

NOTICE AND AGENDA

Notice is hereby given that the Planning Commission of Millville City will hold their regularly scheduled on Thursday, **May 20, 2021** at the Millville City Offices, 510 East 300 South in Millville, Utah, which meeting shall begin promptly at **8:00 p.m.**

1. Call to Order / Roll Call
2. Opening Remarks / Pledge of Allegiance
3. Approval of agenda
4. Approval of minutes from May 6, 2021
5. Agenda Items
 - A. Zoning Clearance- Mike & Elsie Kelly, Addition located at 215 South 100 East, Millville
 - B. Other
6. City Council Report from May 13, 2021
7. Agenda items for next meeting
8. Calendaring for future Planning Commission Meeting- June 3, 2021
9. Adjournment

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during public meetings should notify Kara Everton at (480) 528-1467 at least three days prior to the meeting.

This agenda was posted on/before May 18, 2021 to the City posting locations, the City Website and the Utah Public Meeting Notices Website.



Kara Everton, Secretary
Millville City Planning Commission

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

May 6, 2021

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 Kara Everton, Rachelle & Del Hanks, Katie Gibbons, Val & Angela Meyers, Pam June, Mark Bergesen

2. Opening Remarks/Pledge of Allegiance

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

Commissioner Greenhalgh led all present in the Pledge of Allegiance.

3. Review and Approval of agenda

The agenda for the Planning Commission meeting of Meeting of May 6, 2021 was reviewed. A motion was made by Commissioner Dickey to approve the agenda as outlined. Commissioner Ripplinger seconded.

Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Larry Lewis, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) voted in Favor with Rachel Thompson absent.

4. Review and Approval of the Minutes from April 15, 2021

The Planning Commission meeting minutes were reviewed.

A motion was made by Commissioner Ripplinger to approve the minutes as *amended* with the revision on spelling error. Commissioner Dickey seconded.

Commissioners Garrett Greenhalgh, Commissioners Lynette Dickey, Bonnie Farmer, Larry Lewis, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) voted in Favor with Rachel Thompson absent.

5.A. Zoning Clearance – Rachelle Hanks, Accessory Building, 280 E 450 N.

No footings, putting gravel down to level out. Electrical *eventually*. Required to get a building permit because it is over 200 SF, but there isn't much to inspect because there are no footings. Because you have the building permit, commission recommends installing the electricity while you have the permit. Accessory building is hoping to be close to the garage, possibly 3-5' from garage to building. County required set-back sheet.

Commissioner Lewis made a motion to approve the clearance. Commissioner Ripplinger seconded.

Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Larry Lewis, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) voted in Favor with Rachel Thompson absent.

5.B. Zoning Clearance – Larry Lewis for Aaron Stoddard, Porch Cover, 91 E. 300 S

Tearing off the existing cement and pour a new footing and build the new porch. County required set-back sheet.

Commissioner Farmer made a motion to approve the clearance. Commissioner Anderson seconded.

Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Larry Lewis, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) voted in Favor with Rachel Thompson absent.

5.C. Zoning Clearance – Gibbons Residence, Immaculate Homes, Mond-Air Lot #67, 41 N 550 E.

County required set-back sheet. If touching the line, the county may require a survey or setback stakes to mark the setbacks.

Commissioner Dickey made a motion to approve the clearance. Commissioner Farmer seconded.

Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Larry Lewis, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) voted in Favor with Rachel Thompson absent.

5.D. Zoning Clearance – Val Meyers Residence, Views at Copperleaf, Lot 18, 565 N 300 E

Will get the lot surveyed. Builder asked about sewer. No word yet.

Commissioner Lewis made a motion to approve the clearance. Commissioner Dickey seconded.

Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Larry Lewis, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) voted in Favor with Rachel Thompson absent.

Commissioner Thompson arrived at this point.

5.E. Other

Matt Anderson asked about the status of the sidewalk proposal. Commission was asking if the proposal was approved. Commissioner Greenhalgh asked if the sidewalk was decided to be installed upon subdivision or building zoning clearance? Reviewing the minutes from City Council on February 11, 2021 the council voted in favor clarifying “that the trigger for implementing this requirement would be at either subdivision review and approval or at the time building clearance is granted”. Barry Banham would need to remove the driveway and completely redo the grading to install the sidewalk on his current property. The slope of the sidewalk needs to be 2% but his slope of his current driveway exceeds that. On existing homes, we will more than likely run into this issue. What do we do in the cases where a homeowner subdivides his own lots and sells those to new homeowners? Do we require sidewalks to be installed surrounding an existing home? Commissioner Greenhalgh prefers sidewalk install to be on the zoning clearance and not upon the subdivider. We can advise the subdivider to go to city council and ask for a variance in this case. Barry Banham has money in escrow to complete the sidewalk, but then when Chad, Garrett and Barry met at the site, they found that there isn't a way to install a sidewalk on his property without major grading improvements and the cost would far exceed the original amount in escrow. Commissioners will advise the homeowner, in this situation, to go to the city council to review. Commissioner Greenhalgh suggests to not require sidewalks on minor subdivision, unless it connects to an existing sidewalk. Matt Anderson agrees. Commissioners agree that further revisions and discussions need to be made on the sidewalk resolution. Councilmember Pam June will contact Corey about further discussion.

