

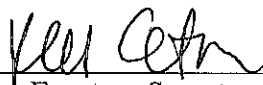
## NOTICE AND AGENDA

Notice is hereby given that the Planning Commission of Millville City will hold their regularly scheduled on Thursday, **July 1, 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 June 17, 2021
5. Agenda Items
  - A. Zoning Clearance- Dan Hunsaker, New Home, 418 S 200 E, Cripple Creek Estates Lot 1
  - B. Consideration for approval of a Conditional Use Permit- Mike Morgan, Bio Minerals Temporary Office
  - C. Discuss creation of new zone to accommodate multi-family dwellings.
6. City Council Report- Review minutes from June 24, 2021
7. Agenda items for next meeting
8. Calendaring for future Planning Commission Meeting- July 15, 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 June 26, 2021 to the City posting locations, the City Website and the Utah Public Meeting Notices Website.

  
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Kara Everton, Secretary  
Millville City Planning Commission

## **MILLVILLE PLANNING COMMISSION MEETING**

**City Hall - 510 East 300 South - Millville, Utah**

**June 17, 2021**

### **1. Roll Call:**

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

### **Others Present:**

Development Coordinator Kara Everton, Treasurer Tara Hobbs, Justin Card, Pam June, Mayor David Hair, Chad Kendrick, Dan Hunsaker

### **2. Opening Remarks/Pledge of Allegiance**

Commissioner Greenhalgh opened the meeting at 7:58 p.m. and led all present in the Pledge of Allegiance.

### **3. Review and Approval of agenda**

The agenda for the Planning Commission meeting of Meeting of June 17, 2021 was reviewed. A motion was made by Commissioner Dickey to approve the agenda as outlined. Commissioner Anderson seconded.

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

### **4. Review and Approval of the Minutes from May 20, 2021**

The Planning Commission meeting minutes were reviewed.

A motion was made by Commissioner Anderson to approve the minutes. Commissioner Dickey seconded.

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

Commissioner Larry Lewis arrived at this point.

### **5.A. Zoning Clearance – Justin Card, Accessory Building, 34 N Main St, Millville**

This will be used as a barn for tractor and farming equipment. Due to costs of supplies, Justin may not complete the entire project and was advised that as long as he is making progress on the project, he can have the permit remained open. Larry Lewis stated that the county needs to be kept updated every 4 months that progress is being made.

Commissioner Rachel Thompson arrived at this point.

A motion was made by Commissioner Thompson to approve the Zoning Clearance. Commissioner Lewis seconded.

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

### **5.B. Other**

Dan Hunsaker stopped Garret Greenhalgh today and asked if he can apply for a zoning clearance for one property before the sidewalks are completed due to the utilities being delayed in install. Chad Kendrick said that it has been done previously as long as the utilities have been paid. Commissioner Greenhalgh stated that the delay in sidewalks is almost

better, so they don't get damaged in construction. Commissioner Greenhalgh asked what concessions we are making due to the construction costs. Advised that we can put a contingency on the zoning clearance to install the sidewalks. Dan Hunsaker arrived at this point. Matthew Anderson stated we have done both in the past with issuing an exception to approving zoning clearance before sidewalks were poured. Rachel Thompson asked what we can attach to the zoning clearance approval to know that it'll get done. Chad Kendrick suggested that consistency is the main concern, in that the commission needs to be consistent in what is approved, and exceptions aren't a normal thing. Dan is building the house and says that as soon as the utilities are complete the sidewalks are installed at that time. Chad Kendrick asked if pouring the sidewalk with the driveway is the better choice. Mayor Hair made the comment that there are 1-2% that ruins it for the rest of people. Chad likes the idea of pouring it in the end because the product is better at that time. Certificate of Occupancy is done in the end and the sidewalks are part of that final inspection and approval.

Rachel Thompson has had a few families ask about the water pressure in the Barnett Subdivision. Mayor Hair stated that at the water pressure is 40 PSI at the meter. Homeowners have asked about a pump for their properties to help with home or sprinkler water pressure. The homeowners have suggested that the city pay for all the pumps. Garrett Greenhalgh stated that this discussion was reviewed multiple times, specifically that the developer needs to disclose to future homeowners and should be on the minutes. Homeowners might be coming to City Council to get the issue resolved. Rachel Thompson will relay that the pressure is checked at the meter and that the homeowners can review minutes on our website.

