

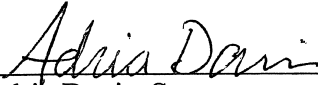
NOTICE AND AGENDA

Notice is hereby given that the Planning Commission of Millville City will hold a meeting on Thursday, **Oct 15, 2020** in the Millville City Office, at 510 East 300 South, Millville, Utah, which meeting shall begin promptly at **8:00 p.m.**

1. Roll call.
2. Opening remarks/Pledge of Allegiance.
3. Review and approval of agenda.
4. Review and approval of minutes from Oct 1, 2020.
5. Agenda Items:
 - A. Zoning Clearance – Spring Creek Builders, residence at 102 N 500 E, Mond Aire lot 36, Millville.
 - B. Zoning Clearance – VHD, LLC residence at 67 N 500 E, Mond Aire lot 46, Millville
 - C. Zoning Clearance – Ivan Glenn Floyd, accessory building at 296 N 100 W, Millville
 - D. Rezone Request for Mike Zollinger – Set a public hearing.
 - E. Other
6. City Council Report – review minutes from the Oct 8, 2020 meeting
7. Agenda items for next meeting.
8. Calendaring of future Planning Commission Meeting.
9. Adjournment.

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

Notice was posted on Oct 12, 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 Oct 12, 2020.



Adria Davis, Secretary
Millville City Planning Commission

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

Oct 1, 2020

1. Roll Call:

Chairman Greenhalgh, Commissioners Bonnie Farmer, Larry Lewis, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.).

Others Present:

Development Coordinator Randy Wall, Treasurer Tara Hobbs, Jessie Williamson, and Chad Kendrick. 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 Oct 1, 2020 was reviewed. A motion was made by Commissioner Ripplinger (Alt.) to approve the agenda as presented. Commissioner Lewis seconded. Commissioners Farmer, Greenhalgh, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioner Dickey excused and Commissioner Thompson absent.

4. Review and Approval of the Minutes from Sept 17, 2020

The Planning Commission meeting minutes were reviewed. Chairman Greenhalgh noted that the summary of the public hearing needed to include that the developer needs to address the public comments and the preliminary plat checklist needs to be followed. Commissioner Ripplinger pointed out a name correction from Zollinger to Ripplinger in item 6. A motion was made by Commissioner Farmer to approve the minutes with the noted corrections. Commissioner Anderson (Alt.) seconded. Commissioners Farmer, Greenhalgh, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioner Dickey excused and Commissioner Thompson absent.

Commissioner Thompson arrived at the meeting at this time.

5.A. Zoning Clearance – Devon Labrum, carport at 45 W Center, Millville

The home owner was not in attendance at this meeting.

This is a 13' by 50' metal carport, anchored into a concrete slab.

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

5.B. Zoning Clearance – VHD, LLC, residence at 60 W 550 N, Tibbitts Subdivision, lot 3, Millville.

This lot has frontage on the old road, 550 North.

The speed limit there is 25 mph. There may be a lot of traffic in this area before and after school, but there is a large driveway that they could easily turn around in without backing into traffic.

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

5.C. Sidewalk review – Dev. Coordinator Wall

The commissioners were passed out maps showing where all the existing sidewalks were. Randy had outlined on one map the previously discussed areas of focus, which included feeder streets, schools, churches, parks, plus any major subdivisions. The commissioners added other areas of focus to his map to come up with one complete map for future sidewalk development. Randy will take this map back to the city council for their review.

Commissioner Ripplinger received some information about some ‘safe routes to school’ grants available this year. She would like to pursue this grant money for sidewalks on the block around the elementary and over to 300 south.

Chad mentioned that she should contact an engineering company to arrange for the details of the project. They may be willing to draw it all up in exchange for being awarded the contract.

5.D. Other

Dev. Coordinator Wall suggested that any future minor subdivisions should be required to have a bond. This will save the city from any more issues with sidewalks not being completed.

Tara Hobbs mentioned that she had become aware of a pet python that had recently escaped and was found a number of blocks away. Animal control had been contacted and the pet returned. She questioned whether this type of animal was allowed in Millville.

6. City Council Report – review minutes from the Sept 24, 2020 meeting

Commissioner Farmer was glad to see that the city is leaning toward the deeper sewer lines instead of the pumps.

7. Agenda Items for Next Meeting

Biominerals wants to install their private road before construction of their buildings
Airbnb discussion continued.

8. Calendaring of future Planning Commission Meeting

The next regularly scheduled meeting will be held Thursday, Oct 15, 2020 at 8:00 pm.

9. Adjournment

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



MILLVILLE CITY

ZONING CLEARANCE FOR BUILDING PERMIT

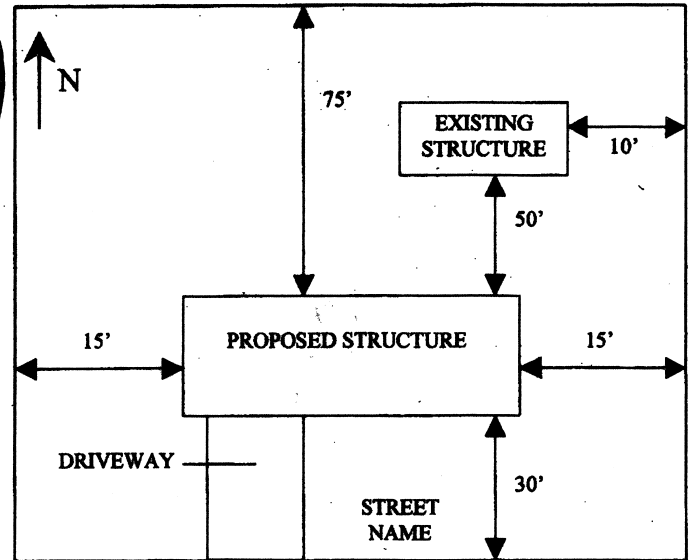
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

