

NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold their regularly scheduled Council Meeting on Thursday, December 23, 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 Zollinger
3. Approval of agenda
4. Approval of minutes of the City Council Meeting – November 11, 2021
5. Agenda Items—
 - A. Public Comment Period (2 min/person)
 - B. Business License request for M Gibbons at 140 N. 300 E. – Mike Gibbons
 - C. Consideration of Resolution Accepting the River Hawk Subdivision – Mayor Hair
 - D. Consideration of Resolution Adopting 2021 Impact Fee Report – Recorder Twedt
 - E. Setting of the 2022 Annual Meeting Schedule – Mayor Hair
 - F. Parking on City Right-of-Way – Councilmember Zollinger
 - G. Consideration for cancelling meeting scheduled for January 13, 2022 – 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 December 20, 2021 to the City posting locations, the City Website and the Utah Public Meeting Notices Website.



Corey Twedt, Recorder

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
December 9, 2021

PRESENT: David Hair, Daniel Grange, Clay Wilker, Michael Callahan, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Kara Everton, Eddie Walden, Chasity Tucker, Eric Weeks, Chris Coombs, Krestina Coombs, Coby Price, Lance Houser, Brad Webb, Linda Webb

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for December 9, 2021 at 7:00 p.m. The roll call indicated Mayor David 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 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 December 9, 2021 was reviewed.

Councilmember Callahan moved to approve the agenda for December 9, 2021.

Councilmember Wilker seconded. Councilmembers Callahan, June, Grange, Wilker 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 November 11, 2021.

Councilmember Callahan moved to approve the minutes for November 11, 2021.

Councilmember Zollinger seconded. Councilmember June pointed out a grammatical error which was corrected in the minutes. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes.

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 Tucker Fitness

Chasity Tucker has submitted a request for a business license for Tucker Fitness at 765 E. 1950 S. Suite 102. She was present at the City Council Meeting and said that she wants to

bring a 24/7 gym to Cache Valley. She said that her gym would have something for everyone. Councilmember Zollinger pointed out that Chasity had purchased the space from Valley Girl Fitness which had been in that location previously.

Councilmember Callahan moved to approve the business license for Tucker Fitness. Councilmember Grange seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (A copy of the license application is included with the minutes as Attachment “B”.)

Review Bids and Award Irrigation Water Leases

Recorder Twedt reviewed the bids that had been received for leasing City-owned water shares for the next four years. He said that the City would be able to award leases for everyone that had submitted a bid and that there were some water shares in excess that were still available. Recorder Twedt suggested that they post on the website and in the posting boxes about the excess shares and allow people to lease them on a first come first served basis with a set fee of \$100 per share and \$50 per half share per year. He said that there had been a couple of bids that exceeded this amount and suggested the City reduce those leases accordingly. The Council agreed with this plan.

Report on P & Z Meeting held November 18, 2021

Development Coordinator Kara Everton reviewed with the Council the Planning Commission’s draft minutes for the meeting held November 18, 2021.

Consideration of a Resolution Accepting the 95 North Subdivision

Councilmember June reviewed with the Council the resolution to accept the 95 North Subdivision. The Council asked about the thin access to 100 West on Lot 1. Brad Webb said that the purpose of this was to maintain access to his pasture from 100 West. Councilmember Zollinger briefly discussed the minimum lot size requirement. City Engineer Lance Houser confirmed that everything on the subdivision was in compliance with City Code.

Councilmember Grange moved to approve Resolution 2021-27. Councilmember Callahan seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (The information is included with the minutes as Attachment “C”.)

Consideration of a Resolution Accepting County Agreement for Funding the COG 550 N. Turning Lane Project

Mayor Hair reviewed with the Council the resolution to accept the Cache County Funding Agreement for the COG project for which the City applied. This project would add a right-turn lane on to 550 North for access to the highway. It was discussed that engineering fees could not be paid for with the COG grant money, but could be paid for from the City’s

matching funds. This project was part of the original budget that was approved in June and August.

Councilmember Wilker moved to approve Resolution 2021-28. Councilmember June seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (The information is included with the minutes as Attachment “D”).

Alternative Sewer Technology

Councilmember Zollinger said that as discussed previously, he had started this review to look into the possibility of saving some costs on the sewer project. Councilmember Zollinger asked City Engineer Lance Houser to give a summary of what he found when he looked into the possibility of implementing the Orenco Systems alternative sewer technology as a portion of the Millville sewer system.

Lance said that he had been excited when he started digging into this and that he expected there to be more of a cost saving potential if Orenco were to be implemented in portion of the City. Unfortunately, that wasn’t the case. The analysis determined that using the Orenco Systems technology would be a cost increase if implemented in Millville. He reviewed his report on why this was the case. Recorder Twedt asked if the costs listed in the report included any of the legal or engineering work for the additional easements that would be required. Lance said that those costs would be in addition to those listed in the report.

