

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
December 23, 2021

PRESENT: David Hair, Daniel Grange, Clay Wilker, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Mike Gibbons

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for December 23, 2021 at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Clay Wilker, Ryan Zollinger and Daniel Grange were in attendance with Councilmember Michael Callahan excused. Also, Treasurer Tara Hobbs and Recorder Corey Twedt were present.

Opening Remarks/Pledge of Allegiance

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

Approval of Agenda

The agenda for the City Council Meeting of December 23, 2021 was reviewed.

Councilmember Zollinger moved to approve the agenda for December 23, 2021.

Councilmember June seconded. Councilmembers Wilker, June, Grange and Zollinger voted yes with Councilmember 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 December 9, 2021.

Councilmember Wilker moved to approve the minutes for December 9, 2021.

Councilmember Grange seconded. Mayor Hair and Councilmember June pointed out some grammatical errors that were fixed. Councilmembers Wilker, June, Grange and Zollinger voted yes with Councilmember 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 M Gibbons

Mike Gibbons has submitted a request for a business license for M Gibbons at 140 North 300 East. Mike said that this was an excavation business. The office will be in his house in

Millville where the paperwork and bookkeeping will be done. The equipment is not stored in Millville. **Councilmember Grange motioned to approve the business license for M Gibbons.** Councilmember Zollinger seconded. Councilmembers Wilker, June, Grange and Zollinger voted yes with Councilmember Callahan excused. (A copy of the license application is included with the minutes as Attachment “B”).

Consideration of a Resolution Accepting the River Hawk Subdivision

Mayor Hair reviewed with the Council the resolution to accept the River Hawk Subdivision that had been discussed at previous meetings. He pointed out that the City had now received the water shares that were part of the agreement and that the City had been waiting for. Planning and Zoning had reviewed the subdivision at their last meeting and recommended approval by the City Council.

Councilmember Wilker motioned to approve Resolution 2021-29. Councilmember Grange seconded. Councilmembers Wilker, June, Grange and Zollinger voted yes with Councilmember Callahan excused. (The approved resolution is included with the minutes as Attachment “C”).

Consideration of a Resolution Adopting the 2021 Impact Fee Report

Recorder Twedt said that this is a resolution that is reviewed and adopted annually in connection with the audit that shows the impact fees collected in the different funds and plans to spend them. He said that the Park Impact Fee numbers on the report represent what was discussed at the last meeting with the planned pavement of the middle section of the parking lot at the South Park. He said that there is some Road Impact Fee Money that needed to be spent this fiscal year and the adopted budget reflected this.

Councilmember Zollinger pointed out that this report does not indicate the total amount of impact fees collected, but instead the amount that have been collected and not yet spent. Recorder Twedt said that this was a good point and that he would look at making an edit to the titles of those rows to make it a little clearer going forward.

Councilmember Zollinger moved to approve Resolution 2021-30. Councilmember Grange seconded. Councilmembers Wilker, June, Grange and Zollinger voted yes with Councilmember Callahan excused. (The approved resolution is included with the minutes as Attachment “D”).

Setting of the 2022 Annual Meeting Schedule

Mayor Hair said that annually, the Council sets the meeting schedule for the City Council and Planning Commission and publishes them so that the residents can stay informed. He asked the City Council if they thought any changes in the schedule should be made. The consensus of the Council was to keep the meetings at the same times and days as they were held in 2021. Recorder Twedt said that he would take care of the required publications. The City Council will hold meetings on the 2nd and 4th Thursdays of each month at 7 p.m.

and the Planning Commission will hold meetings on the 1st and 3rd Thursdays of each month at 8 p.m. as needed.

Parking on City Right-of-Way

Councilmember Zollinger said that as has been discussed before, parking in the public right-of-way has become a big issue throughout the City. He said that he wanted to work on this, but he felt the City Code needed some updates. The winter parking ordinance is now in place but is not being followed by many of the residents. The Council discussed that more education would likely be necessary as some Millville residents may have confusion on where the public right-of-way begins and ends. Mayor Hair said that there are also issues with corner lots and the distance from intersections from which people are allowed to park. Councilmember Zollinger suggested that a courtesy warning tag be prepared that could be handed out for parking violations. Recorder Twedt said that he would make up a tag and that he would have a log so that the City can record when and to which home the violation tags are given.

Councilmember Zollinger said that he had recently visited a home with Mayor Hair to discuss parking issues. The visit had gone well.

Councilmember Zollinger said that he would like to begin reviewing possible code changes at the beginning of the year to work on a more complete plan to deal with the parking problems.

