

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
July 22, 2021

PRESENT: David Hair, Daniel Grange, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Justin Ferguson, Laura Ferguson, Emilee Pini, Colt Pini, Norman Balls

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for July 22, 2021 at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Ryan Zollinger and Daniel Grange were in attendance with Councilmembers Clay Wilker and Michael Callahan excused. Also, Treasurer Tara Hobbs and Recorder Corey Twedt were present.

Opening Remarks/Pledge of Allegiance

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

Approval of Agenda

The agenda for the City Council Meeting of July 22, 2021 was reviewed. **Councilmember Zollinger moved to approve the agenda for July 22, 2021.** Councilmember Grange seconded. Councilmembers June, Grange and Zollinger voted yes with Councilmembers Wilker and Callahan excused. (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 July 8, 2021. Councilmember June pointed out a typo on both the regular meeting minutes and the minutes from the executive session which were corrected. **Councilmember June motioned to approve the minutes for July 8, 2021 as well as the minutes from the Executive Session on that date.** Councilmember Zollinger seconded. Councilmembers June, Grange and Zollinger voted yes with Councilmembers Wilker and Callahan excused.

Public Comment Period

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

Request for a Business License for Triing LLC

Colt Pini has submitted a request for a business license for Triing LLC at 30 West 550 North. Colt explained that the focus of the company is to help improve physical and mental health through training programs and activities. **Councilmember Grange motioned to approve the business license for Triing LLC.** Councilmember Zollinger seconded. Councilmembers June, Grange and Zollinger voted yes with Councilmembers Wilker and Callahan excused. (A copy of the license application is included with the minutes as Attachment “B”.)

City-Purchased Fence along Humphreys Property

Mayor Hair reviewed with the Council the quote he had received for installation using existing fence from the softball diamond. The total is around \$5,000. It was discussed that the City would be responsible for removing the existing fence and the contractor would cut it to size and install it along the property boundary.

Mayor Hair said that he felt the quote was a bit high. Councilmember Zollinger said that for the work that would be involved, he was comfortable with that amount. Councilmember Grange said that he felt this would solve the problem for the Humphreys.

Public Works Director Chad Kendrick said that the Humphreys have several trees along their property. If the City puts up a fence that is later damaged by one of the Humphreys trees, the City should not be responsible for the repair. The Council agreed.

Councilmember Zollinger said that the City should not pay additional money for a gate. The rest of the Council agreed. Mayor Hair said that the Humphreys could pick where they wanted to start the fence on the south side of their property and they could leave room to get around it to access the park if they wanted to.

Councilmember Zollinger motioned to approve the fence project as proposed for \$5,000. Councilmember Grange seconded. Councilmembers June, Grange and Zollinger voted yes with Councilmembers Wilker and Callahan excused.

Report on P & Z Meeting held July 15, 2021

Recorder Twedt reviewed with the Council the Planning Commission’s draft minutes for the meeting held July 15, 2021.

Review of High-Density Zone Considerations from Planning and Zoning

Mayor Hair reviewed with the Council the list generated by the Planning Commission with the pros and cons for implementing a higher density residential zone. He said that he felt they had done a good job in reviewing all of the pros and cons. At this point, the Planning Commission recommended that a higher density zone not be considered.

Councilmember June said that she agreed with the recommendation from the Planning Commission. Councilmember Zollinger said that he appreciated Planning and Zoning looking into the possibility of the higher density zone and the potential impact it would have on the City. He said that he was not in favor of having higher density in Millville right now, but that they needed to be aware that they will likely lose some of the property on the borders of the City to other cities that do allow for high density. Councilmember Zollinger said that other cities are making higher density work and potentially benefiting from the larger populations that attract more businesses. He said that he didn't feel Millville was ready to allow for high density right now, but that they should continue to look at and consider the option going forward.

Well House Bids

Mayor Hair reviewed with the Council the bids that had come in for construction of the new well house. The low bid was from VanCon construction for \$1,072,260. Recorder Twedt reviewed with the Council the budget and explained that with the increases in material costs, they were over the planned budget for this project.

The Council reviewed the three items that had been included in the bid that could be removed to reduce the costs. Removing the generator would reduce the cost by \$49,000, not paving the roadway would reduce the cost by \$73,640 and not doing the road base at the top as specified by the bid would reduce the cost by \$27,120.

Director Kendrick said that they could likely find a generator for a better price and could potentially do what they needed on the road and upper parking area themselves for less money. He said that they won't be up there too much during the winter and a regrind road may be an option. Also, development could happen in that area at some point and put in a portion of the road as well. Councilmember Zollinger said that he agreed that this was a possibility.

Recorder Twedt said that he agreed these things should be removed from the project with VanCon, but that the City should not neglect to get a generator and make adequate improvements to the road now, while they are working on the project. He said that the City had already received half of the expected grant money from the American Rescue Plan and these funds would cover the costs to finish up the well project.

Councilmember Zollinger motioned to award the well house project to Vancon after removing the generator, roadway paving and the parking road base from the project. Councilmember Grange seconded. Councilmembers June, Grange and Zollinger voted yes with Councilmembers Wilker and Callahan excused.