Councilmember Zollinger discussed the possibility of reducing the depth of some of the sewer lines and requiring pumps in strategic locations to reduce the overall costs. The City Council had looked at this earlier in the project and determined that it would be better to stick with gravity and reduce the number of pumps needed as much as possible. This was before the construction and material costs had come in so high. Councilmember Zollinger suggested that the Council reconsider this as a possibility to reduce costs.

Recorder Twedt said that this would be good, but that just reducing depth would not be enough of a cost saving to get to an acceptable monthly sewer bill for the residents. He suggested that the Council wait until the City had enough grant money to make the project feasible and then look at the cost savings from reduced depth. Councilmember Grange said that he agreed that they should wait and then relook at depths. Councilmember Zollinger agreed that this should be done later.

Councilmember Zollinger also pointed out that there may still be some strategic portions of the City where the Orenco Systems technology could be used to cut costs. Lance Houser said that he agreed.

Mayor Hair and the City Council thanked Lance Houser for looking into this option and doing the analysis. (The report prepared by the City Engineer is included with the minutes as Attachment “E”).

River Hawk Subdivision

Recorder Twedt said that the City had now finally received the water shares for the River Hawk Subdivision from a couple of years ago. This had been the main reason for which the City had been waiting to finish up the approval process. He said that the Council should determine the level of review required for this subdivision since it was not a normal situation.

Councilmember Grange asked about the storm water drainage concerns that had come up previously. Mayor Hair said that he had looked at this. The water that was going into the field was coming from the property owner to the east when they were irrigating and not from the School property.

Councilmember Zollinger motioned to have P&Z do a final plat review at their next meeting and then have a resolution prepared for review and possible acceptance by the City Council on the meeting scheduled for December 23rd. Councilmember Grange Seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (The related staff report is included with the minutes as Attachment “F”.)

Short-Term Rentals

Councilmember Wilker said that he appreciated Coby Price for having discussed Short-Term Rentals (STR) at the previous City Council meeting as well as having researched what had been done with the legislature concerning what cities could and could not do to restrict STR. Councilmember Wilker turned the time over to Coby to review his research.

Coby said that there had been a House Bill that would have implemented a strict ban on STR, but that it had been changed significantly before it had been passed. The version that made it into the State Code made it so that a city could not restrict the posting of an STR on a website. What this meant is that a STR posting on a website could not be the only source of information or evidence of a STR for a City to issue a citation. Coby said that this would allow for neighborhoods to self-regulate a little bit. If a city has code prohibiting STR and there aren't issues, it is likely that nothing would be done. If there is an issue, then there is something in the code that would allow for enforcement as long as the City isn't using the website listing as their evidence for the Code infraction. Coby said that Salt Lake City and Logan City are both examples of this. They both have code banning STR, but there are many within their cities. They do not have the resources to regulate these infractions, but if there are issues, they have the code in place to go after those that are causing problems.

Coby said that he would suggest the City Council deal with this now and get code in place that can be used going forward.

Mayor Hair said that Mendon and some code in place that could be reviewed and possibly used as a model. Recorder Twedt said that he would gather up code from neighboring

cities so that the Council could review what they liked and didn't like and then potentially send their notes to P&Z to create a draft of what was desired.

Mayor Hair thanked Coby for looking into this and for gathering the information. (The related staff report is included with the minutes as Attachment "G".)

South Park Pavement Middle Section

Public Works Director Chad Kendrick reminded the Council of the discussion they had previously on the need for an asphalt patch near the new walkway. Because the parking area is not in good condition, a patch would be temporary and it may make more sense to do a complete replacement at this time instead of a temporary patch.

Recorder Twedt reviewed the costs and money available in the Park Impact Fee funds. There is enough money available to do the full replacement for the middle section of the parking lot and Recorder Twedt and Director Kendrick recommended the Council go that direction.

The consensus of the Council was to proceed with the full replacement project as recommended by City Staff. Recorder Twedt said that this would be reflected on the next budget adjustment early in 2022. (The related staff report is included with the minutes as Attachment "H".)

City Reports

Director Kendrick reported that the well house building was standing and progressing as planned.

Director Kendrick said that the fence along the Humphreys property line at the South Park was now complete. They had been able to get all the way to the bushes with the budget that had been designated for this project and with the different pieces of fence and pulls they were able to locate. The fence starts on the south side with a six-foot height and then drops down to five feet after passing the Humphreys shed. They had used the fence from the softball field as well as the fence pieces that Craig Humphreys had at his home. Recorder Twedt said that he appreciated the Public Works Department and their willingness to work hard to scrap together everything they could find to make the money go as far as possible on this and everything they do. Mayor Hair said that he felt the fence looked pretty good considering they were reusing old fence.

