

NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold their regularly scheduled Council Meeting on Thursday, August 13, 2020, at the Millville City Office, 510 East 300 South in Millville, Utah, which meeting shall begin promptly at 7:00 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 Mike Callahan
3. Approval of agenda
4. Approval of minutes of the City Council Meeting – July 9, 2020
5. Agenda Items—
 - A. Public Comment Period (2 min/person)
 - B. Request for Business License for CA Repairs at 11 North Main Street – Carson Allen
 - C. Report on P&Z Meetings held July 16 and August 6, 2020 – Dev. Coordinator Wall
 - D. Consideration for granting of a waiver for side setback requirements for parcel 02-129-0040 from the Hulse Subdivision – Dev. Coordinator Wall
 - E. Consideration of Resolution Establishing Fees for Ambulance/EMS services for businesses that do not receive a utility bill – Councilmember Zollinger
 - F. Consideration for Scheduling a Public Hearing for the following... – Recorder Twedt
 - i. Update on Bonding and Bond Anticipation Notes (BANs) for the Well and Sewer Projects
 - ii. Mike Zollinger Annexation
 - G. Consideration for Updates to City Water Rates – Councilmember Zollinger
 - H. Shop Expansion – Recorder Twedt
 - I. City Reports: Roads, Parks, Water – Public Works Director Kendrick
 - 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 August 10, 2020 to the City posting locations, the City Website and the Utah Public Meeting Notices Website.



Corey Twedt, Recorder

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
July 9, 2020

PRESENT: David Hair, Daniel Grange, Clay Wilker, Michael Callahan, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for July 9, 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 Zollinger welcomed everyone to the Council Meeting and led all present in the pledge of allegiance. He then offered a prayer.

Approval of Agenda

The agenda for the City Council Meeting for July 9, 2020 was reviewed. **Councilmember Callahan moved to approve the agenda for July 9, 2020.** Councilmember Wilker 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 June 25, 2020. Councilmember Callahan said that he would like to make an edit on page 3. He wanted to clarify that the reason 200 East would never be a collector road in his opinion was that there was a jog in the road, there would be a canal crossing and that it would not meet the design criteria for separation between collector roads. **Councilmember Callahan moved to approve the minutes for June 25, 2020 with this change.** Councilmember Zollinger seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes.

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 July 2, 2020

Development Coordinator Randy Wall reviewed with the Council the Planning Commission’s draft minutes for the meeting held July 2, 2020.

It was clarified that for the Celco development, water and sewer service would be provided to the Celco property line and not to the location of the subdivision within the Celco property.

Development Coordinator Wall said that he has confirmed with Mr. Funk, who is developing some property near 100 North 100 West, that sidewalks will be required.

Recorder Twedt said that it appears from the P&Z Minutes that there may be some confusion on the purpose of the proposed change of Chapter 17.68 regarding Nonconforming Uses and Variance. He said that he would like to attend the next P&Z Meeting to make sure the intent was clear on what that section of the Code is referring to.

Consideration of a Resolution Accepting Mike Zollinger Annexation Petition

Recorder Twedt explained that this was the latest version of the petition that included all of the required signatures. The Council had approved this previously and no changes had been made to the request.

Councilmember Wilker moved to approve Resolution 2020-17, A Resolution accepting the Mike Zollinger petition for annexation. Councilmember Grange seconded. Councilmember Zollinger stated for the record that this was a conflict for him as his family is involved with the annexation. Mayor Hair noted the conflict. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (The approved resolution is included with the minutes as Attachment “B”.)

Interlocal Agreement with Hyrum City for Wastewater Treatment

Councilmember Grange explained that the Council had approved an earlier version of this agreement at a previous City Council meeting. After being approved by the Millville City Council, the Hyrum attorney and City Council had made some additional edits. This new version has now been approved by the Hyrum City Council. He said that it may not be quite as favorable for Millville, but the edits seem reasonable and fair. Councilmember Grange said that this version has been reviewed by the Millville City attorney who had some comments, but none of them appeared to be big concerns in his opinion.

Councilmember Zollinger asked what would happen at the end of the 30 years. It was discussed that Millville would retain ownership of their portion of the facility, but would no longer have to continue to buy in. The \$5 per month per residence would no longer be required.

Councilmember Grange said that the biggest changes in the agreement were that the board would have more control over what is happening and that Millville will have less of a presence on the board. As currently written, the board seats would be based on percentage of ownership of the facility.

Councilmember Zollinger said that he thought that this was a good deal for Millville. He said that he liked that the board would not be able to charge more to Millville residents than they do to Hyrum residents. The agreement seems fair.

Councilmember Callahan said that a separate sewer entity may be created in the future with additional cities at the Hyrum facility. He said that he felt this agreement was drafted in such a way to simplify that process.

Councilmember Wilker asked about ownership and cost sharing of the sewer lines that Millville will be installing to get from Millville to the facility in Hyrum. Recorder Twedt explained that these lines will be paid for and owned by Millville City. If other cities end up using these lines, they will have to buy capacity from Millville. This would be similar to the capacity of which Millville bought in the Nibley sewer lines when their sewer system went in.

Councilmember Grange moved to approve Resolution 2020-18, A Resolution accepting the agreement with Hyrum City for wastewater treatment and ownership in the treatment facility. Councilmember Callahan seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (The approved resolution and agreement are included with the minutes as Attachment “C”).

Fireworks Ordinance

Recorder Twedt said that the current fireworks code lists the dates and times for which fireworks are permitted. Utah State Code had changed making the Millville Code incorrect. The proposed ordinance would remove the dates and times from the Millville Code and refer to the Utah Code so that Millville would always be in compliance.

It was briefly discussed that the City could be more restrictive than the Utah State Code, but not more lenient. Councilmember Zollinger discussed the discharge of fireworks on Chinese New Year as permitted in the Utah State Code.

Mayor Hair said that he was frustrated that people had gone to the parks to light off fireworks and left so much garbage and firework debris. There were pieces of fireworks all over the South Park including the pickleball courts and it took a long time for the Public Works Department to clean up after the residents.

Councilmember Callahan moved to approve Ordinance 2020-5, An Ordinance updating the Millville Fireworks Code. Councilmember June seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (The approved ordinance is included with the minutes as Attachment “D”).

Consideration for Cancelling the City Council Meeting Scheduled for July 23, 2020

Mayor Hair said that the next meeting was scheduled for the day before the Pioneer Day Holiday. Councilmember Callahan asked about any important agenda items scheduled for that day. Recorder Twedt said that there was not anything important at this point that needed to be scheduled. Councilmember Wilker said that he was planning on being gone that day anyway.

Councilmember Zollinger moved to cancel the City Council Meeting scheduled for July 23, 2020. Councilmember Grange seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes.

City Reports

Director of Public Works Chad Kendrick said that the pump went out at the Glenridge Well and was replaced yesterday. He explained that even if the City were to stop using this water source in the near future, it would likely be used in the long term as more development is expected to happen directly west of the well at some point.

Director Kendrick said that the South Park sprinkler system is completely done and is working really well. The old irrigation pipe had gone up for bid and had all sold.

Director Kendrick said that the 25 mph signs on 100 North were now up as requested by the Council. He discussed the option of solar signs that display the passing car's speed. Director Kendrick said that he felt these were effective in slowing traffic. They cost around \$2,000. Councilmember Zollinger said that he would recommend leaving the normal speed limit signs for now due to the cost of the digital signs.

Councilmember Reports and Items for Future Agendas

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

Recorder Twedt said that the Hulse Minor Subdivision was approved in 2018. He showed the location on the County viewer as being near 300 North and 200 East. On the mylar that was accepted and signed by P&Z, the Mayor and Recorder, it lists in mouse print that the side set-back is 10'. This does not comply with current City Code, but the owner bought the lot with this understanding and is now trying to build with that setback.

Recorder Twedt said that Section 16.04.080 allows for the City Council to waive a specific requirement after they receive a request to do so from the Planning Commission. The Council has been very good to stick by the code and not provide exceptions when requests are made. Seeing that this was overlooked and approved by the City, it might make sense for the Council to provide an exception in this case. This will be on the agenda at the next P&Z meeting and then likely come back to the City Council for official approval. Recorder Twedt said that he was just bringing it up now to get a feeling of how the Council might feel about a waiver so that the builder might have some direction.

Councilmember Callahan said that he felt the Council should do this the easy way and agree to the waiver.

Treasurer Hobbs said that the builder had commented that they could potentially do a different house plan that would comply if a waiver was not granted, but that they would rather stick with their preferred plan.

Councilmember Zollinger said that his concern was the impact it would have on the neighbors. Mayor Hair said that the subdivision was completed by the neighbor to the north who sold the lot. Councilmember Zollinger said that if the builder were to get a note from the neighbors, it would be an easy decision.