APPLICATION INFORMATION

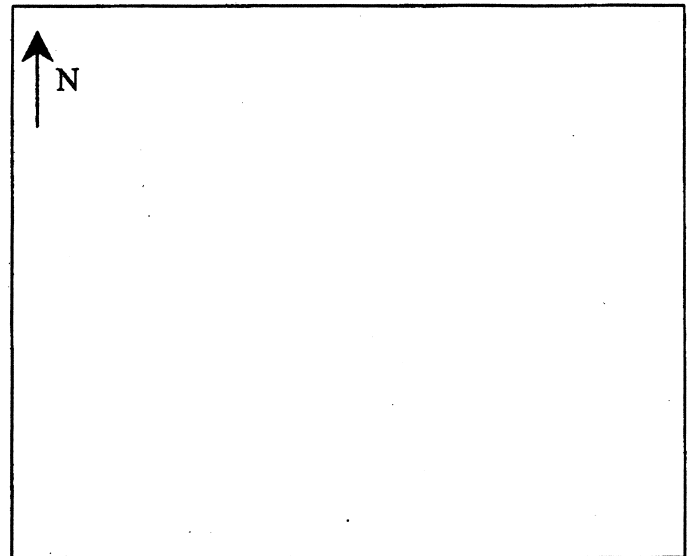
1. Spring Creek Bundles (Jeff Seely)
APPLICANT'S NAME
2. 6031 South 2140 West
MAILING ADDRESS
- Wellsville UT 84339
CITY STATE ZIP CODE
3. 435-732-2567 4. 435-767-9933
HOME TELEPHONE BUSINESS TELEPHONE
5. ERIC & M'LISA FRANDSEN
OWNER'S NAME (if different from applicant)
6. New Home
TYPE OF STRUCTURE
7. 4670 8. _____
SQUARE FOOTAGE ZONE
9. MOND-AIRE HEIGHTS LOT 36
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 03 - 194 - 0036
TAX IDENTIFICATION NUMBER
11. 102 NORTH 500 EAST
ADDRESS OF CONSTRUCTION
12. 1.62 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

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)



SITE PLAN

102 N. 500 E.
MILLVILLE, UTAH 84326

SCALE 1" = 32'-0"

PLEASE NOTE:

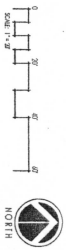
1. THE PLAN IS SHOWN FOR INFORMATION ONLY. OWNER, CONTRACTOR SHALL HAVE RESPONSIBILITY TO DETERMINE GRADES AND FINAL PLACEMENT AND ELEVATIONS OF FOOTINGS, FOUNDATIONS AND SHALL BE RESPONSIBLE FOR COMPLIANCE WITH ALL STATE, NATIONAL, AND LOCAL BUILDING CODES & ORDINANCES.
2. THE SITE PLAN IS A REPRESENTATION OF CONCRETE FOUNDATIONAL BUILDING FOOTPRINT ONLY. ALL SETBACK INFORMATION SHOWN IS TO CONCRETE FOUNDATION WALLS ONLY. THE PLAN DOES NOT INDICATE THE LOCATION OF ROOF OVERHANGS OR CHIMNEYS (WALL PORCHES OR FLOOR OVERHANGS) OR OTHER ARCHITECTURAL ELEMENTS THAT MAY REQUIRE THE PROPERTY SETBACKS OR EASEMENTS. THE PLAN, COUNTY, CITY OR OTHER JURISDICTION REVIEW, CONTRACTOR AND OWNER SHALL REVIEW ALL PLANS, SUBMITTAL DRAWINGS, (FLOOR PLANS, ELEVATIONS, DETAILS, ETC.) IN CONJUNCTION WITH THE SITE PLAN TO DETERMINE ANY PROPOSED WALL CHANGES OR OTHER FEATURES THAT MAY ENCROACH INTO SETBACKS AND SHALL REPORT ANY CONCERNS TO THE DESIGNER PRIOR TO EXCAVATION AND/OR CONSTRUCTION.

NOTE:

DESIGNER IS NOT A LICENSED ENGINEER OR ARCHITECT. ALL DIMENSIONS, SETS, AND CALL OUTS ARE TO BE REVIEWED BY BUILDER AND HOMEOWNERS TO ENSURE THE HOME IS BUILT TO CODE AND TO THE HOMEOWNERS PREFERENCES. HOME TO BE BUILT AS PER IRC, UBC, OR OTHER CODES OR LOCAL ORDINANCES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO CONSTRUCTION AND BE SOLELY RESPONSIBLE THEREAFTER. ALL CALCULATIONS AND MEMBER SIZES SHOULD BE VERIFIED FOR YOUR BUILDING BY A LICENSED BUILDING OFFICIAL.