Director Kendrick said that for landscape refunds there were some issues right now with people not being able to get garage doors due to supply shortages. Chris Coombs and Krestina Coombs were present and said that this was not in their control and they were just waiting for the garage doors to complete their building north of their house. Councilmember Grange pointed out that with the time frame allowed, in this case, the

Coombs were not yet at risk of losing their deposit. Councilmember Zollinger said that he was fine with Director Kenrick determining what was fair in these cases. The Council felt like in this case, if everything else was complete and the garage doors were on order, the deposit reimbursement could be issued now.

Councilmember Reports and Items for Future Agendas

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

Recorder Twedt said that the next scheduled City Council meeting was for December 23rd and that the Council could decide if they wanted to hold a meeting that day. He said that it would likely be a short meeting, if they have one. Recorder Twedt also said that many cities have a meeting as close to January 1st as possible following an election to swear in the new officials. The first scheduled meeting in January for Millville would be on January 13th. Recorder Twedt said that he would be out of town on the 13th, so they could either schedule a meeting for the first week in January or wait until January 27th to swear in the Mayor and two Councilmembers. Councilmember Wilker had some conflicts the first week of January. The Council decided to schedule the swear ins for January 27th. They said that they would look at what was coming up by December 23rd to determine whether or not they would cancel the meeting scheduled for January 13th.

Mayor Hair said that he had met with Karlene Hershey, who runs the Post Office a couple of times and has spent time there trying to understand why the City was receiving so many complaints. He spoke with her about the complaints and about the case that had been opened with the Postal Service concerning those complaints. In his time there, there were three things that were discussed that can be relayed to Millville residents that will help them have better service with the Post Office. First, residents should pick up their packages and mail on a more regular basis. This is especially important during the holiday season when so many packages and mail are passing through that small Post Office. Second, we should be including the PO Box number on all mail. This can be done by listing the PO number after a zero following the zip code. That will allow for the workers at the post office to know which box mail is intended for if just the street address is on the package or letter. It was discussed by the Council that this can be problematic for various reasons. Third, Mayor Hair said that the sorting machines will bend the mail if it can be bent. Having a "Do Not Bend" sticker attached won't work as it can't be read by the machines. It is important that people use proper protective packaging for anything they are shipping through the Postal Service. The Council discussed the way people are treated when they enter the Post Office and that many of the new move ins come into the City to complain about their interactions with Karleen. Councilmember Zollinger said that his main concern is that the residents do not feel welcome or comfortable when they enter the Post Office. Mayor Hair said that he is leaving the case open with the Postal Service and that they would continue to work on it to see if improvements could be made.

Adjournment

Councilmember Callahan motioned to adjourn the meeting. Councilmember Wilker seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. The meeting adjourned at 8:49 p.m.

DRAFT

Excavation / Landscape. Will not be parking Equipment
At house. I have agreed in Nibley.

SECTION IV: Additional Information

- E. Utah State Tax Commission — Sales Tax Number: _____ ☒ Not applicable
- F. State & federal regulatory agency licensing info: _____ (Not referring to an EIN or entity number) ☒ Not applicable
- 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: McGibbons ☐ 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: Mike Gibbons Contact Ph. 435-881-3891

Home Address: 140 N 300E PO BOX 607 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	LLC	Corporation
☐ Owner	☒ Member	☐ President
☐ Local Manager	☒ Manager	☐ Director
	☐ Local Manager	☐ Officer
		☐ Local Manager

Officers (2)

Officer Name: _____ Contact Ph. _____

Home Address: _____

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

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 MGibbons

Owner Name MIKE Gibbons

Business Address 140 N 300 E Millville

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:

My YARD IS IN N:bley
Want Be Running Equipment out of my
Residence

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


Signature

12/16/21
Date

**MILLVILLE CITY
RESOLUTION 2021-29**

**RESOLUTION TO ESTABLISH THE RIVER HAWK SUBDIVISION AT
APPROXIMATELY 180 NORTH 300 WEST**

WHEREAS, a request to subdivide parcel 02-126-0010 into five parcels has been received; and

WHEREAS, the Planning Commission reviewed the request on December 16, 2021 and recommended the City Council approve this subdivision; and

WHEREAS, the City Council discussed and reviewed the request at the City Council Meeting held on December 23, 2021;

THEREFORE, BE IT RESOLVED that the City Council hereby accepts the Riverhawk Subdivision of five lots as proposed in drawings and documents submitted. These documents have been found to be in compliance with applicable Millville City Ordinances.

Passed and approved by the Millville City Council this 23rd day of December 2021.

