

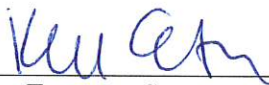
NOTICE AND AGENDA

Notice is hereby given that the Planning Commission of Millville City will hold their regularly scheduled on Thursday, **May 5, 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 April 21, 2022
5. Agenda Items
 - A. Zoning Clearance: Accessory Bldg- Carport- 15 E 300 S Millville, UT
 - B. Zoning Clearance: New Home- 278 N 300 E, Millville Estates Phase 2, Lot #14
 - C. Other
6. City Council Report- April 14, 2022 and April 28, 2022
7. Agenda items for next meeting
8. Calendaring for future Planning Commission Meeting- May 19, 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 May 3, 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

April 21, 2022

PRESENT: Garrett Greenhalgh, Lynette Dickey, Larry Lewis, Matt Anderson, Darcy Ripplinger, Kara Everton, Tara Hobbs, Cameron & Melissa Record, Mark Bishop, Frank Shaw, Steve Walker, Mike Gibbons, Mayor David Hair

Call to Order/Roll Call:

Commissioner Greenhalgh opened the meeting for April 21, 2022, at 8:00 p.m. Commissioners Garrett Greenhalgh, Larry Lewis, Lynette Dickey, and Matt Anderson (Alt.) were present. Commissioner Thompson and Ripplinger were absent. Development Coordinator Kara Everton was present and took minutes.

Opening Remarks/Pledge of Allegiance

Commissioner Greenhalgh led all present in the Pledge of Allegiance.

Approval of Agenda

The agenda for the Planning Commission Meeting was reviewed. **Commissioner Dickey moved to approve the agenda April 21, 2022.** Commissioner Farmer seconded. Commissioners Garrett Greenhalgh, Larry Lewis, Lynette Dickey, and Matt Anderson (Alt.) were present. Commissioner Thompson was absent with Commissioner Ripplinger to arrive later.

Approval of the Minutes of the Previous Meeting

The Planning Commission reviewed the Planning Commission Meeting for April 7, 2022. **Commissioner Anderson moved to approve the minutes.** Commissioner Dickey seconded. Commissioners Garrett Greenhalgh, Larry Lewis, Lynette Dickey, and Matt Anderson (Alt.) were present. Commissioner Thompson was absent with Commissioner Ripplinger to arrive later.

5.A. Parcel Line Adjustment- Mark Bishop

Commissioner Greenhalgh asked Mark to come in, but wanted the committee to review to ensure the remaining lot is a buildable lot. The current lot is .52 acres, and it would be reduced to .35 acres. This is a corner lot that curves along almost the entire property, without a definitive start and stop. After reviewing the county GIS website and supporting documents we determined the road frontage is 172'. The house will be the farthest north possible so that the owner can put a hammerhead turn around to ensure the exit of the property is safe. The subject of property size was brought up. This is currently a hillside overlay lot with slope class 1-4 present, and needs to be a 20,000 SF lot, but the commission is confident that once the engineers can survey the property, adjustments can possibly be made to move it to a non-hillside lot. The committee is referring the owner to our city engineer to move forward. Once the engineers review, the owner will come in for further approval.

5.B. Pre-Application Conceptual: Frank Smith & Lisa Shaw- 105 W 100 N, Millville UT

Commissioner Ripplinger arrived at this time.

This property is the NWC of 1st North and 1st West. The property will be split into two lots approximately .41 acres each. Commissioners ensured the owner knew about the canal easement of 15' on both sides. There are a few sheds that would be removed particularly the shed that is up against the property line. Millville code allows an accessory building to be on the dripline, however County ruling wants the wall to be a firewall to allow the location, otherwise it needs to be 5 feet away from the property line. Steve Walker wanted to know if the new location can get a water share. Current share is through Blacksmith Fork Irrigation. Water shares are tied to the name and not the property. The question arose regarding the

cost of paying for water shares with the city. The code specifies that a whole water share fee is \$3000 so a half of a share would be \$1500. The drain field will be on the lot with the home on it.

5.C. Discussion on current code in relation to an accessory building to be used as an apartment

Commissioner Lewis shared the definition of a Single-Family Dwelling in our code. Commissioner Farmer shared the definition of Dwelling specifying that an apartment is *IN* owner occupied single-family dwelling. The determination was that Millville code will only approve one dwelling per lot.

Regarding Cameron & Melissa Records' request to convert their shop to an apartment, the commission has stated that there is no work around to having more than one dwelling on the property. The owners stated that they will need to move to make accommodations for their family.

The commission suggested that further review of city code is needed to change the code in relation to multiple dwellings on one lot.

Further discussion took place regarding Logan City's Accessory Dwelling Unit laws and codes. Setbacks were discussed in an accessory building vs dwelling building, and how those codes can still be met in the future if accessory buildings are converted to dwelling units. Logan City requires a declaration of owner occupancy to rent the apartment.