6. City Council Report – review minutes from the April 22, 2021 meeting

Bonnie Farmer had a question regarding the animal control and who it is that actually is in charge.

7. Agenda Items for Next Meeting

8. Calendaring of future Planning Commission Meeting

The next regularly scheduled meeting will be held Thursday, May 20, 2021 at 9:00 pm.

9. Adjournment

Chairman Greenhalgh moved to adjourn the meeting at 9:00 p.m.

DRAFT



MILLVILLE CITY

ZONING CLEARANCE FOR BUILDING PERMIT

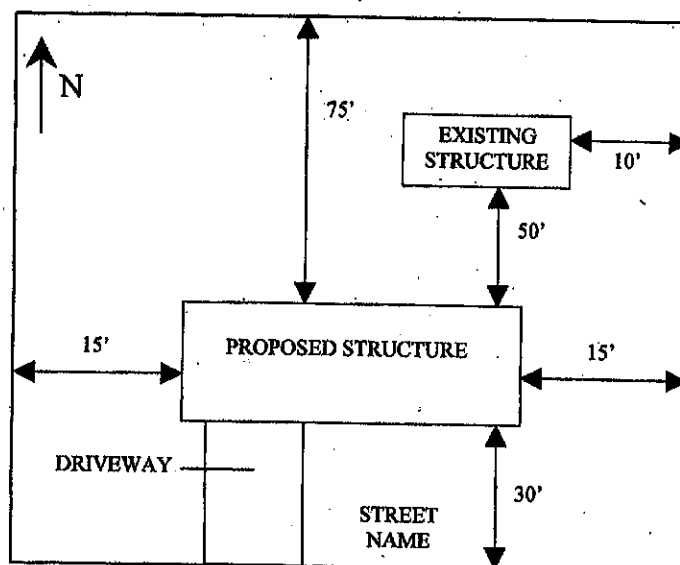
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

APPLICATION INFORMATION

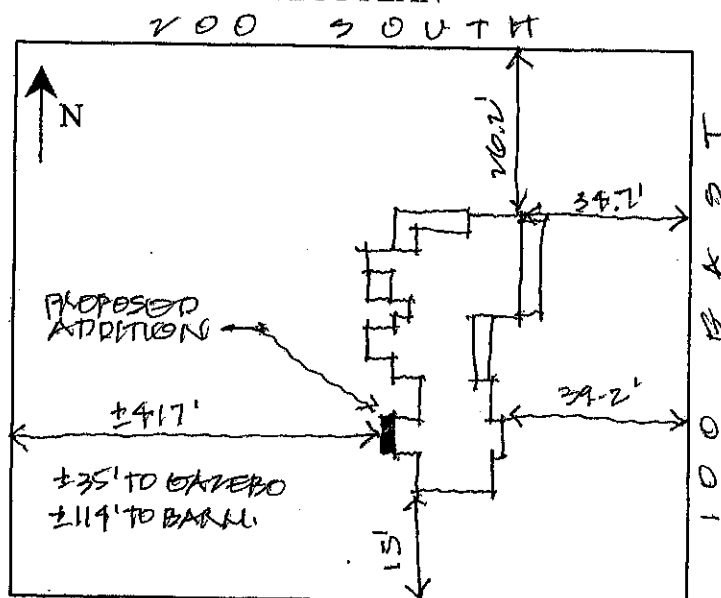
1. MIKE & ELISE KELLY
APPLICANT'S NAME
2. PO BOX 409
MAILING ADDRESS
- MILLVILLE VT 89326
CITY STATE ZIP CODE
3. 935.770.7312 4. _____
HOME TELEPHONE BUSINESS TELEPHONE
5. _____
OWNER'S NAME (if different from applicant)
6. ADDITION
TYPE OF STRUCTURE
7. 96 8. R-1
SQUARE FOOTAGE ZONE
9. _____
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 03 - 035 - 0006
TAX IDENTIFICATION NUMBER
11. 215 SOUTH 100 EAST
ADDRESS OF CONSTRUCTION
12. 2.5 AC. 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