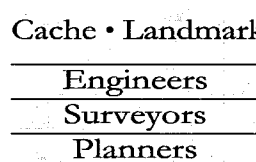
SIGNED:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Michael Callahan				
Pamela June				
Ryan Zollinger				
Clay G. Wilker				
Daniel Grange				

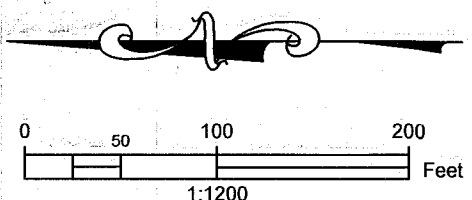


DATE: 30 MAY 2018

SHEET:

2 of 2

COUNTY RECORDER



RIVER HAWK SUBDIVISION
PART SECTIONS 15, 16, 21 & 22, TOWNSHIP 11 NORTH,
RANGE 1 EAST, SALT LAKE MERIDIAN
CACHE COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I, STEVEN C. EARL, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 318575-2201, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS RIVER HAWK SUBDIVISION, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.

LEGAL DESCRIPTION

PART OF SECTIONS 15, 16, 21 AND 22, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, LOCATED IN THE CITIES OF MILLVILLE AND NIBLEY, CACHE COUNTY, UTAH, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 15; THENCE N0°10'56"W 1343.38 FEET TO THE SOUTH SIXTEENTH CORNER COMMON TO SAID SECTIONS 15 AND 16; THENCE S89°56'46"E 632.04 FEET ALONG THE SOUTH SIXTEENTH LINE OF SAID SECTION 15 TO THE POINT OF BEGINNING; THENCE N0°04'04"E 668.69 FEET TO THE SOUTH LINE OF 550 NORTH STREET;

THENCE S89°22'48"E 80.00 FEET ALONG SAID SOUTH LINE; THENCE S0°04'04"W 667.90 FEET TO SAID SIXTEENTH LINE; THENCE S89°56'46"E 791.29 FEET ALONG SAID SIXTEENTH LINE TO THE WEST BANK OF PROVIDENCE IRRIGATION DITCH NUMBER 2; THENCE ALONG SAID BANK THE FOLLOWING FOURTEEN COURSES:

1. S02°36'11"W 16.58 FEET; 2. S07°14'00"W 40.79 FEET; 3. S18°50'29"W 38.60 FEET; 4. S24°43'58"W 28.56 FEET; 5. S15°51'18"W 34.17 FEET; 6. S09°24'10"W 172.97 FEET; 7. S07°03'11"W 185.91 FEET; 8. S03°15'00"E 18.10 FEET; 9. S15°48'51"E 49.34 FEET; 10. S01°29'52"W 43.96 FEET; 11. S06°23'16"W 65.01 FEET; 12. S04°02'46"E 48.94 FEET; 13. S12°48'09"E 71.53 FEET; 14. S03°44'47"E 173.26 FEET TO THE WEST LINE OF LOT 7, BLOCK 21, PLAT A, MILLVILLE CITY SURVEY; THENCE S01°22'45"W 46.15 FEET ALONG SAID WEST LOT LINE; THENCE S89°01'37"E 8.84 FEET TO THE WEST BANK OF SAID DITCH; THENCE ALONG SAID BANK THE FOLLOWING SEVEN COURSES:

1. S9°29'12"E 95.97 FEET; 2. S10°03'51"E 44.31 FEET; 3. S6°43'30"E 25.96 FEET; 4. S11°37'16"E 81.71 FEET; 5. S9°24'01"E 36.56 FEET; 6. S4°32'17"E 108.41 FEET; 7. S11°00'31"E 44.95 FEET TO THE NORTH LINE OF 200 NORTH STREET; THENCE N89°01'37"W 264.81 FEET ALONG SAID NORTH LINE; THENCE S00°43'57"E 363.19 FEET ALONG A FENCE; THENCE S00°05'39"W 282.94 FEET TO THE SOUTHWEST CORNER OF LOT 3, BLOCK 18, PLAT A, MILLVILLE CITY SURVEY; THENCE N88°20'48"W 756.44 FEET; THENCE ALONG A FENCE THE FOLLOWING FOUR COURSES:

1. N61°34'44"W 104.21 FEET; 2. N86°18'40"W 40.89 FEET; 3. N87°04'08"W 132.71 FEET; 4. S87°05'27"W 54.68 FEET TO A REBAR WITH TIM GIBBONS CAP; THENCE ALONG THE BROW OF A HILL ADJACENT TO THE EAST BANK OF THE BLACKSMITH FORK RIVER THE FOLLOWING FOURTEEN COURSES:

