

NOTICE AND AGENDA

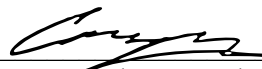
Notice is hereby given that the Millville City Council will hold their regularly scheduled Council Meeting on Thursday, December 10, 2020 as a Zoom electronic meeting.

Zoom Meeting URL: <https://us04web.zoom.us/j/3229544002>
Zoom Meeting ID: 322 954 4002
Dial-In Option: (408) 638-0968

1. Call to Order / Roll Call – Mayor Hair
2. Opening Remarks / Pledge of Allegiance – Councilmember Callahan
3. Approval of agenda
4. Approval of minutes of the City Council Meeting – November 12, 2020
5. Agenda Items—
 - A. Report on P&Z Meetings held November 19, 2020 and December 3, 2020 – Dev. Coordinator Wall
 - B. Business License request for Knighton Construction at 371 N. 100 E. – Cole Knighton
 - C. Business License request for Liveit Global Marketing (Dog Breeding) at 56 W. 300 N. – Jason Dattage
 - D. Business License request for Lyon Fruit Orchard at 570 N. Main – Bodie Lyon
 - E. Consideration of Resolution Adopting 2020 Impact Fee Report – Recorder Twedt
 - F. Setting of the 2021 Annual Meeting Schedule – Mayor Hair
 - G. Zollinger Estates Subdivision Review – Recorder Twedt
 - H. Kathlene Alder request for Border-Line Adjustment with Providence – Recorder Twedt
 - I. Councilmember Assignments for 2021 – Mayor Hair
 - J. City Reports: Roads, Parks, Water – Public Works Director Kendrick
 - K. 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 December 7, 2020 to the City posting locations, the City Website and the Utah Public Meeting Notices Website.



Corey Twedt, Recorder

MILLVILLE CITY COUNCIL MEETING
Zoom Electronic Meeting – Millville, Utah
November 12, 2020

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

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for November 12, 2020 at 7:00 p.m. The roll call indicated Mayor Hair and Councilmembers Pamela June, Michael Callahan, Ryan Zollinger and Daniel Grange were in attendance with Councilmember Clay Wilker to join later. 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.

Approval of Agenda

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

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

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

Approval of Minutes of the Previous Meeting

The Council reviewed the minutes of the City Council Meeting for October 29, 2020.

Councilmember Callahan moved to approve the minutes for October 29, 2020.

Councilmember Zollinger seconded. Councilmember Callahan pointed out a typo on page 6 that should be "Millville would be part owner in the plant" and not "plan". Mayor Hair pointed out a typo on page 2 that should be "the shelters are only occupying" and not "the shelters or only occupying". Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker to arrive later.

Public Comment Period

Mayor Hair asked if there were any comments from the public. There were no comments from the public.

Report on P & Z Meeting held November 5, 2020

Development Coordinator Randy Wall reviewed with the Council the Planning Commission's draft minutes for the meeting held November 5, 2020. The Zollinger zoning change was briefly discussed. Mike Zollinger explained that the intended development in this area would be lots that are 1.5 acres or larger.

Consideration of a Resolution Changing the Zoning on Parcel 02-117-0019 from Agricultural (A) to Residential (R2)

Recorder Twedt said that Mike Zollinger Annexation had been approved by the State and was now complete. When annexed into Millville, property is zoned as Agricultural. Mike Zollinger had made a request to rezone just one of the parcels to Residential (R2) that allows for half-acre minimum lot sizes. Recorder Twedt said that the proper notification and hearings had been held and now the Council could determine if they want to allow the rezone. Councilmember Grange confirmed that the Planning Commission had approved the rezone.

Councilmember Grange moved to approve Resolution 2020-25. Councilmember Callahan seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker to arrive later. (The approved resolution and updated zoning map are included with the minutes as Attachment "B".)

Consideration of a Resolution Approving an Agreement with Hydro Resources for the Construction of a Culinary Well

Councilmember Zollinger said that he had reviewed the agreement and asked Recorder Twedt and Mayor Hair if they had any concerns with moving forward. Mayor Hair said that he didn't have any concerns. Recorder Twedt said that Hydro Resources had the low bid and that they are a reputable company.

Councilmember Callahan moved to approve Resolution 2020-26. Councilmember Grange seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker to arrive later. (The approved resolution is included with the minutes as Attachment "C".)

Review of 2020 Business Licenses

Recorder Twedt reviewed the list of existing 2020 business licenses in Millville City. He explained that he would be mailing out renewal notices to all businesses by the end of the month and asked if the Council had any concerns with renewals being offered to all of the businesses on the list.

Councilmember Zollinger asked if any visits had been made to Stellar Auto in response to the recent complaint. Councilmember Grange said that he had made a visit and that he felt it was clean and well run. He said that he is clearly not an expert in this, but that he felt the filtration system that was in place was sufficient for the work being done there. Mayor

Hair said that a letter had been sent to the Munsons about the visit made by Councilmember Grange and indicating that the City did not have concerns about the business and that additional visits by Councilmembers would be made in the future.

The consensus of the Council was to proceed with issuing renewal letters to all of the current, existing businesses. (The list of 2020 Business Licenses is included with the minutes as Attachment "D".)

Councilmember Wilker joined the meeting at this time.

Consideration for Matt Anderson serving another term on the Planning Commission

Councilmember Wilker said that Matt Anderson's term as a Planning Commissioner Alternate is now up. Recorder Twedt said that Matt was willing to serve another term and that if approved by the City Council, he would attend the next Planning and Zoning Meeting to swear Matt in for another term.

Councilmember Zollinger motioned to approve Matt Anderson for another term as an a Planning Commissioner Alternate. Councilmember Wilker seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes.

Consideration for Cancelling City Council Meetings Scheduled for November 26, 2020 and December 24, 2020

Mayor Hair said that the next City Council Meeting is scheduled for Thanksgiving and the second meeting in December is scheduled for Christmas Eve. He asked the Council what they would like to do.

Councilmember Zollinger motioned to Cancel the City Council Meetings scheduled for November 26, 2020 and December 24, 2020. Councilmember Grange seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes.

City Reports

Director of Public Works Chad Kendrick said that Rocky Mountain Power had assisted in hanging up the City Christmas lights earlier today. He asked when the Council would like the lights to be turned on. Councilmember Zollinger suggested they be turned on now instead of waiting until after Thanksgiving.

Director Kendrick reported that everything had been winterized and that the cement work was now complete for the shop extension. The new truck and plow are now in and they are ready to deal with the upcoming snow storms. Councilmember Grange asked if they already had the salt that they needed for the winter road maintenance. Director Kendrick

explained that they had a stock of salt. The City has gone more to a standard white salt now instead of the red salt because of the lower costs.

Councilmember Callahan said that he thought the new steps from the road to the pickleball courts looked good.

Councilmember Zollinger said that construction happening on the property near 550 North and Main had resulted in sidewalk damage. Director Kendrick said that Treasurer Hobbs had received a phone call about this and made him aware. He had gone to look at the damage and would be addressing it with the contractor.

Councilmember Reports and Items for Future Agendas

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

Councilmember Zollinger said that he has had a few conversations regarding fiber again recently. He said that this was still being worked on and that fiber would likely be on a future agenda for Council review and discussion.