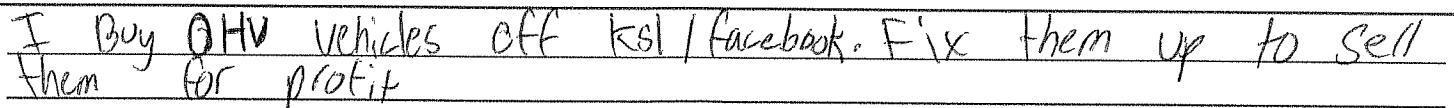
Development Coordinator Wall explained that the home, as requested, would be 14 feet from the property line on the south and the rear north east corner would be 12 feet from the property line on the north which would then angle out and increase the frontage as you move west on the home.

Councilmember Grange said that if it was that close, he thinks that the Council should grant the waiver. He said that if they were trying to push the building size closer to the ten-foot setbacks, he would lean more towards the recommendation of Councilmember Zollinger and at least ask for approval from the neighbors, but you wouldn't even be able to see that it is fourteen feet and not fifteen. Councilmember Wilker agreed. Councilmember June said that she was not concerned about being one foot from compliance under the circumstances.

Councilmember Zollinger said that he agreed that the City had some responsibility to work with the landowner to find a solution.

Adjournment

Councilmember Callahan moved to adjourn the meeting. Councilmember June seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. The meeting adjourned at 7:50 p.m.



SECTION IV: Additional Information

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

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

Parent Business Name: _____ ☐ same as "A. Business Name DBA"

State Entity Type: ☐ Sole Proprietorship ☐ Partnership ☐ LLC ☐ Corporation ☐ Non-Profit Corporation (w/501 c3 letter)

Officers (1)

Officer Name: _____ Contact Ph. _____

Home Address: _____
Street (include unit #) / PO Box Address City, State, ZIP

☐ This person can be contacted in the event of an after-hours police or fire emergency.

Sole Prop./Partnership	LLC	Corporation
☐ Owner	☐ Member	☐ President
☐ Local Manager	☐ Manager	☐ Director
	☐ Local Manager	☐ Officer
		☐ Local Manager

Officers (2)

Officer Name: _____ Contact Ph. _____

Home Address: _____
Street (include unit #) / PO Box Address City, State, ZIP

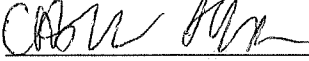
☐ This person can be contacted in the event of an after-hours police or fire emergency.

Sole Prop./Partnership	LLC	Corporation
☐ Owner	☐ Member	☐ President
☐ Local Manager	☐ Manager	☐ Director
	☐ Local Manager	☐ Officer
		☐ Local Manager

SECTION VI: Notification and Verification of Authority

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

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


Signature of Owner/Authorized Agent

Carson Allen
Printed Name

08-04-20
Date

SECTION VII: For administration use only

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

Conditional Use: (If box is checked see conditions)

☐ Agree ☐ Do not agree Signature: _____ Date: _____

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

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

July 16, 2020

1. Roll Call:

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

Others Present:

Treasurer Tara Hobbs, Development Coordinator Randy Wall, Recorder Corey Twedt, Mayor David Hair, Chad Kendrick, Taylor Jensen, Paul L. Goff, Paula Kaighn, Ray Kaighn, Wayne Rudd, Val Meyer, Dean Lewis, Marie Lewis, Chelsea Funk, Chris Funk, Bayler Gunnell, Emilee Pini, Colt Pini, and Riley Duke. 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 July 16, 2020 was reviewed. A motion was made by Commissioner Thompson to approve the agenda as presented. Commissioner Farmer seconded. All voted in Favor.

4. Review and Approval of the Minutes from July 2, 2020

The Planning Commission meeting minutes were reviewed. Chairman Greenhalgh made a clarification at the end of item 5.F. It previously read 'Millville City is willing to provide water and sewer services to this subdivision.' It should be changed to read '... water and sewer services for this subdivision up to the property line of the Celco property'.

The minutes were updated accordingly and a motion was made by Commissioner Lewis to approve the amended minutes. Commissioner Thompson seconded. All voted in Favor.

5.A. Zoning Clearance – Justin Card, accessory building at 34 N Main, Millville

The homeowner was not present. This is a pole barn with photo provided.

Commissioner Farmer moved to approve the clearance. Commissioner Dickey seconded. All voted in Favor.

5.B. Zoning Clearance – Paul Goff, accessory building at 95 E 500 N, Peachy Acres Lot 2, Millville

This will be a new equipment shed including electricity.

Commissioner Lewis made a motion to approve the clearance. Commissioner Thompson seconded. All voted in Favor.

5.C. Zoning Clearance – River Bottom Con, residence at 134 S 100 W, Millville

The builder is Wayne Rudd, and the homeowners, Dean and Marie Lewis, were also present. This will be a rambler style home with height approx. 16 feet. Commissioner Dickey made a motion to approve the clearance. Commissioner Farmer seconded. All voted in Favor.

5.D. Zoning Clearance – Duke Building Co, residence at 30 W 550 N, Tibbitts subdiv lot 2, Millville.

The builder is Riley Duke, and the homeowners, Emilee and Colt Pini, were also present.

The height will be 20 feet. Commissioner Thompson moved to approve the clearance. Commissioner Dickey seconded. All voted in Favor.

5.E. Funk Conceptual

Chris Funk is wanting to subdivide a property from the Verla N Olsen Subdivision which was recently divided into 3 lots.

(See P&Z 2-6-20 meeting for the conceptual review, P&Z 4-2-20 meeting for the Verla N. Olsen Final Plat, and CC 4-9-20 meeting for subdivision acceptance)

He would like to divide his lot into two parcels. One lot would front 100 West and the other would front 100 North.

The sidewalks have not yet been installed from the Olsen Subdivision which was a requirement of subdividing. They were told that they could wait until spring to put them in to avoid installation in the winter conditions.

Sidewalks must be installed before any building permits will be allowed from the Olsen subdivision.

The drawings provided did not specify lot sizes.

Lot specifications for the R-1 residential zone can be found under Ord 17.20A.040 of the Millville City Code. They include 14,000 minimum sq ft lot size, and 108 ft minimum frontage requirements. Boundary lines may be angled to meet lot requirements.

This new Funk Subdivision must have sidewalks and developer must provide water shares/fees in association with the division of his existing lot into two parcels.

5.F. Discussion on landscaping in H.O. zone – Val Meyer

Mr. Meyer purchased lot 18 in the Copperleaf Subdivision years ago, but has been living out of the state. The parcel is in the Hillside Development Overlay zone. He has been working with engineers on the grading and landscape for this parcel. He had the opportunity to obtain some fill dirt from outside parties, but living out of state he could not supervise the activities. The dirt was dumped on the existing residence pad which invalidated his previous engineering work. He must now move the dirt in order to redo all the testing, grading and compaction work. However, regulations of the H.O. zone require approval of the City before he can move any dirt.

The commissioners were in favor of allowing him to move forward under the direction of our city engineers. He will be responsible for the costs associated with our city engineering work as well as his own engineers. Mr. Meyer agreed to this course of action and was eager to get moving forward before bad weather sets in this fall.

5.G. Review Hulse subdivision setback variance

In reviewing the zoning clearance request from Visionary Homes in our last meeting it was discovered that the recorded Plat Map for the Mardell Hulse Mini Subdivision was showing incorrect side setbacks of 10 feet instead of the usual 15 feet required in our city code.

The error, in very small print, had been overlooked by all parties involved and the subdivision map had been recorded with signatures from all associated departments.

Development Coordinator Wall contacted both neighbors of this parcel to see if they were ok with the proposed home that would encroach on the standard setbacks. Both Ken Lee and Mardell Hulse were fine with the setbacks and have signed a statement of such. (See attached dated July 16, 2020)

The Planning Commissioners felt that the best solution to this technical error was to grant a waiver in this circumstance since the builder was not at fault and all effected parties were in agreement.

Commissioner Thompson had some concerns that future problems may arise from granting this exception.

Commissioner Lewis made a motion to recommend to the City Council to grant a waiver on the Hulse Subdivision to allow the variation in setbacks. The setback on the south side, adjacent to Ken Lee's property would be 14 feet from the property line, and the setback on the north side, adjacent to Mardell Hulse's property would be 12 feet from the property line. Commissioner Dickey seconded. Commissioners Greenhalgh, Dickey, Farmer, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor. Commissioner Thompson abstained from voting.

5.H. Review Nonconforming Uses (Ch 17.68) – Corey Twedt

Recorder Twedt clarified the requested revision as there had been some confusion at the last meeting. The proposed change from 1 year to 6 mos. was involving a nonconforming use permit, as in a farm (commercial business) operating within a residential zone. If the farm stopped operating how it had previously been operating for the duration of a year then the nonconforming use permit would be cancelled. The City Council wanted to shorten this down to 6 mos.

The commissioners had a lengthy discussion about previous situations where this might apply, and who might be effected in the future.

Some of the same concerns came up again regarding why someone might cease operating for a long period of time, including illness, trying to sell the operation to a new owner, and Covid-19 shutdowns. The commissioners were very concerned about limiting our citizens or taking away options when this restriction may only be beneficial in a small number of cases.