1. N15°40'20"W 48.86 FEET; 2. N07°01'49"E 42.57 FEET; 3. N21°40'23"E 115.85 FEET; 4. N12°40'14"E 224.17 FEET; 5. S74°51'40"E 27.70 FEET; 6. N70°36'20"E 36.88 FEET; 7. N35°24'28"E 42.32 FEET; 8. N13°25'33"E 56.24 FEET; 9. N05°46'05"E 57.21 FEET; 10. N07°25'51"W 28.39 FEET; 11. N16°54'54"W 18.52 FEET; 12. N13°09'53"W 21.79 FEET; 13. N61°23'27"W 34.99 FEET; 14. N88°15'37"W 78.32 FEET TO SAID BANK; THENCE N64°47'04"W 37.76 FEET ALONG SAID BANK; THENCE N41°32'35"W 30.41 FEET ALONG SAID BANK; THENCE WESTERLY 57.75 FEET ALONG A CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 840.00 FEET AND A LONG CHORD BEARING S75°35'48"W 57.73 FEET TO THE WEST BANK OF THE BLACKSMITH FORK RIVER; THENCE S24°58'51"E 126.11 FEET TO THE NORTHEAST CORNER OF RIVERSIDE RANCH SUBDIVISION PHASE 1;

THENCE S87°19'47"W 335.95 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION TO THE EAST LINE OF STATE ROAD 165; THENCE N17°48'44"W 353.26 FEET ALONG SAID EAST LINE; THENCE N88°41'16"E 140.00 FEET; THENCE N46°18'44"W 80.99 FEET TO THE WEST BANK OF SAID RIVER; THENCE ALONG SAID BANK THE FOLLOWING FOUR COURSES:

1. S70°31'37"E 197.61 FEET; 2. S21°07'43"E 48.07 FEET; 3. S15°57'52"E 37.75 FEET; 4. S13°14'22"W 57.31 FEET; THENCE EASTERLY 53.80 FEET ALONG A CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 760.00 FEET AND A LONG CHORD BEARING N75°32'15"E 53.79 FEET TO THE EAST BANK OF THE BLACKSMITH FORK RIVER; THENCE ALONG SAID BANK THE FOLLOWING FIVE COURSES:

1. N13°47'13"E 63.21 FEET; 2. N21°02'57"E 32.94 FEET; 3. N18°42'14"W 74.80 FEET; 4. N71°44'39"W 159.00 FEET; 5. N61°45'04"W 55.74 FEET; THENCE ALONG A FENCE THE FOLLOWING FOUR COURSES:

1. N64°48'56"E 56.03 FEET; 2. N04°22'32"E 245.77 FEET; 3. N21°58'31"W 97.48 FEET; 4. N05°00'26"W 53.63 FEET TO THE SOUTH LINE OF THE PARCEL DESCRIBED IN A TAX SALE IN ABSTRACT BOOK 12 PAGE 81 LINE 41; THENCE S88°24'46"E 625.52 FEET ALONG SAID SOUTH LINE; THENCE N00°15'22"E 643.91 FEET ALONG A FENCE AND ITS PROLONGATION TO THE POINT OF BEGINNING. CONTAINING 55.17 ACRES, MORE OR LESS.

SURVEY NARRATIVE

THIS SURVEY WAS ORDERED BY BRUCE PARKER OF THE CACHE COUNTY SCHOOL DISTRICT TO VERIFY ACREAGE, SET CORNERS, AND DEDICATE STREETS AS PART OF THE PURCHASE OF THIS PROPERTY FOR A NEW HIGH SCHOOL.

SEVERAL SURVEYS IN THE AREA DONE BY JEFF HANSEN WERE RETRACED AND HELD TO RE-ESTABLISH THE EASTERLY BOUNDARY. THE SOUTHWEST CORNER OF SECTION 15 WAS SET AT THE LOCATION PERPETUATED BY HANSEN IN SURVEY 2010-0062. THE EASTERLY BOUNDARY OF PARCEL 03-004-0024 WAS HELD IN ACCORDANCE WITH FENCES, DUE TO MINOR DEED DISCREPANCIES. THE SOUTH LINE OF PARCEL 02-126-0006 WAS HELD IN ACCORDANCE WITH A LEGAL DESCRIPTION FOUND FOR SAID PARCEL IN ABSTRACT BOOK 12 PAGE 83 LINE 41. IT IS BELIEVED THAT SAID LINE ORIGINATED AS PART OF THE PROVIDENCE FARM SURVEY, AS POSSESSION SEEMS TO MATCH THIS PATTERN OF EVIDENCE AS MEASURED FROM THE NORTH. THE SOUTH 1/16 LINE OF SECTION 15 WAS RETRACED BY LOCATING ALL MONUMENTED CORNERS AND HOLDING POSSESSION LINES AND BEARING BREAKS AT THE CENTER AND SOUTH 1/4 CORNERS. THE SECTION MEASURES LARGER THAN RECORD. OTHER EVIDENCE WAS HELD AS SHOWN.