LINETYPE LEGEND

- PROPERTY LINE
- SETBACK LINE
- HOME FOOTPRINT



FRANDSEN RESIDENCE

102 North, 500 East, Millville, Utah

SITE PLAN

S1

102 NORTH 500 EAST
MILLVILLE, UTAH 84326
PHONE: (435) 713-8831
WWW.MICHELLEBONNER.COM

MICHELLE BONNER
ARCHITECT
102 NORTH 500 EAST
MILLVILLE, UTAH 84326
PHONE: (435) 713-8831
WWW.MICHELLEBONNER.COM



TURN IN

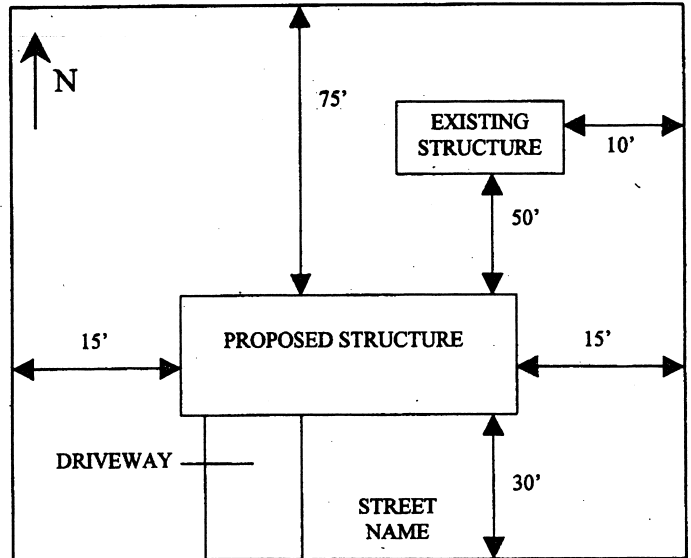
00913

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

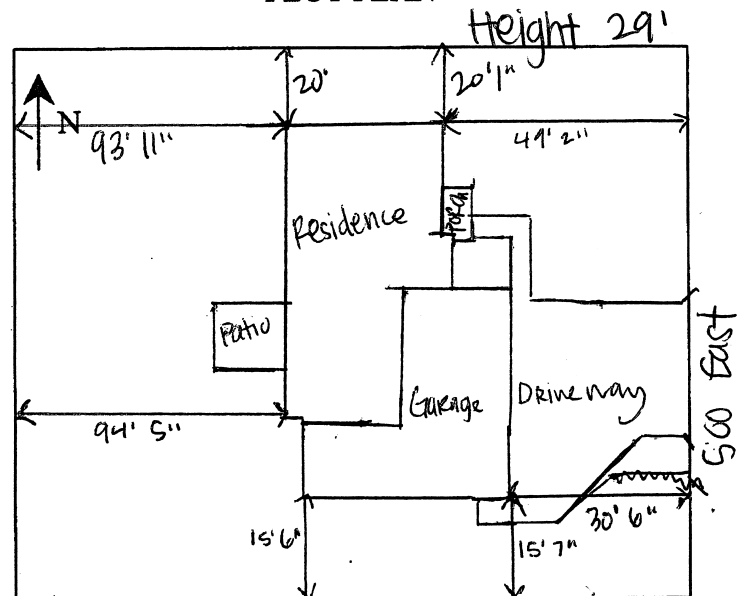
APPLICATION INFORMATION

1. VHD LLC
APPLICANT'S NAME
2. 50 E 2500 N Ste 101
MAILING ADDRESS
- North Logan UT 84341
CITY STATE ZIP CODE
3. 435-752-1480 4. _____
HOME TELEPHONE BUSINESS TELEPHONE
5. Tyler & Stephanie Rasmussen
OWNER'S NAME (if different from applicant)
6. Single family dwelling
TYPE OF STRUCTURE
7. 2,736 8. _____
SQUARE FOOTAGE ZONE
9. Mond-Aire Heights #46
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 03 - 194 - 0046
TAX IDENTIFICATION NUMBER
11. 67 N 500 E
ADDRESS OF CONSTRUCTION
12. 18.733 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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VISIONARY HOMES

50 E 2500 N, Ste 101
North Logan, UT 84341
(435) 752-1650

MAP#6

67 North 500 East
MILLVILLE, UTAH 84326

MOND-ARE HEIGHTS LOT #46
PARCEL # 05-194-0046
18,735 Sq. Ft.



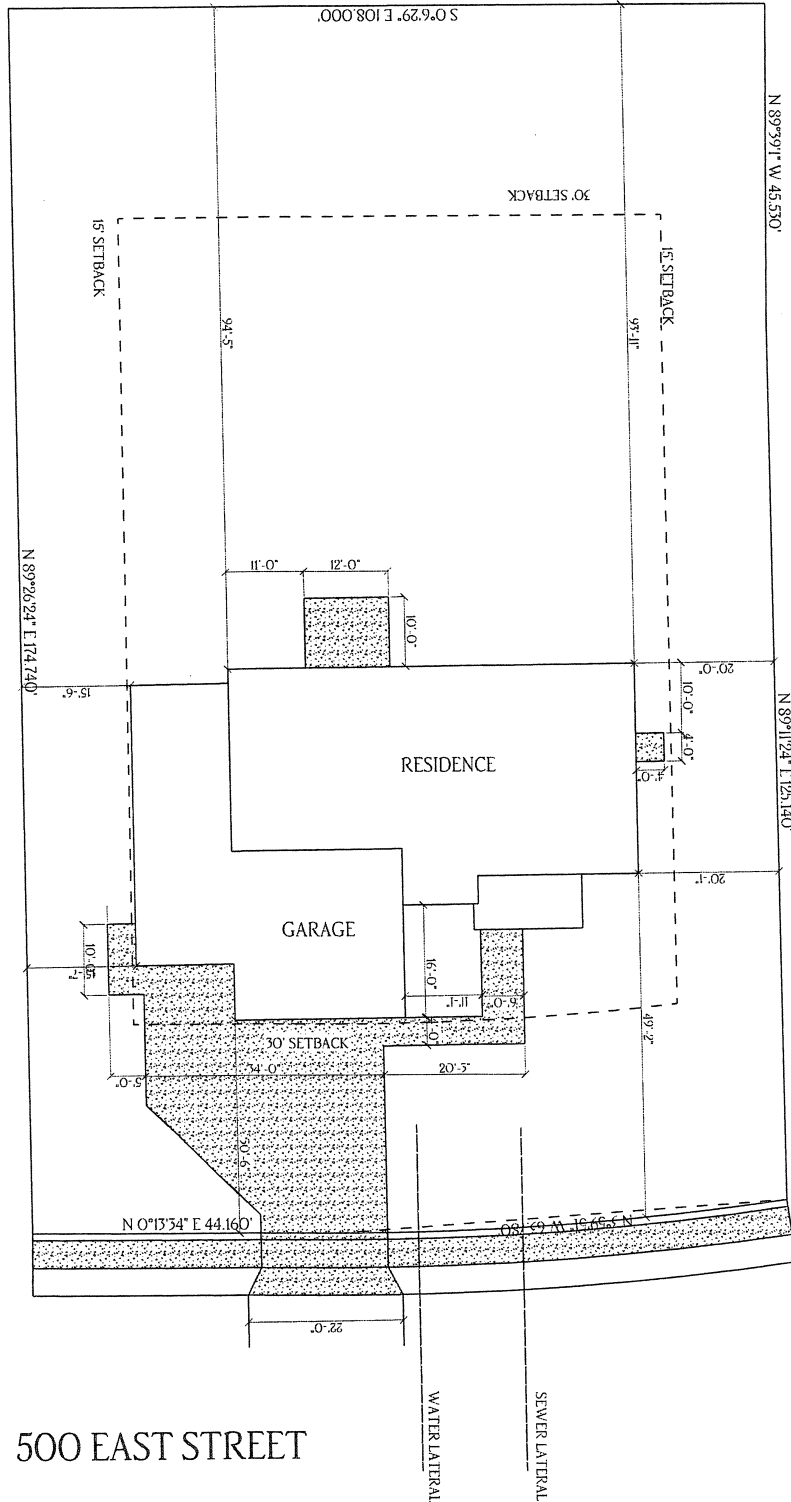
SCALE

5/8" X 24" Sheet : 1"=10'
17" X 11" Sheet : 1"=20'
17" X 8 1/2" Sheet : 1"=30'