Commissioner Thompson made a motion to NOT change the time limit to 6 mos. but to leave it at 1 year. Commissioner Farmer seconded. All voted in Favor.

5.I. Other

Commissioner Anderson (Alt.) wanted to know what had happened with the Strate Subdivision regarding sidewalks as they had never been installed.

The subdivision was located under the name of Knowles, but Strate was the one doing the developing. See P&Z minutes from 11-7-19 for the Final Plat review and CC minutes from 11-14-19 for conditions and acceptance of the Knowles minor subdivision.

It spells out clearly that Strate was to install all sidewalks.

This topic has become a major concern now that developers are selling the lots without putting in the sidewalks. The only way to hold developers accountable is to not allow building permits, but that is only hurting the buyers who have nothing to do with the development.

Dev. Coordinator Wall will follow up with Strate and the sidewalk installation.

Mr. Taylor Jensen, the Cache County Planner, was present and asked to take a few minutes to speak to the commissioners. He introduced himself and gave a little of his background. The county is updating their master plan and would like input from anyone interested in participating; board members and citizens alike.

He left business cards for everyone and offered his services and knowledge for any questions or situations that we might need help with.

6. City Council Report – review minutes from the July 9, 2020 meeting.

No comments were made.

7. Agenda Items for Next Meeting

Possible multiple building permits

Sidewalks review

8. Calendaring of future Planning Commission Meeting

The next regularly scheduled meeting will be held Thursday, Aug 6, 2020 at 8:00 pm.

9. Adjournment

Chairman Greenhalgh moved to adjourn the meeting at 10:05 p.m.

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

Aug 6, 2020

1. Roll Call:

Commissioners Lynette Dickey, Bonnie Farmer, and Larry Lewis.

Others Present:

Treasurer Tara Hobbs, Development Coordinator Randy Wall, Mayor David Hair, Phil Williams, Mike Morgan, Jessie Williamson, Ezra Eames, and Ken Hamilton. Secretary Adria Davis recorded the minutes.

2. Opening Remarks/Pledge of Allegiance

Commissioner Dickey opened the meeting at 8:02 p.m.
She led all present in the Pledge of Allegiance.

3. Review and Approval of agenda

The agenda for the Planning Commission meeting of Aug 6, 2020 was reviewed. A motion was made by Commissioner Lewis to approve the agenda as presented. Commissioner Farmer seconded. Commissioners Dickey, Farmer and Lewis voted in Favor, with Chairman Greenhalgh excused and Commissioners Thompson, Anderson (Alt.) and Ripplinger (Alt.) absent.

4. Review and Approval of the Minutes from July 16, 2020

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

5.A. Zoning Clearance – VHD, LLC, residence at 240 N 200 E, Millville

This residence had been reviewed in a prior meeting and the setback variance referred to City Council for approval. The Council has not held a meeting since the planning commission last met 3 weeks ago, but the builder would like to move ahead since this has already been delayed many weeks. Commissioner Lewis moved to approve the clearance pending the City Council approving the variance to the setbacks. Commissioner Farmer seconded. Commissioners Dickey, Farmer and Lewis voted in Favor, with Chairman Greenhalgh excused and Commissioners Thompson, Anderson (Alt.) and Ripplinger (Alt.) absent.

Commissioner Matt Anderson (Alt.) and Chad Kendrick arrived at the meeting.

5.B. Zoning Clearance – Phil Williams/Bio Minerals, commercial buildings at 100 W 300 S, Millville.

This was scheduled as a zoning clearance item, but it actually is a **conceptual review of the commercial development** proposed on parcel 03-032-0013. It includes all roads and buildings; showing where each is planned to be built. The metal warehouse will be built this year, and the wooden office will go in next year.

This same proposal was brought to the commission on April 4, 2019 under the Monson Property Concept plan. Since it has been over a year the concept must be reviewed again.

The Commissioners present at the meeting did not remember much of what had originally been reviewed since it was so long ago.

There were no actual plans for the buildings themselves. Those will come later as the development progresses.

There will be a dirt road on the property made of road base.

There is a turnaround at the end of the lane.

Septic tanks will be required since the structures will be completed before the sewer is available.

The buildings will need physical addresses assigned to them.

There is a canal, Edwards Mill Race, along the East side of the property, which seems to run year-round with the same constant water level regardless of the season.

The structures appear to have a 3 foot setback from the canal at the property line. It was discussed that the dripline must be on their own property.

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

5.C. Review of sidewalks

Commissioner Anderson (Alt.) made a motion to table item C until more commissioners were in attendance. Commissioner Farmer seconded. Commissioners Dickey, Farmer, Lewis and Anderson (Alt.) voted in Favor, with Chairman Greenhalgh excused and Commissioners Thompson and Ripplinger (Alt.) absent.

5.D. Other

Ezra Eames took a minute to discuss the development he has been undertaking on the northern most lot along 550 East in Mond Aire phase 4. He had started moving dirt to level out the slope until directed to stop by the city. He has cut in a private lane in order to access 3 of those hillside lots. There could be a possible shared driveway from one access road. The commissioners would like to see his plans drawn out for review at the next meeting.

Jeremy Jenson has been pushing to move forward with his development, but hasn't provided all required items for the preliminary phase of his subdivision. It won't be scheduled for a P&Z meeting until all requirements have been met.

Mayor Hair brought up the fact that Millville is starting have a lot of Air BNBs and more will be coming with the sewer upgrade. Our codes should be reviewed to make sure we address this area of business before they start becoming an issue.

6. Agenda Items for Next Meeting

Possible multiple building permits
Sidewalks review

8. Calendaring of future Planning Commission Meeting

The next regularly scheduled meeting will be held Thursday, Aug 20, 2020 at 8:00 pm.

9. Adjournment

Commissioner Dickey moved to adjourn the meeting at 8:49 p.m.



AGENDA REPORT: SETBACK WAIVER

August 13, 2020

Background

As discussed in the City Council meeting held on July 9, 2020, the Hulse Minor Subdivision was approved by Planning and Zoning and the City Council in 2018. This subdivision split one parcel into two lots at approximately 280 North 200 East. The new parcel that was created (02-129-0040) was listed on the mylar to only have a requirement of 10' side setbacks when the City standard is 15'. This subdivision was recorded at the County level with the 10' setbacks listed. This parcel has now been purchased and the owner is wanting to build with a side setback of 14' to the south property line and would have a minimum side setback of 12' from the north east corner of the new home to the property line on the north and then the frontage would increase as you move west along the house because of the angle.

Section 16.04.080 of the City Code allows for the City Council to waive specific requirements if they have a request has been made from the Planning Commission. Development Coordinator Randy Wall has met with the landowners to the north and south of this lot. Both have signed an agreement saying that they are okay with the requested side setbacks for the new home. The Planning Commission has reviewed the situation at their meeting held August 6, 2020 and requested a waiver be granted for this parcel's side setback minimum requirements.

If the Council determines to grant the waiver for the reduced side setbacks in this case, they should make a motion to do so.

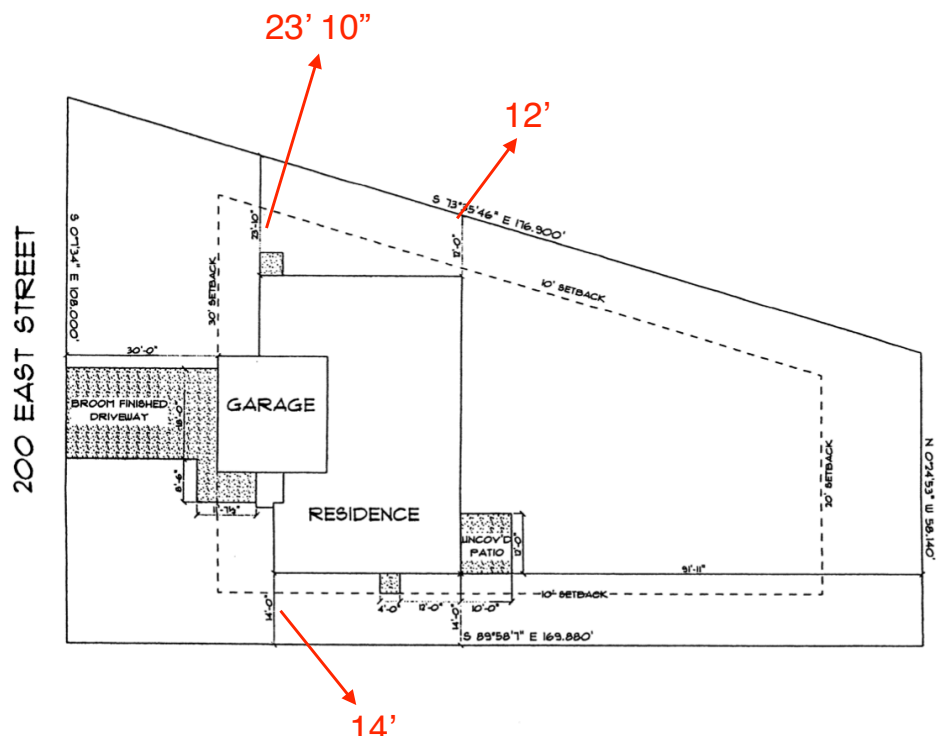
VISIONARY HOMES
50 E 2500 N, Ste 101
North Logan, UT 84341
(435) 752-1480

SITE PLAN
240 North 200 East
Millville, UT 84336
14,056 SF
Parcel #02-129-0040

SCALE
36" X 24" Sheet : 1"=10'
11" X 11" Sheet : 1"=20'
11" X 8-1/2" Sheet : 1"=30'

GAS APPLIANCES TO BE INSTALLED:
1. 50 Gal Water Heater - 40,000 BTU
2. 95% EFF Furnace - 35,000 BTU
3. Oven/Range - 60,000 BTU

TOTAL BTU LOAD - 135,000 BTU





AGENDA REPORT: BUSINESS AMBULANCE/EMS FEES

August 13, 2020

Background

On June 25, 2020, the City Council adopted Resolution 2020-16 setting fees to cover the new costs of ambulance and EMS services. As has been discussed before, this resolution covered all residences and businesses within the City that receive a monthly utility bill but did not cover those businesses that do not get utility services from Millville City.