Consideration for Cancelling City Council Meeting Scheduled for January 13, 2022

Mayor Hair said that in a previous meeting, the Council had discussed the possibility of moving the January 13th meeting closer to the beginning of the month, because Recorder Twedt was going to be unavailable on the 13th. Earlier in the month did not work for some of the Councilmembers, so the Council had decided to hold the meeting tonight and then figure out whether there was anything that could not wait for the second meeting in January. Recorder Twedt said that with the resolutions that were adopted tonight, there was nothing that he was aware of that could not wait until January 27th.

Councilmember Grange motioned to cancel the meeting scheduled for January 13, 2022. Councilmember Wilker seconded. Councilmembers Wilker, June, Grange and Zollinger voted yes with Councilmember Callahan excused. The next City Council meeting will be held on January 27, 2022.

Councilmember Reports and Items for Future Agendas

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

Mayor Hair suggested the Council move to a short, closed session at the end of this meeting to discuss ongoing litigation.

Mayor Hair said that there had been reports again of people entering the abandoned home on Main Street. He had reached out to the owner to make them aware that this had become an issue again. Councilmember Zollinger said that he felt the owner should be dealing with this problem and that it is not the responsibility of the City. Mayor Hair said that the neighbor had been advised to call the police if they saw people sneaking into the home.

Councilmember Grange asked about an article from the Cache Valley Daily earlier in the month about Millville receiving federal funds for the upcoming sewer project. Recorder Twedt said the story had come from a USDA press release on December 16th about the money they had previously obligated for the City sewer project. Although the wording and dates made it sound like this was recent, it was referring to the money that had already been committed to the City and is not new additional funding. It had been confusing enough that after Mayor Hair pointed out the article, Recorder Twedt reached out to the City contacts at RDA to see if more money had been obligated and they had forgot to notify the City. Unfortunately, that wasn't the case.

Adjournment

Councilmember Grange motioned to enter a closed session to discuss ongoing litigation after which both the public meeting and executive session will adjourn. Councilmember June seconded. Councilmembers Wilker, June, Grange and Zollinger voted yes with Councilmember Callahan excused. The meetings adjourned at 7:56 p.m.

NOTICE AND AGENDA

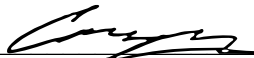
Attachment "A"

Notice is hereby given that the Millville City Council will hold their regularly scheduled Council Meeting on Thursday, 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 – December 9, 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



CHECK APPLICABLE BOX

☐ Commercial ☒ New Application

☐ Home Business ☐ Application Amendment

CHANGE OF:

☐ Ownership ☐ Business Name

☐ Address ☐ Business Description

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

Date Received _____

Application Contact: MIKE Gibbons Contact Ph: 435-881-3891

A. Business Name "DBA": M Gibbons

B. Business Location: 140 N 300 East Millville, UT 84326
Street Address (include unit #)

C. Mailing Address: PO BOX 607 Millville, UT 84326 ☐ Same as "B. Business Location"
ATTN: _____ Street (include unit#)/PO Box address City, State, Zip

D. Local Business Ph: 435-881-3891 Fax: _____ www: _____

Excavation / Landscape. Will not be parking equipment
At house. I have agreed in N. blog.

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

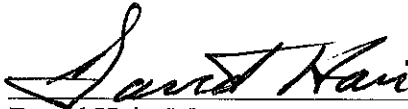
WHEREAS, the Planning Commission reviewed the request on December 16, 2021 and recommended the City Council approve this subdivision; and

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			X	
Pamela June	X			
Ryan Zollinger	X			
Clay G. Wilker	X			
Daniel Grange	X			



FINAL PLAT

RIVER HAWK SUBDIVISION

PROJECT TITLE



Cache • Landmark
Engineers
Surveyors
Planners

95 Golf Course Rd.
Suite 101
Logan, UT 84321
435.713.0099

DATE: 30 MAY 2018

SCALE: 1" = 100'