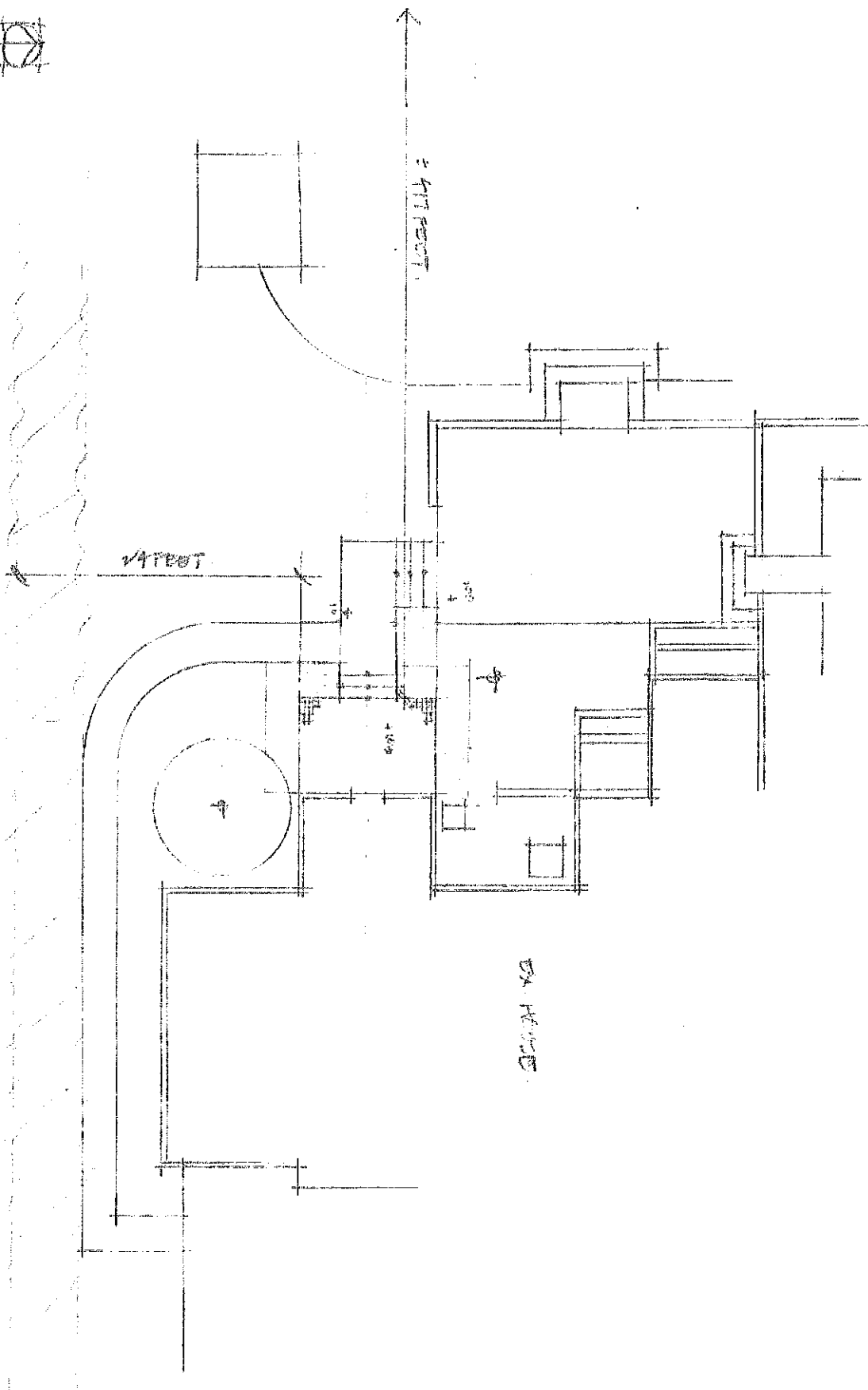
FEES PAID - TREASURER

DATE

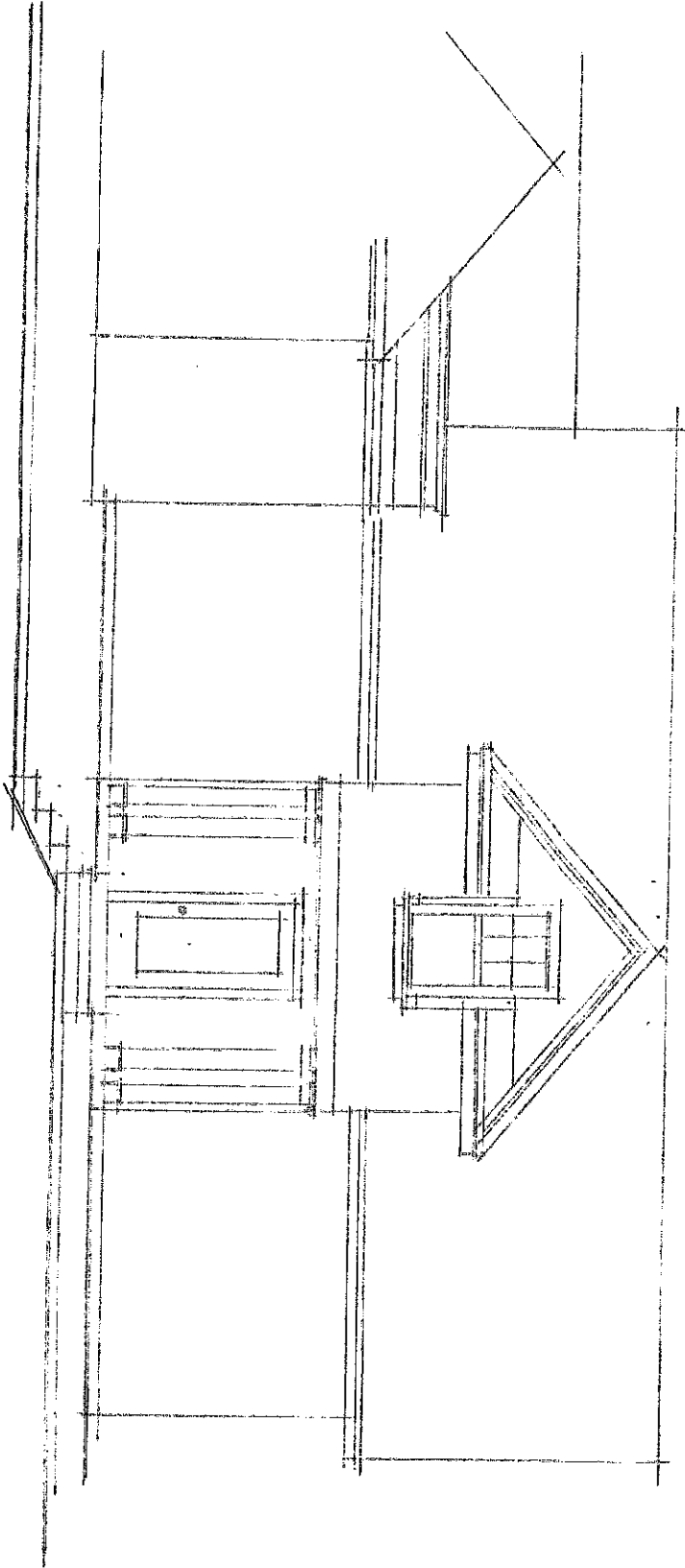
This property is being approved for building permit issuance as indicated above. Any change in the type or placement of the structure is not allowed. This clearance is not a waiver of compliance with either the zoning ordinance or the building codes. Millville City Form 101 - 15 Nov. 2003 (previous edition is obsolete)