THE BASIS OF BEARINGS USED WAS A ONE-POINT NORTH PROJECTION (WGS-84) FROM THE CACHE COUNTY SURVEYOR'S NIBLEY CITY GPS MONUMENT SET IN 1998. 5/8" X 24" REBARS W/ORANGE PLASTIC CAPS STAMPED "STEVEN C. EARL PLS 318575" WERE SET AT THE LOCATIONS INDICATED.

NOTES & RESTRICTIONS

- PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OF OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
- PURSUANT TO UTAH CODE ANN. § 17-27a-603(4)(c)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE P.U.E. 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:
(i) A RECORDED EASEMENT OR RIGHT-OF-WAY
(ii) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
(iii) TITLE 54, CHAPTER 8a, DAMAGE TO UNDERGROUND FACILITIES OR
(iv) ANY OTHER PROVISION OF LAW.
- 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 ABOGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET IN THE OWNER'S 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 1-800-366-8532.
- THIS PROPERTY IS LOCATED IN THE VICINITY OF PROPERTY THAT IS USED FOR AGRICULTURAL PURPOSES. IT MAY BE ANTICIPATED THAT SUCH USES AND ACTIVITIES MAY OR MAY NOT IN THE FUTURE BE CONDUCTED IN THIS AREA AND SUCH USES ARE PREVIOUSLY EXISTING USES. AGRICULTURAL USES AND SITUATIONS MUST BE SOUND AGRICULTURAL PRACTICES AND NOT BEAR A DIRECT THREAT TO PUBLIC HEALTH AND SAFETY.
- AREAS IN NIBLEY HAVE GROUNDWATER PROBLEMS DUE TO THE VARYING DEPTH OF A WATER TABLE. THE CITY'S APPROVAL OF A FINAL PLAT BUILDING PERMIT OR CONSTRUCTION PLANS DOES NOT CONSTITUTE A REPRESENTATION BY THE CITY THAT BUILDING AT ANY SPECIFIED ELEVATION OR LOCATION WOULD SOLVE SUBSURFACE OR GROUNDWATER PROBLEMS. IN ADDITION, CONCERNS FOR BUILDING ELEVATION AND/OR GRADING AND DRAINAGE ARE UNIQUE TO EACH BUILDING SITE, REMAIN SOLELY WITH THE BUILDING PERMIT APPLICATION, PROPERTY OWNER AND/OR CONTRACTOR. NIBLEY CITY IS NOT RESPONSIBLE FOR ANY SUBSURFACE OR GROUNDWATER PROBLEMS WHICH MAY OCCUR, NOR FOR SUCH CONCERNS INCLUDING, BUT NOT LIMITED TO, BUILDING LOCATION AND/OR ELEVATION, SITE GRADING AND DRAINAGE.

KEY NOTES

- ENTRY 1113222 20' QUESTAR GAS EASEMENT
- ENTRY 1130964 10' ROCKY MOUNTAIN POWER EASEMENT
- ENTRY 1113223 20' QUESTAR GAS EASEMENT

OWNER'S DEDICATION AND CONSENT TO RECORD

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

RIVER HAWK 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 OWNERS 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. FURTHERMORE, WE INCORPORATE ALL NOTES AND RESTRICTIONS AS LISTED HEREON.

BY: CACHE COUNTY SCHOOL DISTRICT

DALE HANSEN, DIRECTOR

BY: NIBLEY CITY CORPORATION

SHAUN DUSTIN, MAYOR

DAVID ZOOK, RECORDER

ACKNOWLEDGMENT

STATE OF UTAH

COUNTY OF CACHE

ON THIS 26th DAY OF July, IN THE YEAR 2018, BEFORE ME, Curt D Jenkins, A NOTARY PUBLIC, PERSONALLY APPEARED DALE HANSEN, DIRECTOR OF THE CACHE COUNTY SCHOOL DISTRICT, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS DOCUMENT, AND ACKNOWLEDGED HE EXECUTED THE SAME.

NOTARY PUBLIC SIGNATURE: Curt D Jenkins
NOTARY PUBLIC FULL NAME: Curt D Jenkins
COMMISSION NUMBER: 700211
MY COMMISSION EXPIRES: May 3, 2022
A NOTARY PUBLIC COMMISSIONED IN UTAH

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH

COUNTY OF CACHE

ON THIS 3rd DAY OF August, IN THE YEAR 2018, BEFORE ME, Cheryl Bodily, A NOTARY PUBLIC, PERSONALLY APPEARED SHAUN DUSTIN, MAYOR OF NIBLEY CITY CORPORATION AND DAVID ZOOK, RECORDER OF NIBLEY CITY CORPORATION, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO IN THIS DOCUMENT AND ACKNOWLEDGED THAT THIS DOCUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF STATE AND LOCAL LAWS AND SAID SHAUN DUSTIN AND DAVID ZOOK EACH DULY ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME AND THAT THE SEAL FIXED IS THE SEAL OF SAID CORPORATION.