Resolution 2020-19, that you will be considering for adoption tonight, would ensure that all business help pay for the ambulance and EMS services.

Included Documents

- Resolution 2020-19
- A letter that would go to the businesses with their invoice explaining the new fee

**MILLVILLE CITY
RESOLUTION 2020-19**

**ESTABLISHING AMBULANCE AND EMS FEES FOR
BUSINESSES**

WHEREAS, Millville City has determined that fees for specific services are needed to provide for the common good of the City; and

WHEREAS, with Logan and Smithfield cities removing themselves from the CCEMS program, Millville City has found a need to find a new emergency services provider; and

Millville City has decided to join a Cache County ambulance service program on the south side of Cache Valley; and

WHEREAS, Millville City needs to generate additional revenue to pay for the ambulance services; and

WHEREAS, all businesses in Millville should contribute to the funds needed for ambulance services whether or not they receive a regular utility bill from the City;

NOW THEREFORE, be it resolved by the Millville City Council that an ambulance and EMS service fee of five dollars (\$5.00) per month be charged to all businesses.

The rate adopted by this resolution is to become effective as of July 1, 2020.

Passed and approved by the Millville City Council this 13th day of August 2020.

SIGNED:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Michael Callahan				
Daniel Grange				
Clay G. Wilker				
Pamela June				
Ryan Zollinger				



August 13, 2020

RE: Millville Business Ambulance/EMS Fees

Dear Business Owner:

About fifteen years ago, all of the cities and towns in the County set up the Cache County Emergency Medical Services Authority (CCEMS). CCEMS provides all of the ambulance services for the County. Logan and Smithfield cities have decided to pull out of the CCEMS program as of January 1, 2021 which will essentially end the County-wide program. This gap has left Millville and most of the other cities in the County scrambling to find a solution for ambulance and EMS services. Cache County has come up with a plan to sponsor and run a program for the south side of the Valley. All of the cities will be required to pay into this new ambulance/EMS program.

To pay for these new costs, Millville has instituted a monthly fee of \$5 that has been added to the monthly utility bills. You are receiving this letter, because your business does not receive a utility bill from the City but does and will benefit from the ambulance and EMS services. Because of this, you will be charged the same as a resident in the City at a rate of \$5 per month.

Rather than dealing with monthly bills, you will receive a bill once per year at the end of each calendar year in December. This bill will come with your business license renewal application. To cover the remainder of 2020, included with this letter is a bill for six months of the ambulance/EMS fees.

Sincerely,

MILLVILLE CITY COUNCIL

A handwritten signature in black ink that reads "David Hair".

David Hair, Mayor



AGENDA REPORT: PUBLIC HEARINGS FOR NEXT MEETING

August 13, 2020

Background

Bonding

When Millville originally started the bonding process, we were not sure which funding source(s) we were going to be able to access or which would be most beneficial to the City. As things have progressed, we have been able to tap into funding from both the Utah Division of Water Quality and USDA for the sewer project and from USDA for the well project. With USDA funding, we are required to get a bridge loan to cover the loan portion of the project during the construction phase. Because of the need for the bridge loans, we need to hold another bonding public hearing to cover the Bond Anticipation Notes (BANs).

At the original bonding public hearing in September 2019, we estimated high on the cost of the projects to ensure that we would be covered by the amount in the bonding documents. \$15 million with a not to exceed interest rate of 5.5% was used at that time.

Now that we are further down the road, things are very dialed in on the well costs and we have a pretty good idea where things are going to land with the final sewer funding. We expected to have final authorization on the sewer funding by now (it is coming any day), but because we don't have final numbers, we need to continue to estimate high just to be safe. These new bonding documents have a maximum loan and interest rate not to exceed \$1,286,000 and 4% for the well project and \$10,000,000 and 5% for the sewer project. With the \$3.5 million in grant money from DEQ we have already received on the sewer project and the grant percentage expected from USDA, we plan to need to borrow significantly less than this, but again, we need to be really conservative on our numbers while we wait for the funding to be allocated. The total for both projects of \$11,286,000 is still far below the \$15,000,000 that was reviewed with the public and adopted as a not to exceed back in September.

Mike Zollinger Annexation

The protest period for the Mike Zollinger Annexation ended on August 10, 2020. The next step is for the City Council to hold a public hearing after which they can consider acceptance of the annexation. If accepted by the City Council, documentation will be sent to the State Lieutenant Governor's Office for review.

You will need to motion to schedule a public hearing on August 27th at 7:15 p.m. to discuss both the new bonding documents as well as the Mike Zollinger Annexation.

Included Documents

- Public Notice for Water Bond and BAN
- Public Notice for Sewer Bond and BAN
- Public Notice for Mike Zollinger Annexation

NOTICE OF PUBLIC HEARING AND BONDS AND BOND ANTICIPATION NOTES TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Utah Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, that on August 27, 2020, the City Council (the "Council") of Millville City, Utah (the "Issuer") adopted a resolution (the "Resolution") in which it authorized the issuance of the Issuer's Water Revenue Bonds (the "Bonds") and its Water Revenue Bond Anticipation Notes (the "Notes"), each in the aggregate principal amount of not to exceed \$1,286,000, to bear interest at the rate or rates of not to exceed four percent (4.0%) per annum, to mature in not more than forty (40) years from their date or dates for the Bonds and to mature in not more than five (5) years from their date or dates for the Notes, and each to be sold at a price not less than 98% of the total principal amount thereof. The estimated total cost to the Issuer for the proposed Bonds, if the Bonds are held until the maximum maturity, based on the maximum interest rate above, is approximately \$2,579,851. However, the Issuer has obtained a funding commitment related to the Bonds in the amount of \$1,286,000 at the interest rate or rates of 1.875% per annum, in which case if the Bonds are held until the maximum maturity, based on the expected interest rate then the total cost to the Issuer for the proposed bonds would be approximately \$1,828,933. Presently the Issuer has no more than \$1,481,000 in outstanding bonds secured by a pledge of its water revenues. The United States Department of Agriculture, Rural Utilities Service has authorized a grant to the Issuer in the amount of \$587,000.

NOTICE IS FURTHER GIVEN that the Issuer called a public hearing for the purpose of inviting public comment on the proposed issuance of the Bonds and Bond Anticipation Notes and the economic impact that the improvements proposed to be financed with the Bonds and Bond Anticipation Notes will have on the private sector. The public hearing will be held on August 27, 2020, at 7:15 p.m., or as soon thereafter as feasible, at the regular meeting place of the Millville City Council located at 510 E. 300 S., Millville, UT 84326. As Water Revenue Bonds and Notes no taxes will be pledged to repay the Bonds or Notes.

The Bonds and Notes will be issued pursuant to the Resolution and a Final Bond Resolution related to the Bonds and a Note Resolution related to the Notes to be adopted authorizing and confirming the sale of the Bonds and Notes for the purposes of financing, in part, (i) the acquisition and construction of water system improvements, and related improvements, and (ii) paying the costs of issuing the Bonds and Notes.

A draft of the Final Bond Resolution and the Note Resolution in substantially final forms were before the Council and were part of the Resolution (collectively, the "Bond Resolutions") at the time of its adoption by the City Council. The Final Bond Resolution and Note Resolution will each be adopted by the Council in such form and with such changes thereto as shall be approved by the Council upon the adoption thereof; provided that the principal amount, interest rate, maturity and discount of the Bonds and the Notes will not exceed the maximums set forth above.

A copy of the Resolution, the Authorizing Bond Resolution are on file in the office of the City Recorder in the City offices in Millville, Utah, where they may be examined during regular business hours of the City Recorder from 10:00 a.m. to 12:00 p.m. Tuesdays and Thursdays, or by appointment, for a period of at least thirty (30) days from and after the date of publication of this notice.