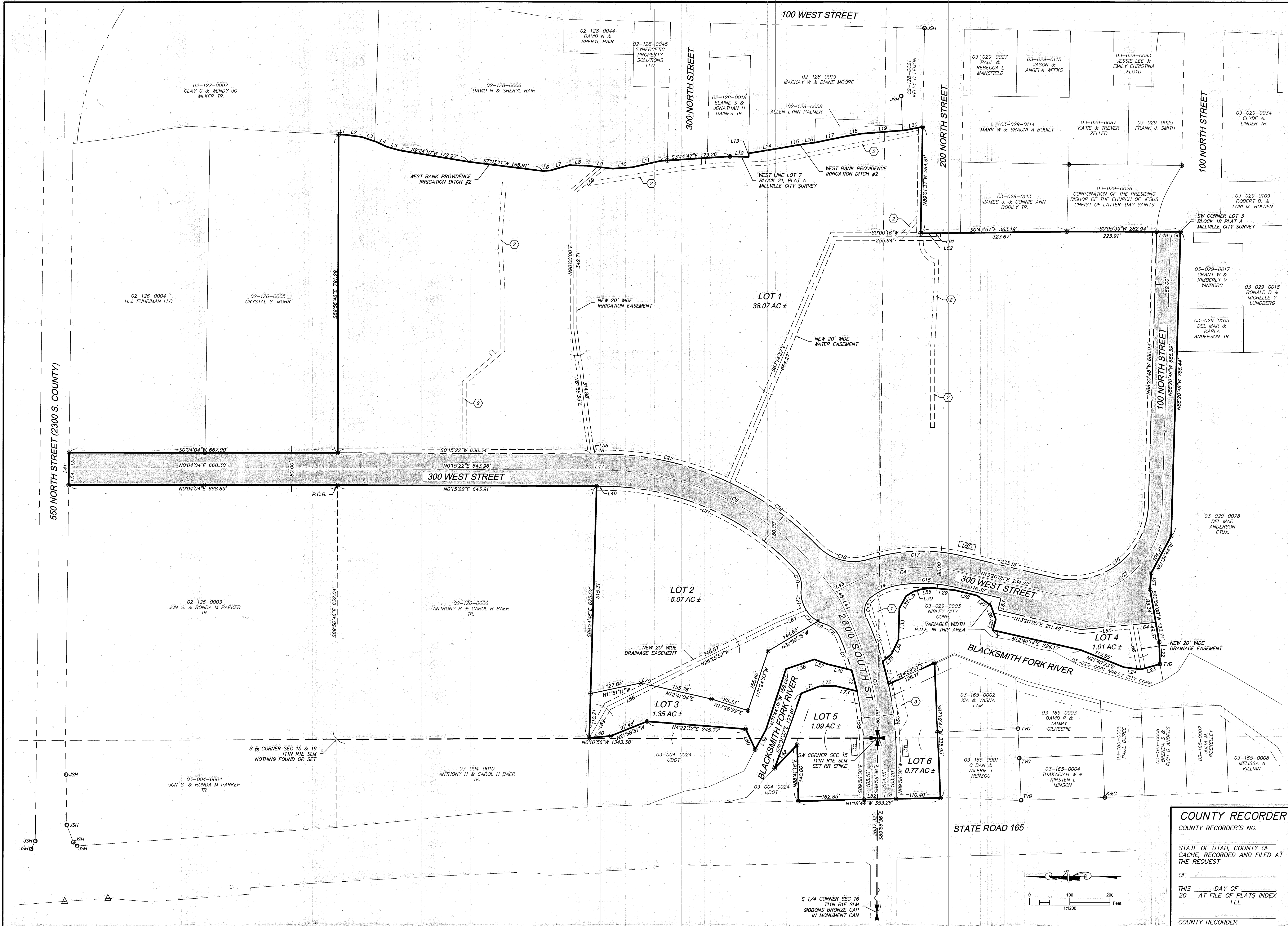
CALCULATIONS BY: S. EARL

CHECKED BY: S. CROOKSTON

APPROVED BY: S. EARL

PROJECT NUMBER: 675-1201.21

SHEET: 2 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
FEE
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°18'44"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°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 AGRGATION 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

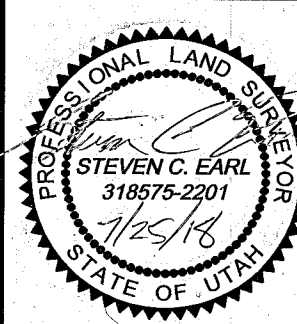
STATE R/W MONUMENT

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

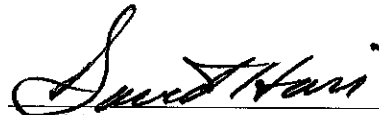
WHEREAS, the Utah State Code in section 11-36-301 requires an annual report to be submitted to the Utah State Auditor with regard to Impact Fees collected, budgeted, and expended; and

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.

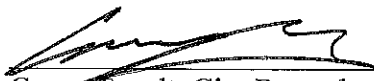
Passed and approved by the Millville City Council this 23rd day of December 2021.

SIGNED:



David Hair, Mayor

ATTEST:



Corey Twedt, City Recorder



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

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				
Finish South Park walkway, pickleball courts phase 2 and paving middle section	\$ 160,000	\$ -	\$ -	\$ 160,000
	<u>\$ 160,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 160,000</u>
Road Expenditures				
Waiting to see impact of sewer project on city's roads	\$ 35,000	\$ 46,000	\$ 50,000	\$ 131,000
	<u>\$ 35,000</u>	<u>\$ 46,000</u>	<u>\$ 50,000</u>	<u>\$ 131,000</u>
Water Expenditures				
Bond payments for 1997 Reservoir and 2006 Reservoir Projects	\$ -	\$ -	\$ -	\$ -
	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
<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