GAS APPLIANCES TO BE INSTALLED:

1. 50 Gal. Water Heater - 40,000 BTU
 2. 99% EFF Furnace - 90,000 BTU
 3. 99% EFF Furnace - 90,000 BTU
 4. Gas Fireplace - 20,000 BTU
- TOTAL BTU LOAD - 240,000 BTU

PROVIDE SEPTIC SYSTEM



500 EAST STREET



MILLVILLE CITY

ZONING CLEARANCE FOR BUILDING PERMIT

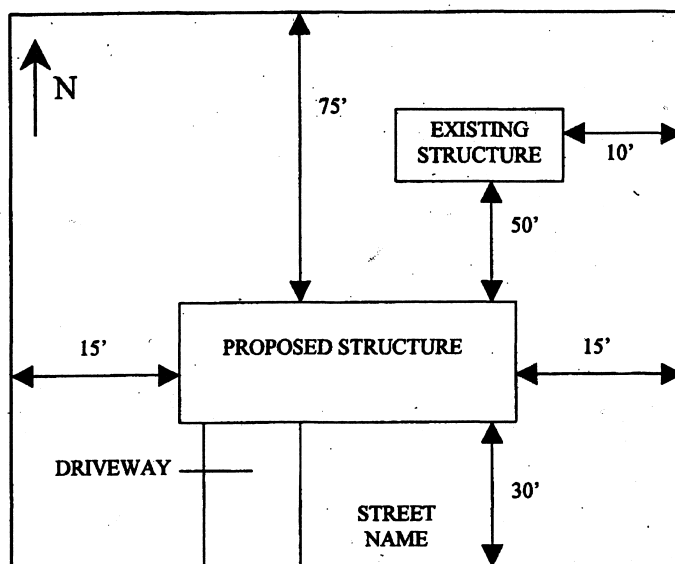
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

APPLICATION INFORMATION

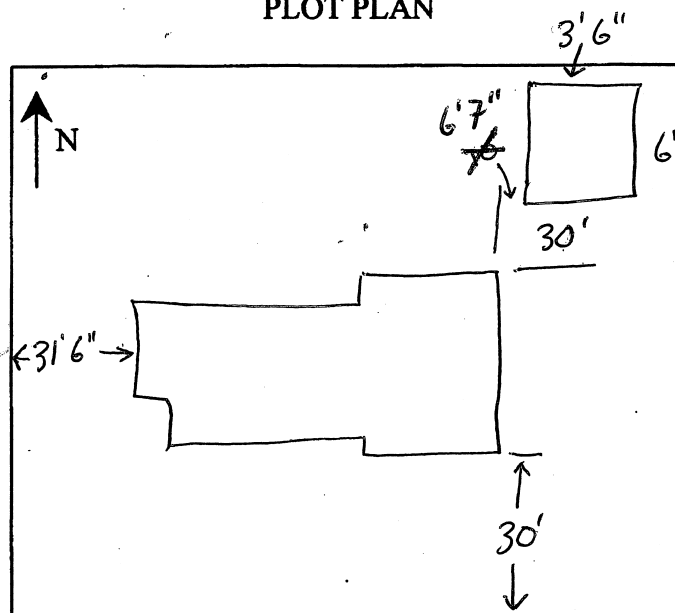
1. Ivan Glenn Floyd
APPLICANT'S NAME
2. P.O. Box 191
MAILING ADDRESS
- Millville UT. 84326
CITY STATE ZIP CODE
3. 435-753-6971 4. 435-753-7774
HOME TELEPHONE BUSINESS TELEPHONE
5. _____
OWNER'S NAME (if different from applicant)
6. Parking Garage
TYPE OF STRUCTURE
7. 1600 8. _____
SQUARE FOOTAGE ZONE
9. _____
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. _____
TAX IDENTIFICATION NUMBER
11. 296 N 100W Millville
ADDRESS OF CONSTRUCTION
12. _____ 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. Power to bldg,
REMARKS
Parking for cars.

SAMPLE PLOT PLAN

(numbers do not represent required setbacks)