Mayor Hair asked the commission to think on if we were to have multi-family dwelling (MFD) units that we determine where they would fit in the city. Developers have wanted to invest in MFD and want to annex out of Millville into other cities that will allow them. Garrett asked what the balance is in letting the MFD in and keeping the integrity of the city. Mayor said that there are studies finding that MFD bring in more revenue than a Walmart may bring in, and that we need to think ahead for the time when sewer is approved. There is a huge amount of land that is a potential tax base for Millville. Matt Anderson stated that if you are going to do MFD then the property by the highway is better than anywhere else. Our code right now talks about duplex's but not more than that. Hyrum city is allowing developers to build an MFD contingent on the owner living close by. Matt suggested we create a zone for MFD so that we can easily rezone properties in the future. This will be on the next meeting agenda items.

Tara has had a lot of people call in about vacation rentals by owner VRBO. Rachel suggested to have homeowners that are concerned come to city council. The commission remembers that it was discussed, and the consensus was that they are allowed, but that there may be a business license needed, and steps to ensure the proper utilities are being charged.

#### **6. City Council Report – review minutes from the June 10, 2021 meeting**

#### **7. Agenda Items for Next Meeting**

- A. Dan Hunsaker Zoning Clearance
- B. Discuss creating a new zone for Multi-Family Dwelling

#### **8. Calendaring of future Planning Commission Meeting**

The next regularly scheduled meeting will be held Thursday, July 1, 2021 at 8:00 pm. Commissioner Greenhalgh will not be present.

#### **9. Adjournment**

Chairman Greenhalgh moved to adjourn the meeting at 8:39 p.m.



# MILLVILLE CITY

## ZONING CLEARANCE FOR BUILDING PERMIT

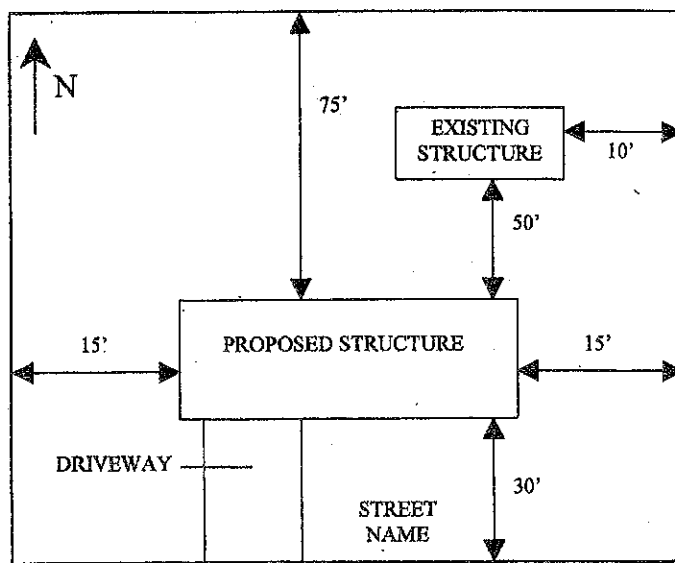
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