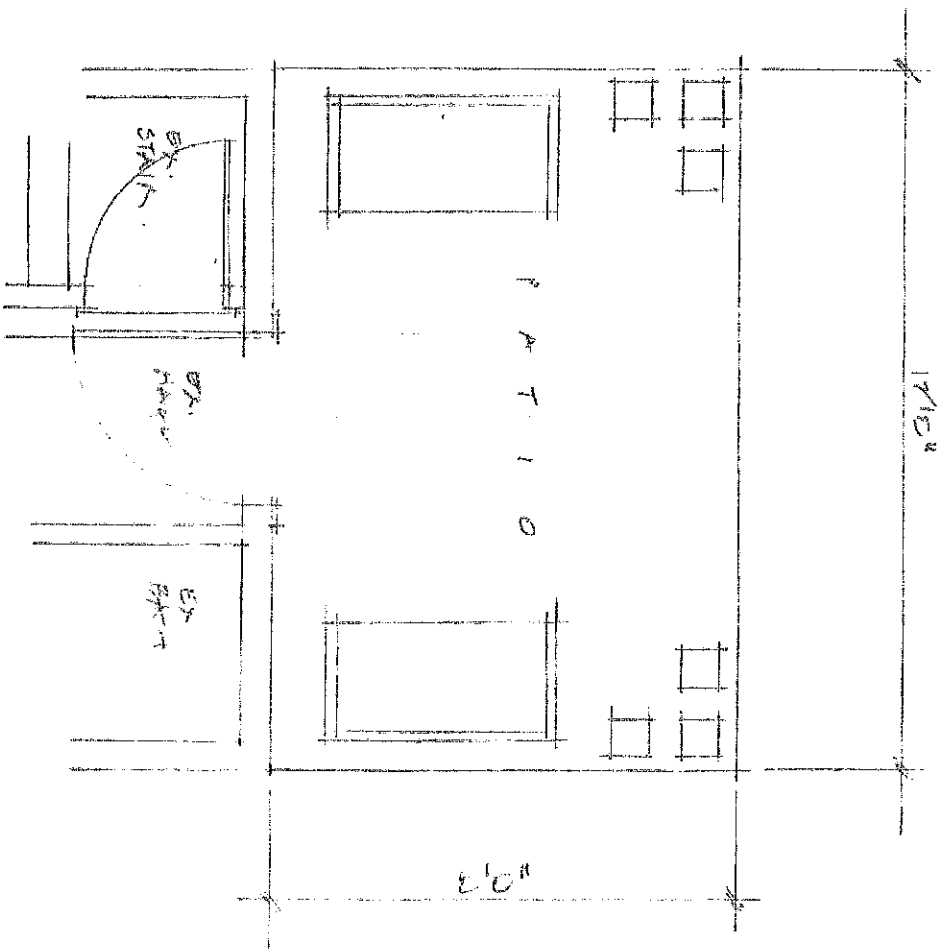
SITE PLAN
1/8" = 1 FOOT



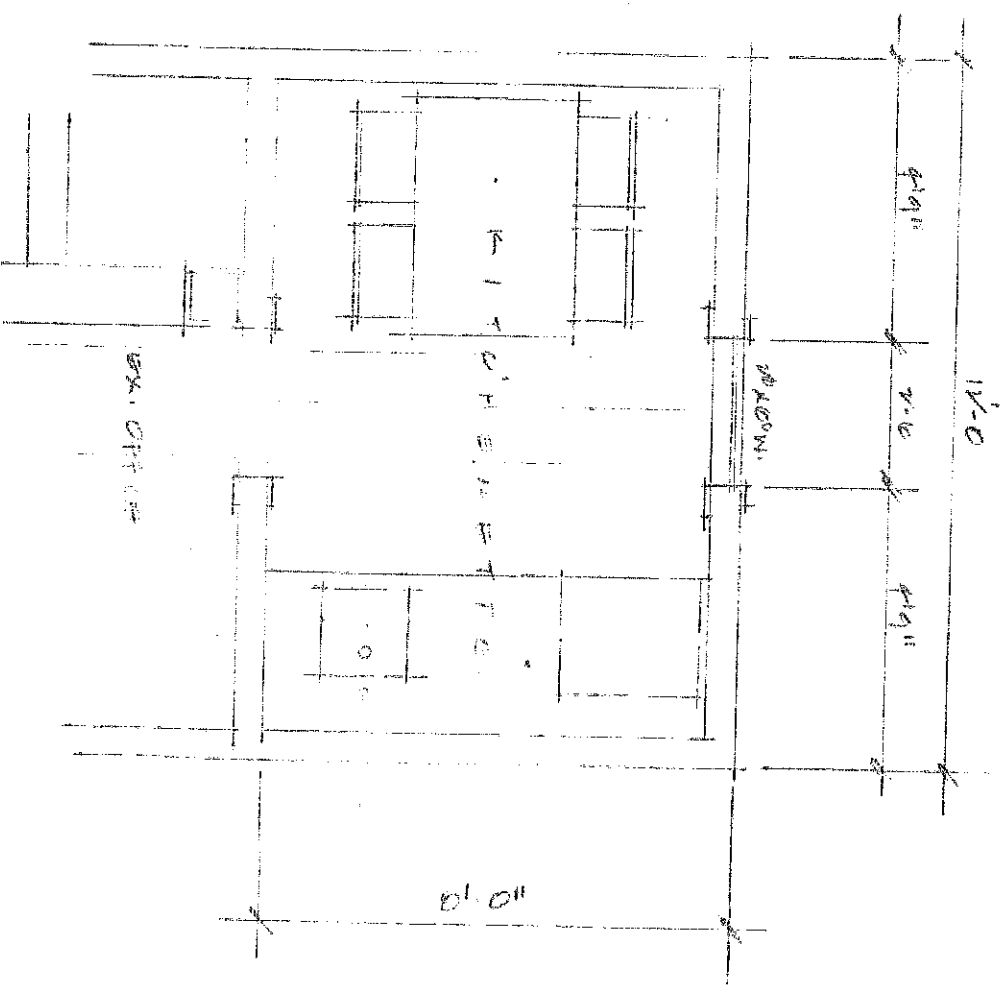
ELEVATION
1/4" = 1 FOOT.



PLAN 1st FLOOR
1/8" = 1' FEET



PLAN: 2nd FLOOR
 1/2" = 1'-0"





S MAIN ST

Place

Zooming view

12

12

Q

03-035-0052

03-035-0005

03-035-0050

03-035-0055

03-035-0062

03-035-0051

03-035-0004

03-035-0003

03-035-0006

E 200S

E 300S

S 100E

03-035-0001

03-035-0068

03-035-0046

03-035-0002

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
May 13, 2021

PRESENT: David Hair, Daniel Grange, Clay Wilker, Michael Callahan, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Berry Banham, Lauren Ellis, Elizabeth McConkie, Ainsli Jenks, Jared Odd, Jaron Call

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for May 13, 2021, at 7:00 p.m. The roll call indicated Mayor Hair and Councilmembers Pamela June, Michael Callahan, Ryan Zollinger, Clay Wilker and Daniel Grange were in attendance. Also, Treasurer Tara Hobbs and Recorder Corey Twedt were present.