Recorder Twedt reported that the City had requested and received reimbursement from the County for the \$50,000 RAPZ Tax funding that had been awarded for the South Park Walkway Project.

Recorder Twedt said that he was working with the Division of Environmental Quality to make some changes to the Low-Income Grant Policy that would allow for residents with homes in trusts to apply and also make allowances for residents that don't have enough income to require that they file taxes. He said that he thought they were getting close and was hoping to extend the application period and update the policy in the next couple of days.

Recorder Twedt said that when the City had first gone to the Division of Environmental Quality Board to discuss funding, the request was made by DEQ staff to provide \$700k for initial engineering work on the sewer project. At that meeting, that number had arbitrarily been cut in half and the City was awarded \$350k to get the project started. Millville was asked to come back at a future meeting to discuss additional funding. When we went back, we were able to lock in the remainder of the DEQ funding which ended up being \$2 million in grant money for the project and the \$1.5 million for the low-income lateral grant. There are restrictions on when and how the funds can be accessed and we unfortunately can't currently access to the remainder of the \$2 million until we are ready to send the entire project out to bid. Before we can do that, we have to finalize the remaining

easements and an environmental assessment. What that means is that we need to finish up the sewer design, so that we can go out to bid, but we don't have the DEQ funding up front to get there.

What needs to be done to pay our bills with the engineers is to borrow some money from the Capital Projects Fund and then replace that money when the funding comes through in the next month. Recorder Twedt said that he wanted to make the Council aware of what he was doing with these funds and see if they had any concerns or questions. Councilmember Zollinger said that he thought this was okay, but that the money transfers should be documented.

Adjournment

Councilmember Grange motioned to enter an executive session to discuss the litigation with the Cemetery District after which both the public meeting and executive session will adjourn. Councilmember Zollinger seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. The meetings adjourned at 7:48 p.m.

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

November 19, 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:

Development Coordinator Randy Wall, Recorder Corey Twedt, Klint Huppi, Bayler Gunnell, Secretary Kara Everton recorded the minutes.

2. Opening Remarks

Chairman Greenhalgh opened the meeting at 8:01 p.m.

3. Review and Approval of agenda

The agenda for the Planning Commission meeting of Meeting of November 19, 2020 was reviewed. A motion was made by Commissioner Lewis to approve the agenda as outlined. Commissioner Farmer seconded. Commissioners Farmer, Greenhalgh, Dickey, Lewis, Thompson, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor.

4. Review and Approval of the Minutes from November 5, 2020

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

5.A. Zoning Clearance – Zoning Clearance- Chris Funk Construction, New Construction at 73 W. 100 N. Millville, Funk Minor, Lot 2

Chris is aware that he will put in a dry line for the sewer. Sidewalk was put in already.

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

5.B. Zoning Clearance - Chris Funk Construction, New Construction at 118 N 100 W, Millville, Funk Minor Lot 1

The front door will be facing west. Side entry garage coming off of 100 N. As long as the front door is facing the frontage the 30' setbacks would apply on this. Rear yard setbacks on a corner lot is 30'. Side yard is 20' so all sides look okay on street side. The other side is only 15' setback on the north side. The rear yard setback is not drawn correctly on the east side of the house. It needs to be set as 30', and not the 15' is says that it is. Needs to be corrected before it is sent to the county. When Chairman Greenhalgh goes to sign the documents, we will make a note.

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

5.C. Zoning Clearance- Klint, Huppi, Accessory Building at 260 E. 200 S., Millville

Height is 14'-4". Grade up will be around 15'-6". Would be demolishing a shed, as the drawings show, but the storm removed that. Pull barn, footings on each of the posts. Concrete will go in after the shop is built.

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

5.D. Zoning Clearance- Klint, Huppi, Inground Pool at 260 E. 200 S., Millville

DIY. Commissioner Greenhalgh is there a code requirement concerning fencing around pool or a covering that supports a certain weight. Klint will be putting a fence around it. Commissioner Anderson does not think there is a code for a fence, but insurance companies require it. Recorder Twedt searched in the code and found that it *may be* erected but not required. Commissioner Greenhalgh advises Klint to check with the county for requirements.

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

5.E. Sign Permit- Sign Pro, sign located on business at 765 W 1950 S., Bldg. 22, Ste 102, Millville

In Zollinger complex. This sign fits in the designated area. SignPro representative is not here. They do have to have a sign off from Zollingers. It has not been completed yet. Waiting to get approval and then take it.

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

5.F. Sign Permit- Sign Pro, sign located on business at 765 W 1950 S., Bldg. 22, Ste 100, Millville

Acrylic lettering, two different signs.

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

5.G. Swearing in of Commissioner Matt Anderson- Recorder Twedt

5.H. Other

Commissioner Greenhalgh commented that no one is concerned about computer viruses as no one is wearing a mask!

6. City Council Report – review minutes from the November 12, 2020 meeting

7. Agenda Items for Next Meeting

- Dan Hunsaker is looking at splitting his development into two. It is four lots and he is splitting into two phases. Is it currently divided, or one parcel? One parcel. What kind of road do we need there? Will it need to be paved? Currently curb and gutter in Millville Meadows. He is coming in to re-propose what he will move forward with. Chairman G mentioned that the OG

subdivision was approved for 4 lots, with a turnaround somehow on there. He had spoken about reducing the road. Do we want to allow that to happen or keep the original width? Anything south of 300 S is to be zoned as R-3. This is considered a major subdivision- is Bear River Health approving subdivisions right now? If he does two separate subdivisions (minor subdivisions), he could proceed. Bear River does not see it as a Major Subdivision even though Millville does. He is applying for conceptual. Recorder Twedt said it is currently zoned as AG. Current requirements require anything south of 300 S to be zoned as R-3. Commissioner Thompson remembers that he may have done it before, and retracted.

8. Calendaring of future Planning Commission Meeting

The next regularly scheduled meeting will be held Thursday, December 3, 2020 at 8:00 pm. Larry Lewis may not be there- it's his birthday!

9. Adjournment

Chairman Greenhalgh moved to adjourn the meeting at 8:37 p.m.

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

December 2, 2020

1. Roll Call:

Chairman Garrett Greenhalgh, Bonnie Farmer, Rachel Thompson, Matthew Anderson (Alt.) and Darcy Ripplinger (Alt.).

Commissioners Lynette Dickey has requested to be excused prior to the meeting.

Others Present:

Development Coordinator Randy Wall, Treasurer Tara Hobbs, Recorder Corey Twedt, Mike Zollinger, Chad Kendrick, Dan Hunsaker, Lance Zollinger. Secretary Kara Everton recorded the minutes.

2. Opening Remarks/Pledge of Allegiance

Commissioner Greenhalgh opened the meeting at 8:00 p.m.

3. Review and Approval of agenda

The agenda for the Planning Commission meeting of December 3, 2020 was reviewed. A motion was made by Commissioner Rachel Thompson to approve the agenda as outlined. Commissioner Matthew Anderson seconded, stipulating changes of the Agenda item 5A title to be Cripple Creek Estates.