### APPLICATION INFORMATION

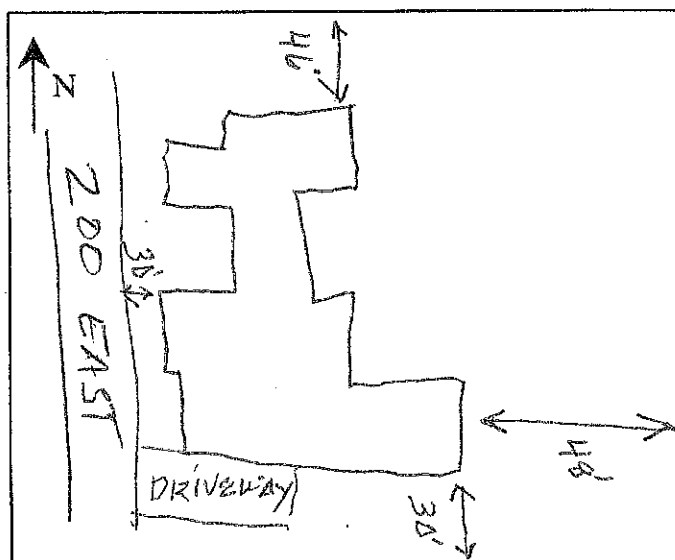
1. Dan Hunsaker  
APPLICANT'S NAME
2. P.O. BOX 82  
MAILING ADDRESS
- Wellsville UT 84339  
CITY STATE ZIP CODE
3. 435-764-1457 4. \_\_\_\_\_  
HOME TELEPHONE BUSINESS TELEPHONE
5. same  
OWNER'S NAME (if different from applicant)
6. new residence  
TYPE OF STRUCTURE
7. 2900 8. \_\_\_\_\_  
SQUARE FOOTAGE ZONE
9. Cripple Creek Estates Lot 1  
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 03-208-0001  
TAX IDENTIFICATION NUMBER
11. 418 South 200 East  
ADDRESS OF CONSTRUCTION
12. 50 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)

TAX ID # 03-203-0001





**MILLVILLE CITY COUNCIL MEETING**  
**City Hall – 510 East 300 South – Millville, Utah**  
**June 24, 2021**

**PRESENT:** David Hair, Daniel Grange, Clay Wilker, Michael Callahan, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Melisa Kim Casselman, Bryce Casselman, Craig Humphreys, Robert Cudney, Bob Humphreys, Donna Jean Humphreys, Brian Jenkins, Mike Rutledge

**Call to Order/Roll Call**

Mayor David Hair called the City Council Meeting to order for June 24, 2021 at 7:00 p.m. The roll call indicated Mayor Hair and Councilmembers Pamela June, Michael Callahan, Ryan Zollinger and Clay Wilker with Councilmember Daniel Grange to arrive later. Also, Treasurer Tara Hobbs and Recorder Corey Twedt were present.

**Opening Remarks/Pledge of Allegiance**

Mayor Hair showed a video on the history of the Star-Spangled Banner. He then welcomed everyone to the City Council Meeting and offered a word of prayer.

**Approval of Agenda**

The agenda for the City Council Meeting of June 24, 2021 was reviewed. **Councilmember Wilker moved to approve the agenda for June 24, 2021.** Councilmember Callahan seconded. Councilmembers Callahan, June, Wilker and Zollinger voted yes with Councilmember Grange 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 June 10, 2021. **Councilmember Callahan moved to approve the minutes for June 10, 2021 as well as the minutes from the Executive Session on that date.** Councilmember Zollinger seconded. Councilmembers Callahan, June, Wilker and Zollinger voted yes with Councilmember Grange to arrive later.

**Public Comment Period**

Mayor Hair opened the floor for any public comments. No one signed up for the public comment portion of the meeting.

**Report on P & Z Meeting held June 17, 2021**

Mayor Hair reviewed with the Council the Planning Commission's draft minutes for the meeting held June 17, 2021.

**Request for a Business License for Sang Tao Corporation**

Bryce Casselman has submitted a request for a business license for Sang Tao Corporation at 250 East 450 North. He was present at the City Council Meeting and explained that he does contract writing from his home. **Councilmember Wilker moved to approve the business license for Sang Tao Corporation.** Councilmember Zollinger seconded. Councilmembers Callahan, June, Wilker and Zollinger voted yes with Councilmember Grange to arrive later. (A copy of the license application is included with the minutes as Attachment "B".)

**PUBLIC HEARING**

**Councilmember Wilker motioned to begin the public hearing.** Councilmember June seconded. Councilmembers Callahan, June, Wilker and Zollinger voted yes with Councilmember Grange to arrive later.