Opening Remarks/Pledge of Allegiance

Councilmember Wilker welcomed everyone to the Council Meeting and led all present in the pledge of allegiance. He then offered a word of prayer.

Approval of Agenda

The agenda for the City Council Meeting of May 13, 2021, was reviewed.

Councilmember Callahan moved to approve the agenda for May 13, 2021.

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

Approval of Minutes of the Previous Meeting

The Council reviewed the minutes of the City Council Meeting for April 22, 2021.

Councilmember Callahan moved to approve the minutes for April 22, 2021.

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

Public Comment Period

Mayor Hair opened the floor for public comments. Ridgeline High School representatives had signed up for the public comments portion of the meeting. The Senior Class President Jared Odd introduced himself, Lauren Ellis (Historian) and Liz McConkie (Treasurer) as well as their advisor Ainsli Jenks. Jared asked the Council for permission to paint the intersection of 550 North 300 West as they had done last year. He said the painting would be done on May 22nd at midnight to ensure they had very little impact on traffic. It was expected to take about an hour. He said that they would coordinate with the Sheriff's Department and follow appropriate safety precautions.

Jared also asked for an extension of the time around the sound ordinance to allow for a graduation party that was planned to be on May 27th from 9 p.m. until midnight on the football field. He said that this would allow for a safe place for the seniors to be that night under adult supervision.

Councilmember Callahan said that he didn't see a problem with the painting of the intersection. He said that he did have concerns about the noise from the party in that stipulations set for a similar request in the past had not been followed and several residents had made complaints as a result. The students and their advisor assured the Council that they would be respectful and understood the concerns from the Council.

Councilmember Wilker, who lives very close to the school, said that he personally did not have a problem with the party as long as it was managed properly. He said that even during some sporting events his house vibrates from the noise, so he wanted the students to realize that sound does impact the neighboring homes.

Councilmember Wilker said that he has more concerns with fireworks. The students said that they understood there would be fireworks, but that this is something the administration was handling. Councilmember Wilker said that fireworks effect animals throughout the community. He specifically noted that he has some expensive horses on his property that get startled by fireworks and there is a risk of one of them running through a fence. He said that he would like to know the time and quantity of fireworks. This would allow him to be outside to tend to his horses and keep them calm.

Councilmember Callahan said that there are military vets in Millville as well that need to be aware of the fireworks. Recorder Twedt said that this seemed to happen each year. He asked that the students relay to the administration that a little more notice would be helpful to allow for the City to publish the information about their fireworks in the City newsletter in advance.

The Council thanked the students for attending and wished them a happy graduation.

Report on P & Z Meeting held May 6, 2021

Councilmember June reviewed with the Council the Planning Commission's draft minutes for the meeting held March 6, 2021.

Knowles Subdivision Sidewalk Requirement Variance at 108 East 200 South

Berry Banham addressed the Council to request a variance from the sidewalk requirement in front of his home. Councilmember Grange said that he, Planning Commissioner Garrett Greenhalgh and Public Works Director Chad Kendrick met on the Banham property to review the sidewalk placement. Councilmember Grange said that there would be a significant drop in elevation from the existing driveway to a sidewalk on the south side. He said that a change may be needed to the newly adopted sidewalk plan to either have the

City participate in the cost to make sidewalks work for existing homes or only require sidewalks for new construction.

Recorder Twedt asked if anyone knew why sidewalks had not been installed when the subdivision was accepted. It was discussed that this subdivision was approved in 2019 and the sidewalk should have been put in place in 2020. Recorder Twedt said that if there were issues with the sidewalk requirement, it should have been handled two years ago when the subdivision was approved in Planning and Zoning and then by the City Council. The subdivision was accepted with the stipulation that sidewalks be built on both the north and west sides of the subdivision. If there were issues with the driveway, this should have been resolved back then.

Councilmember Zollinger said that with the recent change and addition of the sidewalk plan, he felt it would be okay if sidewalks were now only installed along the west side of the subdivision going north and south, but that he felt that this needed to be handled by Mr. Banham since the subdivision was accepted with the requirement of sidewalks. The cost for the sidewalk was discussed. Berry said that his existing driveway would need to be replaced to make the sidewalk work in this location.

Councilmember Zollinger asked if Berry had purchased the property knowing that sidewalks would be required. Berry said that he was aware but was surprised by the desired location of the sidewalk so far from this road with the large right-of-way.