NOTARY PUBLIC SIGNATURE: Cheryl Bodily
NOTARY PUBLIC FULL NAME: Cheryl Bodily
COMMISSION NUMBER: 692258
MY COMMISSION EXPIRES: 11.29.20
A NOTARY PUBLIC COMMISSIONED IN UTAH

MILLVILLE MAYOR'S APPROVAL AND ACCEPTANCE

PRESENTED TO THE MILLVILLE CITY MAYOR THIS 26th DAY OF July, A.D. 2018, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

MILLVILLE MAYOR

CITY RECORDER

NIBLEY CITY COUNCIL APPROVAL AND ACCEPTANCE

PRESENTED TO THE NIBLEY CITY COUNCIL THIS 6th DAY OF June, A.D. 2018, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

NIBLEY MAYOR

CITY RECORDER

MILLVILLE PLANNING COMMISSION APPROVAL AND ACCEPTANCE

PRESENTED TO THE MILLVILLE CITY PLANNING COMMISSION CHAIRMAN THIS DAY OF July, A.D. 2018, AT WHICH TIME THIS SUBDIVISION WAS RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL.

MILLVILLE PLANNING COMMISSION CHAIRMAN

NIBLEY PLANNING COMMISSION APPROVAL AND ACCEPTANCE

PRESENTED TO THE NIBLEY CITY PLANNING COMMISSION CHAIRMAN THIS DAY OF May, A.D. 2018, AT WHICH TIME THIS SUBDIVISION WAS RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL.

NIBLEY PLANNING COMMISSION CHAIRMAN

UTILITY COMPANY APPROVALS

THE UTILITY EASEMENTS SHOWN ON THIS PLAT ARE APPROVED.

DOMINION ENERGY _____ DATE _____
ROCKY MOUNTAIN POWER _____ DATE _____
CENTURY LINK COMMUNICATIONS _____ DATE _____
COMCAST COMMUNICATIONS _____ DATE _____

MILLVILLE ENGINEER'S CERTIFICATE

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.

DATE

MILLVILLE CITY ENGINEER

NIBLEY ENGINEER'S CERTIFICATE

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.

DATE

NIBLEY CITY ENGINEER

CURVE TABLE					
CURVE	LENGTH	RADIUS	Δ	CH. BEARING	CHORD
C1	57.75'	840.00'	3°56'20"	S75°35'48"W	57.73'
C2	53.80'	760.00'	4°03'20"	N75°32'15"E	53.79'
C3	399.30'	225.00'	101°40'53"	S37°30'21"E	348.93'
C4	281.53'	400.00'	40°19'32"	N6°49'41"W	275.75'
C5	372.48'	800.00'	26°40'37"	N76°43'05"E	369.13'
C6	676.59'	700.00'	55°22'46"	N27°41'23"E	650.56'
C7	85.50'	760.00'	6°26'44"	N70°17'13"E	85.45'
C8	52.82'	60.00'	50°26'31"	N41°50'35"E	51.13'
C9	18.20'	83.00'	12°33'51"	S22°54'15"W	18.16'
C10	51.24'	58.00'	50°37'02"	N71°43'53"E	49.59'
C11	534.75'	660.00'	46°25'22"	N23°12'41"E	520.24'
C12	119.05'	840.00'	8°07'13"	N69°34'02"E	118.95'
C13	51.87'	40.00'	74°17'32"	N77°20'49"W	48.31'
C14	74.09'	140.00'	30°19'25"	N25°02'20"W	73.23'
C15	145.84'	360.00'	23°12'43"	N1°43'44"E	144.85'
C16	338.08'	190.50'	101°40'53"	S37°30'21"E	295.42'
C17	237.21'	440.00'	30°53'20"	N20°06'35"W	234.35'
C18	137.05'	123.00'	63°50'26"	S14°21'59"W	130.07'
C19	271.74'	740.00'	21°02'25"	N35°45'59"E	270.22'
C20	57.95'	83.00'	40°00'24"	S77°02'12"W	56.78'
C21	326.07'	740.00'	25°14'47"	N12°37'23"E	323.44'
C22	40.34'	83.00'	27°50'49"	S43°06'35"W	39.94'
C24	183.12'	840.00'	12°29'26"	N83°48'41"E	182.76'
C25	165.69'	760.00'	12°29'29"	N83°48'39"E	165.36'