5.D. Development Near Canals

Code will need to be adopted to enforce canal easements and have some restrictions for lots along the canals.

5.F. Other

City Council Report- None

Agenda Items for Next Meeting

Future Planning Commission Meeting

The next regularly scheduled meeting will be held **Thursday, May 5, 2022**, at 8:00 pm.

Adjournment

Chairman Greenhalgh moved to adjourn the meeting at 9:44 p.m.

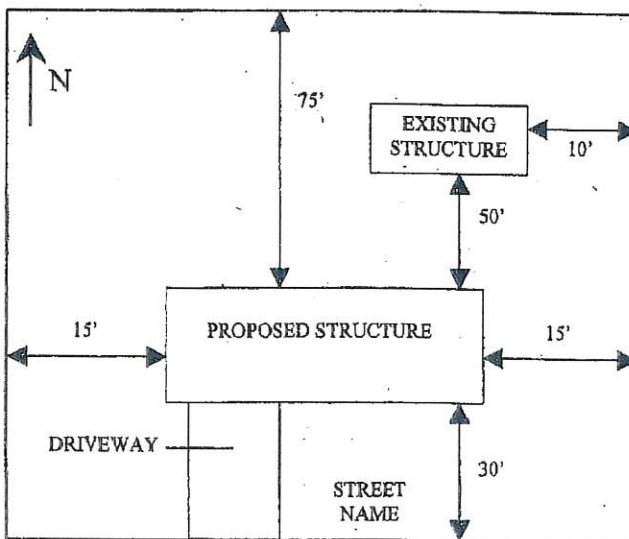


MILLVILLE CITY
ZONING CLEARANCE FOR BUILDING PERMIT
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

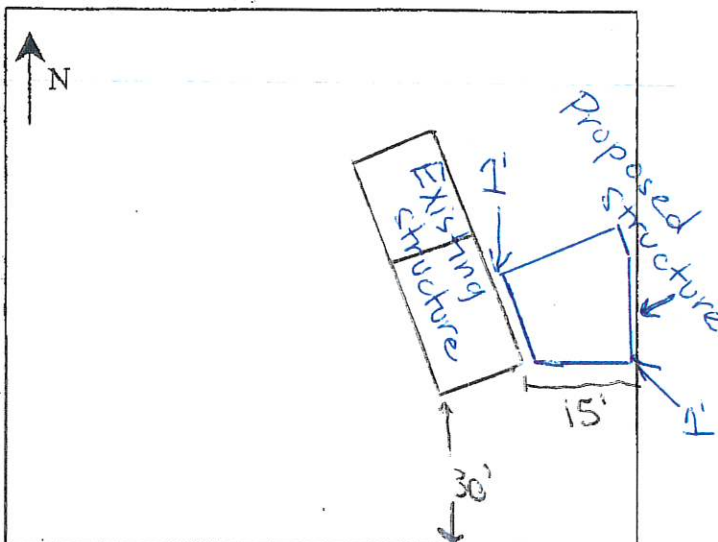
APPLICATION INFORMATION

1. Jed Waldron
APPLICANT'S NAME
2. PO Box 578
MAILING ADDRESS
Millville UT 84326
CITY STATE ZIP CODE
3. 435-512-727 4.
HOME TELEPHONE BUSINESS TELEPHONE
5.
OWNER'S NAME (if different from applicant)
6. Carport
TYPE OF STRUCTURE
7. 608 8.
SQUARE FOOTAGE ZONE
9.
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10.
TAX IDENTIFICATION NUMBER
11. 15 East 300 South Millville
ADDRESS OF CONSTRUCTION
12. .41 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)