Councilmember Grange pointed out that there would be a cost savings if Berry was not required to install sidewalks on 200 South that would help make up for the more expensive sidewalk on 100 East.

Councilmember June said that sidewalks on the subdivision would create a patchwork since they were not in front of the other existing homes on 100 East. Councilmember Zollinger said that this had been discussed many times and that was the purpose of the sidewalk plan that had been created by Planning and Zoning and adopted by the City Council. If the City wanted sidewalks along the streets on the plan, they needed to start somewhere and require sidewalk installation with new development. Even if the sidewalks didn't all connect right now.

Councilmember Zollinger summarized that the subdivision had been accepted with the requirement of sidewalk on both streets, which should have been installed a year ago. If the requirement was reduced to just require sidewalks along the 100 East Road, the big concern was the slope. Director Kendrick said that Berry could add fill on the south side, but the issue was how it would line up with the existing driveway.

Councilmember Grange again noted that the developer knew that the sidewalks were required. Both Councilmembers Grange and Zollinger said that they didn't think the City could bail out the developer. Mr. Banham said that with the one-hundred-foot right-of-way, the developer may not have known how far off the road the sidewalk would be located and how it would affect the driveway.

Councilmember Zollinger said that the City needed sidewalks. It had been identified that this was one of the key locations where sidewalks were to be located. Berry asked how it was determined which side of the street would have the sidewalks. Councilmember Grange said that the map created by Planning and Zoning indicated which side of the street required sidewalks. Treasurer Hobbs said that the east side of this road was on the map so that it would line up with existing sidewalk further south.

Councilmember Zollinger said that they would need to find a solution that includes the addition of the new sidewalk. Councilmember Callahan suggested that Berry go back and see about moving the sidewalk further west towards the road to see if that would be helpful and that the City might be able to provide some leniency in that regard. Berry said that this would likely help, but that the driveway would have to be changed no matter what if a sidewalk goes in. Councilmember Grange said that he didn't see how the Council could make a variance now and not require sidewalks and then push the next subdivision developer to put them in. He said that the City needed to be consistent. This is why the sidewalk plan had been created. Berry said that he didn't think that they could have a one-size-fits-all plan where variance wasn't considered.

Mayor Hair asked the Council if they wanted to make a motion or review this at a future meeting. Councilmember Wilker said that they should look more at the possibility of moving the sidewalk closer to the road and then review it again at the next meeting.

Councilmember Zollinger motioned to table the discussion for two weeks. He asked Berry to put in a string line. He recommended the Council take time to visit the location to see it in person before the next review. Councilmember Grange seconded. Councilmembers Callahan, Wilker, June, Grange and Zollinger voted yes. (A copy of the staff report is included as Attachment "B".)

Consideration of a Resolution Accepting the Boundary Line Adjustment moving Guymon property to Providence and Zollinger property to Millville

Recorder Twedt said that they had reviewed this boundary line adjustment at a previous meeting. He said that the staff report included the details and the resolution. He asked the Council if they had any questions.

Councilmember Grange motioned to approve Resolution 2021-12. Councilmember Callahan seconded. Councilmembers Callahan, Wilker, June, Grange and Zollinger voted yes. (The approved resolution is included with the minutes as Attachment "C".)

Celco Updated Boundary Line Adjustment Request

Councilmember Zollinger said that Celco has come back with a new boundary line adjustment request. It is not hugely different from the previous request. He said that from the developer standpoint, they wanted to develop their property in the location that would be the lowest cost to them, which would be to move it into Providence for development

there. As has been discussed before, this creates problems for Millville in that all of the impact hits the Millville parks and roads. He said that this was more difficult in that the developer wants to develop in the far edge of their property which is not close to the existing infrastructure in Millville. Councilmember Zollinger said that he didn't think anything had changed from the perspective of Millville City since the last request.

Recorder Twedt said that the City needed to make sure they are prepared for the result if they keep the Celco property in Millville. The engineers have said that they don't think pressurized water will be sufficient to service this area and that a new Millville water tank would likely be needed. With the current costs for construction, Recorder Twedt said that he didn't know how Millville would pay for this without bonding again. If the subdivision development was slow, the impact fee revenue may take a long time to come in.

Councilmember Zollinger said that they might want to look into creating a special service district in this area where the homes would have different water rates.

Councilmember Zollinger said that he would like to have some additional information before moving forward in any way with the request. Councilmember Zollinger asked that the City attorney be asked to prepare a letter about the existing agreement so that the Council could understand it better. He also asked that the City engineers be asked to attend the next meeting the Celco property is discussed to talk about the water situation in more detail. Councilmember Zollinger also asked that they come up with a rough estimate on the number of homes that could be built on the property.

Councilmember Grange motioned to table the discussion until a future meeting when they have more information available. Councilmember Zollinger seconded.