NOTICE IS HEREBY GIVEN that a period of thirty (30) days from and after the first date of the publication of this notice is provided by law during which any person in interest shall have the right to contest the legality of the Resolution, the Final Bond Resolutions, the Note Resolution or the Bonds or the Notes, or any provision made for the security and payment of the Bonds or the Notes by filing a verified written complaint in the District court of the county in which he/she resides, and that after such time, other than referendum rights, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever.

/s/ Corey Twedt
City Recorder

NOTICE OF PUBLIC HEARING AND BONDS AND BOND ANTICIPATION NOTES TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Utah Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, that on August 27, 2020, the City Council (the "Council") of Millville City, Utah (the "Issuer") adopted a resolution (the "Resolution") in which it authorized the issuance of the Issuer's Sewer Revenue Bonds (the "Bonds") and its Sewer Revenue Bond Anticipation Notes (the "Notes"), each in the aggregate principal amount of not to exceed \$10,000,000, to bear interest at the rate or rates of not to exceed five percent (5.0%) per annum, to mature in not more than forty (40) years from their date or dates for the Bonds and to mature in not more than five (5) years from their date or dates for the Notes, and each to be sold at a price not less than 98% of the total principal amount thereof. The estimated total cost to the Issuer for the proposed Bonds, if the Bonds are held until the maximum maturity, based on the maximum interest rate above, is approximately \$23,145,437. Presently, there are no other bonds currently outstanding that are secured by the same pledge of revenues as the proposed Bonds. No taxes will be pledged to repay the Bonds.

NOTICE IS FURTHER GIVEN that the Issuer called a public hearing for the purpose of inviting public comment on the proposed issuance of the Bonds and Bond Anticipation Notes and the economic impact that the improvements proposed to be financed with the Bonds and Bond Anticipation Notes will have on the private sector. The public hearing will be held on August 27, 2020, at 7:15 p.m., or as soon thereafter as feasible, at the regular meeting place of the Millville City Council located at 510 E. 300 S., Millville, UT 84326. As Sewer Revenue Bonds and Notes no taxes will be pledged to repay the Bonds or Notes.

The Bonds and Notes will be issued pursuant to the Resolution and a Final Bond Resolution related to the Bonds and a Note Resolution related to the Notes to be adopted authorizing and confirming the sale of the Bonds and Notes for the purposes of financing, in part, (i) the acquisition and construction of Sewer system improvements, and related improvements, and (ii) paying the costs of issuing the Bonds and Notes.

A draft of the Final Bond Resolution and the Note Resolution in substantially final forms were before the Council and were part of the Resolution (collectively, the "Bond Resolutions") at the time of its adoption by the City Council. The Final Bond Resolution and Note Resolution will each be adopted by the Council in such form and with such changes thereto as shall be approved by the Council upon the adoption thereof; provided that the principal amount, interest rate, maturity and discount of the Bonds and the Notes will not exceed the maximums set forth above.

A copy of the Resolution, the Authorizing Bond Resolution are on file in the office of the City Recorder in the City offices in Millville, Utah, where they may be examined during regular business hours of the City Recorder from 10:00 a.m. to 12:00 p.m. Tuesdays and Thursdays, or by appointment, for a period of at least thirty (30) days from and after the date of publication of this notice.

NOTICE IS HEREBY GIVEN that a period of thirty (30) days from and after the first date of the publication of this notice is provided by law during which any person in interest shall have the right to contest the legality of the Resolution, the Final Bond Resolutions, the Note Resolution

or the Bonds or the Notes, or any provision made for the security and payment of the Bonds or the Notes by filing a verified written complaint in the District court of the county in which he/she resides, and that after such time, other than referendum rights, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever.

/s/ Corey Twedt
City Recorder

NOTICE OF PUBLIC HEARING

The Millville City Council will hold a public hearing, Thursday, August 27, 2020, in response to a petition filed proposing the annexation of 27.4 acres of real property, located at the northern boundary of Millville City for which the annexation sponsor is Mike Zollinger.

Said hearing will be held at 7:15 p.m. in the Millville City Office, 510 East 300 South, Millville, Utah. A copy of the complete description of the property may be reviewed on the City Website or by contacting Corey Twedt at corey@millvillecity.org (435)750-0924. Interested persons are encouraged to attend and make comment or submit written comment prior to the hearing.

Publication Date: August 18, 2020



AGENDA REPORT: WATER RATES

August 13, 2020

Background

We have been aware for some time that a water rate increase was needed in Millville. Over the past several months, Millville has been working with RCAC on a water rate study to determine the revenue needed to keep up with current and future debt in the water fund.

RCAC has looked at historical water usage in the City, current assets and depreciation as well as the City Water Master Plan to create detailed models and then provided recommendations on updates to the City water rates.

The included report from RCAC shows the expected short fall in the Water Fund if the City were to do nothing (Option 1). It should also be noted that “do nothing” is not a viable option as the funding agencies are not willing to provide funding to a system that does not show a plan to be able to cover debt.

Option 2 shows a base rate increase to handle short lived asset reserves and meet the required and future debt load on the water system. With this model, the City could either decrease the water rate in 2024, pay down debt quicker or put the additional revenue in savings to cover the cost for capital replacement reserves.

Option 2.1 is a modified version of Option 2 that does not have as high of a base rate for the larger meter sizes. The rates listed for 2” and 4” meters is more in line with what is typically charged in Cache Valley.

Option 3 is the most conservative option with a larger increase the base rates and more revenue saved for capital replacements.

Resolution 2020-20 is drafted to follow the RCAC proposal from Option 2.1. The staff recommendation would be to adopt this rate change now and then look at the health of the water fund in 2024 and make a decision at that time to either reduce water rates, pay off debt quicker or put extra funds into capital replacement reserves.

Included Documents

- Report from RCAC showing the shortfall in the water rates and rate change proposals
- Redline of Resolution 2020-2 showing the proposed water rate updates
- Resolution 2020-20

Millville City Drinking Water Rate Analysis

Background

Budget:

The attached budget is based on the revised FY2019 and approved FY2020 budgets. Some expenses were adjusted to reflect a more accurate five-year average, as opposed to one time large expenses, such as engineering. Current system expenses are seen in the yellow cells, and calculate future expenses and revenues are in grey cells.

- Please note, bond payment and capital replacement reserves are removed from the OM budget. These are calculated by the model and seen in the general and administrative expenses

Debt:

Millville City Water System currently has two loans, with funds recently obligated by USDA Rural Development for a fourth loan.

- Average annual payments of \$239,340 are budgeted
- As loans mature, they are no longer included in the projected budget
- With the new RD loan, it is anticipated that the system will not pay a full 12 months of debt service in the first year. This is offset in the budget with an estimated three months' worth of payments

Existing Debt					
Description	Annual Payment	Maturity	Reserve Required	Reserve Allocated	Make Up Period
2006 Water Revenue Bond	\$ 91,500	2032	\$ 206,500	\$ 206,500	
1997 GO Water Bond	\$ 102,000	2022	\$ -		
2020 Water Project (RD-Tentative)	\$ 45,840	2060	\$ 45,840		10
				\$ -	
Total	\$ 239,340		\$ 252,340	\$ 206,500	

Reserves:

Reserve calculations are based on existing restricted reserves and reserve requirements, as well as a current system balance sheet (2/29/20). Several types of reserves are recommended.

- Operating Reserve
 - AWWA recommends a utility maintain an operating reserve equal to 1.5 times the expenses during a billing cycle. Current unrestricted reserves cover this expense
- Emergency Reserve
 - An emergency reserve should be easily accessible and is determined either by critical equipment replacement cost, or the historic cost associated with responding to an emergency. After consulting with the system clerk and operator, it was determined that a \$30,000 reserve would be appropriate. This can be built up over a three-year period
- Debt Service Reserve

Millville City Drinking Water Rate Analysis

- Debt Service Reserves are established by your lender, either in bond covenants or letter of conditions.
- The reserve requirements for the 2006 bonds have been met and are currently in restricted accounts
- USDA will require a debt service reserve equal to one annual payment. This can be accomplished with annual contributions equal to 10% of an annual payment over a 10-year period. In order to maintain steady rates, we have included a full 10-year make-up period to build this reserve
- Capital Replacement or Short-Lived Asset Reserve
 - Systems must save for future asset replacement. This can be accomplished through either a capital replacement program/reserve or through a short-lived asset reserve
 - The capital replacement program looks to set aside funds to cover a portion of the replacement costs of capital assets as determined by default funding parameters
 - A short-lived asset reserve instead looks to cover the complete replacement costs of short-lived assets only (less than 15 years)
 - In the case of Millville, it is recommended to initially consider short-lived assets only, and look to a more complete capital reserve program in the future
- Sales:
 - To forecast system revenues, we incorporate 12 months of water usage data for all customers on the system
 - As possible rates are put into the model, we calculate revenue based on actual usage

Theoretical Base Rate:

Ideally, base rates charged to customers should be adequate to cover fixed costs in a water system. These base rates should be based on meter size, as larger meters have the capacity to put a greater demand on the system, and the system has certain fixed costs in order to be able to meet this demand. This allows us to determine base rates for all meters that would cover these fixed costs.