Commissioners Greenhalgh, Farmer, Thompson, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioner Dickey & Lewis absent.

4. Review and Approval of the Minutes from November 19, 2020

The Planning Commission meeting minutes were reviewed. A motion was made by Commissioner Bonnie Farmer to approve the minutes as presented. Commissioner Rachel Thompson seconded.

Commissioners Greenhalgh, Farmer, Thompson, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioner Dickey & Lewis absent.

5.A. Cripple Creek Estates Conceptual

Cripple Creek Estates is located on 200 East and 400 South. The current layout shows 4 lots, but it has been concluded that Lot 1 and Lot 2 will remain the same and Lot 3 & 4 will be combined into one lot. Future plans will reflect this change.

A lot of discussion was made about the bridge over the canal. A previous bid was given from JUB and it was decided that Dan Hunsaker would cover half the cost of the bridge, and a future developer to the east of the properties would be responsible for the other half. Dan expressed concern regarding the estimated cost vs what he would be able to do it for. He doesn't want to get locked into paying more for a job he can complete while still meeting all the requirements of size and weight. Conclusion was made to get more bids for the bridge to understand costs more. Matthew Anderson also suggested to get the land resurveyed so that the canal is off of the property because the spring is a "no-man zone" no matter who owns the property.

Further concern was expressed regarding the sewer. Chad Kendrick said that we are far enough along in the planning to ensure the proper depth/elevation is prepared.

Additional discussion was communicated regarding the hammerhead that will be to the furthest south of the property. Dan will look into getting the radius as tight as possible. Possibility of not doing the hammerhead so that it doesn't have to be torn up in the future. The plan right now is to put a storm box, that can be removed when future development ensues, to redirect water into the creek. Council agreed that going from an 88' to 66' is okay as it is not a collection road.

After much deliberation regarding the difference between major and minor subdivisions, it was concluded that because of the dedication of the property for the road, this property is a Major subdivision as far as the city of Millville is concerned, but it does not go against the moratorium enforced by Bear River Health Department, and will need to follow the major subdivision requirements.

5.C. Zollinger Subdivision- Conceptual Design

The main topic of concern is that there are three access points from a private driveway that would serve as the frontage to these properties. Per Ordinance 2018-3, the definition of "frontage" needs to be along a public road, and not a private road, therefore, it does not meet the city requirements. Development Coordinator, Randy Wall, stated that there was a court decision previous to the date of the ordinance that states that there can be three additional accesses off of the private drive. Much discussion ensued concerning the validity of this decree and if it was determined to be grandfathered in, as it was declared before the ordinance was changed, and if Millville is required to uphold the decree.

Continued discussion led to the topic of this being a Major vs Minor subdivision. The plat shows 4 properties. Lance Zollinger clarified that only three were buildable land with one being labeled as unbuildable land. Per current regulations from Bear River Health Department and the city of Millville, major subdivisions of more than 3 lots are not being permitted to continue. The current proposal is indicating the four lots and would not be in compliance.

A motion was made by Commissioner Rachel Thompson to send to the City Council to review the decree to allow building off a private lane, and to clarify whether buildable lots or unbuildable lots matter in the definition of a major subdivision. Commissioner Bonnie Farmer seconded.

Commissioners Greenhalgh, Farmer, Thompson, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioner Dickey & Lewis absent.

5.D. Other

Development Coordinator, Randy Wall was asked by a property owner if we can hold an emergency meeting to get a building clearance on their property. With concern for the employees' time, the request has been denied and this item will be added to the agenda in two weeks.

6. Agenda Items for Next Meeting

1. Zollinger Conceptual: pending the City Council recommendations
2. Building Clearance

7. Calendaring of future Planning Commission Meeting

The next regularly scheduled meeting will be held Thursday, December 17, 2020 at 8:00 pm.

8. Adjournment

Chairman Greenhalgh moved to adjourn the meeting at 9:40 p.m.

DRAFT



Millville City
 PO Box 308
 510 East 300 South
 Millville, Utah 84326
 (435) 750-0924 corey@millvillecity.org
www.millvillecity.org

CHECK APPLICABLE BOX	
☐ Commercial	☐ New Application
☐ Home Business	☐ Application Amendment
CHANGE OF:	
☐ Ownership	☐ Business Name
☐ Address	☐ Business Description

Business License Application

For businesses with a permanent physical location within the Millville City limits.
 This is not the application for special events, temporary businesses or solicitors.

License No. _____
 Date Received _____

SECTION I: Business Information

Application Contact: Cole Knighton Contact Ph: (435) 994-1967

A. Business Name "DBA": Knighton Construction, LLC

B. Business Location: 371 N 100 E Millville, UT 84326
Street Address (include unit #)

C. Mailing Address: Cole Knighton P.O. Box 794 Millville, UT 84326 ☐ Same as "B. Business Location"
ATTN: Street (include unit#)/PO Box address City, State, Zip

D. Local Business Ph: (435) 994-1967 Fax: N/A www: N/A

SECTION II: Business Description — General (complete the commercial or the Home Business AND the far right column)

COMMERCIAL

Building/plaza: _____

Is this a secondary use within an existing business location?

☐ Yes, in _____ ☐ No

Hours of Operation: _____

Type of Operation: (mark all that apply)

- ☐ Sales/Service: Customers typically come on site
- ☐ Sales/Service: Customers rarely come on-site
- ☐ Service no sales
- ☐ Fresh food service and/or preparation
- ☐ Manufacturing
- ☐ Medical/dental
- ☐ Daycare
- ☐ Instruction
- ☐ Preschool
- ☐ Other: _____

Previous use of location: _____

HOME BUSINESS

Please Note:

A home business does not change the aesthetic character of the area and zone.

On-site employees? ☒ Yes ☐ No

If yes,
 Up to how many? 1 Working hours? 5-9
 Where will they park? My garage

On-site customers? ☒ Yes ☐ No

If yes,
 Up to how many per day? _____
 Up to how many per week? 1 or 2
 Where will they park? Driveway

On-site business will be performed from a:

- (mark all that apply)
- ☒ Home office ☐ Garage/storage room
 - ☐ Desk and chair ☐ Carport/driveway
 - ☐ Shed/out building ☒ Vehicle
 - ☐ Other: _____

Do you intend to set-up off-site?

(i.e. in parking lot, at festivals, within stores)
☐ Yes ☒ No

Proposed start date: 01/01/2021

This Business Includes:

Yes	No
☐	☒ Signage
☐	☒ Alcohol sales and/or services
☐	☒ Live entertainment on-site
☐	☒ Door-to-door solicitation
☐	☒ Fireworks sales on-site
☐	☒ Vending machines on-site
☐	☒ On-site secondary business
☐	☒ On-site events (ie. community party parking lot/sidewalk sales)
☐	☒ Investment advice and/or service
☐	☒ Pesticides use and storage
☐	☒ Hazardous materials use and storage
☐	☒ Vehicle sales
☐	☒ Firearms or explosives sales
☐	☒ Care of children or preschool
☒	☐ Any construction jobs over \$1,000
☐	☒ Piercing, tattooing, perm, make-up
☐	☒ Used merchandise transactions
☐	☒ Changes to existing garbage service
☒	☐ Vehicles, trailers, mowers, etc. (stores on site)
☐	☒ Electrical, plumbing, structural, or mechanical changes to site

SECTION III: Business Description — Specific

☐ (attach additional pages if necessary)

I plan to be a general contractor for custom home building and small commercial projects. Project management will be done in my home. This is a part time business for myself. I may meet with a client in my home from time to time, but not often. A construction trailer may be parked at times on my property. I will have my contractors license finished by 1/1/2021. I need this license in order to submit my application to the state contractors board.