Councilmembers Callahan, Wilker, June, Grange and Zollinger voted yes. (A copy of the staff report is included as Attachment "D".)

Updated Agreement with Cache County for 2021 Election

Recorder Twedt said that the Council had previously approved a resolution and agreement to contract with Cache County for the 2021 municipal election. The County had made some minor changes to the language and list of responsibilities, so an updated agreement was needed.

Recorder Twedt said that he had been working with County to try and get an election ballot box placed in Millville. With the new requirement for the election to be done by mail, the majority of the cost to the City would be in postage for ballots. Having a ballot box in Millville should save some money. Recorder Twedt said that the preferred location for a ballot box would be at the post office since everyone needed to go there anyway to pick up their mail. Public Works Director Chad Kendrick has been discussing this option with the postmaster. Director Kendrick reported that today, she had said that it would not be possible for the City to put the ballot box near the posting board on the Post Office property. Recorder Twedt said that he and Director Kendrick had been exploring the idea of placing the ballot box on the City right-of-way near the parking used for the post office.

Councilmember Zollinger moved to approve the updated agreement with Cache County for the 2021 Election. Councilmember Callahan seconded. Councilmembers Callahan, Wilker, June, Grange and Zollinger voted yes. (The approved resolution is included with the minutes as Attachment "E".)

Budget Review for FY21 and FY22

Recorder Twedt reviewed the budget with the Council. He explained that the goal tonight was to get the budget in front of the Council for an initial review and answer any questions if they come up. At the next meeting, it will be a little more dialed in with better estimates to get through the remainder of the year and to decide if the Council is planning to consider changes from the certified tax rate. Recorder Twedt said that the details on the tax rate were not ready for a discussion tonight. He said that the Council should also consider setting a public hearing to discuss the budget for the meeting on June 10th at 8 p.m.

Councilmember Grange briefly discussed sidewalks and the possibility of budgeting for City-purchased sidewalks going forward.

Councilmember Grange motioned to set a public hearing for June 10, 2021 at 8 p.m. to discuss updates to the FY21 Budget as well as the FY2022 Budget. Councilmember Callahan seconded. Councilmembers Callahan, Wilker, June, Grange and Zollinger voted yes. (The staff report and reviewed budget are included with the minutes as Attachment "F".)

Councilmember Reports and Items for Future Agendas

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

Councilmember Callahan said that he was going to return to be the Water Master for the Millville Irrigation Company and that items may come up in the future for which he may have to declare a conflict of interest.

Councilmember June said that she had received a quote from USU Catering for \$3,573 for pasta and lasagna for the City Celebration. She said that this was expected to feed about 900 people. It was clarified that this did not include drinks or paper products. Mayor Hair said that the City Celebration was on Stake Conference weekend. He has spoken with Stake President Zollinger. There is a leadership meeting that night at 5 p.m. They will start the dinner at 4:30 to try and give people a chance to grab a bite before the meetings begin.

Councilmember June said that according to the Councilmember Assignment document, Councilmember Wilker was meant to be over the parade. The water fight with the fire department at the North Park after the parade was briefly discussed.

Councilmember June said that there was a resident in Millville that had complained to her about their neighbor. The neighbor has a shed that is right on their property line. This is permitted, but not if it houses animals as this one does. Because of the animals in the shed, there has been an infestation of mice that have caused issues at this home. Councilmember Zollinger said that as code enforcer, he was not willing to address the issue without having an official complaint form that has been submitted to the City. Treasurer Hobbs said that the form had been provided to the resident, but that it had not yet been completed and returned to the City.

Recorder Twedt reminded the Council that it was an election year and that the candidacy filing period would begin on June 1st.

Mayor Hair provided an update on the sewer project. He said that there have been a lot of meetings. He has met with the funding agencies, State Senators and Representatives, other mayors in the County as well as with the County Executive. So far, the Division of Water Quality had granted the City \$3 million in additional funding. Mayor Daines from Logan City is requesting \$12 million from the new State infrastructure money for their sewer system. She called Mayor Hair and offered to reduce the impact fees for existing homes that Millville would need to pay if they were to use the Logan sewer treatment facility to \$700,000 as long as Logan receives the \$12 million they are requesting. Mayor Hair said that the City has spent a lot of time reviewing the options. It is still far better for Millville to buy into and use the Hyrum sewer treatment plant. If Millville were to go to Logan, we would have to go back out to bid. Two of the three bidding contractors (including the low bid) have said that they would not plan to bid if the City were to start over on the bidding process.

Adjournment

Councilmember Wilker moved to adjourn the meeting. Councilmember Callahan seconded. Councilmembers Callahan, Wilker, June, Grange and Zollinger voted yes. The meeting adjourned at 8:42 p.m.