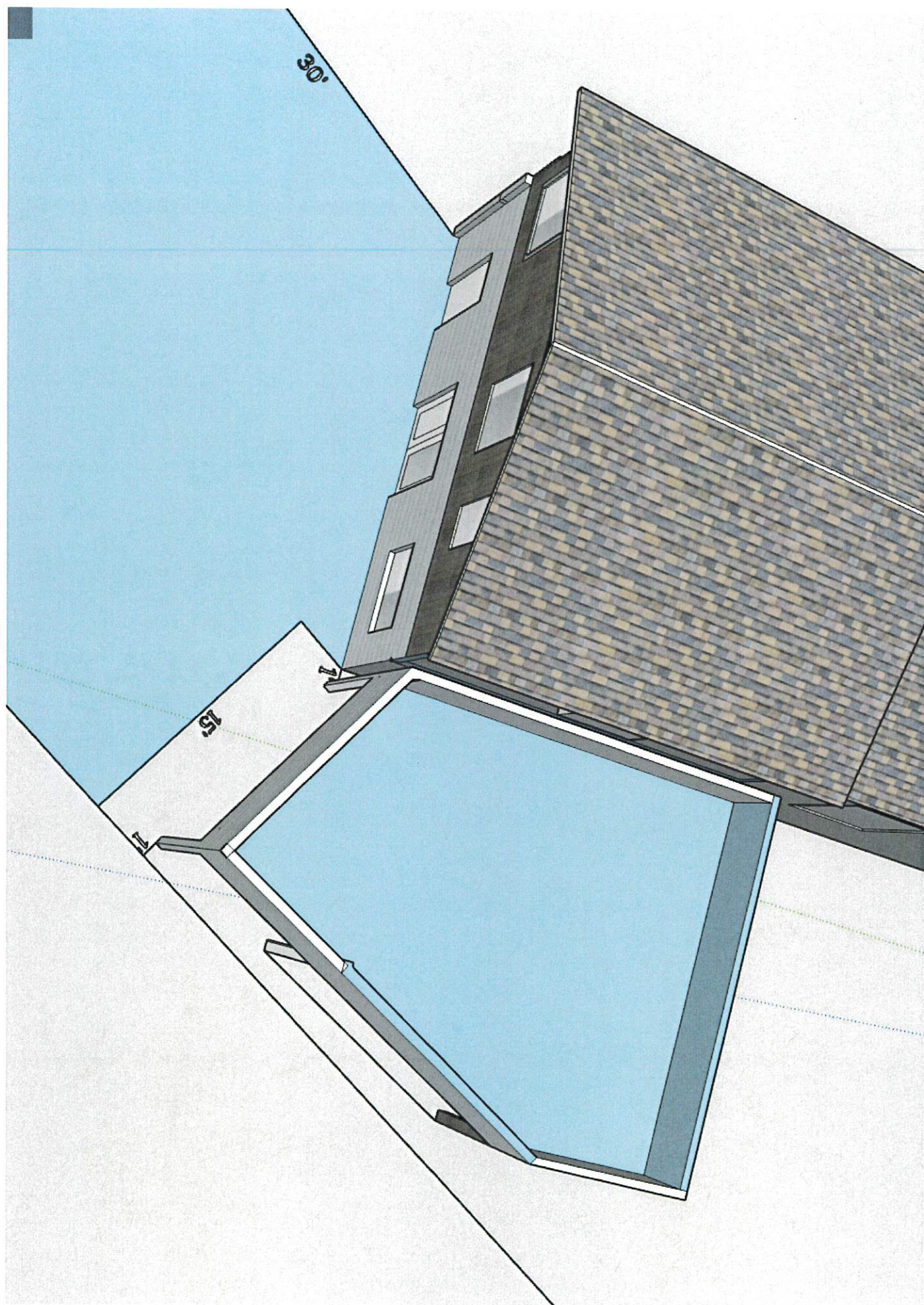


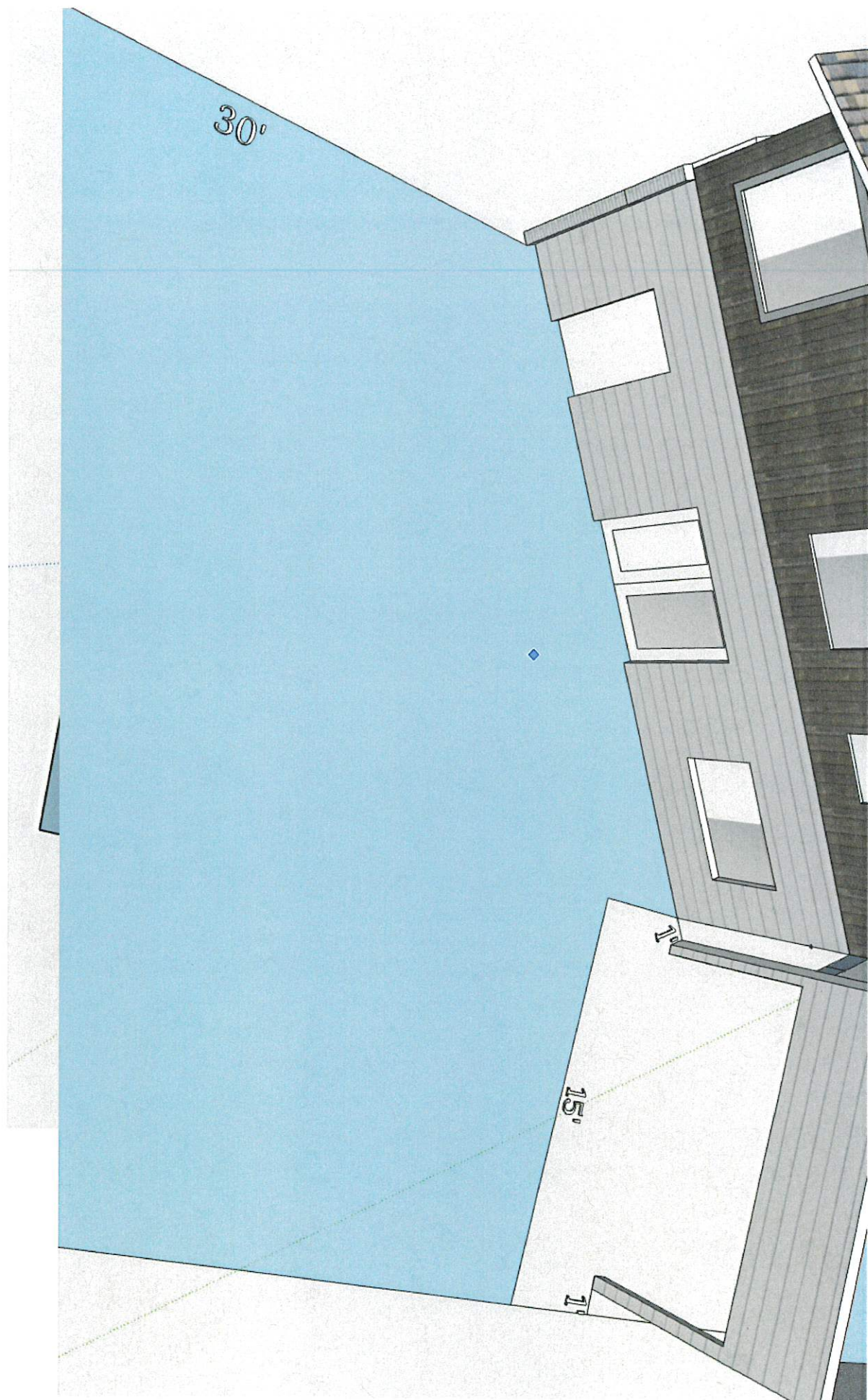
PLOT PLAN

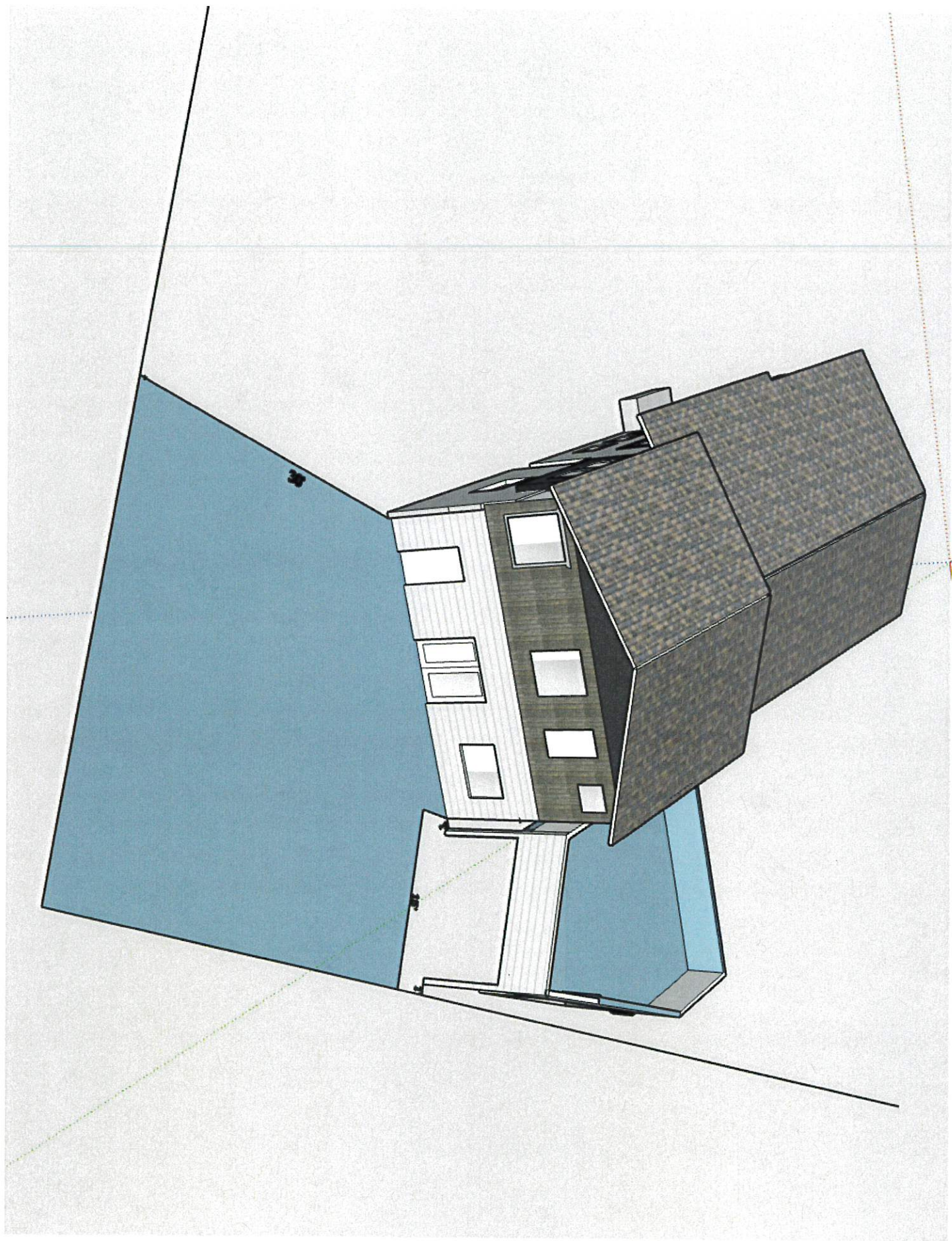


APPROVED - PLANNING AND ZONING _____ DATE _____ FEES PAID - TREASURER _____ DATE _____

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)









MILLVILLE CITY

ZONING CLEARANCE FOR BUILDING PERMIT

