

NOTICE AND AGENDA

Notice is hereby given that the Planning Commission of Millville City will hold their regularly scheduled on Thursday, **April 7, 2022** at the Millville City Offices, 510 East 300 South in Millville, Utah, which meeting shall begin promptly at **8:00 p.m.**

1. Call to Order / Roll Call
2. Opening Remarks / Pledge of Allegiance
3. Approval of agenda
4. Approval of minutes from February 17, 2022
5. Agenda Items
 - A. Swearing in of Lynette Dickey for another term on the Planning Commission- Corey Twedt
 - B. Open and Public Meetings Act Training- Corey Twedt
 - C. Zoning Clearance- Inground Pool- Joe & Jen Cullumber, 25 N. 550 E., Millville UT 84326
 - D. Zoning Clearance- Conversion of Shop to Apartment- 211 S. 300 E., Millville UT 84326
 - E. Other
6. City Council Report- February 24, 2022, March 10, 2022, March 17, 2022 & March 24, 2022
7. Agenda items for next meeting
8. Calendaring for future Planning Commission Meeting- April 21, 2022
9. Adjournment

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

This agenda was posted on April 4, 2022 to the City posting locations, the City Website and the Utah Public Meeting Notices Website.



Kara Everton, Secretary
Millville City Planning Commission

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

February 17, 2022

PRESENT: Lynette Dickey, Larry Lewis, Matt Anderson, Darcy Ripplinger, Kara Everton, Tara Hobbs, Pam June, Christian Taylor, Dan Hunsaker, Chade Kendrick, Sarai Hernandex, David Hair, Laura Taylor

Call to Order/Roll Call:

Commissioner Dickey opened the meeting for February 17, 2022 at 8:00 p.m. Commissioners Larry Lewis, Lynette Dickey, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) were present. Commissioner Greenhalgh & Thompson are excused. Development Coordinator Kara Everton was present and took minutes.

Opening Remarks/Pledge of Allegiance

Commissioner Dickey led all present in the Pledge of Allegiance.

Approval of Agenda

The agenda for the Planning Commission Meeting was reviewed. **Commissioner Farmer moved to approve the agenda February 17, 2022.** Commissioner Ripplinger seconded. Commissioners Larry Lewis, Lynette Dickey, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) voted in favor with Commissioner Greenhalgh & Thompson are excused.

Approval of the Minutes of the Previous Meeting

The Planning Commission reviewed the Planning Commission Meeting for February 3, 2022. **Commissioner Lewis moved to approve the minutes.** Commissioner Ripplinger seconded. Commissioners Larry Lewis, Lynette Dickey, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) voted in favor with Commissioner Greenhalgh & Thompson are excused.

5.A. Sign Permit Application- SignPro for Green Box Solar

Commissioner Ripplinger moved to recommend the approval of the Sign Permit application contingent on the verification of a business license for Green Box Solar. Commissioner Lewis seconded. Commissioners Larry Lewis, Lynette Dickey, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) voted in favor with Commissioner Greenhalgh & Thompson are excused.

5.B. Zoning Clearance- Storage Unit, Zollinger's Industrial Lot 3, 1150 W 925 N, Millville

This was already approved in May of 2020. They just never moved forward with the permit so they needed a renewed clearance from Millville.

Commissioner Anderson moved to recommend the approval of the Zoning Clearance.

Commissioner Farmer seconded. Commissioners Larry Lewis, Lynette Dickey, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) voted in favor with Commissioner Greenhalgh & Thompson are excused.

OPEN AND PUBLIC MEETINGS ACT TRAINING

July 2021

The Open and Public Meetings Act requires that members of a public body be “provided with annual training on the requirements of [the Open and Public Meetings Act]” (Section 52-4-104).

The Open and Public Meetings Act is based on the premise that the state, its agencies, and its political subdivisions exist to conduct the people’s business and that a public body should deliberate and take action openly (Section 52-4-102).

Definitions (Section 52-4-103)

Meeting means a convening of a public body with a quorum present (in person or electronically) to discuss, receive public comment about, or act upon a matter over which the public body or the specified body has jurisdiction or advisory power. Includes workshops or executive sessions of a public body.

Meeting does not include a chance or social gathering.

Public Body means an administrative, advisory, executive, or legislative body of the state or its political subdivisions that:

- is created by the Utah constitution, state statute, rule, ordinance, or resolution;
- expends, disburses, or is supported in whole or in part by tax revenue; and
- is vested with the authority to make decisions regarding the public’s business.

Quorum means a simple majority of membership of a public body (3 Councilmembers).

Public Notice (Section 52-4-202)

A public body is required to provide public notice at least 24 hours before each meeting. The public notice is required to:

- include the date, time, and place of the meeting;
- include an agenda that lists specific topics to be considered;
- be posted in specified places, including the Utah Public Notice Website; and
- be provided to a newspaper or local media correspondent.

A public body may discuss a topic raised by the public that is not listed on the agenda, but may not take final action on the topic.

Minutes and Recordings (Section 52-4-203)

- A public body is required to keep written minutes and a recording of all meetings. However, a recording is not required for a site visit if no vote or action is taken by the public body.
- Pending minutes must be made available to the public within 30 days after the meeting and indicate that the public body has not yet approved the minutes.
- Within three business days after approving written minutes, the approved minutes and any public materials distributed at the meeting are required to be:
 - posted on the Utah Public Notice Website; and
 - made available at the public body's primary office (or website).

Closed Meetings (Sections 52-4-204 and 52-4- 205)

A public body may only hold a closed meeting for certain reasons, including the discussion of:

- a person's character, competence, or health;
- strategy for collective bargaining;
- strategy for pending or imminent litigation;
- an acquisition or sale of real property, including water rights or shares;
- the deployment of security personnel, devices, or systems;
- the investigation of criminal conduct;

A public body may only close a meeting by a two-thirds vote with a quorum present at the open meeting. A public body that closes a meeting is required to announce the reasons for closing the meeting and enter the reasons into the minutes of the open meeting.

A public body may not close a meeting to discuss filling a midterm vacancy or temporary absence for an elected position, or to discuss a person whose name was submitted for consideration to fill a midterm vacancy or temporary absence for an elected position.

An ordinance, resolution, rule, regulation, contract, or appointment may not be approved during the closed portion of a meeting.

Emergency Meetings (Section 52-4-202) A public body may hold an emergency meeting and is not required to give 24-hour notice if unforeseen circumstances arise that require urgent consideration. However, a public body may not hold an emergency meeting unless it makes an attempt to notify all members of the public body and a majority of its members approve the meeting.

Public Meeting vs Public Hearing

A public meeting is a meeting in which the public is invited to come and watch the Council deliberate on and decide matters. There is no right for any individual member of the public to actively participate in the public meeting (although there is nothing wrong about allowing this).

In a public hearing, the public has the right to participate by giving information or testimony about the topic of the hearing. Although most things done by a City Council can be done in a public meeting, certain ordinances and activities require a public hearing and there are other times when you may want a hearing to get input from the public. During a public hearing, it is best to establish rules for how long each member of the public will be allowed to speak and enforce that time limit to ensure there isn't a sense of favoritism. Another good way to keep a public hearing on track is to keep members of the Council and City staff from responding directly to the member of the public who is speaking. After the public hearing portion of the meeting is complete, the Council can return and debate the topic in as much detail as needed after having heard the input from the public.

Disruption of Meetings (Section 52-4-301)

Individuals can be removed from a public meeting if they willfully disrupt the meeting to the extent that orderly conduct is seriously compromised.

Penalties (Sections 52-4-302 and 52-4-305)

Open Meetings

Any final action taken in a meeting that is in violation of the Open and Public Meetings Act is voidable by a court.

Closed Meetings

It is a class B misdemeanor to knowingly or intentionally violate closed meeting provisions of the Open and Public Meetings Act.



MILLVILLE CITY

ZONING CLEARANCE FOR BUILDING PERMIT

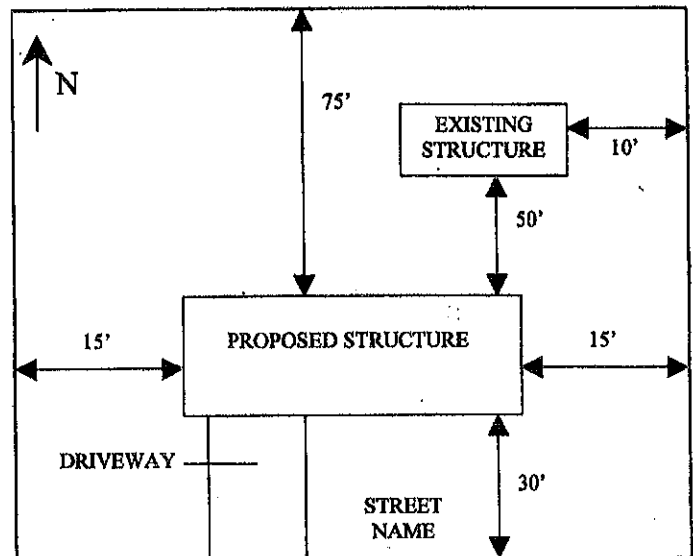
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

APPLICATION INFORMATION

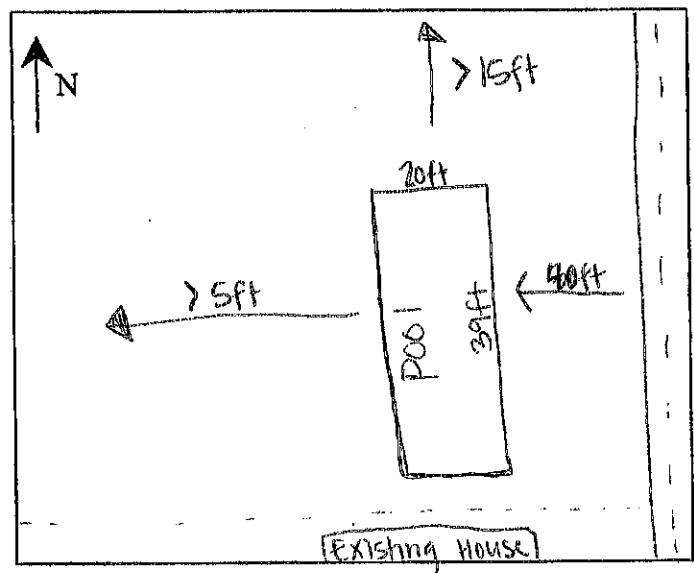
1. Joe & Jen Cullumber
APPLICANT'S NAME
2. PO Box 815
MAILING ADDRESS
3. Millville VT 84326
CITY STATE ZIP CODE
3. 435-881-3213 4. _____
HOME TELEPHONE BUSINESS TELEPHONE
5. _____
OWNER'S NAME (if different from applicant)
6. Inground Pool
TYPE OF STRUCTURE
7. 700 sq ft 8. _____
SQUARE FOOTAGE ZONE
9. _____
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 03 - 194 - 0060
TAX IDENTIFICATION NUMBER
11. 25 N. 550 E
ADDRESS OF CONSTRUCTION
12. 380 13. _____
LOT SIZE LOT ELEVATION
14. SEWER ☐ SEPTIC TANK ☐ N/A ☒
(choose one)
15. CITY WATER ☐ PRIVATE WELL ☐ N/A ☒
(choose one)
16. ELECTRICITY ☒ GAS ☒ OTHER UTILITY ☐
(specify in remarks)
17. _____
REMARKS

SAMPLE PLOT PLAN

(numbers do not represent required setbacks)



PLOT PLAN



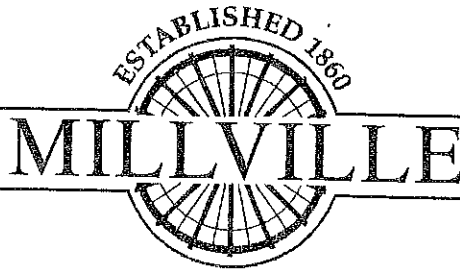
APPROVED - PLANNING AND ZONING

DATE

FEES PAID - TREASURER

DATE

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



Post Office Box 308

Millville, Utah 84326

Zoning Clearance for Building Permit # _____

**Accessory Building (R-1, R-2, R-3)
Zoning Clearance Requirements Checklist
over 500 sqft.**

Please initial each item and then sign the last page:

1. ☒ You have been informed of the application process and understand the steps you are required to take.
2. ☒ One (1) complete, full size set of building plans are required by the City.
3. ☒ 9 copies plus original of the completed zoning clearance for building permit form, Form # 101 – 15 Nov 2003
4. ☒ 9 copies of the floor plan (11" x 17")
5. ☒ 1 copy of the plat in which the lot is located (11" x 17")

Corner Lot Setbacks:

6. ()
 - A. Front Setback: The structure is required to be set back 30 feet from the front property line.
 - B. Rear Setback: If the side of the accessory building facing the property line is a firewall, then the building can be on the drip line. If there is no firewall, then the building can be no closer than five (5) feet to the property line.
 - C. Side Setback: Drip line on lot on the side abutting an interior lot and 20 feet from the side property line abutting a public street.