PLOT PLAN



APPROVED - PLANNING AND ZONING

DATE

FEES PAID - TREASURER

DATE

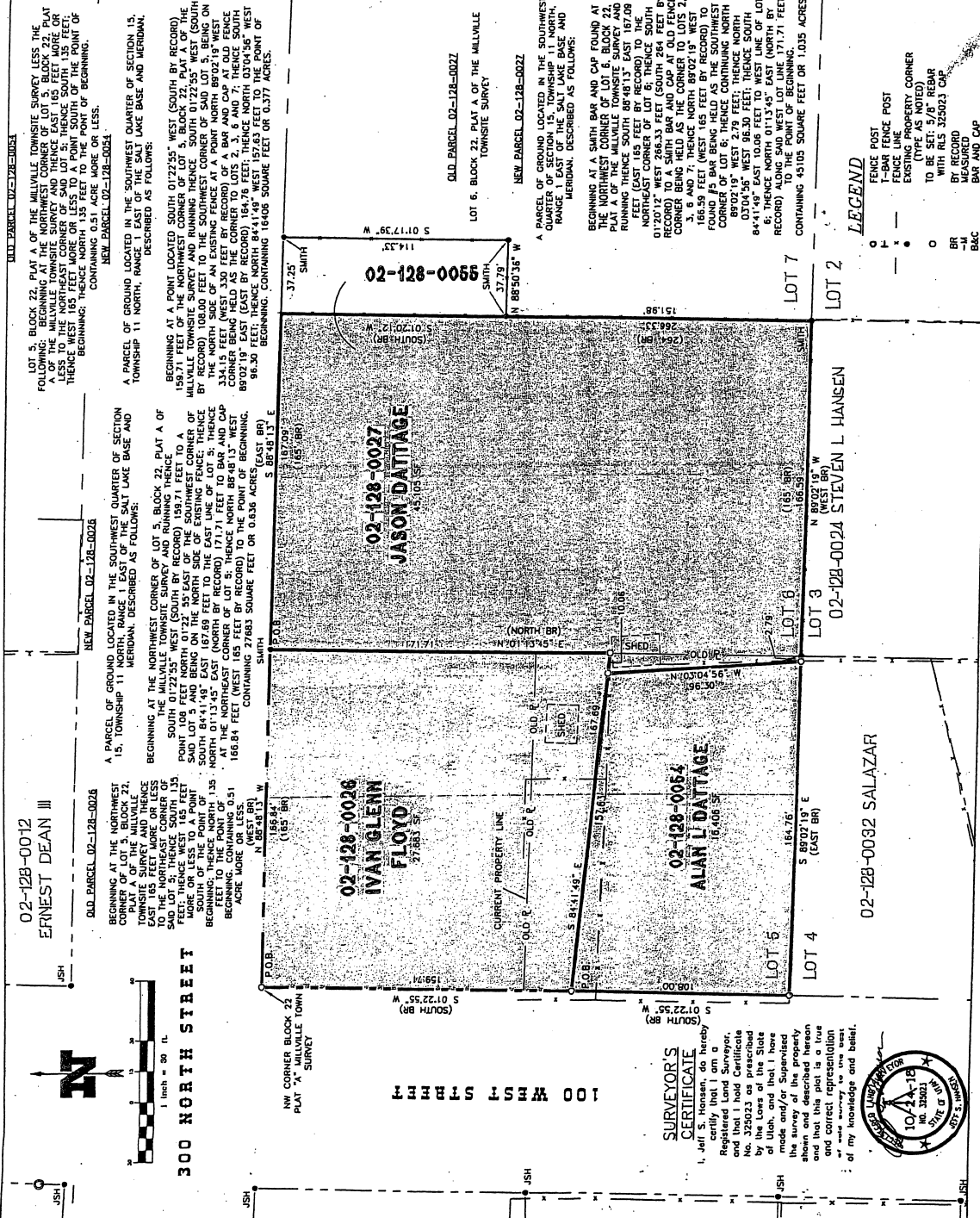
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DATE: 10/23/18
DRAWN BY: JSH
JOB NUMBER: 18-122
SCALE: 1" = 30'
SECTION: SW/4 OF SECTION 15
TOWNSHIP: 11 N RANGE: 1 E
OF THE SALT LAKE BASE & MERIDIAN

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FOR
FBA ADVANTAGE REALTY

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SURVEYING & DRAFTING INC.
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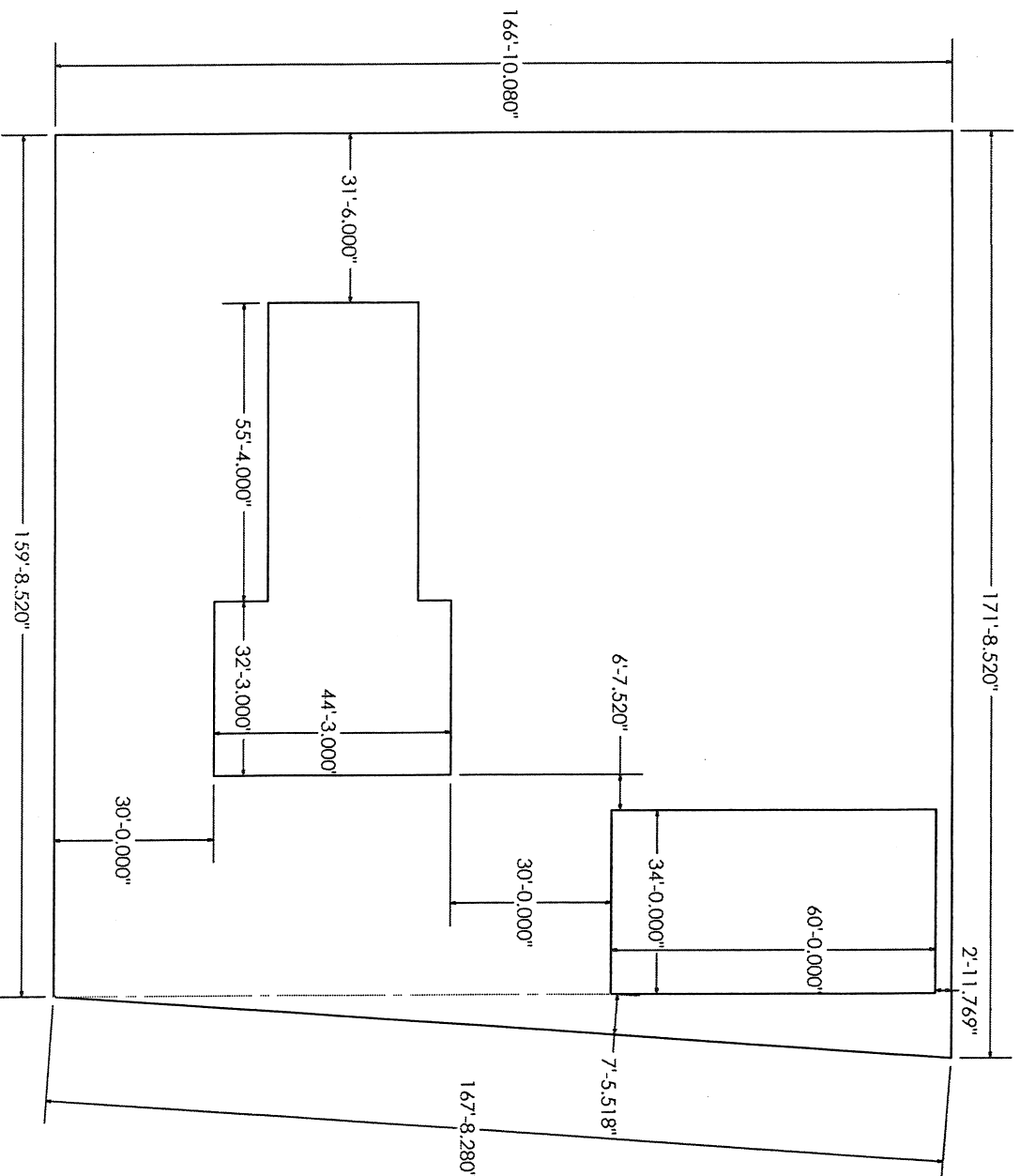