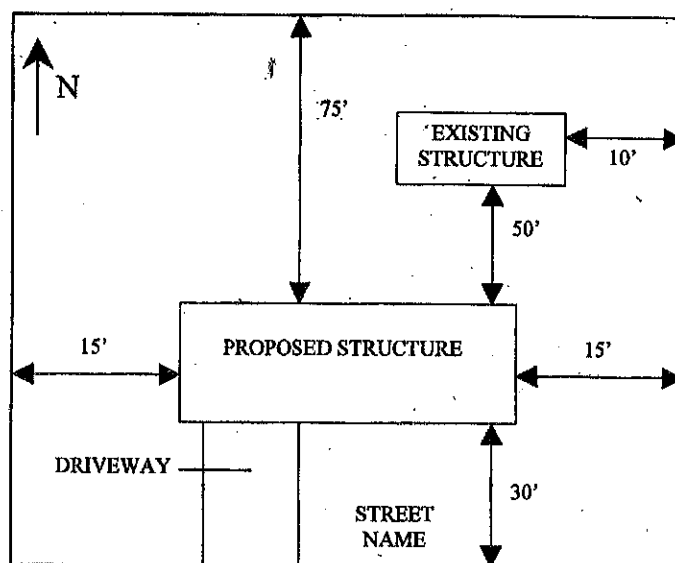
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

APPLICATION INFORMATION

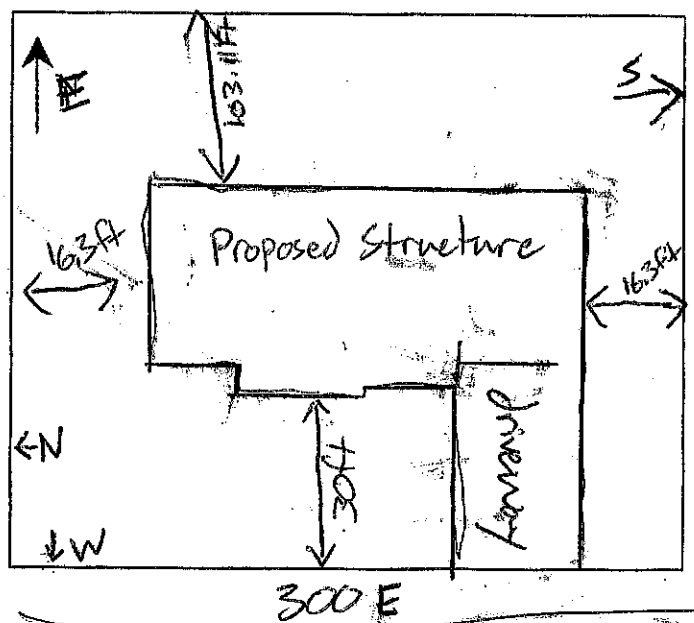
1. Logan Lucherini
APPLICANT'S NAME
2. 778 N. 300 E
MAILING ADDRESS
- Millville VT 84326
CITY STATE ZIP CODE
3. (435) 994-4985 4. _____
HOME TELEPHONE BUSINESS TELEPHONE
5. _____
OWNER'S NAME (if different from applicant)
6. Single Family Residential
TYPE OF STRUCTURE
7. _____ 8. _____
SQUARE FOOTAGE ZONE
9. Millville estates Phase 2 Lot #14
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 02 - 193 - 0014
TAX IDENTIFICATION NUMBER
11. 278 N 300 E
ADDRESS OF CONSTRUCTION
12. .42 Acre 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