Interior Lot Setbacks

7. ☒
 - A. Front Setback: The structure is required to be set back 30 feet from the front property line.
 - B. Rear Setback: If the side of the accessory building facing the property line is a firewall, then the building can be on the drip line. If there is no firewall, then the building can be no closer than five (5) feet to the property line.

C. Side Setback: If the side of the accessory building facing the property line is a firewall, then the building can be on the drip line. If there is no firewall, then the building can be no closer than five (5) feet to the property line.

8. (X) Height: The height of the structure shall be no more than 35 feet.
9. (X) Retaining walls for cuts and fills over four (4) feet in height or (6) six feet for the combined height of cut and fill cross section will be designed by a certified engineer and approved by the City Council upon the affirmative recommendation of the City Engineer.
10. (X) Permits expire 12 months from the date of issuance, or after 180 days if construction has not begun.
11. (X) FEES: \$500.00 Refundable upon inspection of city infrastructure surrounding accessory building after project and landscaping is completed.

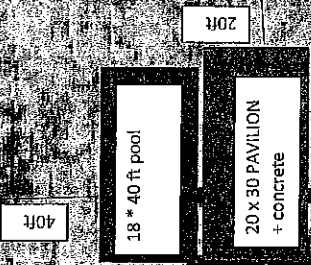
Jennifer Cullumber
printed name

Jennifer Cullumber
signature

2/21/22
date

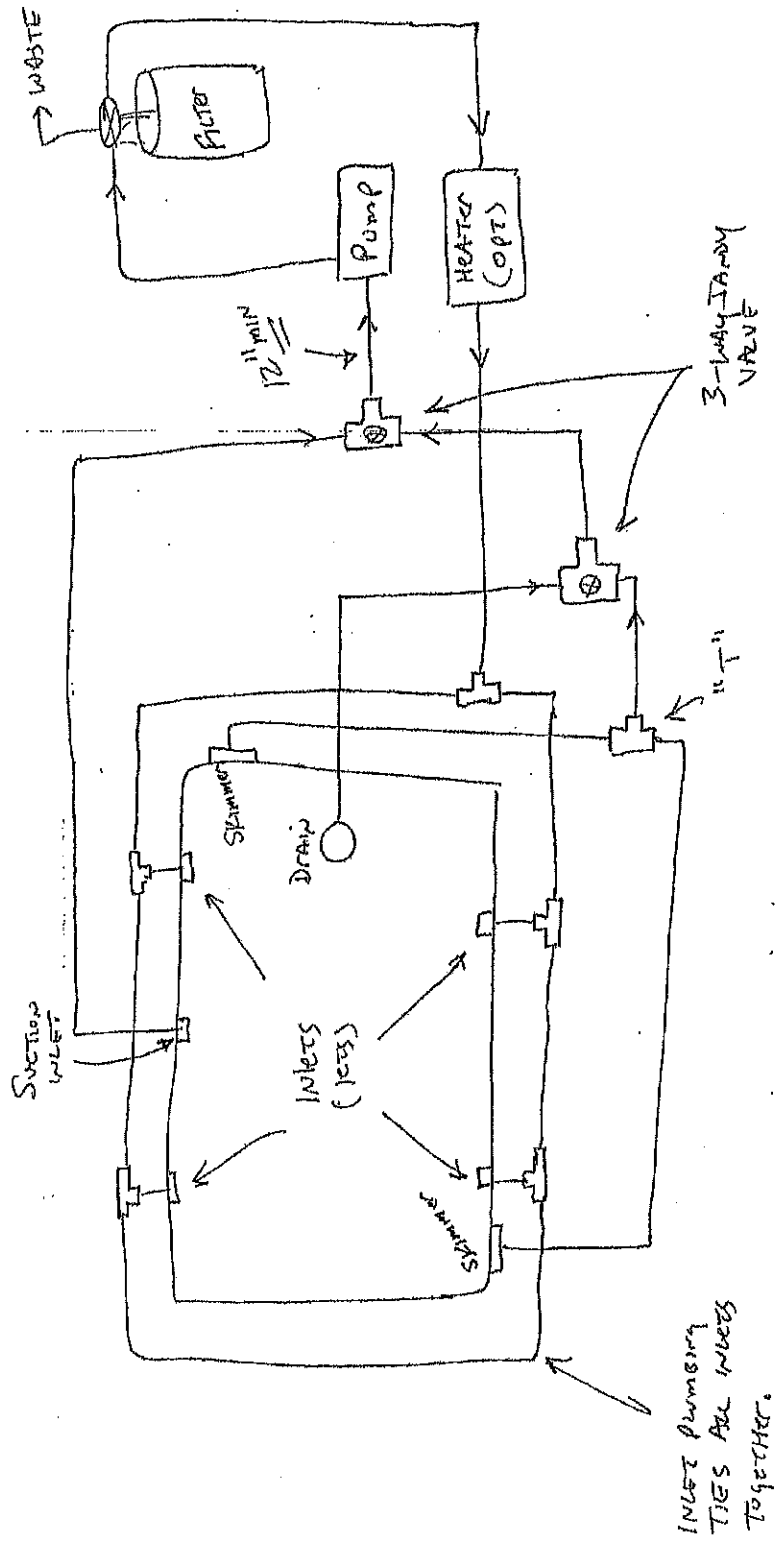
Property Boundary Previously Adjusted

03-194-0065
JOSEPH & JENNIFER
CULLUMBER

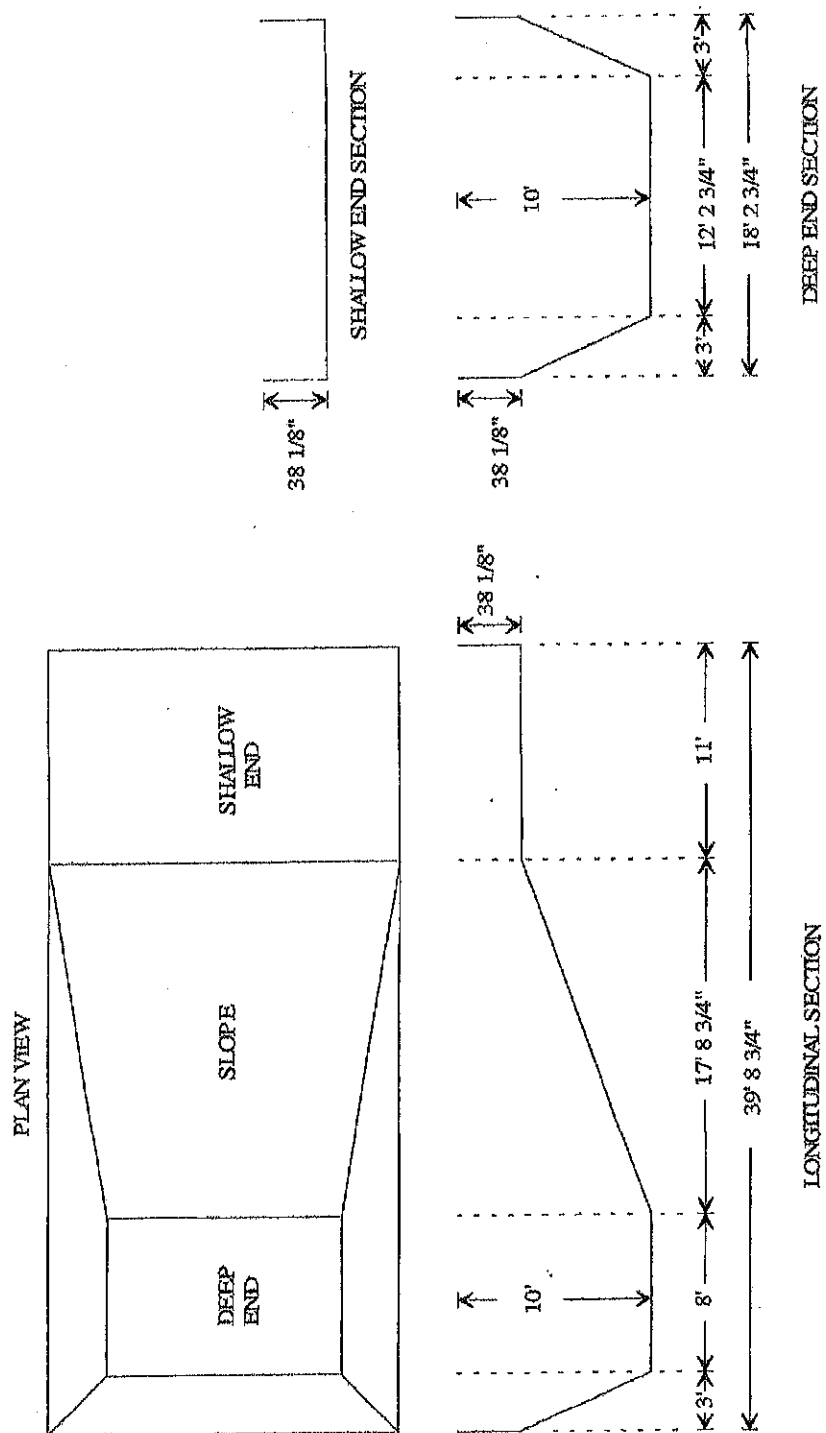


03-194-0066
JOE & JENNIFER
CULLUM

Pool Pump Plumbing w/ Suction Line (NOT TO SCALE)