SECTION IV: Additional Information

- E. Utah State Tax Commission — Sales Tax Number: Still filing ☐ Not applicable
- F. State & federal regulatory agency licensing info: Still Filing ☐ 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: Cole Knighton Contact Ph. 435-994-1967Home Address: 371 N 100 E / PO Box 794 Millville, UT 84326
Street (include unit #) / PO Box Address City, State, ZIP**Sole Prop./Partnership**☐ Owner
☐ Local Manager**LLC**☒ Member
☐ Manager
☐ Local Manager**Corporation**☐ President
☐ Director
☐ Officer
☐ Local Manager☒ This person can be contacted in the event of an after-hours police or fire emergency.**Officers (2)**

Officer Name: _____ Contact Ph. _____

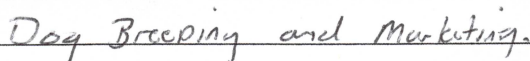
Home Address: _____
Street (include unit #) / PO Box Address City, State, ZIP**Sole Prop./Partnership**☐ Owner
☐ Local Manager**LLC**☐ Member
☐ Manager
☐ Local Manager**Corporation**☐ President
☐ Director
☐ Officer
☐ Local Manager☐ This person can be contacted in the event of an after-hours police or fire emergency.**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.

Cole Knighton Cole Knighton 11/17/2020
Signature of Owner/Authorized Agent Printed Name 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: _____**FEES** ☐ \$25.00☐ EXEMPT**PAYMENT TYPE**☐ RECEIPT



SECTION IV: Additional Information

- E. Utah State Tax Commission — Sales Tax Number:** 44511003450 ☐ 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: Liveit Global Marketing LLC ☐ 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: Jason Dattage Contact Ph. 435-757-7484

Home Address: 56 West 300 North / PO Box 436 Millville Utah 84326
 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: Melissa Dattage Contact Ph. 435-757-6550

Home Address: 56 West 300 North / PO Box 436 Millville Utah 84326
 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: [Signature] Printed Name: Jason Dattage Date: 11/8/2020

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: _____

FEES ☐ \$25.00

☐ EXEMPT

PAYMENT TYPE

☐ RECEIPT

HOME-BASED BUSINESS FEE EXEMPTION CERTIFICATION

Business Name Liveit Global Marketing, LLC

Owner Name Joan Duffay

Business Address 56 West 300 North Millville, VT 84326

I hereby attest that the business operations I run from my home do not create any additional offsite impacts in my neighborhood. I see no clients or customers and require no off or on street parking, no large equipment is stored at my home and my business operations will not impact the neighbors through loud noise, odors, traffic or other unusual activity. Other reasons as to why I believe that my business qualifies for a fee exemption from the Millville City business license requirements (Millville Code 5.04.140) are as follows:

For all of the foregoing reasons, I hereby request that my home-based business be granted exempt status from the business license fee.

Joan Duffay
Signature

11/8/2020
Date

Growing fruit on Small orchard, Fruit is non commercial. It is for community use and the unused portion is donated to Cache County Food Pantry.

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:** none ☐ Not applicable
- I. Previous Business Location:** n/a ☐ 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: Bodie Lyon Contact Ph. 435-764-6241

Home Address: 5675 North Main Box 234 Millville Utah 84326
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.

Entity Type Selections:
Sole Prop./Partnership: ☒ Owner ☐ Local Manager
LLC: ☐ Member ☐ Manager ☐ Local Manager
Corporation: ☐ President ☐ Director ☐ Officer ☐ Local Manager

Officers (2)

Officer Name: Brigitte Lyon Contact Ph. 214 801 2609

Home Address: 565 North Main Millville, UT
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.

Entity Type Selections:
Sole Prop./Partnership: ☐ Owner ☐ Local Manager
LLC: ☐ Member ☐ Manager ☐ Local Manager
Corporation: ☐ President ☐ Director ☒ 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: Bodie Lyon Printed Name: Bodie LYON Date: 11/19/20

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: _____

FEES ☐ \$25.00

☐ EXEMPT

PAYMENT TYPE

☐ RECEIPT

HOME-BASED BUSINESS FEE EXEMPTION CERTIFICATION

Business Name Lyon Fruit Orchard

Owner Name Bodie Lyon

Business Address 570 NORTH Main Millville, VT

I hereby attest that the business operations I run from my home do not create any additional offsite impacts in my neighborhood. I see no clients or customers and require no off or on street parking, no large equipment is stored at my home and my business operations will not impact the neighbors through loud noise, odors, traffic or other unusual activity. Other reasons as to why I believe that my business qualifies for a fee exemption from the Millville City business license requirements ([Millville Code 5.04.140](#)) are as follows:

I am a 100% Disabled Veteran

please see Attachment.

For all of the foregoing reasons, I hereby request that my home-based business be granted exempt status from the business license fee.

Bodie Lyon
Signature

11/19/20
Date

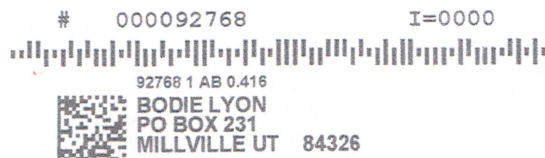


**Department of
Veterans Affairs**

PO BOX 4444
JANESVILLE WI 53547-4444

November 11, 2020

Veteran's Name:
Lyon, Bodie



This letter is a summary of benefits you currently receive from the Department of Veterans Affairs (VA). We are providing this letter to disabled Veterans to use in applying for benefits such as housing entitlements, free or reduced state park annual memberships, state or local property or vehicle tax relief, civil service preference, or any other program or entitlement in which verification of VA benefits is required. Please safeguard this important document. This letter replaces VA Form 20-5455, and is considered an official record of your VA entitlement.

--America is Grateful to You for Your Service--

Our records contain the following information:

Personal Claim Information:

Your VA claim number is: 27 570 746

You are the Veteran

Military Information:

Your character(s) of discharge and service date(s) include:

Army, Honorable, 04-Feb-1969 - 05-Jan-1972

(You may have additional periods of service not listed above)

VA Benefits Information:

Service-connected disability: Yes

Your combined service-connected evaluation is: 100 PERCENT

The effective date of the last change to your current award was: 01-DEC-2019

Your current monthly award amount is: \$3,389.53

Are you being paid at the 100 percent rate because you are unemployable due to your service-connected disabilities: Yes

Are you considered to be totally and permanently disabled due to your service-connected disabilities: Yes

You should contact your state or local office of Veterans' affairs for information on any tax, license, or fee-related benefits for which you may be eligible. State offices of Veterans' affairs are available at <http://www.va.gov/statedva.htm>.