Sewer Funding

Mayor Hair reviewed with the Council the latest updates related to the funding of the sewer project. He said that the current extension for acceptance of the bid from Whittaker

Construction would expire on July 24th. A new 90-day extension request had been sent. This extension would expire on October 22, 2021.

Councilmember Grange asked if Whittaker seemed okay with the extension. Recorder Twedt said that the engineers had been in contact and Whittaker was okay with the extension. Mayor Hair said that he and Recorder Twedt were planning to meet with Whittaker next week in person to talk through the progress that had been made and keep them in the loop as to how things were going.

Mayor Hair said that he continues to work with the State Legislature. Also, the RDA funding is not finalized, but getting close. Recorder Twedt said that Millville was still high on the list for additional DEQ grant funding as well.

Councilmember Reports and Items for Future Agendas

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

Councilmember Grange said that he spoke again with Brian Jenkins who sent him some information on grants that would potentially cover upgrades to the City EOC radio system. Councilmember Grange said that he would look into them and see if they made sense for the City to pursue.

Councilmember Zollinger said that he had been asked by Mayor Hair to be the representative from the City for the deposition regarding the Cemetery litigation. He said that to prepare for the deposition, he will be interviewing the other councilmembers to get their input.

Recorder Twedt reminded the City Council that the Truth in Taxation Public Hearing would be at the next City Council meeting on August 12th at 7:15 p.m.

Adjournment

Councilmember Zollinger motioned to adjourn the meeting. Councilmember June seconded. Councilmembers June, Grange and Zollinger voted yes with Councilmembers Wilker and Callahan excused. The meeting adjourned at 7:43 p.m.

NOTICE AND AGENDA

Attachment "A"

Notice is hereby given that the Millville City Council will hold their regularly scheduled Council Meeting on Thursday, July 22, 2021, at the Millville City Office, 510 East 300 South in Millville, Utah, at 7:00 p.m.

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 – July 8, 2021
5. Agenda Items—
 - A. Public Comment Period (2 min/person)
 - B. Business License request for Triing LLC at 30 W. 550 N. – Colt Pini
 - C. City-Purchased Fence Request along Humphreys property – Mayor Hair
 - D. Report on P&Z Meeting held July 15, 2021 – Recorder Twedt
 - E. Review of High-Density Zone Considerations from Planning and Zoning – Mayor Hair
 - F. Review of Bids for Well House and Potential Motion to Award – Mayor Hair
 - G. Sewer Funding – Mayor Hair
 - H. 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 July 19, 2021 to the City posting locations, the City Website and the Utah Public Meeting Notices Website.



Corey Twedt, Recorder



Millville City

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

Attachment "B"

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: Colt Pini Contact Ph: 435.938.8116

A. Business Name "DBA": Triing LLC or Triing

B. Business Location: 30 W 550 N Millville, UT 84326

Street Address (include unit #)

C. Mailing Address: 30 W 550 N, #132, Millville, Ut 84326 ☐ Same as "B. Business Location"

ATTN:

Street (include unit#)/PO Box address

City, State, Zip

D. Local Business Ph: 435.938.8116 Fax: - www: triing.org

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? _____ Working hours? _____

Where will they park? _____

On-site customers? ☐ Yes ☒ No

If yes,

Up to how many per day? _____

Up to how many per week? _____

Where will they park? _____

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: July 19th, 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)

We offer mentoring / training for triathlons and mental and physical health. We run a summer camp (offsite) for kids and adults and host a triathlon (offsite).

We also will be selling goods related to events, training, and health (offsite and online).

We also offer services related to such activities.

SECTION IV: Additional Information

E. Utah State Tax Commission — Sales Tax Number: 14974455-003-STC ☐ 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: 284 S. Daffey Dr. Salina, Ut 84654 ☐ 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: Colt Pini Contact Ph. 435.938.8116

Home Address: 30 W 550 N, #132, Millville, Ut 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

☐ Owner
☐ Local Manager

LLC

☒ Member
☒ Manager
☐ Local Manager

Corporation

☐ President
☐ Director
☐ Officer
☐ Local Manager

Officers (2)

Officer Name: Emilee Pini Contact Ph. 435.938.8146

Home Address: 30 W 550 N, #132, Millville, Ut 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

☐ Owner
☐ Local Manager

LLC

☒ Member
☐ Manager
☐ Local Manager

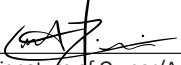
Corporation

☐ 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.

 Colt Pini July 5th, 2021
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

HOME-BASED BUSINESS FEE EXEMPTION CERTIFICATION

Business Name Triing

Owner Name Colt Pini

Business Address 30 W 550 N, #132, Millville, Ut 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.


Signature

July 5th, 2021

Date

Councilmember Assignments 2021

Updated 12/10/20

Councilmember Daniel Grange

- Sewer
- Fire/EMS/Emergency Preparedness

Councilmember Ryan Zollinger

- Ordinance Enforcement
- Fiber Internet
- Sewer Support
- Trails

Councilmember Clay Wilker

- Animal Control
- City Celebration Support
- Youth Council and Parades

Councilmember Pamela June

- City Events (Millville Days/ Night Out Against Crime, Easter, Christmas, Fair Booth)
- P&Z

Councilmember Michael Callahan

- Water
- Wildfire
- P&Z Support
- Sewer Support