**PUBLIC HEARING: 7:15 p.m.**

**Commenced at 7:15 p.m.**

**PRESENT:** David Hair, Clay Wilker, Michael Callahan, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Craig Humphreys, Robert Cudney, Bob Humphreys, Donna Jean Humphreys, Brian Jenkins, Mike Rutledge

Mayor Hair said that the purpose for the public hearing was to receive input on the boundary line adjustment with Providence City that would move the Guymon parcel into Providence and the Zollinger parcel into Millville.

**Public Comment:**

Robert Cudney asked about the acreage and sewer availability for the parcels. It was discussed that the property is not currently developed, but could be serviced with sewer by either City. The sewer infrastructure would be installed by the developer during development. Robert said that he felt that Millville City was giving up more property than they were getting and it didn't seem like a good deal for Millville. He asked why the City was allowing the boundary line adjustment.

Councilmember Zollinger explained that this wasn't a trade; one parcel for another. It made sense for everyone to clean things up in that area and it would not have negative consequences for Millville. The owner of the property in Millville requested the adjustment, because there is no Millville road access to this parcel. Providence City and Millville City had agreed to not permit developments that could not be accessed from their

own City roads. Councilmember Zollinger said that ethically, it would not be fair to try and keep the Guymon property in Millville where it could never be developed by the owner.

It was discussed that the property owners of each parcel lived in the cities in to which they were trying to move these undeveloped parcels.

**Councilmember Zollinger motioned to close the public hearing.** Councilmember Callahan seconded. Councilmembers Callahan, June, Wilker and Zollinger voted yes with Councilmember Grange to arrive later.

**Consideration of Ordinance Accepting Zollinger/Guymon Boundary Line Adjustment**

Mayor Hair reviewed with the Council the ordinance to accept the Zollinger/Guymon Boundary Line Adjustment.

**Councilmember Callahan moved to approve Ordinance 2021-2.** Councilmember June seconded. Councilmembers Callahan, June, Wilker and Zollinger voted yes with Councilmember Grange to arrive later. (The adopted ordinance is included with the minutes as Attachment "C".)

**City Radio Equipment and Access to the Building**

Brian Jenkins said that he spoke with the County EOC Director about the equipment that Millville City currently has in their EOC. Brian said that Millville needs an Emergency Manager that can keep the emergency communication equipment running properly. It was discussed that one of Councilmember Grange's assignments currently is emergency preparedness and that the Councilmember Assignments are modified from year to year. Brian said that he felt the Emergency Manager should not rotate and that someone should stay in that role. Brian said that he would be willing to train the Emergency Manager.

Brian said that the City may want to look at updating their radio equipment and move them into "go boxes" for additional portability. Brian said that in an emergency, as far as communication goes, email will be used first, followed by cell phones and then ham radios.

**Councilmember Grange arrived at this time.**

Brian said that there was an upcoming FEMA course that would be held in Cache Valley that the Millville Emergency Manager may want to attend. Brian said that State Code required every City to have an assigned Emergency Manager.

Councilmember Grange said he would meet with Brian to discuss the City communication equipment and then come back to the City Council with an update.

**City-Purchased Fence Request along Humphreys Property**

Mayor Hair said that the fence request was a tough one with the financial situation that the City is in. He said that he would hate to get into the position where the City has to fence in all of their property. There is no way that the City could afford this. Mayor Hair said that there had been a lot of discussion and heartache as the City Council had looked at implementing a property tax increase. Putting in fences along all of the Humphreys parcels that border the park would essentially require all of the additional revenue that the City would bring in with the proposed property tax rate increase.

Councilmember Callahan said that he was worried about setting a precedence of putting in fences for residents anywhere in which they border City property.

Referencing the staff report, Councilmember Grange said that maybe the parcel referenced as "Segment 1" was developed before the park was there, but the other two parcels were not currently developed and he felt that for sure the City should not pay to fence the borders along those parcels.

Councilmember Zollinger said that maybe the City could apply for RAPZ funding to cover the cost of the fence. He said that he had driven around Millville and there was only a very small portion of city-purchased fence along a piece of one of the parks. There are some areas in which the homeowners have paid for and installed fences along the park borders.