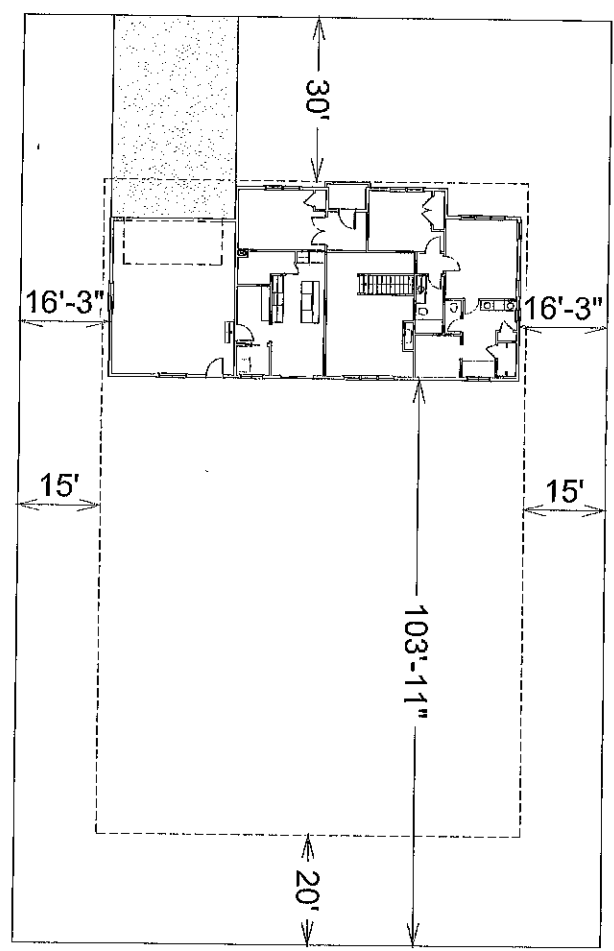
FEES PAID - TREASURER

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)

390 EAST STREET

PLOT PLAN
SCALE 1"=10'



Notes: Please call or email for details & pricing on 15x17 paper

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
April 14, 2022

PRESENT: David Hair, Clay Wilker, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Denise Samples, Tami Midzinski, Kent Norton, Sara Fitzgerald, Adam Fitzgerald, Darcy Ripplinger

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for April 14, 2022 at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Ryan Zollinger and Clay Wilker were in attendance with Councilmembers Daniel Grange and Michael Callahan excused. Also, Treasurer Tara Hobbs and Recorder Corey Twedt were present.

Opening Remarks/Pledge of Allegiance

Mayor Hair 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 April 14, 2022 was reviewed.

Councilmember June motioned to approve the agenda for April 14, 2022.

Councilmember Zollinger seconded. Councilmembers Wilker, June and Zollinger voted yes with Councilmembers Callahan and Grange 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 24, 2022.

Councilmember June motioned to approve the minutes for March 24, 2022.

Councilmember Zollinger seconded. Councilmembers June and Zollinger voted yes with Councilmembers Callahan and Grange excused. Councilmember Wilker abstained, because he had not been at that meeting.

CAPSA Message about Sexual Assault Awareness

Mayor Hair turned the time over to Sarah Fitzgerald from CAPSA, who is a Millville resident. Sarah thanked the Council for their time and said that she was here tonight to discuss and bring awareness of April being sexual assault awareness month. Sarah discussed the issues and numbers of sexual assault and abuse that had been reported this past year. She explained that the focus of CAPSA is to support victims of sexual assault and that their focus is on believing victims first when an assault is reported. She explained

that “Start by Believing” is a national campaign and that CAPSA is teamed up with Utah State University to spread the message. Sarah said that they want to make sure that victims are heard and that they have support and do not have to go through the results of sexual assault alone. She said that just listening and starting by believing can make a huge difference in the lives of the victims. Sarah said that she brought a pledge board and invited the Mayor and Councilmembers to sign it and take a photo.

Councilmember Zollinger asked if they had seen an increase in Cache Valley in the number of sexual assaults. Sarah said that the pandemic shined a light on the problem and there is more awareness now. There is still some evidence that the assaults are being under reported. She said that CAPSA wants to spread awareness so that victims know they are available as a resource.

Councilmember June said that she had concerns. She said that she felt it was important that the accused receive due process and have a chance to defend themselves if someone has reported them. Sarah said that studies have shown that only 2%-3% of cases are false reported. She said that the focus of CAPSA is not to charge anyone. They want to promote the importance of listening to and believing the victim and getting them the support they need. Both sides are still given due process and the courts later determine innocence or guilt.

Sarah then passed around the pledge which was signed by Mayor Hair and Councilmembers Wilker and Zollinger. (An image of the signed pledge is included with the minutes as Attachment “B”.)

Public Comment Period

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

Heritage Group Proposed Development Discussion: parcel 02-126-0004

Tami Midzinski said that she represents the Heritage Group that owns this parcel which is just shy of 6 acres. She said that they are requesting that the City consider mixed use development for this parcel. The Heritage Group is recommending commercial retail space on the first level with housing on the second level for a portion of the property. The current proposed layout includes 56 townhome units with two pickleball courts and a park. Tami said that they are doing several similar developments in Cache Valley and in other locations. Each townhome requires a water and a sewer connection and impact fees. Tami said that with the 56 townhomes, they would still be dedicating about 50% of the space as open space. Each townhome would have two parking spaces and none of the garages would face the exterior roads of the City.