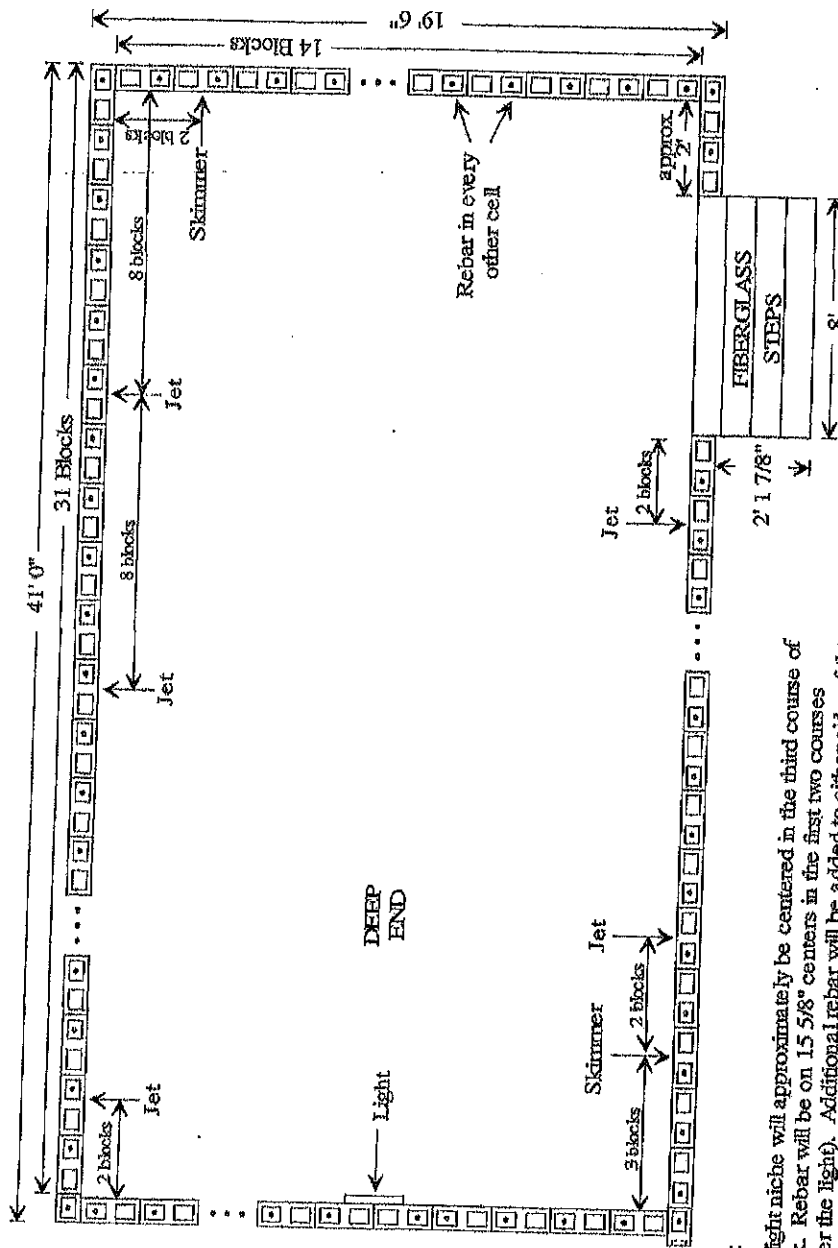


8-26-04



INSIDE POOL DIMENSIONS

Figure 4



NOTES:

1. The light niche will approximately be centered in the third course of block. Rebar will be on 15 5/8" centers in the first two courses (under the light). Additional rebar will be added to either side of the light.
2. Two skimmers will be positioned approximately as shown. The skimmers approximately occupy the space of 1 block. In those spaces, the vertical rebar will only come up to the fourth course of block. In addition, the rebar for the bond beam will also be absent in these spaces.
3. Jets are to be installed in second course from top in positions shown.

POOL DETAIL

Figure 3

NOTES:

1. Blocks are standard 8" X 8" X 16". Bottom and top courses are bond beam blocks. The blocks are stacked in a common bond wall configuration. No mortar is used at block joints.
2. All rebar are #4, grade 40 (min yield stress $f_y=40\text{ksi.}$).
3. Footing concrete minimum compressive strength $f_c=3000\text{psi}$, $3/4"$ aggregate.
4. All cells with reinforcement shall be grouted solidly. All other cells, except maybe those with plumbing or the light niche, shall also be grouted solidly.
5. Block cells shall be filled with a grout mix having a minimum compressive strength $f_c=2000\text{ psi}$ using pea gravel aggregate.
6. The footing shall be cast against undisturbed soil materials or soils compacted to 95% of maximum density. Loose material shall be removed prior to placing concrete.
7. Concrete cover for reinforcing shall be 3" from bottom and sides and 2" from top of footing.
8. Reinforcing laps shall be a minimum of 18".
9. All horizontal reinforcing in footings and walls shall be continuous around corners or have corner bars (of the same size) which lap a minimum of 18".
10. Bends are standard 90-degree and standard 180-degree hook bends.
11. Vertical rebar shall be accurately located and secured in place so that it remains in place during the concrete placing operation.

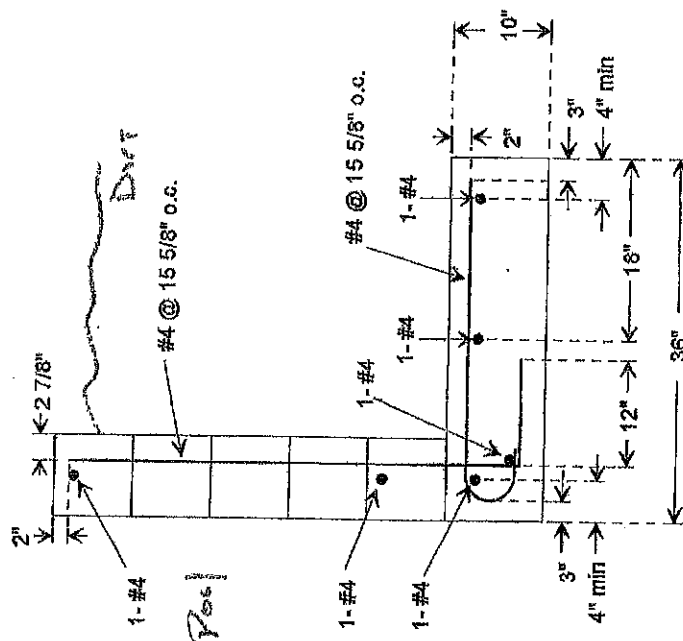


FIGURE 1

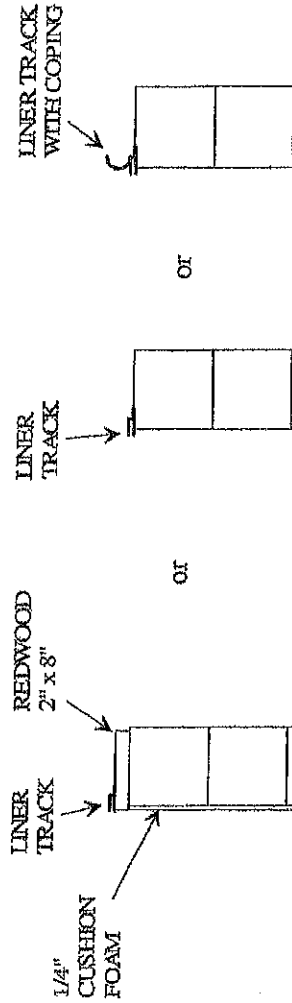


Figure C

Figure B

Figure A

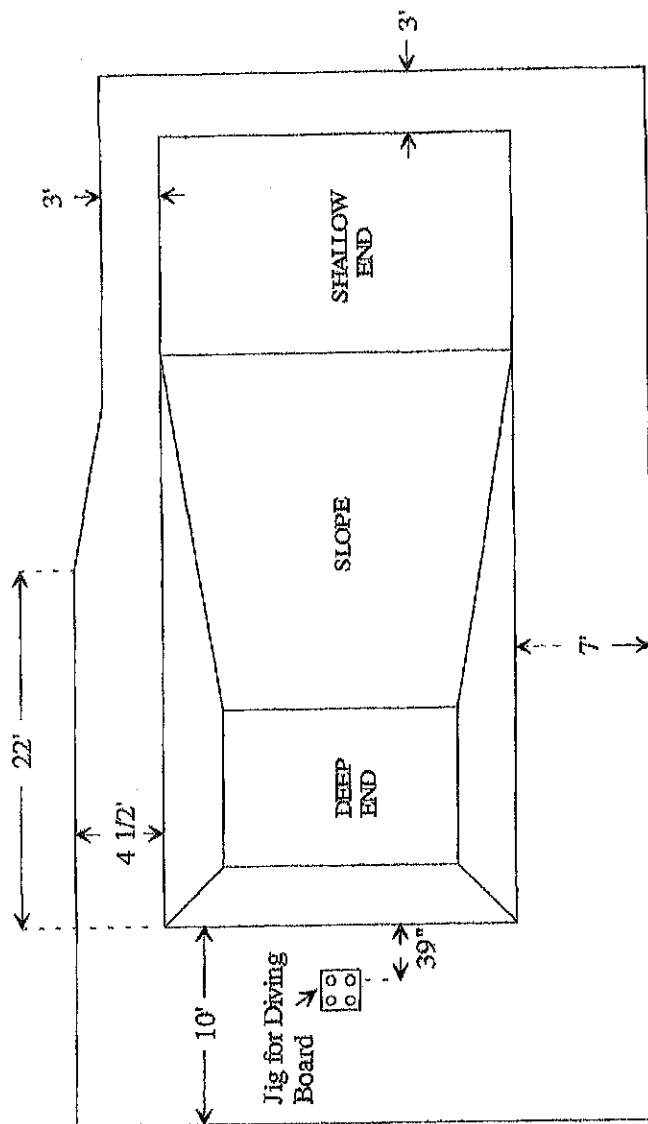
POOL BOTTOM

NOTES:

1. There are several options for mounting the track to the top of the wall. A cap-board may be added to the top of the block as shown in Figure A. The track would then be mounted to the capboard. Figure B shows that the track can be mounted directly on top of the block. Figure C shows a track with coping to be mounted on the top of the block. This configuration is for pouring a concrete deck directly on top of the wall. In the other configurations, a trim board would set on top of the block, notched to accommodate the track. The decking would then meet with the trim board.
2. The 1/4" cushion foam is attached to the wall to provide a smooth surface for the liner.
3. The pool bottom will be graded and finished with 1 1/2" of either a pebble/concrete mixture or mason sand.

FINISHING DETAIL

Figure 5



Note: Mesh and plastic to be placed on top of pool wall structure, approx 2' around edge of pool prior to pouring concrete. This is to keep the deck from bonding to the pool block wall.

CONCRETE DECK PLAN

Figure 6

Remodel Project

Location: 211 South 300 East, Millville, Utah.

Owners: Cameron and Melissa Record

We have a 1,648 Sq Ft Shop on our property. This is a current - finished structure.