Meter Size in "	Decimal Size	Number of Meters	AWWA Safe Maximum Operating Cap. (GPM)	Max Demand (GPM)	% of Max Demand by Meter Size	Total Fixed Costs Allocated by Meter Size	Theoretical Base Rate by Meter Size per M
A	B	C	D	E= D * C	F= % of total	G= % * total	H=G/C/12
5/8"	0.625	1	20	20	0.07%	\$359	\$29.92
3/4"	0.750	358	30	10,740	38.66%	\$192,780	\$44.87
1"	1.000	286	50	14,300	51.48%	\$256,681	\$74.79
1.5"	1.500	1	100	100	0.36%	\$1,795	\$149.58
2"	2.000	7	160	1,120	4.03%	\$20,104	\$239.33
3"	3.000	0	320				
4"	4.000	3	500	1,500	5.40%	\$26,925	\$747.90
Total		656		27,780	100.00%	\$498,642	

Millville City Drinking Water Rate Analysis

Notes:

1. Safe maximum meter capacity for 5/8" through 2" meters (column D) based on AWWA C700 displacement meters.
2. Safe maximum meter capacity for 3" through 8" meters based on AWWA C702 compound meters.
3. Safe maximum meter capacity for 10" meter based on AWWA C704 propeller type meter.

Millville City Drinking Water Rate Analysis

Option 1 – No rate change

If we look at your current rates, incorporating upcoming RD loans and a short-lived asset contribution, we can see current rates do not bring in enough revenue. With current rates, the system will need to draw on existing reserves to cover expenses.

Results of the new rates	2020	2021	2022	2023	2024	5 Years
TOTAL EXPENSES	\$569,031	\$586,681	\$593,014	\$490,797	\$497,425	\$2,736,948
TOTAL REVENUE	\$469,396	\$475,932	\$482,526	\$489,179	\$495,892	\$2,412,926
NET LOSS OR GAIN: (Short/Over to Reserves)	-\$99,635	-\$110,749	-\$110,488	-\$1,618	-\$1,532	-\$324,022
NET CASH FLOW (Contribution to Reserves)	-\$27,636	-\$38,749	-\$38,488	\$60,382	\$60,467	\$15,976
Affordability assuming MHI of \$56894 for residential meters.	0.93%	0.94%	0.95%	0.96%	0.97%	
Are you putting enough money in reserves?	No	No	No	No	No	
Positive Annual Cash Flow?	No	No	No	Yes	Yes	

With the new debt on the system, Millville will have to draw on existing reserves for three years in order to cover system expenses. It is not until 2023 that the system can again contribute to reserves, however this will not allow for a balanced five-year budget.

Millville City Drinking Water Rate Analysis

Option 2 – Short Lived Asset Reserves

This option uses straight line depreciation to set aside funds to cover the full estimated future replacement costs of assets with a normal estimated life of 15 years or less. This is very similar to the calculation USDA-RD uses on their funding terms; however, we are looking at the whole system and not just the current well project. Based on this, the system should set aside about \$57,000 a year to fund short lived asset replacement. Please note, these calculations do not take existing capital replacement reserves into account. The existing CRP reserves could be held for larger asset replacement and future projects.

To get to a balanced budget, the following rates are needed. Note, I have only changed base rates and not usage rates in this alternative.

Meter Size	Base Rate (2020-2022)	Base Rate (2023-2024, 25% decrease)
0.625	\$38.00	\$28.50
0.750	\$38.00	\$28.50
1.000	\$38.00	\$28.50
1.500	\$127.00	\$95.25
2.000	\$203.00	\$152.25
4.000	\$633.00	\$474.75

This results in the following five-year budget.

Growth Factor of Rates		Year 2	Year 3	Year 4	Year 5	
	Base			-25.00%		
	Usage					
Results of the new rates		2020	2021	2022	2023	2024
TOTAL EXPENSES		\$569,031	\$586,681	\$593,014	\$490,797	\$497,425
TOTAL REVENUE		\$576,485	\$583,022	\$589,616	\$512,679	\$519,392
NET LOSS OR GAIN: (Short/Over to Reserves)		\$7,454	-\$3,659	-\$3,398	\$21,882	\$21,968
NET CASH FLOW (Contribution to Reserves)		\$79,454	\$68,340	\$68,601	\$83,881	\$83,967
Affordability assuming MHI of \$56894 for residential meters.		1.14%	1.15%	1.16%	0.97%	0.98%
Are you putting enough money in reserves?	Yes	No	No	Yes	Yes	
Positive Annual Cash Flow?	Yes	Yes	Yes	Yes	Yes	

The one time increase now, and a decrease after the 1997 Water Bond sunsets would allow the system to bring in enough revenue to cover all expenses and contribute to your short-lived asset reserves. Even with the base rate decrease in 2023, there is still a net gain of \$22,000 a year (revenue over the amount of reserve required), but those funds could be applied to your capital improvement/replacement reserves.

Millville City Drinking Water Rate Analysis

The overall impact on customers bills can be seen below. Most customers, in the ¾" and 1" categories, will see an increase of approximately 26% in the first year.

Average Bill Every M by Meter Size for the Standard Class								
Meter Size	Count	Meter Size	Current	Year 1	Year 2	Year 3	Year 4	Year 5
0.625	1	5/8"	\$37.38	\$47.67	\$47.97	\$48.26	\$39.06	\$39.36
0.750	356	3/4"	\$40.50	\$50.88	\$51.27	\$51.66	\$42.55	\$42.94
1.000	286	1"	\$48.79	\$59.43	\$60.07	\$60.71	\$51.86	\$52.50
1.500	1	1.5"	\$232.85	\$330.81	\$336.78	\$342.74	\$316.95	\$322.91
2.000	7	2"	\$129.26	\$264.06	\$265.87	\$267.67	\$218.72	\$220.52
3.000	0	3"						
4.000	3	4"	\$209.77	\$704.90	\$707.03	\$709.15	\$553.03	\$555.16

Millville City Drinking Water Rate Analysis

Option 2.1 – Short Lived Asset Reserves with lower base rates

Following a review from staff and the city council, a follow-up scenario with lowered base rates for large meters was requested. Holding all other parameters the same, the base rates for customers with 1.5", 2" and 4" meters. The new rates, compared to current and originally recommended, can be seen in the table below.

Meter Size	Current Base Rate	Base Rate (2020-2022)	Base Rate (2023-2024, 25% decrease)
0.625	\$28.00	\$38.00	\$28.50
0.750	\$28.00	\$38.00	\$28.50
1.000	\$28.00	\$38.00	\$28.50
1.500	\$35.00	\$50.00	\$37.50
2.000	\$70.00	\$100.00	\$75.00
4.000	\$140.00	\$400.00	\$300.00

With the adjustment to the base rates, and no change to usage tiers or rates, the system will see about \$18,000 less in annual revenue compared to option 2. The resulting five-year budget projection can be seen below.

Growth Factor of Rates			Year 2	Year 3	Year 4	Year 5	
	Base Usage				-25.00%		
Results of the new rates		2020	2021	2022	2023	2024	5 Years
TOTAL EXPENSES		\$569,031	\$586,681	\$593,014	\$490,797	\$497,425	\$2,736,948
TOTAL REVENUE		\$558,557	\$565,094	\$571,688	\$499,233	\$505,946	\$2,700,518
NET LOSS OR GAIN: (Short/Over to Reserves)		-\$10,474	-\$21,587	-\$21,326	\$8,436	\$8,522	-\$36,430
NET CASH FLOW (Contribution to Reserves)		\$61,526	\$50,412	\$50,673	\$70,435	\$70,521	\$303,568
Affordability assuming MHI of \$56894 for residential meters.		1.14%	1.15%	1.16%	0.97%	0.98%	
Are you putting enough money in reserves?	No	No	No	Yes	Yes		
Positive Annual Cash Flow?	Yes	Yes	Yes	Yes	Yes		

As seen in the table, the system will not be contributing the full amount to reserves in the first three years. While the water system will be able to contribute \$50,000 to \$60,000 to reserves in the first three years, this is \$10,000 to \$20,000 less than should be saved. However, the amount available to fund reserves should be adequate to cover all required reserve contributions found in the USDA-RD Letter of Conditions (\$10,750 annually) and allow for building an emergency and more complete short-lived asset reserve. Additionally, it can be seen there is a net loss of \$36,430 over the five-year period. Again, this loss is simply the difference between how much should have been contributed to your asset reserve and how much was contributed.

Impact to average customer bills can be seen below. As with the previous scenario, most residential customers see an increase of about 26% in the first year.