Need Additional Information or Verification?

If you have any questions about this letter or need additional verification of VA benefits, please call us at 1-800-827-1000. If you use a Telecommunications Device for the Deaf (TDD), the federal relay number is 711. Send electronic inquiries through the Internet at <https://iris.custhelp.va.gov/>.

Sincerely yours,

Regional Office Director

NE201221

Enclosure(s): What Things Affect Your Rights To Payment

0.570 oz 296061-003-0/375383 0052768 0371069 I=000000

**MILLVILLE CITY
RESOLUTION 2020-27**

IMPACT FEE CERTIFICATION

WHEREAS, the Utah State Code in section 11-36-301 requires an annual report to be submitted to the Utah State Auditor with regard to Impact Fees collected, budgeted, and expended; and

WHEREAS, the Millville City Council has evaluated the capital projects and monies received and reviewed the documentation presented;

NOW THEREFORE, be it resolved by the Millville City Council that the attached report be adopted as the 2020 Millville City Impact Fee Report.

Passed and approved by the Millville City Council this 10th day of December 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				

Millville City
Impact Fee Schedule
Fiscal Year Ended June 30, 2020

Projects From Which Funds Were Collected

	<u>Parks</u>	<u>Roads</u>	<u>Water</u>	<u>TOTAL</u>
FY2016 - Impact Fees Collected and Interest Income	\$ 31,009	\$ 23,415	\$ -	\$ 54,424
FY2017 - Impact Fees Collected and Interest Income	\$ 85,905	\$ 46,887	\$ -	\$ 132,792
FY2018 - Impact Fees Collected and Interest Income	\$ 134,266	\$ 45,178	\$ -	\$ 179,444
FY2019 - Impact Fees Collected (see detail spreadsheet)	\$ 147,652	\$ 49,685	\$ -	\$ 197,337
FY2020 - Impact Fees Collected (see detail spreadsheet)	\$ 85,280	\$ 28,160	\$ 48,800	\$ 162,240
FY2020 - Interest Income	\$ 5,428	\$ 3,220	\$ -	\$ 8,648
Subtotal	\$ 489,540	\$ 196,545	\$ 48,800	\$ 734,885
Park impact fees spent - South Park sprinklers and pickleball courts	\$ (410,160)	\$ -	\$ -	\$ (410,160)
Road impact fees spent - 550 E project	\$ -	\$ (37,295)	\$ -	\$ (37,295)
Water impact fees spent on principal and interest payments for the bonds for 1997 Reservoir and 2006 Reservoir Projects	\$ -	\$ -	\$ (48,800)	\$ (48,800)
Total Impact Fees and Interest on Hand at June 30, 2020	\$ 79,380	\$ 159,250	\$ -	\$ 238,630

Future Expected Expenditures of Impact Fees on Hand by Project by Fee Type

	<u>FY2021</u>	<u>FY2022</u>	<u>FY2023</u>	<u>TOTAL</u>
Park Expenditures				
No projects currently planned	\$ -	\$ -	\$ -	\$ -
Road Expenditures				
Waiting to see impact of sewer project on city's roads	\$ -	\$ 23,415	\$ 46,887	\$ 70,302
Water Expenditures				
Bond payments for 1997 Reservoir and 2006 Reservoir Projects	\$ -	\$ -	\$ -	\$ -
Impact Fees Projected for Expenditures	\$ -	\$ 23,415	\$ 46,887	\$ 70,302

NOTICE OF MEETING SCHEDULE FOR MILLVILLE CITY

The public is hereby given notice that the City Council of Millville City will conduct regular meetings on the second and fourth Thursdays of each month with meetings beginning at 7:00 p.m. The Planning Commission will meet on the first and third Thursday of each month (as needed) with meetings beginning at 8 p.m. All meetings will be held at the City Office, 510 East 300 South, Millville, Utah, unless otherwise advertised.



AGENDA REPORT: ZOLLINGER ESTATES SUBDIVISION

December 10, 2020

Background

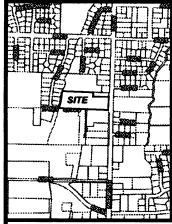
At the Planning and Zoning Meeting held 12/3/20, the Conceptual Review was held for the Zollinger Estates Subdivision. This subdivision would divide parcel 02-117-0019 into four separate parcels. Two issues came up in that meeting for which the Planning Commission requested guidance of the City Council.

The three buildable lots created by this subdivision would access the existing private road south of the property. In April of 2018, the City Council adopted Ordinance 2018-3 that defined frontage rules for lots to a public street. In January of 2020, a request from a resident requesting use of a public road was reviewed and denied by the City Council. The Zollingers have said that there was a lawsuit regarding this private lane that would allow for new homes to be built there without the road having to be turned over to the City.

The other issue that came up is that this is a Major Subdivision by definition according to City Code (more than three lots). Only three of the four lots are intended for development and one of the lots is planned to be designated as unbuildable. According to the moratorium set by the Bear River Health Department, Millville City is not allowed to approve any subdivisions with more than three lots at this time. Even though this subdivision only has three buildable lots, it does have a total of four lots. The Planning Commission was not comfortable proceeding without indication from the Health Department and City Council that the moratorium has been lifted for subdivisions with more than three lots.

Included Documents

- Zollinger Estates Subdivision Plat
- Ordinance 2018-3 that changed the definition of frontage
- CC Minutes excerpt from 4/12/18 when Ordinance 2018-3 was adopted
- CC Minutes excerpt from 1/23/20 with review Justin Card private road request



VICINITY MAP

FINAL PLAT
OF
ZOLLINGER ESTATES SUBDIVISION
LOCATED IN THE NW1/4 OF SECTION 15, T11N, R1E, SLB&M
MILLVILLE, UTAH



SURVEYOR'S CERTIFICATE

I, DENNIS P. CARLISLE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 172675 IN ACCORDANCE WITH TITLE 3A, CHAPTER 22 OF UTAH STATE CODE. I FURTHER CERTIFY THAT AT THE REQUEST OF THE OWNER(S) THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED IN THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF SAID CODE AND HAVE ALSO SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS, AND THE SAME HAS, OR WILL, BE CORRECTLY SURVEYED, STAKED AND MONUMENTED ON THE GROUND AS SHOWN ON THE PLAT, AND THAT THIS PLAT IS TRUE AND CORRECT.

DENNIS P. CARLISLE
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 172675

DATE

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 southwest 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. (thence bearing: N87°52'46"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°43'19"W 940.88 feet along the extension of, and along a Boundary Line Agreement recorded in Deed Book 1950 Page 1048 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°24'0"E 120.45 feet, thence N6°09'0"E 41.17 feet, thence N8°28'19"E 150.44 feet to the southwest corner of that Real Property described in Deed Book 2004 Page 1381 of the Official Records of Cache County, said property also shown and described in Cache County Survey File No. 2019-2212, thence S87°52'46"E along and 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. Contain: 0.231+ acres

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED ARE THE OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, AND STREETS, TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS:

ZOLLINGER ESTATES SUBDIVISION

AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL STREETS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNER(S) ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. THE UNDERSIGNED OWNER(S) ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON.

(SIGNATURE) _____

BY: (PRINTED NAME) _____

ITS: _____

LIMITED ACKNOWLEDGMENT

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME (OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE) AND WHO BY ME DULY SWORE/AFFIRMED, DID SAY THAT HE/SHE IS THE _____ AND THAT THIS DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BYLAWS, OR RESOLUTION OF ITS BOARD OF DIRECTORS, AND SAID ACKNOWLEDGED TO ME THAT SAID CORPORATION ENJOYED THE SAME.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC (SIGNATURE) _____
RESIDING IN _____ COUNTY

MY COMMISSION NO. _____
PRINTED FULL NAME OF NOTARY

CITY COUNCIL APPROVAL AND ACCEPTANCE

PRESENTED TO THE MILLVILLE CITY COUNCIL, THIS _____ DAY OF _____, 20____, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

MILLVILLE CITY MAYOR _____ DATE _____

MILLVILLE CITY RECORDER _____ DATE _____

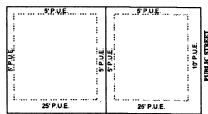
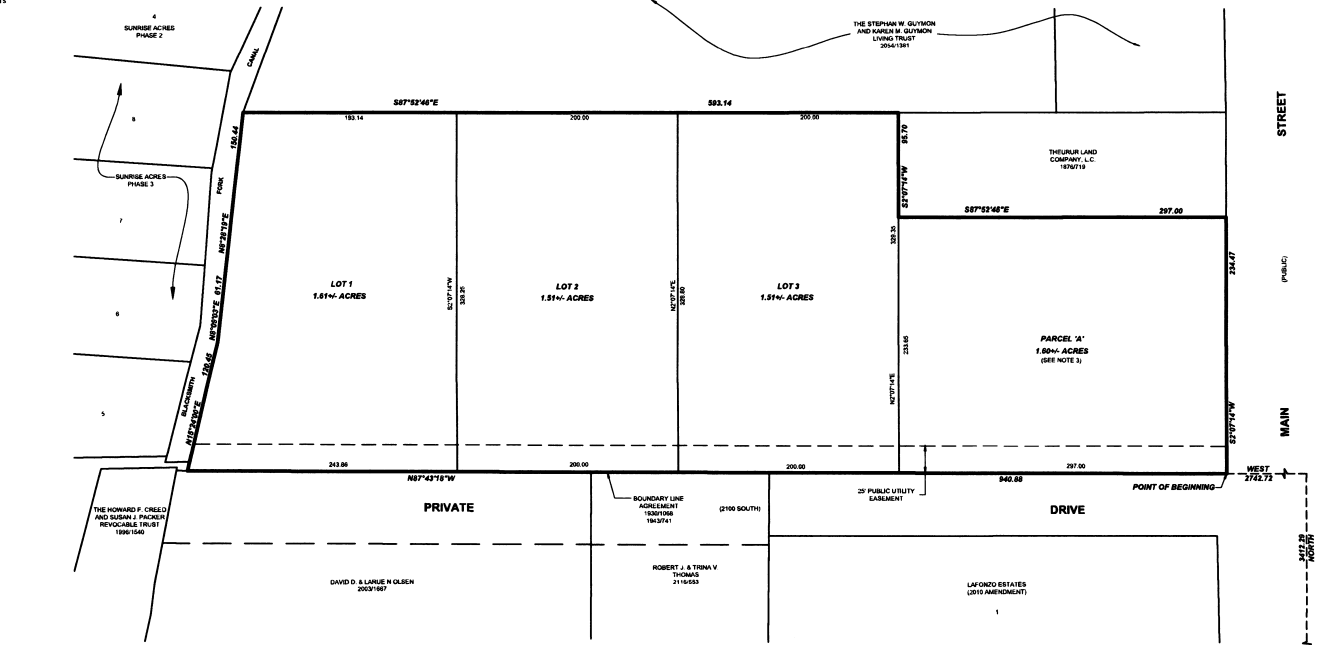
FINAL PLAT
OF
ZOLLINGER ESTATES SUBDIVISION
LOCATED IN THE NW1/4 OF SECTION 15, T11N, R1E, SLB&M
MILLVILLE, UTAH

RECORDED #

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF _____

DATE: _____ TIME: _____ BY: _____ PAGE: _____

\$ _____
CACHE COUNTY RECORDER



- NOTES**
1. 5" REBAR & CAP TO BE SET AT ALL LOT CORNERS.
 2. LOTS 1-3 SHALL BE ACCESSED VIA PRIVATE DRIVE.
 3. PARCEL 'A' IS A NON-BUILDABLE REMAINDER PARCEL.

PUBLIC UTILITY EASEMENT DETAIL

PLANNING COMMISSION APPROVAL AND ACCEPTANCE

PRESENTED TO THE MILLVILLE CITY PLANNING COMMISSION THIS _____ DAY OF _____, 20____, AT WHICH TIME THIS SUBDIVISION WAS RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL.

PLANNING COMMISSION CHAIR _____ DATE _____

ENGINEER'S APPROVAL

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE AND THE CITY ORDINANCE.

CITY ENGINEER _____ DATE _____

ATTORNEY APPROVAL

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____

CITY ATTORNEY _____ DATE _____

civilsolutionsgroup inc.

CACHE VALLEY | P: 435.213.3762
SALT LAKE | P: 801.216.3192
UTAH VALLEY | P: 801.874.1432
info@civilsolutionsgroup.net
www.civilsolutionsgroup.net



ROCKY MOUNTAIN POWER

1. PURSUANT TO UTAH CODE ANN. § 53-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.

2. PURSUANT TO UTAH CODE ANN. § 17-27A-604(K)(4) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:

- (1) A RECORDED EASEMENT OR RIGHT OF WAY
- (2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
- (3) TITLE 54, CHAPTER 34, DAMAGE TO UNDERGROUND FACILITIES OR
- (4) ANY OTHER PROVISION OF LAW.

UTILITY COMPANIES

THE UTILITY EASEMENTS SHOWN ON THIS PLAT HAVE BEEN REVIEWED AND ARE APPROVED:

DOMINION ENERGY _____ DATE _____ ROCKY MOUNTAIN POWER _____ DATE _____

COMCAST CABLE _____ DATE _____ CENTURYLINK COMMUNICATIONS _____ DATE _____

*DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THIS PLAT, INCLUDING THOSE SET IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY'S RIGHT-OF-WAY DEPARTMENT AT 1-800-368-6552.

**MILLVILLE CITY
ORDINANCE NO. 2018 - 3**

**AN ORDINANCE REVISING THE DEFINITION OF "FRONTAGE" IN
SECTION 17.08.020 OF THE MILLVILLE CITY CODE**

WHEREAS, Millville City Council recognized the need for a change to be made to the zoning ordinance to reduce confusion concerning the definition of the word "frontage"; and

WHEREAS, the Millville Planning Commission reviewed the ordinance and held a public hearing to receive input on April 5, 2018; and

WHEREAS, the Millville City Council reviewed the ordinance at the City Council meeting held April 12, 2018;

NOW, THEREFORE, BE IT ORDAINED, by the Millville City Council, Cache County, State of Utah, as follows:

17.08.020: DEFINITION OF TERMS - Frontage

REPEAL:

FRONTAGE: All property fronting on a public street; the length of the lot line adjacent to a public or private street.