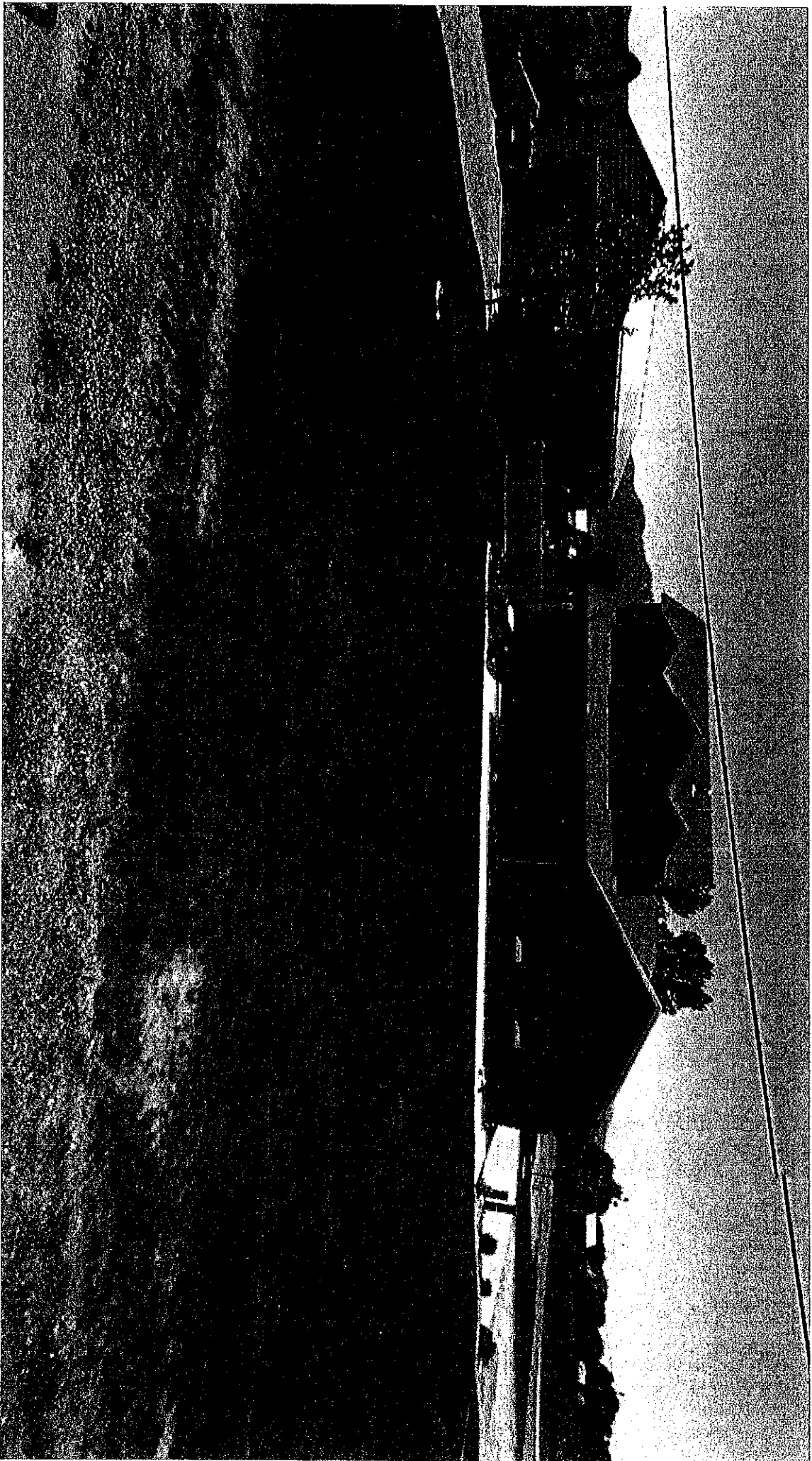
We want to convert around 850 Sq Ft of this shop into an apartment. This will include a downstairs area, and a large loft upstairs.

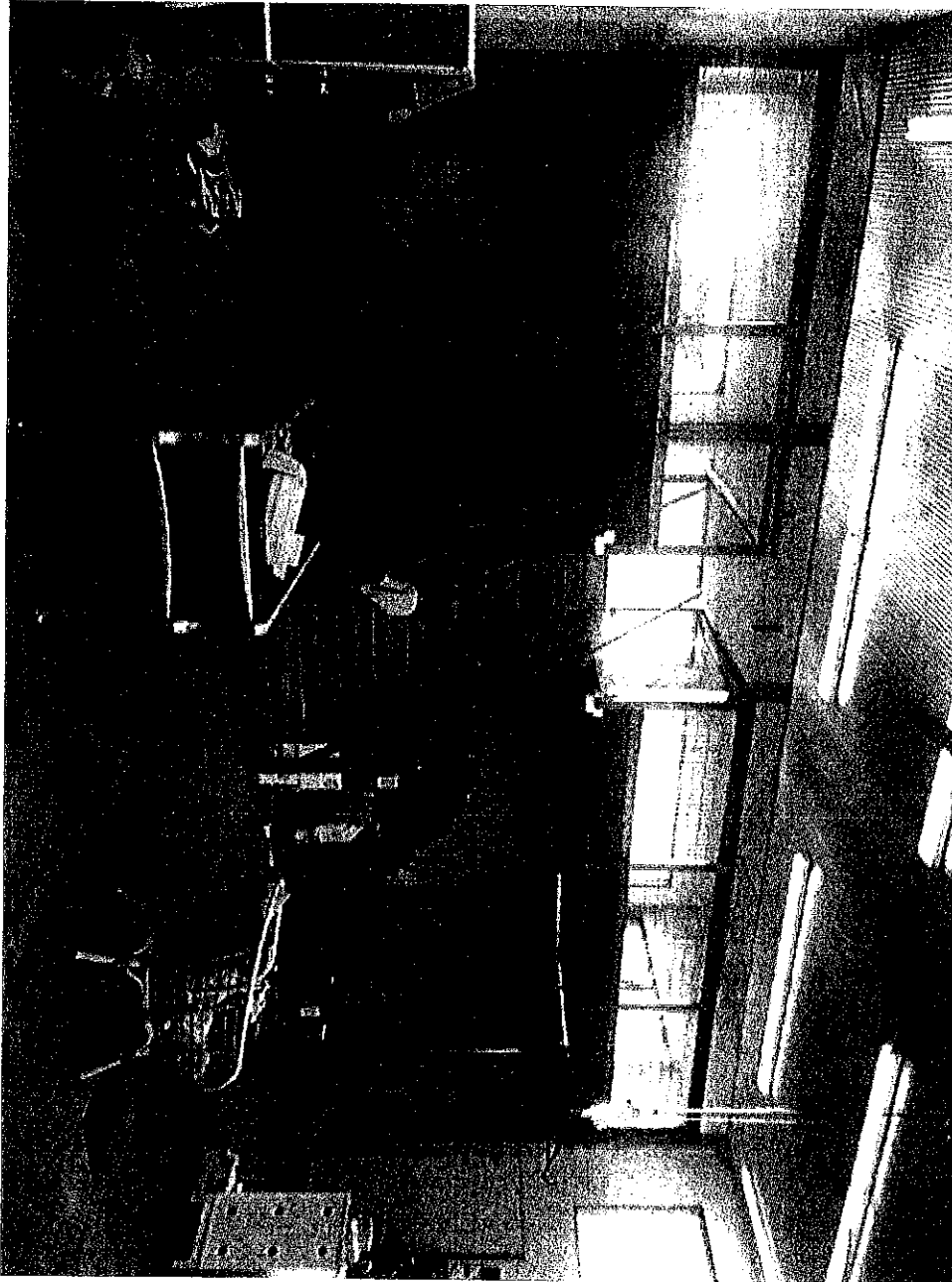
- The loft will have two bedrooms, and a common/sitting area. It already has hardwood flooring.
- The downstairs will have a full kitchen, a family room, a full bath with washer/dryer, and dining area. Tile or hardwood flooring will be added to all areas downstairs.
- All areas will be equipped with modern fixtures, and decorated in an upscale format.
- There is already a separate wide driveway for this apartment (our house has its own driveway).
- There are already two separate entrances to the shop, one will be for the apartment.
- The occupants will be able to use the garage to park their cars (the part of the shop not converted into an apartment).

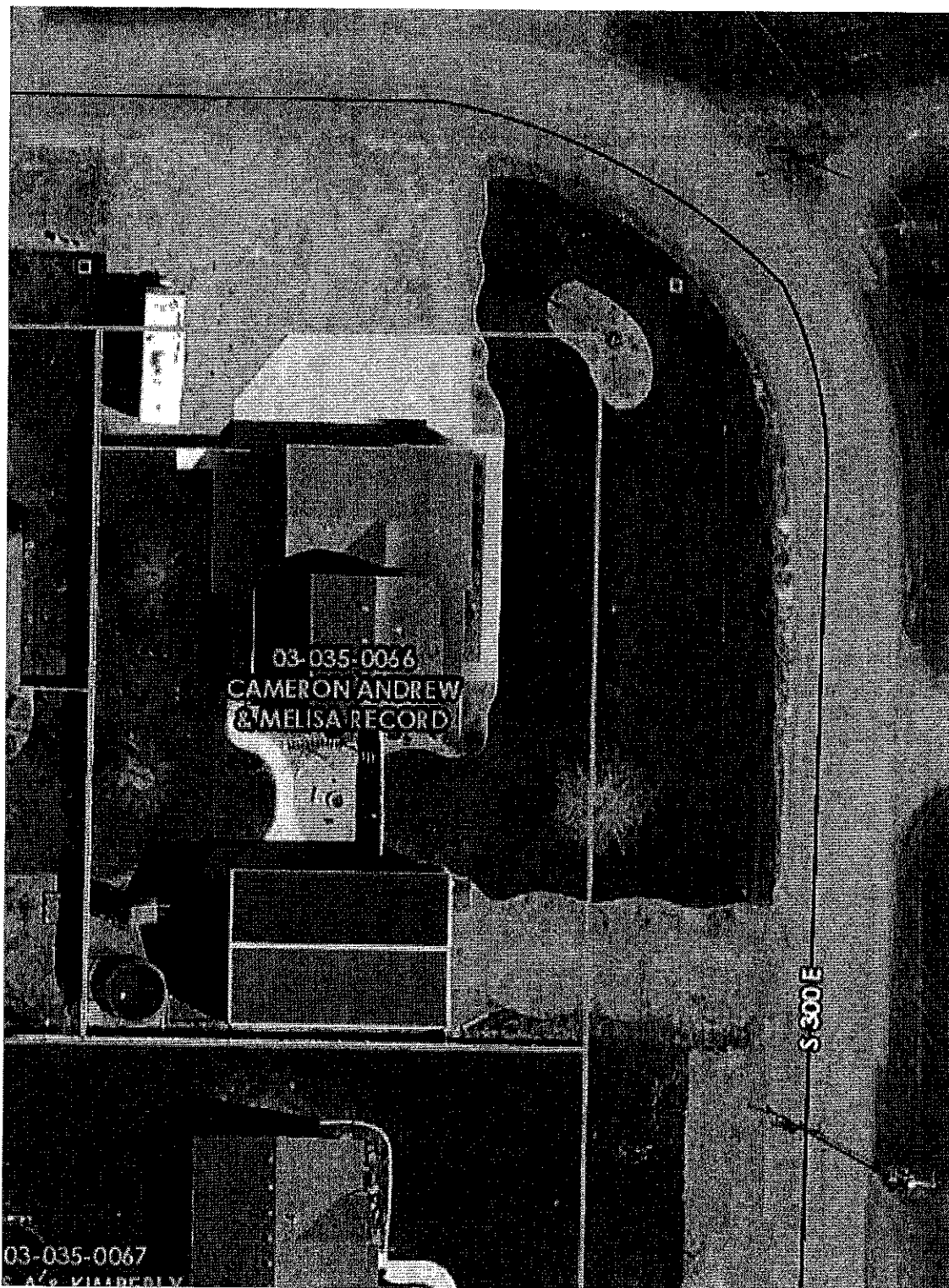
Our plans are to use this apartment for family, for about ½ the year. We would like to rent it out the other ½ of the year – to help pay for the apartment.

Thanks,

Cameron and Melissa Record







MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
February 24, 2022

PRESENT: David Hair, Daniel Grange, Clay Wilker, Michael Callahan, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Ladd Kennington, Andrew Lund, Dean Lewis, Sarai Hernandez

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for February 24, 2022, at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Michael Callahan, Ryan Zollinger and Daniel Grange were in attendance with Councilmember Clay Wilker to arrive shortly. Also, Treasurer Tara Hobbs and Recorder Corey Twedt were present.