479/3 al

SURVEYOR'S CERTIFICATE
I, Jeff S. Hansen, do hereby certify that I am a Registered Land Surveyor, and that the certificate No. 325023 as prescribed by the Laws of the State of Utah, and that I have made and/or supervised the survey of the property shown on this map, and that this map is a true and correct representation of my knowledge and belief.



LEGEND
FENCE POST
T-BAR FENCE POST
FENCE LINE
EXISTING PROPERTY CORNER
(TYPE AS NOTED)
TO BE SET 1/8" REBAR
WITH RIG 320613
BY RECORD
-M
BAC



#	Revisions Was	Date	UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN INCHES TOLERANCES: U.O.S. FRACTIONAL ±1/32 ANGULAR ±1/2° TWO PLACE DECIMAL ±.010 THREE PLACE DECIMAL ±.005 FOUR PLACE DECIMAL ±.001				
			296 NORTH 100 WEST - MILLVILLE, UT 84336 - PHONE 435-753-6971				
			Glenn & Denice Floyd				
			TITLE:				
			DRAWN	NAME	DATE		
			MATERIAL				
			FINISH				
			DO NOT SCALE DRAWING				
			COMMENTS:				
			THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF THE DRAWING FIRM. NO REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF ZBROZ RACING IS PROHIBITED.				
			DWG. NO.				
			Plot Plan 34x60				
			SCALE: 1"=1'	WEIGHT:	SHEET 1 OF 1		

Glenn & Denice Floyd

296 NORTH 100 WEST - MILLVILLE, UT 84326 - PHONE 435-753-6971

TITLE:

DWG. NO.

Plot Plan 34x60

SCALE: 1:1

WEIGHT:

SHEET 1 OF 1

Find address or place



October 10, 2020

TO: Millville City

FROM: Mike Zollinger

I am petitioning to have the recently annexed property, parcel 02-117-0019, rezoned from Agricultural (A) to Residential (R1).

Attached is the legal description of the above parcel, a screenshot of the parcel from the Cache County Parcel and Zoning Viewer and ~~a list of all property owners within a 600-foot radius of said parcel as identified on the latest plat in the Cache County recorder's~~ office.

ANNEXATION PARCEL BOUNDARY DESCRIPTION

A portion of Lot 1, Block 3, Plat "D", PROVIDENCE FARM SURVEY, located in the NW1/4 of Section 15, Township 11 North, Range 1 East, Salt Lake Base & Meridian, Cache County, Utah, more particularly described as follows: Beginning at the southeast corner of Lot 1, Block 3, Plat "D", PROVIDENCE FARM SURVEY as defined and described in Cache County Survey File No. 2001-009, said southeast corner being located North 3,412.29 feet and West 2,742.72 feet from the Southeast Corner of Section 15, T11N, R1E, S.L.B.& M. (Basis of Bearing: N88°37'25"E along the Section line between the Southeast Corner of Section 15 and the South 1/4 Corner of Section 14, T11N, R1E, S.L.B. & M.); thence N87°43'18"W 940.88 feet along the extension of, and along a Boundary Line Agreement recorded in Deed Book 1930 Page 1068 of the Official Records of Cache County; thence along the extension of, and along the easterly line of that Real Property described in Deed Book 1760 Page 1567 of the Official Records of Cache County the following 3 (three) courses and distances: N15°24'00"E 120.45 feet; thence N8°09'03"E 61.17 feet; thence N8°28'19"E 150.44 feet to the southwest corner of that Real Property described in Deed Book 2054 Page 1381 of the Official Records of Cache County, said property also shown and described in Cache County Survey File No. 2018-0212; thence S87°52'46"E along said deed and Survey 593.14 feet; thence S2°07'14"W 95.70 feet; thence S87°52'46"E 297.00 feet to the west line of Main Street; thence S2°07'14"W along said street 234.47 feet to the point of beginning. Contains: 6.23+/- acres

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
October 8, 2020

PRESENT: David Hair, Daniel Grange, Clay Wilker, Michael Callahan, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Donna Nielson, Craig Nielson, Ashleigh McDonald, Josh McDonald, Gary Tidwell, Brian Munson, Darcy Ripplinger, Scott Seely

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for October 8, 2020 at 7:00 p.m. The roll call indicated Mayor Hair and Councilmembers Pamela June, Michael Callahan, Ryan Zollinger and Clay Wilker were in attendance with Councilmember Daniel Grange arriving shortly. 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 of October 8, 2020 was reviewed.

Councilmember Callahan moved to approve the agenda for October 8, 2020.

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

Councilmember Grange arrived at this time.

Approval of minutes of the previous meeting

The Council reviewed the minutes of the City Council Meeting for September 24, 2020.

Councilmember Callahan moved to approve the minutes for September 24, 2020.

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

Public Comment Period

Mayor Hair opened the floor for public comments. Darcy Ripplinger had signed up to address the Council.

Darcy said she received an email about the Safe Routes to School Grant Program and that that she would like to apply for Millville City and asked the City Council for approval. Mayor Hair said that as this was not an agenda item, the Council would not be able to make a motion.