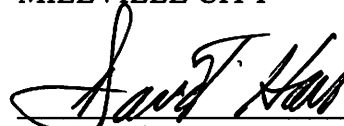
ADOPT:

FRONTAGE: All property fronting on a public street; the length of the lot line adjacent to a public street.

This ordinance shall become effective immediately upon publication or posting as set forth by State Law.

ADOPTED AND PASSED, by the MILLVILLE CITY COUNCIL this 12th day of April, 2018.

MILLVILLE CITY



David Hair, Mayor

ATTEST:


Corey Twedt, City Recorder



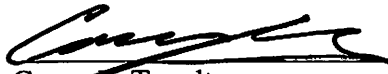
COUNCIL MEMBER	YES	NO	ABSENT	ABSTAIN
Michael Callahan		X		
Cindy Cummings	X			
Clay Wilker		X		
Mark Williams	X			
Daniel Grange	X			

POSTED: 4/12/18

I, Corey P. Twedt, City Recorder of Millville, Cache County, Utah hereby certify that I, on the 12 day of April, 2018 in the City of Millville, County of Cache, State of Utah, posted the foregoing Code Amendment Ordinance 2018-3 in a likely manner, a copy of which is hereto attached, in each of the three of the most public places in the said City of Millville, to wit:

1. Millville City Office - 510 East 300 South
2. Millville City North Park - 430 North 100 East
3. Millville City Post Office - 70 West 200 North

WITNESS my hand this 12 day of April, 2018


Corey P. Twedt

The compaction requirements for the road and warranty period were also briefly discussed. Engineer Zan Murray explained that when the subdivision is accepted, the City would check for issues and track them during the warranty period to see if they got worse. He suggested that video documentation of the infrastructure might be useful for comparison. Councilmember Grange said that he would hate for the City to have to pay for repairs caused by developer mistakes.

Councilmembers Callahan, Cummings, Grange, Wilker and Williams voted yes. (The adopted resolution is included with the minutes as Attachment “E”).

Consideration of Adopting Ordinance Modifying Corner Lot Setback Requirements

Councilmember Cummings presented the ordinance modifying the Corner Lot Setback Requirements. This ordinance has both been discussed previously in a City Council Meeting and recommended by P&Z. There was no public comment in the Public Hearing that was held in P&Z.

Councilmember Grange moved to approve Ordinance 2018-2, An Ordinance modifying the Corner Lot Setback Requirements. Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Grange, Wilker and Williams voted yes. (The adopted ordinance is included with the minutes as Attachment “F”).

Consideration for Adopting Ordinance Modifying the Definition of “Frontage” in the Millville City Code.

Development Coordinator Meadows presented the ordinance and the proposed update to the definition of the word “Frontage.”

Councilmember Grange said that the concern from the Planning and Zoning Commission was that this would be closing the door on all private roads. The Commission had commented that they were in favor of this ordinance 90% of the time, but there are some circumstances where they don’t think it should be enforced.

Mayor Hair said that his concern was the conflicts in the current code. This ordinance is meant to clean that up and make the code more clear. The intent of the code had been in place, but this loophole needed to be closed to prevent confusion.

Councilmember Wilker asked how long this had been an ordinance. Development Coordinator Meadows said that it has been in place since 1973. Councilmember Wilker asked if there had been any other problems in the past aside from the recent issue with this portion of the code. Councilmember Grange said that he wasn’t aware of this coming up before and that it took some digging from Coordinator Meadows to identify the issue. Likely this would have come up before if it had been known.

Development Coordinator Meadows commented that other code still remains that deals with private lanes. Private roads are still allowed on private property. The ordinance being

discussed tonight relates to Title 17 and only applies to building permits. Frontage is not calculated based on private roads. Councilmember Cummings agreed that you should be able to put a private road on your property if you want.

Councilmember Wilker expressed concern about the code that references frontage in relation to the front door of a home. He said he felt it shouldn't matter which way the front door faces. He discussed his home specifically. Development Coordinator Meadows said that if the 100 West Road went through, it would provide the frontage and Councilmember Wilker's home is based on frontage from this hypothetical 100 West Road.

Councilmember Cummings said that this conversation about front doors was not pertinent to the ordinance being reviewed and could be discussed at a different time.

Councilmember Grange said that he felt that the commission was concerned that the ordinance was meant to cut out private roads completely. That is not what is being done. This ordinance is meant to clean up the confusion in the code and clarify what is a buildable lot based on the frontage of the property.

Councilmember Callahan said that this change would be consistent to the decisions that had been made by the Council. This would update the code to match what has been done in practice all along. He said he has some concerns about this in that he felt the City should not be telling people what they could do on their own private property.

Development Coordinator Meadows said that this was needed for emergency services and that there is a standard that needs to be kept so that they can find the homes in case of emergency. Councilmember Wilker disagreed and said that there are flag lots all over Logan City and that this doesn't cause issues for emergency services.

Councilmember Cummings moved to approve Ordinance 2018-3. Councilmember Grange seconded. Councilmember Wilker said that he doesn't feel good about this ordinance. If someone has property and a private lane and want to build a home for a family member with frontage off of that private lane, they should be able to do so. Councilmembers Cummings, Grange and Williams voted yes and Councilmembers Callahan and Wilker voted no. The motion passed. (The adopted ordinance is included with the minutes as Attachment "G".)

Consideration for Adopting Ordinance Modifying the Business License Code Concerning Late Fees and Certificate Requirements

Recorder Twedt reported that 27% of the renewed business licenses this year were late in their renewals. In the past, these were printed individually on a typewriter and it didn't matter as much when they came in. They are now done as a batch in groups and it requires extra time and work to do them a little at a time. The reason for the ordinance is to encourage business owners to be responsible and seek renewals in a timely manner.

be an issue in the long term as it is showing you won't have the funds to cover replacement costs for infrastructure. Recorder Twedt said that this came up in the 2018 audit as a potential concern. As a result, the Council had adopted two resolutions increasing storm water fees for new development as well as increasing the monthly ongoing stormwater fees paid by each resident. With development starting back up again in the City, he said he expected to see this concern fixed in the near future. Mr. Kidman said that this was great to see solutions put in place for concerns identified in the audit.

Page 59 of the audit reviews the budget to ensure that overspending does not happen without City Council approval. Mr. Kidman said that he didn't have any concerns with the budget. Mike said that there were no concerns found in the audit of internal controls or compliance with City Code.

In the review of compliance with State laws, they had a comment concerning the amount of money in the General Fund. More of these funds should be transferred to the Capital Projects Fund in the future. Mike said that this was a small issue and that he was not too concerned about it.

Mr. Kidman said that the audit went well and that he feels good about the results and the financial status of the City.

Councilmember Callahan briefly discussed the bonds for upcoming projects. Mr. Kidman said that the City is doing okay financially and should get good bond ratings. He said that the City has historically been prudent with expenditures and there are reserves in place. He thinks that the City will be fine.