Opening Remarks/Pledge of Allegiance

Councilmember Grange 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 February 24, 2022 was reviewed.

Councilmember Grange moved to approve the agenda for February 24, 2022.

Councilmember Callahan seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker to arrive shortly. (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 February 10, 2022.

Councilmember Zollinger moved to approve the minutes for February 10, 2022.

Councilmember Callahan seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker to arrive shortly.

Public Comment Period

Mayor Hair opened the floor for any public comments. Ladd Kennington said that he is running for County Council for the seat currently held by Gordon Zilles as Gordon will not be running again. Ladd said that he feels it is important to spend time speaking with the people if you are trying to represent the people. He said that he is planning to visit city council meetings for each city in the County. Mr. Kennington said that he feels like the Federal government runs like garbage. State government is also run very poorly but is a little better. Counties do a little bit better and cities better still. Ladd said that he really

appreciates where he lives and for the opportunity to run for a position where he has the potential to represent residents in Cache County.

Councilmember Wilker arrived at this time.

Request for a Business License for Ideal Electric, Inc.

Dean Lewis has submitted a request for a business license for Ideal Electric, Inc. at 134 South 100 West. Dean said that he has been an electrical contractor since 1994. He was previously in the County and has now moved to Millville and would like to move his license here. Dean said that all the work is done away from his home at construction sites and that all his materials including his truck and trailer will be stored inside his shop at his home. **Councilmember Callahan moved to approve the business license for Ideal Electric.** 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".)

Request for a Business License for H&J Counter Top LLC

Sarai Hernandez has submitted a request for a business license for H&J Counter Top LLC at 74 South 550 East. Sarai said that all the work will be done offsite, and the home will be used for the paperwork and bookkeeping only. **Councilmember Callahan moved to approve the business license for H&J Counter Top.** Councilmember Zollinger seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (A copy of the license application is included with the minutes as Attachment "C".)

Ridgeline High School Parking

Ridgeline High School Assistant Principal Andy Lund said that the school continues to grow, and the shortage of parking spaces continues to be a problem and is currently one of the top concerns for the school administration. He said that there is just not enough student parking space in the north lot this year with 1,740 kids in attendance at the school.

Assistant Principal Lund asked if the City would be willing to remove the no parking signs on 300 West and said that the school administration would like to allow parking on both sides of that road. This would allow for more students to park at the school and help with the problem. He said that the school would paint some of the curb red around the fire hydrants and near the exits.

Councilmember Wilker stressed the point that this was a band-aid and would not fix the issue in the long-term. He said that the Cache County School District needed to come up with a plan where they could fix the problem. Councilmember Wilker said that he felt that parking along 300 West would be a safety issue. He also discussed how much larger this issue becomes when there are sporting events. Assistant Principal Lund said that he agreed that the parking situation is an issue, but that the school did not have the money or a long-

term solution at this time. Councilmember Wilker said that there is plenty of money being spent by the school district on other things and he feels that parking and safety are not being prioritized. It was discussed that there is school property west of 300 West that could potentially be used for additional parking.

Councilmember Callahan suggested that the school district could have a traffic engineer do a risk analysis.

Assistant Principal Lund said that safety is always the number one priority for Ridgeline High School. What they are doing now is asking the City if the signs can be removed so that more parking can be available. If Millville City considers this an issue and doesn't want that to happen, he needs to know.

Councilmember Zollinger said that he and others from the Council were involved with the school district meetings prior to the school being built. They knew at that time that not enough parking was planned from the initial construction and this was ignored by the county. They knew it would be an issue and didn't address it. Now the school continues to expand and allow for more students and the school district is coming to the City for help with the parking. Councilmember Zollinger said that the City Council would like to help and be supportive. Assistant Principal Lund said that he understands there is history from before the current administration was at Ridgeline. Now, they are just trying to find some solutions that will help with the problem.

Councilmember Zollinger said that he personally doesn't have an issue with the signs being removed. He just doesn't want parking along the road to be a permanent solution. Councilmember Wilker said that he doesn't disagree that this could be a short-term solution, but that there needs to be a plan to fix this in the long term and that he doesn't feel like the school district is making any plans to resolve it.

Councilmember Zollinger said that he thought the signs could be removed for now and the City could see if this resulted in any problems. Assistant Principal Lund also pointed out that the on-site deputy is outside on the roads everyday patrolling and helping control traffic issues.

Councilmember Zollinger motioned to remove the signs on the east side of 300 West as requested by Ridgeline High School to assist with the student parking problem and the City Council will revisit the signs if there are safety issues. Councilmember Callahan seconded.

Councilmember Wilker said that he thinks the school district needs to come up with a long-term plan. He again stressed that he felt this was a safety issue. Councilmember Zollinger said that the school was watching this and would need to be responsible for the safety issues and should be working with the Cache County School District to find a more permanent solution. Councilmember Callahan suggested that the motion be amended to require a timeline for the school to do a risk assessment study. It was discussed that no risk assessment was done by the City when the signs were installed. Councilmember Zollinger

said that he doesn't see value in requiring a risk assessment at this point and would like to keep his motion as stated. Councilmember Wilker said that the school district has not demonstrated that traffic safety is a priority for them, and it appears that they are not worried about it or going to do anything.

Councilmembers Callahan, June, Grange and Zollinger voted yes. Councilmember Wilker voted no. The motion passed. (A copy of the maps showing the proposed parking from Ridgeline High School are included as Attachment "D".)

Councilmember Zollinger also asked Assistant Principal Lund about the school facilities for the Pickleball Club since last year they would often be at the Millville Park and there were issues where residents couldn't use the facilities, because of number of students. Assistant Principal Lund said that the school has indoor facilities, but that he could discuss the concern with Nicholas Redmon, who is the advisor over the Pickleball Club. Recorder Twedt said that he would reach out to Mr. Redmon and start a conversation and involve Assistant Principal Lund if there was a need.

Report on P & Z Meeting held February 17, 2022

Councilmember Pam June reviewed with the Council the Planning Commission's draft minutes for the meeting held February 17, 2022.

Sewer Project Updates

Councilmember Zollinger said that meetings have been held with the engineers and they have found some cost-savings in the designs that the City can potentially implement for the sewer project.

Recorder Twedt said that there were three big changes in the engineering design to reduce costs: (1) All laterals that do not qualify for funding under the Low-Income Lateral Grant would come out of the project and need to be paid for separately by the residents. (2) Some of the main lines would be raised which would result in several homes needing to add a pump. (3) Some expensive infrastructure could be removed if the City Council reduces the City Annexation Plan to the south to be more realistic for what might happen with future growth.

Councilmember Zollinger said that they are waiting to hear back from Whittaker Construction on an updated cost for the project and then things will be prepared to present this to the public at a hearing held at the next meeting on March 10th.

Main Street Roundabout Discussion

Mayor Hair said that a resident approached him about planting trees in the middle of the roundabout that can be decorated during Christmas time. The Council discussed a concern that having trees may make it difficult to see across the roundabout to the other side.

Mayor Hair said that for many vehicles, it was already difficult or impossible to see across the roundabout. Public Works Director Kendrick pointed out that seeing to the other side is not advantageous for a roundabout. Some roundabouts are designed specifically to prevent viewing the other side so that drivers can focus only on the cars coming from their left.

Councilmember Grange said that he thought the Council should defer to Public Works Director Kendrick. If he is okay with planting trees in the roundabout, Councilmember Grange said that it wouldn't bother him.

The consensus of the Council was to use relatively small trees that would not grow large and cause long-term maintenance issues. Public Works Director Kendrick said that he thought this would be okay and that there was both power and water available in the roundabout for this specific reason.

The City Council requested that staff come back to them with some proposed tree options.

Code Enforcement

Recorder Twedt said that he had spent much more time on reviewing the proposed code and felt that it was better than he had initially thought. He said that he had made some mark ups that he felt were minor but useful changes for Millville City. He also said that he had met with staff from Nibley City to see what worked and didn't work with their version of this code. Nibley is also going to provide some templates that they use for their letters as a starting point for the ones that Millville will create. Recorder Twedt said that he felt he had a good enough handle on this to make a few additional changes to the proposed code that the Council can review at the next meeting as well as receive input from the public in the public hearing and then potentially adopt the new code as part of that meeting.

Recorder Twedt asked if the Council had any input or requested changes from what they had seen so far. There was no input provided from the Council.

Treasurer Hobbs said that she had spoken with a representative from another City in Cache Valley who is looking at the possibility of hiring an enforcement officer and that maybe Millville could help pay part of the salary for the enforcement officer and have them work for Millville as well.

Recorder Twedt said that this had been discussed before. The primary reason for these code changes were to make code enforcement easier to handle for City staff. Especially right now for the specific issue we are seeing with parking and putting things in the City right-of-way. Councilmember Grange said that he doesn't see the need to hire an enforcement officer.

(A copy of the related staff report and draft of the proposed code is included with the minutes as Attachment "E".)

City Reports

Public Works Director Kendrick reported that the well house is progressing. Some issues are coming up as the construction continues, but they are being dealt with as they arise, and things are going well.

Councilmember Reports and Items for Future Agendas

There were no Councilmember Reports to discuss at this meeting. (A copy of the Councilmember Assignments List is included with the minutes as Attachment "F".)

Adjournment

Councilmember Callahan motioned to enter a closed session to discuss ongoing litigation after which both the public meeting and executive session will adjourn. Councilmember Grange seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. The meetings adjourned at 8:37 p.m.

MILLVILLE CITY COUNCIL MEETING
Ridgeline High School – 180 North 300 West – Millville, Utah
March 10, 2022

PRESENT: David Hair, Daniel Grange, Clay Wilker, Michael Callahan, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Albert Monson, Drew Michener, Bart Esplin, Ron Jenson, Robyn Jenson, Linda Hendrickson, Kathleen Cornia, Judd C. Wilson, Steve Moss, Butch Johnson, Chad Brown, Linda Webster, Brad Webster, Sonya Patterson, R. Greg Patterson, Jordan Kohler, Michael J. Grant, Chris Crosby, Linda Crosby, Kathleen Brown, Richard Brown, Eric Wilkes, Jason Kimber, Lara Kreipl, Dusty Hancey, Robbie Nettles, Dorie Nettles, Ozzie Gonzalez, Kristen Gonzalez, Carson May, Jaeden May, Jason Bates, Kyler Olsen, Suzanne Gettman, Gary Gettman, Trevor Lee, Bonnie Farmer, Veloy Hansen, Mike Anderson, Natalie Anderson, Keith Dehart, Annette Dehart, Reed Findlay, Joan Findlay, Mary Jo Davis, Marjorie Davis, Scott Seely, Jason Low, Brittany Cox, Richard Cox, Richard Worley, Adria Davis, Jacob May, Benjamin May, Lance Zollinger, Mark Bodily, Sheryl Hair, Kermit Price, Eric Weeks, Kara Everton, Matt Anderson, Nickie Anderson, Kurt Chaffin, Melanie Bishop, Lance Houser

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for March 10, 2022, at 7:03 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Michael Callahan, Ryan Zollinger and Daniel Grange were in attendance with Councilmember Clay Wilker 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 March 10, 2022 was reviewed. Mayor Hair said that Item 5-C needed to be removed because the City was not ready to award the construction contract at this point. **Councilmember Callahan moved to approve the agenda for March 10, 2022 with the noted change.** Councilmember Grange seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker 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 February 24, 2022.