Public Works Director Chad Kendrick said that a first step might be to close the opening in the existing fence. Currently it was always open and anyone could go through. Donna Jean Humphreys said that the opening was placed there so that they can access the water valve on the park side. Chad said that he understood that, but it could be closed to better restrict access to the Humphreys property.

Councilmember Zollinger asked about the main motive. He said that both privacy and security had been discussed. Donna Jean said that the main concern is people coming from the park on to their property. She said that people are not coming through the opening. She said that there are always lots of frisbees and soccer balls that come on their property and people just come over and get them. Bob Humphreys said that they also get garbage that blows from the park on to their property.

Councilmember Callahan said that the City may want to look into this for the next application cycle for RAPZ funding. Craig Humphreys agreed that it might be good for the City to go after RAPZ money to pay for the fence. Recorder Twedt said that he was very confident that an application for a fence would never get funded with RAPZ money.

Councilmember June said that she felt a chain link fence would not stop people from going on to the Humphreys property to get their soccer balls or frisbees. Councilmember Grange agreed that even a chain link fence would not solve the issue in its entirety.

Councilmember Zollinger said that it was a tough issue and that he feels like the City does have a responsibility to keep the people out of the Humphreys property. Bob said that this has been going on for several years and that City representatives have verbally indicated that the City would put in a fence. Director Kendrick said that they could put in a 5-strand barbed wire fence that would keep people out.

The Council discussed the three parcels and the consensus was that if anything were done at the cost of the City, it should only be on the first parcel and not the two undeveloped parcels. The Humphreys said that this made sense to them as well. Their main concern is the parcel with the existing home.

Craig Humphreys said that he appreciated the City trying to find a solution. He said that he has approximately 200 feet of five-foot tall chain link fence that could be used if the City would pay for posts and labor for the installation.

Mayor Hair said that he, Director Kendrick and the Councilmembers would reach out to some people that the City might be able to hire to professionally install the poles. He said that they would get an understanding of the costs and then review this again in a future meeting. (The staff report is included with the minutes as Attachment "D".)

#### **Consideration of a Resolution Setting the Mayor Pro Tempore for Fiscal Year 2022**

Mayor Hair reviewed with the Council the resolution that would set Councilmember Zollinger as the Mayor Pro Tempore for Fiscal Year 2022.

**Councilmember Callahan moved to approve Resolution 2021-16.** Councilmember Grange seconded. Councilmembers Callahan, June, Wilker, Grange and Zollinger voted yes. (The approved resolution is included with the minutes as Attachment "E".)

#### **Consideration of a Resolution Updating the Park Use and Reservation Policy**

Recorder Twedt reviewed with the Council the resolution updating the Park Use and Reservation Policy. He said that the changes included the following:

- Language added to include pickleball courts
- Add hours of use for splash pad: 11 a.m. – 7 p.m.
- Make fees paid for park reservations non-refundable
- Add reservation form for pickleball courts
- \$5 increase in rental fees for pavilions to cover additional expenses

Councilmember Zollinger said that he agreed that fees should be increased, but that a \$5 increase may not be enough to cover maintenance, electricity and replacement costs for the facilities. The rest of the Council agreed that the fees were really low for rentals and should increase. They decided to increase to the following for pavilion reservations:

- North Park with Kitchen: \$60 resident, \$100 non-resident.
- South Park South pavilion: \$40 resident, \$80 non-resident.

Pickleball court rentals were then discussed. Recorder Twedt said that the thought process was to allow for reservations so that people could hold a tournament or a big party, but make the fee at a level where they won't be rented all the time to allow for residence to almost always have full access. Councilmember Zollinger said that he was okay with this, but that if it becomes common that the courts are being rented frequently and residents don't have access, they should reevaluate.

**Councilmember Grange moved to approve Resolution 2021-17 with the pavilion reservation fee changes that were discussed.** Councilmember Wilker seconded. Councilmembers Callahan, June, Wilker, Grange and Zollinger voted yes. (The approved resolution is included with the minutes as Attachment "F".)