Councilmember Zollinger said that he was on the City Council previously when the City applied for the Safe Routes to School Grant. He said that there had been some significant difficulties with the program. Mayor Hair agreed and explained that with this type of grant, there is a lot required of the City and it takes a significant amount of time for City staff and that now was not a good time to be getting involved with this while the City is so focused on the sewer and well projects.

Darcy said that she had understood that this type of project could happen if the engineers agreed to do the application portion of the project at their cost. Recorder Twedt explained that he had never spoken with anyone about this specific grant being done this year. He said that he has mentioned in the past that there may be an opportunity on grant projects to ask engineering firms to cover application costs so that they have some skin in the game and would get the revenue from the engineering work if the City receives the grant.

Darcy said that she spoke with JUB Engineering who expressed interest in doing this project and that she would do all of the work on behalf of the City. Councilmember Grange said that the last time this was done, Councilmember Julianne Duffin did the majority of the work and did a great job, but there was still a significant lift from City staff. Especially Recorder Twedt.

There was some discussion on the City match for the project. Darcy said that there was no local match requirement this year. Councilmember Zollinger said that there were still costs in engineering and elsewhere that the City would need to pay and that this would require a budget change. He said there was a possibility of having the City look into this grant again next year or at some point in the future, but he didn't think it should be done this year.

The consensus of the Council was to not work on this project this year. Mayor Hair recommended Darcy work with Councilmember Grange in the future if she would like this to come before the City Council, because one of his responsibilities is trails.

Darcy said she would like to see money budgeted for sidewalks next year. The Council said that this could be discussed next spring when they are reviewing the Fiscal Year 2022 Budget.

Request for a Business License for Valley Girl Fitness

Ashleigh Card has submitted a request for a business license for Valley Girl Fitness at 765 West 1950 South Building #22 Suite 102. She explained that this would be a women's only gym where they would do boot camp style fitness programs. Women of all ages were invited, and childcare would be provided if needed.

Councilmember Grange moved to approve the business license for Valley Girl Fitness. 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".)

Report on P & Z Meeting held October 1, 2020

Development Coordinator Randy Wall reviewed with the Council the Planning Commission's draft minutes for the meeting held October 1, 2020.

Stellar Auto Complaint

Councilmember Wilker reviewed the new complaint that has been received against Stellar Auto. He explained that the main issue being addressed here was the smell of the paint coming from the home business. He asked for the Council to review the issue and consider opening an investigation or speaking with the parties involved.

Councilmember June said that the Council had heard the concerns from one of the parties involved in the form of the complaint. She said she would like to hear from the other side and addressed Craig and Donna Nielson who were present in the meeting.

Councilmember Grange asked Craig if he works on cars outside. Craig said that he does during the summer. Craig said that he has been running this business for a long time and the next-door neighbor to the north didn't even know that he was working from his home. He said that the other neighbors did not have any concerns about the work he was doing there.

Craig was asked to address the comment in the complaint about the alleged harassment of Mrs. Munson who had filed a complaint against the business in the past. Craig Neilson and Brian Munson had had an argument after the last complaint. Craig said that he feels like this is a personal vendetta after years of not getting along with the Munsons. Now they are wanting to shut down his business. He said that he doesn't work early or late out of respect for his neighbors. The work for Stellar Auto is typically done between the hours of 8am and 2pm. If there is work happening outside of those hours, it is usually personal projects.

Craig explained that about a month ago, he had fixed and rebuilt the filters at his home and would expect there to be little to no smell at all when he is working on a vehicle.

Donna Nielson said that this was now round two. First, Mrs. Munson complained and now Brian was taking a turn. Donna said that when they were first applying for the business license, they talked with all of the neighbors to make sure nobody had concerns. Craig had even spoken with Brian in the past and there had been no concerns or issues before last year.

Councilmember Callahan said that when the first complaint was filed last year, all of the City Councilmembers drove by to see if there were issues with cars parked in the street and

they didn't see any issues. Brian said that Craig was informed of the complaint and cleaned up the parking issue.

Brian said that last winter, when he would go outside to run, he could smell the fumes from the street. He said that the issue was worse in the winter on account of the inversion. Brian said that he didn't think the filters had been addressed properly during the initial request for a business license. At that time, the license application said that he would be working on just one vehicle at a time and that all of the work would take place in the garage. Brian said that he feels like there is a significant difference between the original request and what the business was now doing. He said that the Nielsons should now come before the City Council to address the changes.

Councilmember Zollinger asked Mr. Munson to clarify his main complaints. Brian said that filtration was his biggest concern. People walk down the road while Craig is outside working on cars. Brian said that he thinks the business license should be reviewed now that things are different from the time when he first applied and received his license.

Councilmember Zollinger asked if Brian had tried to address the issues directly with Craig. Brian said that he has tried. There is some history between the two families from long ago, so his wife didn't feel comfortable speaking directly with him when she filed the initial complaint. Brian said that the issues with the parking had improved since the first complaint was filed.

Councilmember Callahan discussed the filtration system. Brian said that he had spoken with Don's Autobody about their elaborate filtration system. Mayor Hair said that filtration is great and important, but you are still going to smell the paint. Craig said that with the improvements to his filtration system, he didn't suspect anyone would smell paint anymore.

Brian Munson said that unlike what was discussed in the original business license application, Craig was working on more than one car at a time. They were not all being worked on in the garage. There was sometimes noise and dust. Brian said that he himself has not gone around to speak to the neighbors to see if there were others that had similar concerns.

Recorder Twedt said that business owners don't typically come into the City Council to address changes that have occurred in their business years after the initial application. The Council does review all of the businesses in the City yearly to determine if there are concerns or issues before issuing business license renewal applications.

Councilmembers Grange and Wilker said that they would visit Stellar Auto to review the filtration and see if they had concerns about what was happening there. Craig said that this would be fine. Councilmember Wilker said that they could then report any concerns that would be taken into consideration in the next couple of months when business licenses are being renewed by the City Council.