Councilmember Callahan moved to approve the minutes for February 24, 2022.

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

Request for a Business License for Green Box Solar LLC

Drew Michener has submitted a request for a business license for Green Box Solar at 765 W. 1940 S. #101. Drew said that the main office for the company was in Logan and that this location in the Millville Zollinger Complex would be used as warehouse space. Drew said that they would not be conducting other business out of the Millville location.

Councilmember Grange moved to approve the business license for Green Box.

Councilmember Callahan seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker excused. (A copy of the license application is included with the minutes as Attachment "B".)

Sewer Bonding and Estimated Monthly Sewer Rates

Councilmember Zollinger began by giving an update on the sewer project, the bonding and the expected sewer rate. He started by reading through the legal description of the bonding portion from the agenda:

A PUBLIC HEARING TO RECEIVE INPUT FROM THE PUBLIC WITH RESPECT TO THE ISSUANCE OF MILLVILLE CITY SEWER REVENUE BOND ANTICIPATION NOTES AND BONDS, IN ONE OR MORE SERIES, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$18,500,000 FOR SEWER SYSTEM IMPROVEMENTS, AND RELATED IMPROVEMENTS.

Councilmember Zollinger continued by giving a brief history for the sewer project. In 2019, the Bear River Health Department placed a moratorium on building permits in Millville City, because they had concerns about contamination of the culinary aquifer and felt that it might impact Millville and neighboring cities with elevated levels of nitrate. The City Council at that time held a public hearing to approve a bond with a not to exceed of \$15 million to cover the cost of both the new well and the City-wide sewer system. Councilmember Zollinger reported that the well project is nearly complete.

After the bonds had been approved by the City, the engineers began to do the design work for the sewer system and the project went out to bid in early 2020. The target monthly sewer rate at that time was \$78 per month with a goal of securing 25% grant funding for the project and 75% loan.

Due to material shortages and high labor costs, the construction bids came back much higher than estimated. If the City had moved forward at that time with the funding that was available and the lowest construction bid, the sewer rate would have been \$127 per month.

Since that time, the City and engineers have been trying to find additional funding for the project.

With the funding packages the City has right now, the funding would come in at 58% grant and 42% loan. To get to this point, there have been some reductions in the scope of the project to try and get to a monthly rate that is more reasonable. Councilmember Zollinger listed four of the major scope changes that had occurred:

- Reducing the proposed annexation area on the south side of the City will not require as much future sewer capacity and will result in a downsized pump and removal of a 2nd pressure main from the project; savings of \$1.1 million
- Change of material in canal crossings; savings of \$400,000
- Reduction in the number of very deep sewer lines, particularly in areas with unstable soils. This will require some homes to have a small sewer pump as is done in many other cities; savings of \$1.2 million
- No change for homes that qualified for the low-income lateral connection grant, but all other lateral connections from homes to main lines have been removed from the bid package. Non-low-income qualified homeowners will be responsible for having their lateral connections installed. These homeowners were going to pay for their lateral connections either way, but the City will no longer be in the middle to finance the connections up front; savings of \$2.7 million

Councilmember Zollinger explained that less than \$1.3 million of the original approved bonding of \$15 million had been used for the well project. The rest of those bonds would not be used, but the City needed to bond now for an upper limit of \$18.5 million dollars to do the sewer project. He pointed out that the City was currently planning on an expected sewer rate of \$89 per month.

Councilmember Zollinger said that he knows this is a lot of money and the sewer rate is still higher than what the Council wants for Millville City. He said that he felt the City should not wait. This project will likely never get cheaper and some of the funding packages expire if the project does not begin by May.

Councilmember Zollinger said that the City has looked at many different options over the past year to try and reduce costs. We have looked at different technologies for sewer treatment. We have looked at the possibility of going to Logan versus the desired plan of sewer treatment in Hyrum. The cost savings were just not there, and we think the City will be better off in the long-term by partnering with Hyrum. Councilmember Callahan said that the City would never have control if we were to go to Logan for sewer treatment.

Mayor Hair said that he also wanted the residents to know that the City is currently in a lawsuit with Celco, who owns property on the east side of Millville on the bench. Celco is trying to move this property into Providence to develop because Millville does not have a sewer system. If that happens, Millville will see a significant impact to our roads, our traffic and our parks. This is likely to happen in other areas in and around Millville if we

cannot support development with a sewer system. (A copy of the staff report is included with the minutes as Attachment "C".)

PUBLIC HEARING

Councilmember Callahan motioned to go into the public hearing. Councilmember Grange seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker excused.

PUBLIC HEARING: 7:15 p.m.

Commenced at 7:21 p.m.

PRESENT: David Hair, Daniel Grange, Clay Wilker, Michael Callahan, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Albert Monson, Bart Esplin, Ron Jenson, Robyn Jenson, Linda Hendrickson, Kathleen Cornia, Judd C. Wilson, Steve Moss, Butch Johnson, Chad Brown, Linda Webster, Brad Webster, Sonya Patterson, R. Greg Patterson, Jordan Kohler, Michael J. Grant, Chris Crosby, Linda Crosby, Kathleen Brown, Richard Brown, Eric Wilkes, Jason Kimber, Lara Kreipl, Dusty Hancey, Robbie Nettles, Dorie Nettles, Ozzie Gonzalez, Kristen Gonzalez, Carson May, Jaeden May, Jason Bates, Kyler Olsen, Suzanne Gettman, Gary Gettman, Trevor Lee, Bonnie Farmer, Veloy Hansen, Mike Anderson, Natalie Anderson, Keith Dehart, Annette Dehart, Reed Findlay, Joan Findlay, Mary Jo Davis, Marjorie Davis, Scott Seely, Jason Low, Brittany Cox, Richard Cox, Richard Worley, Adria Davis, Jacob May, Benjamin May, Lance Zollinger, Mark Bodily, Sheryl Hair, Kermit Price, Eric Weeks, Kara Everton, Matt Anderson, Nickie Anderson, Kurt Chaffin, Melanie Bishop, Lance Houser

Public Comment:

Kermit Price asked if residents would have to pay a separate connection or hook-up fee in addition to paying to install their laterals from their home to the main sewer lines.

Recorder Twedt said that there was not an additional fee for existing homes. New homes being built in the City are paying a connection or impact fee to cover their connection costs, but existing homes would not have to pay an additional connection fee.

Kermit also asked if there was a possibility of getting additional grant funding.

Councilmember Zollinger said that the City would continue to work on finding additional grant funding and that we were not done working on this. Mayor Hair said that the City was working hard on finding additional money.

Michael Grant asked about a rough estimate on the cost of a lateral connection. Mayor Hair said that it can range from about \$2,000 to \$7,000. It depends on the length it will travel as well as the difficulty to connect at a particular home.

Michael also asked if there was an option to not connect to sewer. Mayor Hair said that unfortunately everyone would need to connect. Councilmember Zollinger said that there are stipulations in the funding package that require for everyone to connect that have access to the sewer main lines.

Sonya Patterson said that she felt her home would have a depth issue with the septic tank located behind her home. Sonya said that she knew the City had been trying to use gravity instead of pumps wherever they could. She asked for an update on this. Mayor Hair said that as of a couple of months ago, with just a few exceptions, all of the sewer was going to flow by gravity. With the recent cost increases, there were changes that had to be made and one of them was reducing sewer line depth in some of the City. As a result, there are currently about 70 homes that will need a small sewer pump. Sonya said that she was concerned about the pump losing power or just going out. Lance Houser said that there are newer pumps that have a way to notify the homeowner if the pump stops working. Councilmember Zollinger said that there are options that come with a storage tank as well and additional safeguards.

Sonya asked if it might be possible to get easements with neighbors to be able to run lines downhill. Councilmember Zollinger said that this is an option but would need to be done amongst the residents and that the City wouldn't be getting involved with the on-lot easements for the lateral connections. Lance Houser said there are ways in which neighbors can team up to potentially reduce costs. An example of this might be sharing a trench for two lines coming from two homes out to the road.

Sonya asked when homeowners will get access to the sewer plans and how they will know which contractors to work with for the lateral connections. Recorder Twedt said that the plans would be available on the City website in the near future and that there will also be a list of recommended contractors for work on lateral lines.

Jason Kimber asked how homeowners would know if they had a house for which a pump will be needed. Lance Houser said that this will be available in the future on the City website. He said that right now, nobody but the engineers know which homes need a pump, including the City Council.

Scott Seely pointed out that the information collected from the Bear River Health Department regarding septic tank locations is not always correct. Lance Houser said that he agreed and that the engineers had done a lot of research in the planning stages to try and locate septic tanks the best they can. The contractor that the homeowners work with for their lateral lines will need to confirm the location before they begin their work, and they will have a process for locating septic tanks.

Gary Gettman asked how soon construction might start if the project is awarded in May. Lance Houser said the project would begin at the treatment plant in Hyrum and work back to Millville and then up and through the City. The earliest that they would see construction within the residential part of the City would be next spring. Lance said that there would be

involvement from a public relations team that would provide schedule information and updates as the project progresses.

Brad Webster asked about where the sewage from the high school was currently going for treatment. Mayor Hair said that Millville had an agreement with Nibley and owned a portion of their sewer lines. From there it went to the Logan City treatment facility. Recorder Twedt said that it will be good for Millville to have our own lines to Hyrum City. The existing agreement between Millville and Nibley has Millville paying 40% of repair and maintenance costs to some shared lines and for the Nibley pump station. These costs can be expensive.

Linda Hendrickson asked when they will need to plan to install their lateral connections to connect their homes to the main lines. Councilmember Zollinger said that homes will need to connect when the main sewer lines come past their homes.

Gary Gettman asked if the City would be paying to get the sewer lines to the right of way to connect with the lateral lines that will be run from the homes. Lance Houser confirmed that this was the case for the Gettman sewer line.

Steve Moss asked if the City felt like there was adequate funding for road repairs after the construction is complete. He said that generally, roads are never the same after a project like this. Recorder Twedt said that this had been a major concern and that the City had made sure that there was funding to try and put the roads back the best they could. Engineer Lance Houser said that the design was done in such a way, with full section paving, to minimize the negative effects from the construction. Councilmember Zollinger also pointed out that the City had been saving all of the money from the past couple of years that is typically earmarked for road treatments to be able to help as much as possible with road treatments after the sewer project is complete.

Steve Moss said that Providence City has a sewer line that runs directly in front of his home. He said that he asked Providence if he could tie into it, but they would not allow it. Steve asked if there were potential partnership opportunities between Millville and Providence with the sewer lines. Mayor Hair said that he thought that was unlikely based on previous requests that Millville has made in trying to make things work between the two cities.

Gary Gettman said, coming back to the discussion on roads, that back filling and compaction were very important. The Providence 200 West Road is bad. Gary asked if Flowable Fill had been considered. Lance Houser said that they had considered it, but there were cost constraints and that Flowable Fill requires that roads are closed for seven days. Lance also said that Flowable Fill was a cement-based product, and that cement has very long lead times right now.

Kathleen Cornia asked if residents could start now and do the lateral lines on their own property. She also asked how they would know where to go. Mayor Hair said that drawings would be available in the near future and residents could decide when they want

to do their lateral lines. Public Works Director Chad Kendrick said that he would recommend waiting to do the lateral line so that you don't have to dig up your yard a second time to change the connection where it enters the home.