LEGEND

BOUNDARY/LOT LINE

SECTION LINE

RIGHT-OF-WAY

CENTERLINE

FENCE

PUBLIC UTILITY EASEMENT HEREBY DEDICATED
* 10-FOOT WIDE OR AS SHOWN

PUBLIC TRAIL & UTILITY EASEMENT
* 30-FOOT WIDE

PUBLIC STREET HEREBY DEDICATED

STREET ADDRESS

SET REBAR WITH CAP

JSH REBAR WITH JSH CAP

TVG REBAR WITH TIM GIBBONS CAP

K&C REBAR WITH KNIGHTON & CROW CAP

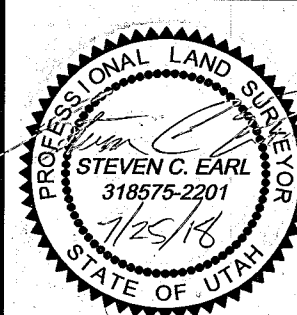
STATE R/W MONUMENT

SECTION CORNERS

NIBLEY APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 21st DAY OF September, A.D. 2018

NIBLEY CITY ATTORNEY

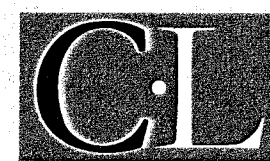


FINAL PLAT

SHEET DESCRIPTION:

RIVER HAWK SUBDIVISION

PROJECT TITLE:



Cache • Landmark
Engineers
Surveyors
Planners
95 Golf Course Rd.
Suite 101
Logan, UT 84321
435.713.0099

DATE: 25 JULY 2018

SCALE: NA

CALCULATIONS BY: S. EARL

CHECKED BY: S. CROOKSTON

APPROVED BY: S. EARL

PROJECT NUMBER: 675-1201.21

SHEET:

1 of 2

COUNTY RECORDER

COUNTY RECORDER'S NO.

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

OF

THIS DAY OF 20 AT FILE OF PLATS INDEX

COUNTY RECORDER

**MILLVILLE CITY
RESOLUTION 2021-30**

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 2021 Millville City Impact Fee Report.

Passed and approved by the Millville City Council this 23rd day of December 2021.

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, 2021

Projects From Which Funds Were Collected	<u>Parks</u>	<u>Roads</u>	<u>Water</u>	<u>TOTAL</u>
FY2017 - Impact Fees Collected and Interest Income	\$ -	\$ 33,007	\$ -	\$ 33,007
FY2018 - Impact Fees Collected and Interest Income	\$ -	\$ 45,178	\$ -	\$ 45,178
FY2019 - Impact Fees Collected (see detail spreadsheet)	\$ -	\$ 49,685	\$ -	\$ 49,685
FY2020 - Impact Fees Collected (see detail spreadsheet)	\$ 79,380	\$ 31,380	\$ -	\$ 110,760
FY2021 - Impact Fees Collected (see detail spreadsheet)	\$ 95,940	\$ 31,680	\$ 57,950	\$ 185,570
FY2021 - Interest Income	\$ 791	\$ 877	\$ -	\$ 1,668
<i>Subtotal</i>	\$ 176,111	\$ 191,807	\$ 57,950	\$ 425,868
Park impact fees spent - No expenditures	\$ -	\$ -	\$ -	\$ -
Road impact fees spent - No expenditures	\$ -	\$ -	\$ -	\$ -
Water impact fees spent on principal and interest payments for the bonds for 1997 Reservoir and 2006 Reservoir Projects	\$ -	\$ -	\$ (57,950)	\$ (57,950)
<i>Total Impact Fees and Interest on Hand at June 30, 2021</i>	<u>\$ 176,111</u>	<u>\$ 191,807</u>	<u>\$ -</u>	<u>\$ 367,918</u>

Future Expected Expenditures of Impact Fees on Hand by Project by Fee Type	<u>FY2022</u>	<u>FY2023</u>	<u>FY2024</u>	<u>TOTAL</u>
Park Expenditures	\$ 160,000	\$ -	\$ -	\$ 160,000
Road Expenditures	\$ 160,000	\$ -	\$ -	\$ 160,000
Waiting to see impact of sewer project on city's roads	\$ 35,000	\$ 46,000	\$ 50,000	\$ 131,000
Water Expenditures	\$ 35,000	\$ 46,000	\$ 50,000	\$ 131,000
Bond payments for 1997 Reservoir and 2006 Reservoir Projects	\$ -	\$ -	\$ -	\$ -
<i>Impact Fees Projected for Expenditures</i>	<u>\$ 195,000</u>	<u>\$ 46,000</u>	<u>\$ 50,000</u>	<u>\$ 291,000</u>

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