#### **Consideration of a Resolution Adopting Additional Fraud Risk Policies**

Recorder Twedt reviewed the resolution and included fraud risk policies. He said that the State Auditor now required a yearly Fraud Risk Assessment. While doing the assessment for Fiscal Year 2020, Recorder Twedt had identified a few policies that he recommended the City implement this year. These included a Conflict of Interest and Ethical Behavior Policy, a Fraud and Abuse Reporting Policy and a Cash Receipting and Deposit Policy.

**Councilmember Callahan moved to approve Resolution 2021-18 with the new additional fraud risk policies.** Councilmember June seconded.

Councilmember Zollinger said that he had some concerns with the wording with item 3 on the Conflict of Interest Policy. He said that with the small size of the City, he was concerned that we would have issues where the City wanted to contract services with companies that have some relation to officers of the City. Some recent examples were discussed where a relative of the City Council or the Mayor had done some work for the City and received a very small payment. Recorder Twedt said that he agreed and that he felt the City gets a great deal for these infrequent services, but that this policy may limit the ability for the City to benefit from those deals. Number three was shortened to remove some of the language, but keep the restriction of officers being prohibited from acquiring or having a financial interest in any property that Millville City acquires.

Officers recusing themselves from official action if a conflict of interest is present was also discussed. The Council decided that adding the additional restrictions as listed in the policy made sense, although it was different from what they had done in the past.

Councilmembers Callahan, June, Wilker, Grange and Zollinger voted yes. (The approved resolution is included with the minutes as Attachment "G".)

**Location for Millville City Election Drop Box**

Recorder Twedt said that as has been discussed before, the County has agreed to put one of the election ballot drop boxes in Millville City. Since all elections are now required to be done by mail, this should be a significant cost savings for the City over time. We need to let the County know by tomorrow where the permanent box will be located. Recorder Twedt said that Public Works Director Chad Kendrick has spoken with the Post Office to try and make that location work. The Post Office would be the most effective location in that residents are already going there on a near daily basis. The Council asked that the ballot box be placed on the City right-of-way near the Post Office.

**Councilmember Reports and Items for Future Agendas**

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

Councilmember Callahan discussed fireworks. He said that some cities throughout the State had banned them completely. Councilmember Wilker said that he thinks that Millville should do the same with how dry it is this year. It was discussed that it was too late now for the City to follow the correct steps to do a City-wide firework ban. The existing code restricts all fireworks east of 500 East which is the part of the City for which there was the most risk of fire. The Council asked Recorder Twedt to send out a notice through the City notification system asking the residents to be cautious and to be aware that they are liable for damages caused by their actions with fireworks.

Councilmember Grange said that there was a new principal at Ridgeline High School.

Councilmember June thanked everyone for all of their help with the City Celebration last week. Mayor Hair thanked Councilmember June for all of her hard work as well as Councilmember Wilker, Zollinger and the others that had spent time to make the parade and celebration a success.

Councilmember Zollinger said that he had received a City complaint form by text message that he would get to Recorder Twedt so that it could be filed. Councilmember Zollinger said that he would begin looking into the complaint.

Councilmember Wilker said that he had heard the car show went well. Gift cards had been given to the winners and participants. He asked that some information about the car show winners and the Parade Grand Marshall Janet Alder be placed in the July newsletter.

Treasurer Hobbs said that she thought the band at the City Celebration had done a really good job. Mayor Hair asked that Recorder Twedt get some gift cards to send to the band members to thank them.

Mayor Hair said that Martha Balph had indicated that there were some bent posts from the work on the new well that would need to be fixed by the City. Recorder Twedt said that he would get with Director Kendrick to look into this.

Recorder Twedt said that he had been contacted by a representative from the Top of Utah Half Marathon about taking the race through Millville as they had in the past. The race is planned for Saturday, August 28<sup>th</sup>. Recorder Twedt asked if the Council was okay with him preparing a letter of permission for the half marathon. The Council said that this would be okay.

**Adjournment**

**Councilmember Callahan moved to adjourn the meeting.** Councilmember Grange seconded. Councilmembers Callahan, June, Wilker, Grange and Zollinger voted yes. The meeting adjourned at 9:02 p.m.