Eric Wilkes asked if homeowners would be required to cover the cost of abandoning their septic tanks. Mayor Hair said that this would be a cost that the residents would be responsible for. Eric asked if a list of things for which homeowners would be required to cover along with rough estimated costs could be provided so that they could begin planning how they were going to pay for them. Mayor Hair said that the City would work on generating a list of items to make sure people were aware.

Trevor Lee asked about how cesspools would be handled. Lance Houser said that cesspools would need to be filled and nothing needed to be done with drain fields.

Mark Bodily asked about the time frame for the loans. Recorder Twedt said that some of the loans were for 40 years and some were for 30 years. Mark asked if they could expect reductions in rates after this time. Recorder Twedt said that this was likely although the City would need to ensure that they are building enough of reserve to cover replacement costs when they are needed.

Gary Gettman said that the Federal Government had recently allocated huge amounts of money for infrastructure improvements and asked if the City was working to see if there was a possibility of getting funding from that source. Recorder Twedt said that the City had been and would continue to work on that.

Sonya Patterson asked about the time frame for the construction of the project from beginning to end. Lance Houser said that the plan was to complete the project within three years.

Gary Gettman expressed concern about inflation. Councilmember Zollinger said that the funding would have locked in rates and that is one of the reasons the City was needing to move forward quickly.

Eric Weeks asked how much time residents would have to connect after the sewer main line was complete in front of their homes. Recorder Twedt said that residents would need to begin paying the monthly sewer rate regardless of whether or not they had completed their lateral connection. He said that there will be requirements and timeframes established, but they haven't been determined so far.

Councilmember Callahan said that he felt the entire City should be grateful for all of the work done on the sewer project by Councilmember Zollinger, Mayor Hair and Recorder Twedt. The residents showed their support by giving a round of applause. Mayor Hair said that this is a team effort and that the City is blessed with a very good City Council.

Development Coordinator Kara Everton asked at which point residents would need to begin paying the monthly sewer bill. Recorder Twedt said that there are a lot of factors,

and we just don't know yet. It will depend on when the City needs to begin paying on some of the loans. The City will also look at the potential benefit of reducing the monthly rate going forward by starting to pay earlier in the construction process. Right now, we aren't sure. Mayor Hair said that the funding is really complex and with the requirement from RDA for construction loans, it gets even more tricky.

Joan Findlay said that the City had considered looking at installing fiber internet at the same time as the sewer project was happening and asked if there was an update. Recorder Twedt said that they had hoped to use the same trenches for fiber lines that are being used for sewer lines. Unfortunately, that just didn't work out and the costs for adding fiber lines right now were just too much considering all the money the City would be spending on the sewer project.

Bart Esplin asked about the average expected flow to Hyrum City. Lance Houser said that the peak flow was estimated at 500 GPM. Bart asked if the City had considered running another line to bring the treated water back to Millville for secondary water uses. Recorder Twedt said that this had been considered, but that the cost to bring the water back was high. Instead of bringing the water back, this was part of the package deal with Hyrum for the favorable rates of buying into their facility for sewage treatment.

Changes to City Code in Relation to Ordinance Enforcement

Recorder Twedt gave an introduction and explained that the purpose of this proposed change was to make code enforcement easier and more transparent. These changes were recommended by the City attorney as well as city managers from other cities that have implemented similar provisions to help enforce code violations.

Recorder Twedt then gave a summary of the process outlined in the proposed code:

- A code violation is identified, and a Notice of Violation is sent to the homeowner. If the homeowner disagrees that code has been violated, they have 10 days to request an Administrative Hearing. This would essentially mean that they do not believe that they are in violation of City Code.
- With the Notice of Violation, a homeowner has a timeframe in which to fix the issue. The minimum would be 10 days, but more time can be given.
- The City will check back after the time frame has expired. If the issue has been fixed, everything is good and no fine would be issued. If the issue has not been fixed, a Citation is given with a fee of \$100 that must be paid within 15 days.
- The City will check back in 10 days. If the issues have still not been fixed, the homeowner will accrue an additional fee of \$100 (\$10/day). This would continue until the issue is fixed.

Recorder Twedt said that the information packet for this meeting that is available on the City Website shows the templates for the Notice of Violation and the Citation that the City would use if this adopted into the City Code.

Recorder Twedt said that another thing that the Council wanted to discuss in this public hearing is the City Code that relates to parking regulations in the City. This has become a major issue and will be the first issue the City works on as they address code violations.

Recorder Twedt said that he thought it would be useful to review a couple different parts of the parking regulations before the time is opened for public comment. He said that he is not going to read through or cover all the parking code, but he wants to hit on the key points.

Parking At Intersections

- No vehicle, trailer, machinery or moveable object shall be parked at a distance less than 50' back from the street property line in a direction parallel to the street on which the vehicle is parked.

Parking Near a Road

- No Parking within 10' of the pavement of any public road, street or municipal property for 72 hours
- Winter Parking; between 11/1 and 4/1. No parking within 10' of the pavement for 30 minutes

No Parking of any nonoperating or nonself-propelled Equipment

- This means broken vehicles, trailers, campers, on any public road, street, alley or municipal property
- The sidewalk code expands this a little bit to include garbage, dead trees and other things

Recorder Twedt explained that updates to the parking code are not on the agenda tonight for adoption. What will be considered for adoption tonight would be the changes to how code violations can be enforced.

Mayor Hair said that parking violations have been major issues for a long time. He said that another issue is parking on or too close to the sidewalk. Nothing should be parked closer than one foot from the sidewalk.

Public Comment:

Reed Findlay asked why the 30-minute winter parking restriction was all day and not just at night. Mayor Hair said that when it snows during the day, the roads need to be plowed. Joan Findlay said that this is problematic when a resident is having a family gathering and they need somewhere for people to park for longer than 30 minutes.

Greg Patterson suggested this 30-minute limit could change to when it is snowing, and not always during the winter.

Sonya Patterson and Mayor Hair discussed where property lines begin.

Gary Gettman said that he felt the parking regulations in the City Code were fairly vague. He said that he felt the City should work with an attorney to clarify and improve the city code as it relates to parking. Mayor Hair said that he agreed and the City would work to make improvements to the code. Today the main focus is to review the updates related to enforcing the code.

Councilmember Zollinger said that these changes to the enforcement part of the code would allow for the City to push for corrections without the requirement of a misdemeanor from the Sheriff's Department. Councilmember Callahan pointed out that this would also save expenses for the City and residents for paying for increases in law enforcement costs.

Councilmember June motioned to close the public hearing and return to item "D" on the agenda. Councilmember Zollinger seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker excused.

Consideration of an Ordinance to Modify City Code in Relation to Enforcement of Code Violation

Recorder Twedt reviewed the ordinance with the Council and said that as had been explained earlier, the purpose of the ordinance was to create an easier and more transparent process for code enforcement. He briefly explained the changes that had been made since the previous review that he felt would make the code simpler and easier to enforce.

Councilmember Callahan moved to approve Ordinance 2022-1. Councilmember Grange seconded. Councilmember Zollinger pointed out that there had not been any questions or concerns from the public as it relates to this ordinance. Everything discussed by the public had been related to the parking regulations. Councilmember Callahan agreed and said that the Council would need to come back and examine the code as it relates to parking soon. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker excused. (The approved ordinance is included with the minutes as Attachment "D".)

Consideration of a Resolution Setting Fees for Code Violations

Recorder Twedt reviewed with the Council the resolution that would establish a fee structure to go along with the ordinance for code enforcement. He asked if the Council had any questions or concerns about the fee amounts proposed in the resolution or any other questions. Councilmember Zollinger said that he hoped they would not need to fine residents very often, but that he did see a need to have some fines in place that could be used to help with enforcement.

Councilmember Callahan motioned to approve Resolution 2022-3. Councilmember June seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker excused. (The approved resolution is included with the minutes as Attachment "E".)

Consideration of Awarding 550 North Right Turn Lane COG Project

Mayor Hair said that the bidding period has closed for the right-turn lane project. The bids had come in higher than what we had wanted, but that just seems to be how things are going with the high construction and material costs right now. He said that Legrand Johnson had the low bid and that it was about \$18,000 over the estimate and over the amount the City would receive from COG. Mayor Hair said that the City had money in road impact fees that could be used to cover the difference. Recorder Twedt said that yes, the bid was really high, but the way he looked at it, would the City want to do the project for the \$18,000 that they would need to pay for? He felt that the answer is yes. Councilmember Callahan said that he thinks this is a good and needed project and worth the money.

Councilmember Grange motioned to approve Resolution 2022-3. Councilmember Callahan seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker excused. (The staff report is included with the minutes as Attachment "F".)

Consideration of a Resolution Approving an Agreement with EFG-Consulting for Sewer Bonding Services

Recorder Twedt explained that as recommended by the City bonding attorney, it might benefit the City to work with a financial advisor that specializes in bonds like this and can go out on the open market to find the best interest rate for the Bond Anticipation Note for the construction loan that is required to cover the loan portion of the USDA loans. The bonding attorney had referred the City to EFG-Consulting who has done this for many other cities in the State. Recorder Twedt said that the contract with EFG-Consulting now includes stipulations that the contractor will not be paid unless the City uses their services. The contract also stipulates that the City can contract on our own with Zions Bank who we have been working with to get a quote. If that is a better deal, we can stick with our original plan and not use whatever the contractor finds.

Councilmember Callahan motioned to approve Resolution 2022-4. Councilmember June seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker excused. (The approved resolution is included with the minutes as Attachment "G".)

Councilmember Reports and Items for Future Agendas

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

Councilmember Callahan pointed out that the Council should plan to review and reduce the size of the annexation plan in an upcoming meeting to be in line with the updated scope of the sewer project.

Councilmember Grange said that Brian Jenkins had found a couple of boxes to store the radio equipment as has been discussed in the past. Councilmember Grange asked about the process for approving that funding. He said it would only cost a couple hundred dollars. Recorder Twedt said that there was money in the budget that would work for this.

Councilmember Zollinger said that he felt the hearing went really well tonight and that there had been very few negative comments. There is still a lot we need to accomplish, and we need to get some additional funding. Councilmember Zollinger requested access to the contract with the construction company as soon as possible.

Recorder Twedt said that he had completed the RAPZ Grant Application and had turned it into the County.

Mayor Hair said that he spoke to members from the band that played at the City Celebration last year and that they would be interesting in playing there again this year.

Councilmember Grange asked about the status of the committee that Providence Councilmember Paulsen was planning to start with representatives from both cities to look for possible compromises on the Celco property development. Mayor Hair said that Councilmember Paulsen said he was going to have a resolution for approval in Providence to create the committee. Once that is done, Millville can do something similar.

Adjournment

Councilmember Callahan moved to adjourn the meeting. Councilmember June seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker excused. The meeting adjourned at 8:46 p.m.

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
March 17, 2022

PRESENT: David Hair, Daniel Grange, Clay Wilker, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Kara Everton, Jake May, Erin May

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for March 17, 2022 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 Councilmember Clay Wilker to arrive shortly and 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 March 17, 2022 was reviewed.

Councilmember Zollinger moved to approve the agenda for March 17, 2022 after removing item “C” which is not ready for a motion at this time. Councilmember Grange seconded. Councilmembers June, Grange and Zollinger voted yes with Councilmember Wilker to arrive shortly, and 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 March 10, 2022.

Councilmember Grange moved to approve the minutes for March 10, 2022.