Millville City Drinking Water Rate Analysis

Average Bill Every M by Meter Size for the Standard Class								
Meter Size	Count	Meter Size	Current	Year 1	Year 2	Year 3	Year 4	Year 5
0.625	1	5/8"	\$37.38	\$47.67	\$47.97	\$48.26	\$39.06	\$39.36
0.750	356	3/4"	\$40.50	\$50.88	\$51.27	\$51.66	\$42.55	\$42.94
1.000	286	1"	\$48.79	\$59.43	\$60.07	\$60.71	\$51.86	\$52.50
1.500	1	1.5"	\$232.85	\$253.81	\$259.78	\$265.74	\$259.20	\$265.16
2.000	7	2"	\$129.26	\$161.06	\$162.87	\$164.67	\$141.47	\$143.27
3.000	0	3"						
4.000	3	4"	\$209.77	\$471.90	\$474.03	\$476.15	\$378.28	\$380.41

An additional consideration for options 2 and 2.1

Rate option 2 recommends a base rate as a consistent percentage of the theoretical base rate seen on page 2. As stated previously, this theoretical base rate is the fair share of the fixed costs for a meter based on its potential demand. Option 2 maintains all recommended base rates at 85% of their theoretical rate. This helps to ensure that the customers with smaller meters are not unfairly paying a higher proportion of the fixed costs in the system. Option 2.1 does not maintain this consistency, with larger meters being charged between 33% and 53% of the theoretical base rate.

While there may be an issue with rate equitability in option 2.1, it is understood that the city council must consider more than just the water system while making decisions. Any changes to water rates impact not only residential customers, but impact employers and city owned meters as well. Increasing the rates for commercial customers could impact their ability to employ residents. Increasing rates for city owned meters may lead to the need to increase taxes on residents to cover the cost of water. All these factors must be considered by the council while making their decision.

Millville City Drinking Water Rate Analysis

Option 3 – Capital Replacement Reserves

This option looks at funding asset replacement based on a percentage of future costs, based on the funding parameters we discussed previously. Additionally, it allocates existing reserves. Compared to the previous option, funding the capital replacement reserves would require annual contributions of between \$92,000 and \$135,000.

To get to a balanced budget, the following rates are needed. Note, I have only changed base rates and not usage rates in this alternative.

Meter Size	Base Rate (2020-2022)	Base Rate (2023-2024, 30% decrease)
0.625	\$44.50	\$31.15
0.750	\$44.50	\$31.15
1.000	\$44.50	\$31.15
1.500	\$148.50	\$103.95
2.000	\$238.00	\$166.60
4.000	\$743.00	\$520.10

This results in the following five-year budget.

Growth Factor of Rates			Year 2	Year 3	Year 4	Year 5	
	Base Usage				-30.00%		
Results of the new rates		2020	2021	2022	2023	2024	5 Years
TOTAL EXPENSES		\$646,455	\$653,415	\$638,398	\$525,345	\$531,973	\$2,995,586
TOTAL REVENUE		\$633,760	\$640,297	\$646,891	\$536,054	\$542,767	\$2,999,769
NET LOSS OR GAIN: (Short/Over to Reserves)		-\$12,695	-\$13,118	\$8,493	\$10,709	\$10,794	\$4,183
NET CASH FLOW (Contribution to Reserves)		\$136,729	\$125,615	\$125,876	\$107,256	\$107,342	\$602,819
Affordability assuming MHI of \$56894 for residential meters.		1.28%	1.29%	1.30%	1.03%	1.04%	
Are you putting enough money in reserves?	No	No	Yes	Yes	Yes		
Positive Annual Cash Flow?	Yes	Yes	Yes	Yes	Yes		

The one time increase now, and a decrease after the 1997 Water Bond sunsets would allow the system to bring in enough revenue to cover all expenses and contribute to your reserves over a five-year period. You will notice the first two years show a net loss, but this simply means the system is not contributing as much as it should to your capital reserves. As you still have a net gain over five years, this is not of great concern. This alternative allows the system to build a more robust capital replacement and capital improvement reserve, allowing the system to replace more of its assets without reliance on federal grants and loans.

The overall impact on customers bills can be seen below. Customers with ¾" or 1" meters will see an increase of about 38% in the first year.

Millville City Drinking Water Rate Analysis

Average Bill Every M by Meter Size for the Standard Class								
Meter Size	Count	Meter Size	Current	Year 1	Year 2	Year 3	Year 4	Year 5
0.625	1	5/8"	\$37.38	\$54.17	\$54.47	\$54.76	\$41.71	\$42.01
0.750	356	3/4"	\$40.50	\$57.38	\$57.77	\$58.16	\$45.20	\$45.59
1.000	286	1"	\$48.79	\$65.93	\$66.57	\$67.21	\$54.51	\$55.15
1.500	1	1.5"	\$232.85	\$352.31	\$358.28	\$364.24	\$325.65	\$331.61
2.000	7	2"	\$129.26	\$299.06	\$300.87	\$302.67	\$233.07	\$234.87
3.000	0	3"						
4.000	3	4"	\$209.77	\$814.90	\$817.03	\$819.15	\$598.38	\$600.51

Other Considerations

The above recommendations include an equal base rate for 5/8", 3/4", and 1" customers. By maintaining an equal base rate for these three meter sizes, it creates some inequity. Ideally, a customer would pay their fair share based on the potential demand of their water meter. This can be seen in the theoretical base rate calculation above. With the above scenario, you have 3/4" customers subsidizing the 1" customers. If this is a concern, base rates can be adjusted to reflect meter size over customer type.

Additionally, the scenarios above only look at adjusting the base rate. With the system seeing fixed costs as about 93% of system expenses, this is understandable. Base rates provide consistent income that does not vary seasonably, allowing the water system to maintain more consistent cash flow throughout the year. It is possible to consider lower base rates and increasing usage rates and/or adjusting usage tiers. This would allow customers greater control over their water bill but makes water system revenue less predictable.

Recommendation

Overall, options 2, 2.1, and 3 will allow Millville City Water System to generate the revenue needed to cover system expenses and prepare for future asset replacement. No matter which scenario is selected, it is recommended that the council review rates annually to ensure the projected revenue will continue to cover budgeted expenses. Additionally, the system should complete a more complete review of rates and budget projections upon the maturity of the 1997 GO Water Bond. Updating the capital replacement reserve plan with changes in assets or reserves, as well as updating any changes to O&M expenses, reserve requirements, and the customer base will allow for a more accurate recommendation of any rate changes at that time.

Budget
Millville City

Date: 07/07/20 **Exhibit 2**
Inflation Factor (%): 2.30
Loan Interest Rate (%): 2.75
System Number: UT03012

EXPENSES AND SOURCES OF FUNDS	2018	2019	% Belonging to Water	2020	2021	2022	2023	2024
OPERATIONS & MAINTENANCE EXPENSES								
General (Water)	43,225	41,000	100%	41,943	42,908	43,895	44,904	45,937
Salary/Benefit (Water)	98,513	124,000	100%	126,852	129,770	132,754	135,808	138,931
Legal (Water)	2,092	2,000	100%	2,046	2,093	2,141	2,190	2,241
Auditor (Water)	6,513	6,300	100%	6,445	6,593	6,745	6,900	7,059
Financial Consulting (Water)	3,570	3,800	100%	3,887	3,977	4,068	4,162	4,258
Bond (1997)	99,212	0	100%	0	0	0	0	0
Bond (2006)	101,801	0	100%	0	0	0	0	0
Cap. Facility Rplacment Fund Reserve	0	0	100%	0	0	0	0	0
Bond -06 Reserve Fund	0	0	100%	0	0	0	0	0
Special Department Supplies	21,787	40,000	100%	40,920	41,861	42,824	43,809	44,817
Insurance (Water)	8,597	9,000	100%	9,207	9,419	9,635	9,857	10,084
Capital Outlay (Water)	62,811	10,000	100%	10,230	10,465	10,706	10,952	11,204
Engineering (Water)	0	20,000	100%	20,460	20,931	21,412	21,904	22,408
Water Capital Projects	0	7,000	100%	7,161	7,326	7,494	7,667	7,843
Total Refurbishing and Rebuilding Cost				0	0	0	0	0
Legal (Water)		18,000						
Generator Purchase		15,000						
Engineering		80,000						
Total Operation and Maintenance Expenses:	448,121	376,100		269,151	275,342	281,675	288,153	294,781
GENERAL & ADMINISTRATIVE EXPENSES								
Operating Reserve Funding				0	0	0	0	0
Emergency Reserve Funding				10,000	10,000	10,000	0	0
Debt Reserve Funding				4,584	4,584	4,584	4,584	4,584
Replacement of Existing Capital Assets			Short-Lived	39,702	39,702	39,702	39,702	39,702
Replacement of Funded Project Assets			Short-Lived	17,713	17,713	17,713	17,713	17,713
Reserves for Additional Capital Assets			Short-Lived	0	0	0	0	0
Debt Service				239,340	239,340	239,340	140,644	140,644
First Year RD Payment offset (3 month payments)				-11,460				
Total General and Administrative Expenses:	0	0		299,880	311,340	311,340	202,644	202,644
TOTAL EXPENSES	448,121	376,100		569,031	586,681	593,014	490,797	497,425
SOURCE OF FUNDS / REVENUES RECEIVED								
Sales Revenue (Base + Usage)				366,601	370,765	374,932	379,101	383,273
New connections			100%	0	0	0	0	0
Interest income	6,196	13,000	100%	13,299	13,605	13,918	14,238	14,565
Uncollectable Receivables				-733	-742	-750	-758	-767
Reconnect/Admin			100%	0	0	0	0	0
Fees Late/NSF		15,000	100%	15,345	15,698	16,059	16,428	16,806
Bulk Sales			100%	0	0	0	0	0
Water Impact Fee	74,725	70,000	100%	71,610	73,257	74,942	76,666	78,429
Tapping Fee	400	200	100%	205	209	214	219	224
Filing Fee		3,000	100%	3,069	3,140	3,212	3,286	3,361
TOTAL REVENUE	81,321	101,200		469,396	475,932	482,526	489,179	495,892
NET LOSS OR GAIN:	-366,800	-274,900		-99,635	-110,749	-110,488	-1,618	-1,532
NET CASH FLOW (Contribution to Reserves)	-366,800	-274,900		-27,636	-38,749	-38,488	60,382	60,467
Affordability assuming MHI of \$56894 for residential meters.								
				0.93%	0.94%	0.95%	0.96%	0.97%
Does the Budget Balance?								
				No	No	No	No	No
Positive Annual Cash Flow?								
				No	No	No	Yes	Yes

**MILLVILLE CITY
RESOLUTION 2020-20**

(Amended from Resolution ~~2006-20, 2006-31, 2009-2, 2010-1, 2010-7, 2011-2, 2016-6~~2020-2)

**REVISING TERMS, CONDITIONS AND FEES FOR CONNECTING TO THE
MILLVILLE CITY MUNICIPAL WATER SYSTEM, REVISING WATER RATES, AND
SPECIFYING CONDITIONS FOR SECURITY DEPOSIT**

WHEREAS, Millville City continues to pay down debt incurred from the highline reservoir, booster station, and transmission lines; and

WHEREAS, a new well is needed that will increase the debt load on the City Water Fund, and

WHEREAS, a water rate study was done to determine the revenue needed to pay off existing and future debt, and

WHEREAS, ~~an evaluation of~~ the current fees were reviewed by the Council and it was determined there is a need to increase the water rates;

NOW THEREFORE, be it resolved that the Millville City Council adopts as follows:

SECTION 1. WATER RATES

1. The monthly base rate for being connected to the water system for up to 1.0 inch meter is as follows:

	Base Rate	0-10KGallons	10-30K Gallons	30K +
Water Rates	~~\$28~~ <u>38</u> .00	\$0.80/1,000 Gal	\$0.95/1,000 Gal	\$1.05/1,000 Gal

2. For water meters with a 1.5 inch capacity, the monthly rate will be as follows:

	Base Rate	0-10KGallons	10-30K Gallons	30K +
Water Rates	~~\$35~~ <u>50</u> .00	\$0.80/1,000 Gal	\$0.95/1,000 Gal	\$1.05/1,000 Gal

3. For water meters with a 2.0 inch capacity, the monthly rate will be as follows:

	Base Rate	0-10KGallons	10-30K Gallons	30K +
Water Rates	~~\$70~~ <u>100</u> .00	\$0.80/1,000 Gal	\$0.95/1,000 Gal	\$1.05/1,000 Gal

4. For water meters with a 4.0 inch capacity, the monthly rate will be as follows:

	Base Rate	0-10KGallons	10-30K Gallons	30K +
Water Rates	~~\$140~~ <u>400</u> .00	\$0.80/1,000 Gal	\$0.95/1,000 Gal	\$1.05/1,000 Gal

5. EXCEPTION: In those instances where the total income from all sources to any one household is less than \$12,500 per year, the base rate will be reduced, upon written

- application and income certification to the Mayor, to one-half of the base rate as approved by resolution.
6. A fee of \$75.00 will be charged to each new customer and will be repaid at the end of two years of non-delinquent payments or when the customer moves from the City, if all water charges have been paid.

SECTION 2. CONNECTION FEES/IMPACT FEES/OTHER RELATED FEES

1. The minimum diameter for all future connections to the system will be 1” meters.
2. All costs for connecting to the system will be borne by the individual (applicant) requesting water service, including but not limited to:
 - trenching
 - road and sidewalk cuts or borings as required by the lot
 - backfilling trenches and replacing pavement and sidewalks
 - pipes and connection fittings
 - meter barrel and lid
3. Specifications for all material used in the above connections shall be provided by Millville City and shall be the minimum specifications required for connection.
4. The work shall be done by a licensed contractor according to Millville City specifications and will be supervised by the Millville City Director of Public Works.
5. The City shall provide and install the meter.
6. The Impact Fee structure will apply as adopted in the Millville City Code Chapter 3.28.

Tapping Fee – tap shall be made by the Public Works Department
\$100 per connection

Filing Fee - new applications or change of customer to cover administrative costs
\$50 per application

Security Deposit for all single lots and small subdivisions that require no dedication of streets or rights-of-way to the City.
\$500 - to be paid at the time of application and held for a period of one (1) year from time of completion of the installation, to ensure correction of latent defects which may appear in that period. All City rights-of-way are to be cleared of debris and returned to satisfactory condition as required by the Director of Public Works. Following satisfactory performance for the specified time period, all of the deposit shall be refunded.

Security Deposits for major subdivisions will be covered by the general bonding requirements for subdivision construction. (Refer to Subdivision Ordinance 16.24)
Re-connection fee

\$15 - for each time the water is turned on or turned off at any meter

SECTION 3. EFFECTIVE DATE

The rates adopted by this resolution are to become effective as of ~~February~~ September 1, 2020.

SECTION 4. REPEALER

This Resolution supersedes any and all other water fee schedules and all such previous schedules are herewith repealed.

Passed and approved by the Millville City Council, this ~~23rd~~ 13th day of ~~January~~ August 2020.

BY:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Michael Callahan				
Daniel Grange				
Clay G. Wilker				
Pamela June				
Ryan Zollinger				

MILLVILLE CITY
RESOLUTION 2020-20
(Amended from Resolution 2020-2)

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MILLVILLE CITY MUNICIPAL WATER SYSTEM, REVISING WATER RATES, AND
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Water Rates	\$38.00	\$0.80/1,000 Gal	\$0.95/1,000 Gal	\$1.05/1,000 Gal

2. For water meters with a 1.5 inch capacity, the monthly rate will be as follows:

	Base Rate	0-10KGallons	10-30K Gallons	30K +
Water Rates	\$50.00	\$0.80/1,000 Gal	\$0.95/1,000 Gal	\$1.05/1,000 Gal

3. For water meters with a 2.0 inch capacity, the monthly rate will be as follows:

	Base Rate	0-10KGallons	10-30K Gallons	30K +
Water Rates	\$100.00	\$0.80/1,000 Gal	\$0.95/1,000 Gal	\$1.05/1,000 Gal

4. For water meters with a 4.0 inch capacity, the monthly rate will be as follows:

	Base Rate	0-10KGallons	10-30K Gallons	30K +
Water Rates	\$400.00	\$0.80/1,000 Gal	\$0.95/1,000 Gal	\$1.05/1,000 Gal

5. EXCEPTION: In those instances where the total income from all sources to any one household is less than \$12,500 per year, the base rate will be reduced, upon written

application and income certification to the Mayor, to one-half of the base rate as approved by resolution.

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3. Specifications for all material used in the above connections shall be provided by Millville City and shall be the minimum specifications required for connection.
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\$500 - to be paid at the time of application and held for a period of one (1) year from time of completion of the installation, to ensure correction of latent defects which may appear in that period. All City rights-of-way are to be cleared of debris and returned to satisfactory condition as required by the Director of Public Works. Following satisfactory performance for the specified time period, all of the deposit shall be refunded.

Security Deposits for major subdivisions will be covered by the general bonding requirements for subdivision construction. (Refer to Subdivision Ordinance 16.24)

Re-connection fee

\$15 - for each time the water is turned on or turned off at any meter

SECTION 3. EFFECTIVE DATE

The rates adopted by this resolution are to become effective as of September 1, 2020.

SECTION 4. REPEALER

This Resolution supersedes any and all other water fee schedules and all such previous schedules are herewith repealed.

Passed and approved by the Millville City Council, this 13th day of August 2020.

BY:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Michael Callahan				
Daniel Grange				
Clay G. Wilker				
Pamela June				
Ryan Zollinger				

Councilmember Assignments 2020

Updated 1/9/20

Councilmember Daniel Grange

- Sewer
- Animal Control
- Trails

Councilmember Ryan Zollinger

- Water
- Finance
- Fiber Internet

Councilmember Clay Wilker

- P&Z
- Fire/EMS/Emergency Preparedness
- City Celebration Support

Councilmember Pamela June

- City Events (Millville Days/ Night Out Against Crime, Easter, Christmas, Fair Booth)
- Youth Council
- Mini Miss Millville and Parades

Councilmember Michael Callahan

- Ordinance Enforcement
- Wildfire
- Sewer Support
- P&Z Support