Recorder Twedt said that he wanted to clarify, although this had been discussed previously, that the City cannot do any development of this size right now, because of the moratorium. And a development of this density would not work with the existing sewer

line that runs past this property towards the school. A new, larger sewer line would have to be installed. Tami said that they were open to the installation of a new sewer line. Recorder Twedt said the other issue is that the City does not have any mixed use or high-density zones. This would be a change and we would need to do a new zone if the Council were interested in moving in this direction.

Tami said that their proposal was a development agreement. With a development agreement, the City would not need a new zone. The agreement would apply to only this development and not to other developments or other parts of the City. Councilmember Zollinger said that a development agreement is a way developers and cities use to skirt zoning requirements. He said that he appreciates the proposal from Tami and getting out in front of this. This will give the Council something to think about.

Mayor Hair said that his concerns with a townhome development are the potential long-term negative impacts to the City. Councilmember June said that her big concern was adding more traffic to a part of the City that is already a traffic issue before and after school with all of the students.

The Council said that they would take a look at the example of a development agreement that Tami provided. Tami thanked the Council for their time and consideration. (The staff report is included with the minutes as Attachment "C".)

Consideration of a Resolution of Intent for a Boundary Line Adjustment moving the Celco Property (parcel 03-036-0008) from Millville to Providence City

Recorder Twedt reviewed the resolution that would state the Millville City Council intent to allow a boundary line adjustment to move the west parcel of the Celco property from Millville into Providence. He said that the largest concerns from Millville City with this property moving to Providence and being developed there is the impact to Millville streets and parks. He said that this is a legitimate and big concern. A boundary line adjustment request was received in the past for this property and was denied for that reason.

Recorder Twedt said that a potential compromise might be to proceed with the boundary line adjustment request with some stipulations. If the 550 East Road were to be closed on the Millville side, the new development and all of the traffic that it will bring could exit to Providence onto the 400 East Road in Providence. This compromise would prevent the traffic impact in Millville on the south side of the City. It would allow for development to begin in Providence whenever they are ready. And it would give Providence the second outlet that they say they need. That is the reason that Providence City denied the last boundary line adjustment for the eastern parcel. They have a Council or at least a Councilmember that does not want the traffic to exit on Grandview Drive.

Councilmember Wilker wanted to ensure that the City Council could deny the boundary line adjustment later if for some reason we aren't able to complete the closure of the road. Recorder Twedt said that today was just a resolution of intent to go through with the boundary line adjustment (BLA). There are other hearings and approvals needed before the

BLA is complete. By approving this today, the developer can see what Providence wants to do and if this is acceptable to them. If Providence doesn't approve, it doesn't make sense for Millville to work with the attorneys on the road closure. If Providence does approve, we can go that next step and make sure everything will work out prior to final acceptance. Councilmember Zollinger said that he felt that this was a good way to move forward.

Councilmember Zollinger motioned to approve Resolution 2022-8. Councilmember Wilker seconded. Councilmembers Wilker, June and Zollinger voted yes with Councilmembers Callahan and Grange excused. (The staff report and the approved resolution are included with the minutes as Attachment "D".)

Darcy Ripplinger said that she felt this was a big deal for the City and would like to see it addressed in the newsletter or somehow make the residents aware of what is going on. At least in the City Council highlight portion of the newsletter. Recorder Twedt said that it will be in the newsletter and that before any final approvals are done for the BLA, a public hearing will be held and they will do everything they can to make sure all of the residents are aware and that they can come and be heard.

Consideration of a Resolution to award a contract to Whitaker Construction for the Millville City Sewer System

Councilmember Zollinger said that the Council is all aware of where we are on the construction costs and the funding that we have available. He said that he doesn't really like it, but we are where we are. Councilmember Zollinger said that he asked Councilmembers Grange and Callahan to comment on the approval of the construction contract since they could not be at the meeting tonight. He said that he felt this was so large that it shouldn't be done with a minimal Council and he asked them to voice their opinions. Councilmember Zollinger said that letters had been sent by both missing Councilmembers who had both given their approval for signing the construction contract and moving forward on the sewer project. Councilmember Zollinger asked that their letters be added to the minutes.

Councilmember June said that she understands that this is a project that needs to be done and that Millville will suffer consequences from the State and the Health Department if Millville does not move forward with the sewer project. She said that she wouldn't have minded if the project were to have fallen apart and not been able to continue, but she thinks moving forward with the sewer project is the right thing to do. Councilmember June said that a concern with moving forward with the sewer is that developers are going to come pushing at the City for high-density housing.