Councilmember June seconded. Councilmembers June, Grange and Zollinger voted yes with Councilmember Wilker to arrive shortly, and 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 Center Street Cheesecake, LLC

Erin May has submitted a request for a business license for Center Street Cheesecake, LLC at 137 West Center Street. Erin said she will be doing this as a part time business. Customers can place their cheesecake orders during the week and then pick them up on Saturdays. Councilmember Zollinger confirmed with Erin that she was set up to collect sales tax. **Councilmember Grange moved to approve the business license for Center Street Cheesecake.** Councilmember June seconded. Councilmembers June, Grange and Zollinger voted yes with Councilmember Wilker to arrive shortly, and Councilmember Callahan excused. (A copy of the license application is included with the minutes as Attachment "B".)

Councilmember Wilker arrived at this time.

Sewer Project Construction

Councilmember Zollinger said that the new construction bidding period had closed at 5 p.m. today. Whittaker Construction had been the only bidder on the project and their bid is \$1.6 million higher than it was last time.

Recorder Twedt said that the expected reason for this is that the material escalating clauses cannot be used with government funding. This means that the construction companies must pad their bids to ensure that they are not out of whack with how volatile material costs are right now.

Mayor Hair said that there was a meeting scheduled for Monday with DEQ and RDA in which the City would make it clear that we now do not have the requisite funding to move the project forward, but in addition to that, even if we did, the monthly rate is now higher than we think is possible for Millville City.

The consensus from the Council was to wait and see if there were ideas on additional funding to make things work with the funding agencies. If there aren't options there or additional grant money, the City will likely have to wait on the sewer project for now.

Councilmember Wilker asked what the Mayor thought the Bear River Health Department would do regarding their moratorium on growth if the City did not proceed with the sewer project. Mayor Hair said that we don't know what the result will be. We do have a new water source and won't need the Glenridge Well if the nitrate levels were to rise beyond acceptable limits, but they have claimed that Millville may be contaminating water used by other cities. If it came to that, the Bear River Health Department should have to prove the concern of contamination before the existing moratorium can remain or a more restrictive moratorium can be placed on Millville City. Public Works Director Chad Kendrick said that the nitrate levels have been flat on the water samples from the Glenridge Well and have not increased.

Consideration of a Resolution Adjusting City Recorder Pay Rate

Mayor Hair said that he has spoken with the individual Councilmembers. Recorder Twedt is now available full time for the City and Mayor Hair said he feels like a significant pay increase is needed for that position and what is being covered there.

Councilmember Grange moved to approve Resolution 2022-6. Councilmember June 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 for Cancelling Meeting Scheduled for March 24, 2022

Mayor Hair said that they had initially planned on cancelling the meeting scheduled for March 24th, since this meeting was being held tonight to review the sewer construction bids. Then, they thought they would need to still hold the meeting on March 24th, to approve some resolutions to keep the bonding process moving forward as there are some pretty good rates available. Now, with the construction bid coming in so high, we don't think a meeting will be necessary unless something happens with the funding agencies.

Councilmember Zollinger motioned to cancel the City Council meeting scheduled for March 24, 2022 unless there is a reason for which that meeting is needed.

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

City Reports

Public Works Director Kendrick reported that the well project is moving forward, but that there may be a delay because of electrical components needed for the breaker switch. Recorder Twedt said that with the extra grant money the City has secured, we have discussed ordering the generator that was originally part of the project, but removed due to cost restraints. Now, it looks like the lead time for the generator is nearly one year. The City is looking at other options.

Director Kendrick said that the Public Works Department has been working on some water leaks recently. He also reported that they are working with the County on the GIS information that has been collected so that we can begin to track our water and sewer infrastructure better on the computer.

Director Kendrick discussed a need to be prepared with a water restriction plan for this summer if it is needed. The splash pad hours were discussed. The consensus of the Council was to keep the reduced hours as approved in 2021.

Councilmember Reports and Items for Future Agendas

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

Councilmember Wilker asked about what the legislature was considering regarding requirement for metering of secondary water. Recorder Twedt said that he didn't have any updates on that for now. Councilmember Zollinger said that this was discussed at the Rural Water Conference. The State is trying to get cities that have secondary water to use that water for outdoor watering.

Recorder Twedt reported that the Millville COG project has been awarded to Legrand Johnson as was discussed in previous meetings. They are planning to begin construction on the addition of the turn lane as soon as school is out for the year so that they can close the road.

Mayor Hair said that when the code related to parking restrictions is reviewed, they will want to look closely at the distance from the intersection. He said that there are places in Millville City where it is difficult to see when making a turn, even when the second house from the corner has vehicles parked along the road. Development Coordinator Kara Everton said that she was sitting next to Planning Commissioner Bonnie Farmer at the meeting and Bonnie suggested the City add diagrams to clarify the code, especially as it relates to parking. Recorder Twedt said that he agreed that this would be helpful.

Adjournment

Councilmember Zollinger moved to adjourn the meeting. Councilmember Wilker seconded. Councilmembers Wilker, June, Grange and Zollinger voted yes with Councilmember Callahan excused. The meeting adjourned at 7:31 p.m.

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
March 24, 2022

PRESENT: David Hair, Daniel Grange, Michael Callahan, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Kara Everton, Cody Deeter, Eric Johnson

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for March 24, 2022 at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Michael Callahan, Ryan Zollinger and Daniel Grange were in attendance with Councilmember Ryan Zollinger to arrive shortly and Councilmember Clay Wilker excused. Also, Treasurer Tara Hobbs and Recorder Corey Twedt were present.

Opening Remarks/Pledge of Allegiance

Councilmember Callahan 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 March 24, 2022 was reviewed.

Councilmember Callahan motioned to approve the agenda for March 24, 2022.

Councilmember June seconded. Councilmembers Callahan, June and Grange voted yes with Councilmember Zollinger to arrive shortly and Councilmember Wilker 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 March 17, 2022.

Councilmember June moved to approve the minutes for March 17, 2022.

Councilmember Grange seconded. Councilmembers Callahan, June and Grange voted yes with Councilmember Zollinger to arrive shortly and Councilmember Wilker excused.

Public Comment Period

Mayor Hair opened the floor for public comments.

Cody Deeter introduced himself to the City Council. Cody is a registered municipal advisor with whom the City has a contract to find a better interest rates on the sewer bonds. Cody said that he has been working with a group out of Kentucky that has a pool of funds available. It looks likely that Millville will be able to lock down over \$8 million in bonds at a rate of 1.8%. This is much lower than what is currently available elsewhere in the

market. For the additional roughly \$6 million needed, we will have to go with a slightly higher rate.

Consideration of Adopting Resolution Authorizing Sewer Bonding

Mayor Hair read the description of the resolution as stated in the agenda:

Consideration of adopting a resolution authorizing the maximum amount of \$18,500,000 sewer revenue bond anticipation notes, and \$18,500,000 sewer revenue or revenue refunding bonds, pursuant to approvals by a pricing committee, for sewer system improvements, and related improvements; and related matters.

Mayor Hair then turned the time over to the bond attorney Eric Johnson.

Councilmember Zollinger arrived at this time.

Eric Johnson reviewed the description and content of the resolution that is being considered for adoption today and the attachments that will potentially be adopted in the future. Eric explained that the resolution would allow for Bond Anticipation Notes (BAN) and Bonds of up to \$18.5 million. He explained that the BAN was a requirement to cover a construction loan for the loan portion of the Rural Development funding packages.

Councilmember Callahan asked about the possibility of refinancing these BAN. Eric said that refinancing was an option, but that it would have costs, so the City would need to ensure that the savings are significant if they were to consider a refinance.

Councilmember Callahan asked about when the City would need to begin making payments. Eric said that the BAN will begin accruing interest as soon as the funds are used. The City will only pay interest on the BAN until it closes. Then the City will begin paying down the principal with the interest to Rural Development. He said that the City would need to figure out how they are going to cover the interest payments.

Eric said that he has been speaking to another City in the State who is expecting to have to put in sewer in the future. They are wondering how Millville has been able to get so much grant funding. Eric said that Millville has an amazingly good funding package for this project. Councilmember Zollinger said that it doesn't feel like a great deal.

Councilmember Grange said that his concern is that Millville needs to continue to grow at a rate of 2.25% to cover the costs of the project. He asked what might happen if growth stops and Millville can't cover the escalating paydown costs of the loans.

Eric Johnson said that the Water Quality Board is giving the City a great deal and that they have a vested interest in making this project work. Eric gave an example of West Wendover in Utah. West Wendover had an issue where they lost a lot of their water

customers to Nevada and the Division of Drinking Water reduced their loan payback requirements to provide for more time.

Councilmember Grange said that his concern is changing Millville into something we don't want, just so that we can pay our sewer bills. He said that he doesn't want to grow at a rate that makes Millville not be like Millville.

Mayor Hair said that this is something the Council will need to be careful of. As has been discussed for a long time, when Millville gets sewer, developers are going to want to change the density currently allowed under Millville City Code. He said that there is a developer speaking with the City right now that wants to put 60 units on 6 acres.

Councilmember Grange said that he feels there are parts of the City that might make sense for high density, but he just doesn't want to change the nature of the City. Councilmember Callahan said that he shares those concerns but thinks that the City needs to move forward with sewer. He said that the Council can decide how growth looks going forward. They are not required to allow high density developments.

Councilmember Callahan motioned to approve Resolution 2022-7 as explained.

Councilmember Zollinger seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker excused. (A copy of the approved resolution is included with the minutes as Attachment "B".)

Garbage Service without Logan City

Mayor Hair said that he went to a meeting with 17 other mayors from the County. Only a few mayors were missing. At that meeting, it was determined that all the cities represented were committed to looking for a new garbage service contractor together and were not going to go off on their own creating separate contracts.

Mayor Hair said that a committee is being formed that will go out and gather information and proposals for a new garbage contractor. The committee will then come back to the group of mayors with the information and the mayors will need to make some decisions.

Mayor Hair said that he is looking for a motion from the City Council to allow him as the Mayor to represent the City as information is gathered to figure out and land on a plan for a new garbage contractor.

Councilmember Callahan motioned to appoint Mayor Hair as the bargaining agent for Millville City in finding a new garbage service contractor. Councilmember Grange seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker excused.

Water Quality Consumer Confidence Report and Water Audit for 2021

Public Works Director Chad Kendrick reviewed with the Council the Water Quality Confidence Report for 2021. He said that all the numbers look good and there aren't any water quality concerns.

Director Kendrick said that in 2021, the City produced 188 million gallons of water. He said that June was the highest production month of the year which was a little unusual. It is possible that some of the residents did what they could to conserve water as requested by the City. The City sold about 170 million gallons which is a loss of about 9%. He said that the system is in pretty good shape. Recorder Twedt pointed out that the staff is working to improve tracking and visibility so that they can continue to reduce the losses.

Director Kendrick also reported that the new well is just waiting on some electrical parts which may delay things a couple of weeks. (The 2021 Water Quality Confidence Report is included with the minutes as Attachment "C".)

Councilmember Reports and Items for Future Agendas

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

Councilmember Callahan said that the Providence Irrigation Company needed to be on the next City Council agenda to discuss changes needed in Millville code in relation to building near canal ditches.

Mayor Hair said that he had heard some speculation from residents that he may be getting some kind of kick back or financial incentive for pursuing the sewer project in Millville City. Recorder Twedt said that this was ridiculous and that there were controls in place to make sure that wouldn't be possible. The Council said that it was very clear to anyone paying attention that the Mayor was only pursuing the sewer project, because it was in the best interest for the City.

Adjournment

Councilmember Callahan motioned to adjourn the meeting. Councilmember Zollinger seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker excused. The meeting adjourned at 8:01 p.m.