Councilmember Callahan moved to adopt the Fiscal Year 2019 Financial Audit Report. Councilmember Zollinger seconded. Councilmembers Callahan, June, Wilker, Grange and Zollinger voted yes. (A copy of the financial audit is available for review at the City Office or by request.)

Subdivision Request and Frontage Waiver

Justin Card has made a request to subdivide parcel 03-030-0016 at 34 North Main into two separate lots. The second lot would need to be accessed by a private road and would need a waiver on frontage requirements from the City Council. Justin said that he would like to take advantage of the upcoming sewer project and request that sewer be stubbed to the proposed new lot. The new lot would have a combined 79' of frontage split between Center Street and Main Street.

Councilmember Callahan said that his biggest concern is that this would create a flag lot which have not historically been allowed. Councilmember Zollinger clarified that Millville has a number of lots like this that already exist. Changes have been made to the City Code that no longer allow them. Mayor Hair pointed out that there was a code change in approximately 1974 that stopped permitting this type of subdivision. Subdivisions that happened prior to this change were grandfathered in.

Councilmember Wilker asked about a private lane being counted as frontage. Development Coordinator Harry Meadows said that current code requires 108' of frontage on a public right-of-way. He also said that Chapter 16 of the City Code allowed for the possibility of a waiver from the City Council. Mayor Hair clarified that the waiver was intended for a significant hardship and not a way to get around the City Code.

Councilmember Zollinger said that it would be different if the lot already existed without the required frontage. Creating a new subdivision and lot that did not meet City Code requirements would be stepping beyond what the City Council was permitted to do.

Councilmember Callahan also expressed concern in setting a precedent that would require allowing more of these types of requests and lots throughout the City. Mayor Hair agreed and pointed out that Mackay Moore had recently made a similar request regarding a waiver on the frontage requirement and it had not been granted.

Councilmember Callahan said that he was personally disinclined to allow this. He said that the code had been established for a reason and it didn't make sense to ignore their own zoning laws.

Councilmember Callahan motioned to not allow a waiver of frontage requirements for the Justin Card subdivision. He apologized to Mr. Card for the decision.

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

Report on P & Z Meeting held January 16, 2020

Development Coordinator Meadows reviewed with the Council the Planning Commission's draft minutes for the meeting held January 16, 2020. Councilmember Callahan said that he attended the meeting and that there had been some discussion on minimum lot sizes as a response to the City Council discussion on the same topic. Councilmember Callahan pointed out that smaller lots and multi-family housing was not a requirement from the State. Councilmember Zollinger reiterated that City zoning only allowed for a minimum of 1/3-acre lots.

Mayor Hair said that the engineers had determined that the sewer lines that had been installed with the Ridgeline School development would not accommodate multi-family housing on the undeveloped property north of the high school. About a year ago, a developer had requested condos in that location. We now know that the current sewer lines can only accommodate a minimum of 1/3-acre lots in that part of the City.

Councilmember Wilker pointed out that if a land-owner needed to sell land to bring in revenue, they would now have to pay to get sewer lines to the property. The value of what you have begins to diminish as the cost for development increases.



AGENDA REPORT: ALDER BORDER-LINE ADJUSTMENT

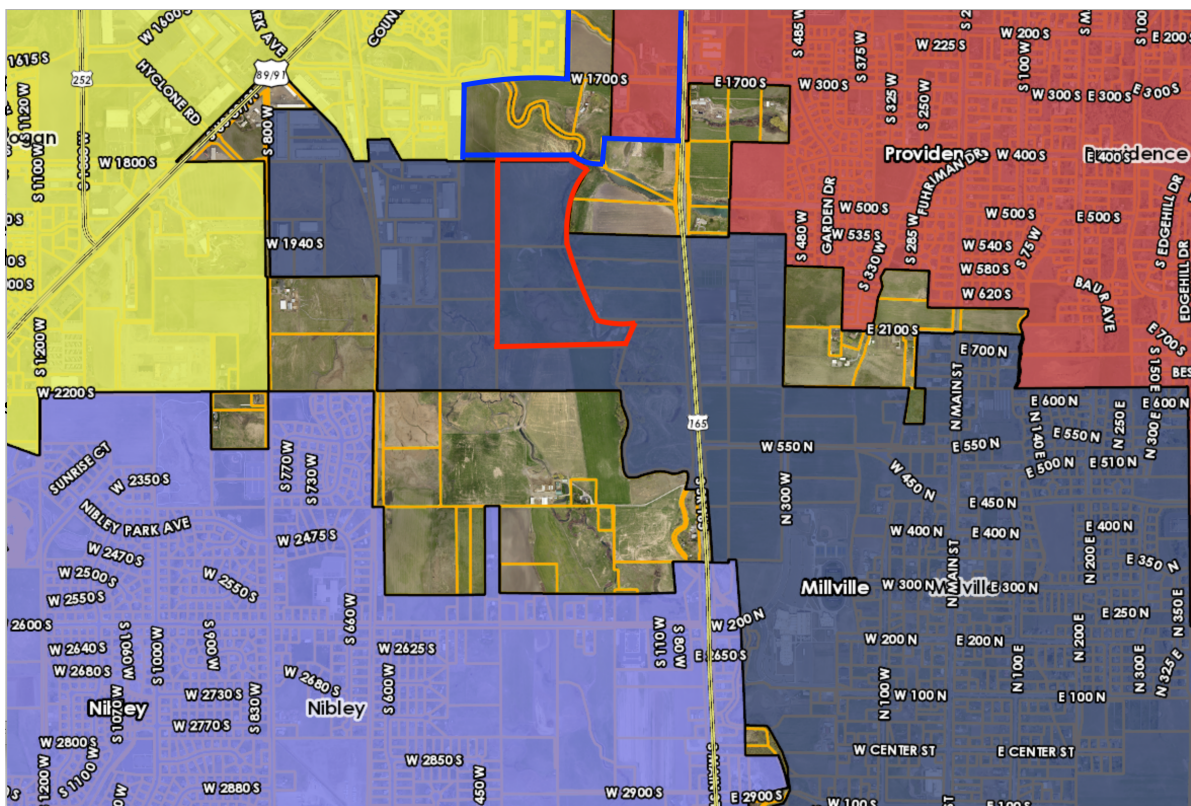
December 10, 2020

Background

The City received a call from Kathleen Alder who said she has spoken with Providence City and would like to pursue a border-line adjustment to move three of her parcels from Millville into Providence. The three parcels are 03-002-0001, 03-002-0002 and 03-002-0009 which total approximately 50.39 acres.

Kathleen said that she is in the process of annexing her parcels that currently reside in the County into Providence. She has been notified that a boundary-line adjustment between two cities cannot happen if the cities don't share a common border. This means that the annexation would need to be complete before a border-line adjustment is even a possibility.

The map below shows the junction between Millville (dark blue), Providence (pink), Nibley (light blue), Logan (yellow) and the County (unshaded). The red outline shows the three Millville Alder parcels that are being considered for border-line adjustment. The blue outline shows other Alder parcels that reside in Providence and unincorporated Cache County. This is on the agenda today just so that you are aware of what is being requested. No motion is needed at this time.



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