The Council all agreed that the biggest issue was the high monthly sewer rate. Councilmember Zollinger said that he didn't like the rate, but that he was confident that rates would only go up if the City doesn't move forward now. He said that the State can continue to test and lower thresholds and make things really difficult for Millville City if we don't start the sewer construction. He also said that he thinks Whitaker Construction is

a good contractor who will do a good job. He said that the Mayor and staff had done a good job in turning over every stone possible to get as much grant money as we have right now and are continuing to look for additional funding.

Councilmember Wilker motioned to approve Resolution 2022-5. Councilmember Zollinger seconded. Councilmembers Wilker, June and Zollinger voted yes with Councilmembers Callahan and Grange excused. (The written statements of support from Councilmembers Grange and Callahan as well as the approved resolution are included with the minutes as Attachment “E”.)

Consideration of a Resolution Setting Sewer Fees

Recorder Twedt said one of the requirements for closing on the sewer funding is to have established a sewer rate. Based on the current funding, this resolution sets the monthly sewer rate at \$88.97 per month that will be required when sewer service is available at a residence. It was briefly discussed that an updated version of this resolution may be needed when more details of the bonding and funding package details are nailed down. The City may need to start collecting fees earlier to ensure we have the money needed to pay interest during the construction process.

Councilmember June motioned to approve Resolution 2022-10. Councilmember Wilker seconded. Councilmembers Wilker, June and Zollinger voted yes with Councilmembers Callahan and Grange excused. (The approved resolution is included with the minutes as Attachment “F”.)

Utility Bill Adjustment Review for FY22 Q3

Treasurer Hobbs reviewed with the Council the utility bill adjustments that have been made for the past three months.

Budget Review for FY22 Q3

Recorder Twedt reviewed the budget revenue and expenses for fiscal year 2022 through March. He said that there is not a lot of detail that he felt needed to be discussed with this quarterly review and that the Council would be digging into the budget in detail in the upcoming months for the closing of the FY22 budget and as they adopt a budget for FY23. Recorder Twedt said that he felt the budget was progressing as planned and going well. (The staff report and budget that was reviewed is included with the minutes as Attachment “G”.)

Development Near Irrigation Canals

Mayor Hair reviewed the staff report and the request from the canal company to update some of the City Code to address concerns with people building near the irrigation canals.

Mayor Hair also said that Providence has hired someone to look at secondary irrigation that will affect Providence and they would like to include Millville in that study. The Council confirmed that there wouldn't be a cost to Millville City. Recorder Twedt said it didn't make sense to him why they would need Millville City approval. Councilmember Wilker said that he felt this shouldn't have anything to do with either of the cities and should be handled independently by the canal company.

The Council said that they were okay with making some of the proposed changes to our City Code as it relates to building near an irrigation canal. Recorder Twedt said that he would work on something that could be reviewed by P&Z and follow the process for adopting updates to the City Code. (The staff report is included with the minutes as Attachment "H".)

City Reports

Public Works Director Kendrick reported that the park bathrooms are now open, even though there had been a recent snow storm and it appears that winter is back again for a little bit.

Director Kendrick said that there had been a recent leak identified on the resident's side of a meter. He said that this should not be considered a problem for which the City should pay for that water.

Director Kendrick said that the City was still using Garr Spring water since there is snow and the water is not needed by the farmers yet. He said that the City has a good relationship with the Garr Spring Board who allows the City to use the water until it is needed for irrigation.

Councilmember Wilker said that he met with Linn Stuebner who had provided a recommendation for the type of tree the City should consider for the Main Street roundabout. She suggested three trees for that roundabout. Director Kendrick said that he would look into it.

Councilmember Reports and Items for Future Agendas

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

Councilmember Wilker said that he had held the first planning meeting for the City Celebration earlier today. Linn Stuebner had some ideas from what had been done in Alpine. They are looking into the possibility of having food trucks provide the meal. Councilmember Wilker said that he is looking into the possibility of providing a coupon or cost reduction to residents with their utility bills. He said that he has just begun to look into

this and will come back to the Council later with a proposal. Councilmember Wilker said that there are other residents that are willing to help as well that will be at upcoming planning meetings.

Recorder Twedt said that representatives from Ridgeline High School had reached out requesting to block and divert traffic on the road south of the school during their graduation river walk on May 17th from 8:45 – 10 am. They had done this last year as well and it had gone well. The Council didn't have any concerns with the river walk happening again this year.

Adjournment

Councilmember Zollinger moved to adjourn the meeting. Councilmember June seconded. Councilmembers June, Wilker and Zollinger voted yes with Councilmembers Grange and Callahan excused. The meeting adjourned at 8:55 p.m.

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
April 28, 2022

PRESENT: David Hair, Daniel Grange, Clay Wilker, Michael Callahan, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Kara Everton, Corey Twedt, Mikelshan Bartschi, Todd Higbee, