobbs said that the water bill and other utilities had been paid by one of the tenants. The Council said that this was not a City issue and the tenant would have to work this out with their landlord. (A copy of the staff report on this item is included as Attachment "D".)

Councilmember Callahan motioned to adjust the agenda to move to the Public Hearing and then return to item 'E' after the Public Hearing. Councilmember Zollinger seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes.

PUBLIC HEARING

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

PUBLIC HEARING: 7:20 p.m.

Commenced at 7:24 p.m.

PRESENT: David Hair, Daniel Grange, Clay Wilker, Michael Callahan, Pamela June, Ryan Zollinger, Tara Hobbs, Harry Meadows, Corey Twedt, Steve Simmons, Howard Creed, David Olsen, LaRue Olsen, Mike Zollinger, Julianne Duffin, Rylan Zollinger

The purpose of the hearing was to receive public input on the revisions to the City Code relating to the City Sewer Policy.

Public Comment:

Councilmember Callahan said that he spent a lot of time with a sewer expert from Rural Water who discussed many issues with people flushing disposable baby wipes into the sewer system. Councilmember Callahan suggested that the Code should discuss this restriction.

There were no additional comments from the public.

Councilmember Callahan moved to close the public hearing. Councilmember Zollinger seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes.

Cache Sheriff's Department

Deputy Todd Higbee from the Cache Sheriff's Department addressed the City Council. He said that in the past, speeding on 100 North and 450 North had been a major concern from the Council. The deputies had been issuing a lot of tickets on these roads which have resulted in a major reduction in speeding. Before, the average speed had been 40-45 mph coming down the hill. This had reduced dramatically with the extra focus from the deputies.

Deputy Higbee asked to work directly with Councilmember Grange as a representative from the Council and a Spanish speaker in dealing with the issue that was discussed earlier with the home with multiple families. Councilmember Grange said that this would be fine. Development Coordinator Meadows said that the inspector from the County, who also speaks Spanish, had done a walk-through of the home and provided Horelio with a list of the issues that needed to be fixed.

Coordinator Meadows asked Deputy Higbee about the Volunteers in Police Service (VIPS) Program. Deputy Higbee said that the neighborhood watch programs were effective and useful, but the Sheriff's Department was not planning on endorsing and working on VIPS as they felt it would add additional risk and liability and wasn't needed.

Mayor Hair said that he had heard people were concerned about the fire response time for the trailer fire, but that they didn't realize that the fire happened at the same time as a plane crash that resulted in fire forces being split.

Development Coordinator Meadows suggested additional patrols of the cemetery as he has seen lots of beer cans and bottles. Deputy Higbee said that they spent a significant amount of time patrolling the cemetery and the canyon and would continue to do so.

Councilmember Callahan said that he often hears dirt bikes on the roads in the afternoon that are in clear violation of City noise ordinances.

The Council thanked Deputy Higbee and the Sheriff's Department for all of their work and for keeping the City safe.

Public Comment Period

Mayor Hair opened the floor for public comments. No public comments were made.

Consideration of a Adoption Accepting the Changes to City Code Chapter 13.20 – City Sewer Policy

Recorder Twedt reviewed with the Council the ordinance with the modifications to the City Code in regards to the City Sewer Policy. He explained that some changes were needed to make the Code applicable to all parts of the City and to remove references to Logan City treatment. Since these changes were needed, Recorder Twedt had the engineers from Franson Civil review it as well and they had several other small updates.

There was a discussion around the comment made by Councilmember Callahan during the public hearing regarding adding language to the Code about restricting baby wipes. It was discussed that the current Code did not list any restrictions. There was concern about listing some restriction and not having it be an inclusive list that might indicate that things not listed were allowed.

Councilmember Zollinger said that they could educate the public in other ways by sending out information in the newsletter and other bulletins about what is and is not allowed.

Recorder Twedt said that this change was needed quickly as it spoke to all development needing to connect to the sewer. He also said that if the Council wanted to list restrictions directly in the Code, there would likely be additional edits to the sewer policy in the future as they get closer to completing construction.

Councilmember Callahan moved to approve Ordinance 2020-3, An Ordinance Modifying the City Code as it Relates to the Sewer Policy. Councilmember June seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (The adopted Ordinance is included with the minutes as Attachment "E".)

Report on P & Z Meetings held February 20, 2020 and March 5, 2020

Development Coordinator Harry Meadows reviewed with the Council the Planning Commission's draft minutes for the meetings held February 20, 2020 and March 5, 2020. He said that things were beginning to get busier with new homes and accessory buildings being accepted.

Consideration of a Resolution to Accept the Olsen Annexation Petition

Recorder Twedt reviewed with the Council the resolution to accept the Olsen Annexation Petition. He explained that the annexation process is quite lengthy. If the petition is approved tonight, it would proceed through legal review and to the next steps. Recorder Twedt said that he wanted to make it clear now what services would be required for the existing homes and new development when they move into Millville so that those requesting the annexations could make sure that this is what they want to do. He said that State Code required that City services be added when an annexation comes into the City.

Mayor Hair said that this primarily referred to connecting to the City sewer system. Councilmember Zollinger said that there are many cities, including Providence and Nibley, where not every home is connected to sewer. He asked how the homes in this area would connect to sewer.

It was discussed that there are a couple of options for connection pathways. They could get easements and run south through other parcels to get to the lines planned near 550 North or they could plan to pump and connect at Main Street. Mayor Hair said that the current sewer design was done for existing homes in Millville. New development and new annexations will need to pay to connect to the sewer when they develop.

Recorder Twedt said that he felt that the City should not set a precedence of allowing new homes to determine whether it was too expensive or if they just didn't want to connect to the sewer. Many of the existing homes in the City would be fine not connecting to sewer if they were given a choice. New development needs to be held to that same requirement.

Councilmember Wilker said that running the sewer lines through the property to the south would likely be a major benefit to those land owners when they develop. Maybe something could be established, where the land owners to the south share the cost of the sewer lines.

Councilmember Grange clarified that there are existing homes, currently in the County, that would be moved into Millville with these annexations. He asked if they should have to connect to sewer. Councilmember Wilker said that after annexation, they would need to connect.

Recorder Twedt said that the funding package and bonding that the City has been working on, was for existing homes in the City. All new development and annexations will need to pay the full burden of connecting to the sewer. This is the policy for all new development

in Millville. Developers pay for the roads and utility improvements to service their development.

Councilmember Zollinger said that if this is the policy, we just need to let anyone wanting to develop or annex into the City know what will be required of them. Recorder Twedt agreed that this is what should be communicated to developers.

Mayor Hair reiterated that the sewer plans and engineering were built around the existing infrastructure at the time of bonding. New annexations and development would need to pay to connect.

Councilmember Callahan asked if they could proceed with the annexations and not require the existing homes to connect to sewer now with the understanding that when the land around them is developed, they would need to connect at that time. Councilmember Wilker said that there were other similar houses in the City that would probably want the same leniency of connecting eventually when development around them occurred. He said that it didn't make sense to treat someone annexing into the City better than the current citizens that are required to connect right now.

Recorder Twedt said again that one of the basic issues is that the State does not permit annexations where services are not provided.

Steve Simmons said that he didn't want to connect to Millville sewer or water. The reason he is trying to annex is to protect himself from Providence City. He said that he has spent seven years in a lawsuit with Providence to have them not affect his property. He said that if there was a way to grandfather existing homes and not require connection to services, that would be great, if not, he is not interested.

Councilmember Grange said that everyone in Millville is having to connect to the sewer. He didn't want to connect either, but it is a requirement if you are in the City. Mayor Hair said that the City didn't make the decision to connect. They were forced to do so. The County may force connections to sewer in the future as well.

Councilmember Grange said that the City was not trying to force the annexation. It was up to the landowners, but if they annex, they will need to connect to the sewer. It is a package deal. He said he was okay accepting the annexation petition, but they would need to connect to sewer.

Mike Zollinger asked where the current sewer line was planned to go. The Council explained the two possible connection locations.

Recorder Twedt said that the next step was to collect the annexation fees and go through the process. He wanted to make sure the petitioners had an expectation of requirements before they spent that money and before the City spent the time.

Councilmember Callahan said that he would love to have larger spread out parcels in the City. Councilmember Wilker and Grange agreed.

David Olsen said that about a year ago, the 9-acres of land to the north of him became available. His home sits on 7 acres. The developer was planning to annex into Providence and put in a high-density development. Millville protested the high-density. Landowners pulled out and the annexation into Providence was cancelled. David said he would like the growth north of Millville to be controlled by Millville. The ten land owners that are working on the annexations agree and want to annex into Millville. He said that he personally was happy with the services that he currently has and is not requesting to be connected to any Millville services. The ten land owners just want help to control the growth of those 40 acres.

Councilmember Grange said that he values what Mr. Olsen is saying and really wants Millville to control the growth to the north. But the problem he has is if they come into Millville, they are Millville citizens. Everyone in Millville City right now is being required to connect to the sewer system. He for one would much prefer to keep his septic tank, but he knows he will need to connect. Councilmember Grange said that he ran for City Council to do whatever he can to treat everyone equally.

Councilmember Grange moved to approve Resolution 2020-6, Accepting the Olsen Annexation Petition. Councilmember Callahan seconded. Councilmember Wilker reviewed the current and potential future boundaries with the annexations. David Olsen confirmed that between the two annexations, all of the remaining land between Millville and Providence would be included. Councilmembers Callahan, June, Grange and Wilker voted yes and Councilmember Zollinger abstained from the vote. (The approved Resolution is included with the minutes as Attachment "F".)

Consideration of a Resolution to Accept the Zollinger Annexation Petition

Councilmember Grange moved to approve Resolution 2020-7, Accepting the Zollinger Annexation Petition. Councilmember Callahan seconded. Councilmembers Callahan, June, Grange and Wilker voted yes and Councilmember Zollinger abstained from the vote. (The approved Resolution is included with the minutes as Attachment "G".)

Recorder Twedt said he would proceed with the next steps of the annexation as soon as fees were paid to the City. The petitioners can determine what they want to do and then things will proceed if they so choose after fees have been paid.

Celco Request for City Borderline Adjustment

Jeremy Jensen said that he is requesting a border line adjustment to move the remainder of the Celco property from Millville to Providence. He said that in 2004 there had been a lawsuit between the Celco Corporation and Millville City and that a portion of the Celco property was moved from Millville to Providence at that time. The agreement that was drafted in 2004 said that the remaining property in Millville would be reevaluated at some

point in the future – when Celco was ready for additional development – to determine if it should stay in Millville or move to Providence. As indicated in the agreement, the determination on staying in Millville would be if Millville was *“willing and able to provide the remaining acreage with sufficient sewer and water infrastructure.”*

Jeremy said that a border line adjustment was requested in 2018. The plan was to develop under the new Providence Life Cycle Zone. There had been a significant backlash to this attempt from many people in Providence as well as the Millville City Council who were concerned about the density of the population that was going in above them that would primarily be using Millville roadways.

Jeremy said that after the initial piece of property was moved to Providence, when they developed, they had to provide water, power and sewer for his new subdivision. To get the water pressure they needed, Celco built a pump station to get additional water to the Providence spring-fed water tank in Providence Canyon. He also purchased a large quantity of water shares at that time that he dedicated to Providence City in 2005. Jeremy said it cost millions of dollars at that time to get the utility infrastructure to that location and was a huge benefit to Providence City. He said that the proposed new subdivision would take their development right to the border between Providence and Millville. At the elevation of the development they intend to carry south (into the property that is currently in Millville), only the Providence water system can provide the pressure they need to those houses without paying for similar costly infrastructure in Millville City.

Councilmember Zollinger pointed out that Jeremy would need to use Millville infrastructure to access the property that he wants to develop. There are no roads that make sense for the people in his new or his old developments to get in and out of Providence that does not go through Millville.

Jeremy said that the current plan for the new developments is to zone single-family homes in Providence City. The Council expressed concern of the zoning changing at some point in the future for higher density. Councilmember Grange said that his concern is that all of these new homes would be entering and exiting on already very busy Millville roads.

Mayor Hair said that in the past, when the Celco property was discussed, Millville did not have City-wide sewer to support the development. Now sewer will be available. Additionally, a new well is being drilled and the City will have the water that is needed. Jeremy said that to get the water pressure he needs, they will need 60 feet of elevation and he doesn't want to pay for the infrastructure to make that happen in Millville when he has already paid for it in Providence. Recorder Twedt pointed out on a map that the original Celco plan was to put in a water tank above the deer fence to support the development in Millville City.

Councilmember Wilker said that there had also been other changes in Millville since 2004. There is a high school now and adding more traffic to that already very busy road with additional heavy traffic from Providence would be problematic. Especially if the zoning is subject to change. Councilmember Wilker said that this may not be a concern for their

development, but it is a big concern for the Millville residents as there are wrecks down there all the time.

Councilmember Zollinger said that Millville will have the sewer and water to service a portion of the property right now and additional infrastructure could be added to service the rest. He said that you can't debate the huge impact a development like this will have on the City of Millville. Councilmember Callahan said that he agreed that this would have a huge impact and said that if this property were developed in Providence, Millville loses all control of what happens there that will directly affect the resident of Millville.

Jeremy said that he understands that there would be an impact to Millville and there would be no financial benefit. He said that he hoped the Council could understand that they had invested a lot of money in the Providence infrastructure and developing the Millville property in Millville would be more expensive. He said he was not opposed to splitting up the remaining property and developing in Millville anything that could be serviced easily with existing Millville infrastructure.

Councilmember Zollinger said that he feels like the request for the borderline adjustment is premature as the Council is seeing this for the first time. As the agreement states that when the property in Millville is planned to be developed, "*Celco shall consult with Millville...*" Councilmember Zollinger said he would like to have some conversations with Celco to better understand their plans and see if it can make sense for both groups. Jeremy reviewed in more detail his map for the next addition in his plans.

Councilmember Grange said that he personally was not opposed to a small additional loop connected to the existing subdivisions in Providence, but that he has big concerns about additional road connections to Millville City.

Councilmember Zollinger said that he would like to exercise the agreement to work directly with Jeremy and discuss this in more detail. Councilmember Grange agreed. Jeremy said that this would be acceptable. He said that there is some urgency to get the loop figured out, but the development of the rest of the property will take more time and would not be developed right away.

Councilmember Callahan motioned to table the discussion to a future City Council Meeting after the consultation meeting takes place. Councilmember Zollinger seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (The related information from the agenda packet is included with the minutes as Attachment "H".)

EMS Discussion and Update

Mayor Hair said that he has attended several meetings with most of the mayors from the south side of Cache Valley with more meetings coming to discuss the EMS situation. With Logan and Smithfield pulling out of CCEMS, there are a several licenses that are needed for ambulance services. This all needs to be in place by January 1, 2021. The cities are

working with the County to get the required licenses. We can expect that costs for EMS services will increase for Millville City. (A copy of the related information from the agenda packet is included as Attachment "I".)

Discussion on Update to City Code for Solicitor Requirements

Recorder Twedt said that there was really nothing in the Millville City Code relating to door-to-door solicitation. He said that he thought it might be good to require a license and know who was wandering around the neighborhoods in the City. In digging into it a bit, all of the neighboring cities that he had looked into had City Code for requirements and protections regarding soliciting in their cities. Most of the language was fairly similar. The proposed code additions here are a modified version of what other cities are doing so that it could work for Millville City. He asked the Council if they were interested in pursuing this in a future meeting.

The consensus of the Council was to proceed with an addition to the code regarding residential solicitation requirements. Recorder Twedt said that he would have it ready for review along with an ordinance for the next meeting and they could take it from there. (A copy of the draft code presented in this meeting is included with the minutes as Attachment "J".)

Councilmember Reports and Items for Future Agendas

Mayor Hair reported that the well driller had found water in the test hole at a depth of 520 feet which is great news.

Councilmember June said that she was working on some items for the City Celebration, but that she had several questions regarding the budget, parade logistics and other items. Mayor Hair said that it might be useful for her to speak with former Councilmember Mark Williams who was in charge of the City Celebration last year and that Recorder Twedt could answer any questions she had regarding the budget.

Councilmember Callahan said that he felt that the Rural Water Conference was very productive. He attended several classes that provided legal information and made good contacts. As mentioned earlier, he met with the RWAU expert on sewer systems who said he would review everything that is happening in Millville for free and provide advice.

Development Coordinator Meadows said that there were issues with developers not handling their concrete washouts properly and leaving the excess concrete in the public right-of-way. He said that he would like to add additional requirements to ensure that it is cleaned up when the construction is done. Councilmember Zollinger asked about inspections and asked if inspections should identify and address the problems. Mayor Hair said that this was an issue that needed to be on the agenda for a full review and discussion.

Mayor Hair said that he continues to monitor carefully the new developments and direction from the health organizations regarding the Coronavirus COVID-19 situation. He then read the key recommendations that Governor Herbert presented earlier today:

- Limit mass gatherings to 100 healthy individuals or fewer.
- People over 60 years old should avoid mass gatherings of more than 20 people.
- Immunocompromised people should also avoid large gatherings of more than 20 people.
- If you're sick, stay home. The Governor urged employers to be tolerant.
- Work from home whenever possible.
- Coordinate with local health departments who are working to protect high risk populations. For example, the task force recommends restricting access and visitation at nursing homes.

Councilmember Callahan recommended that a message go out to the City with the notification system on how the Corona Virus might affect upcoming City activities. Recorder Twedt said that he would send it out.

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

Adjournment

Councilmember Grange motioned to enter an executive session to discuss the situation with the Cemetery District with the City Attorney after which both the public meeting and executive session will adjourn. Councilmember Zollinger seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. The meetings adjourned at 9:52 p.m.