Councilmember Zollinger said that Millville City does a pretty good job about protecting private property rights. He said that he feels that the Council has been good in allowing people to run businesses out of their homes, but the business owners need to do so in a responsible way. Business owners need to be good neighbors. Councilmember Zollinger said that he hoped Brian and Craig could work out their issues. Councilmember Wilker agreed and suggested they find a way to drop the old issues and get along.

Mayor Hair said that he felt the City has a great City Council that cares about everyone, including the two parties in the dispute today. He said he felt like they had a good plan to address the complaint. (A copy of the complaint is included with the minutes as Attachment "C".)

Sidewalk Requirements for New Development

Development Coordinator Wall reviewed the map that had been prepared by the Planning Commission that shows the existing sidewalks and desired areas for new sidewalks. Recorder Twedt clarified that the intent for this map was to indicate parts of the City where sidewalks were desired. When development happens in those parts of the City, the developer would be required to install sidewalks whereas they would not be required during development in other parts of the City.

Councilmember Grange expressed concern that this wasn't equitable for developers. Some developers would pay less than others if they do not develop in an area that is marked to not require sidewalks. Councilmember Callahan said that in a training that he attended, something similar was discussed. There is not a good way to make things equitable. It was the City Council's responsibility to clarify and document the requirements.

Mayor Hair said that he was not in favor of sidewalks that are put in with development that do not connect to other sidewalks and that go nowhere.

Councilmember Zollinger asked if the sidewalk areas correlated to a City trail plan. Development Coordinator Wall said that trails were not discussed while making the sidewalk map. Councilmember Zollinger asked about a similar curb and gutter plan. Recorder Twedt said that curb and gutter could be handled separately. This map was created by Planning and Zoning only to address sidewalks required at the time of development. This had been a request from the City Council.

The Council then discussed the implementation of the map. Recorder Twedt said that he would like to understand if the Council liked the map and the designated areas proposed by Planning and Zoning and how they would like to enforce it. Then he would write a resolution for review and additional discussion at a future City Council meeting. Development Coordinator Wall explained that the Planning Commission had focused on the roads that are around the schools or major pathways to and from the schools.

The Council discussed the type of development for which the requirements would apply. Councilmember Callahan said that he liked the map but felt that it should only apply if a

subdivision is taking place and not if someone is building a home on an existing lot. Councilmember Zollinger agreed that the map looked good to him, but said that there were several single lots throughout the City and that if the City really wanted sidewalks on these roads, they should require any lot that is in the sidewalk zone that comes in for building clearance to install the sidewalk on their property.

Recorder Twedt pushed for an informal tally on how the Councilmembers felt about sidewalks required of all new development or just subdivisions so that he could create the resolution. It was determined that he should write the requirements of any new development within the area proposed by the Planning Commission to require sidewalks.

Councilmember Zollinger said that with the upcoming sewer construction, he felt the City should consider widening the road to create a walking path or bike path. (A copy of the related staff report is included with the minutes as Attachment "D".)

Well Status Update

Mayor Hair explained that after further review and the test pumping that had occurred at the well site. It had been determined that a smaller and less expensive well would do what the City needed in that location. A new bid request was currently out for this different type of well.

Utility Adjustment Review for First Quarter of Fiscal Year 2021

Treasurer Hobbs reviewed with the Council the utility billing adjustments that had been made between July and the end of September 2020. (A copy of the utility adjustment report is included with the minutes as Attachment "E".)

Budget Review for First Quarter of Fiscal Year 2021

Recorder Twedt reviewed with the Council the budget and current expenses and revenue for the first quarter of fiscal year 2021. He explained that a budget revision would be needed soon to address the Cares Act money as well as the RAPZ Tax money for the park walkway. He also pointed out that sales tax revenue was currently higher than this time last year. As far as sales tax was concerned, Millville had not been negatively affected by the pandemic. (A copy of the budget report is included with the minutes as Attachment "F".)

Consideration for Moving City Council Meeting and Scheduling a Public Hearing

Mayor Hair explained that Recorder Twedt would be gone over October 22nd and that the Council should consider changing the next City Council meeting to be a week later on the 29th. Recorder Twedt said that he would be in St. George at the City Manager Conference over October 22nd and needed to do a short training at that conference. Because there are five Thursdays in October, if the Council wanted him to be present at the public hearing, they could potentially move the meeting to the 29th. This would also allow for more time to prepare for the public meeting where the sewer rates and sewer plans would be discussed.

Councilmember Wilker motioned to move the City Council Meeting from October 22nd to October 29th and to schedule a public hearing for approximately 7:15 p.m. to discuss the expected monthly sewer fee range and updated sewer plans.

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

City Reports

Director Kendrick said that the park walkway had turned out really well and was getting a lot of use. He showed the Council the loop of grass that was cut out as part of the project to clean up the parking lot and allow for more parking. Director Kendrick said that he and Recorder Twedt were looking into the option of removing the other jut in front of the south restrooms to allow for additional parking west of the pickleball courts and finishing up the walkway to connect to existing sidewalks on the southeast corner of the park. This would make a complete walkway loop of a half mile.

Councilmember Grange said that he felt the City should continue working on a way to light the pickleball courts and potentially the tennis courts at the north park.

Director Kendrick reported that the City culinary water is now coming completely from the springs and that the wells will not be used again until next year.

Councilmember Reports and Items for Future Agendas

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

Recorder Twedt said that the Mike Zollinger Annexation had now been approved by the State and was finally complete. The Zollingers would now be working through the rezone process to change the zoning from Agricultural to Residential.

Recorder Twedt said that the City would need to approve a new EMS agreement to replace the one that was approved a month or so ago. Smithfield had now pulled out of the County EMS program and the agreement had changed as a result.

Recorder Twedt said that Planning and Zoning Secretary Adria Davis has submitted her resignation letter and will be done by the end of the month. She has done a great job for the City for many years. The City will be posting for a replacement in the newsletter, website and posting boxes.

Recorder Twedt said that the remainder of the litigation with the Cemetery District was ongoing and that he would be working on the necessary disclosures over the weekend.

Adjournment

Councilmember Wilker moved to adjourn the meeting. Councilmember Callahan seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. The meeting adjourned at 8:44 p.m.

DRAFT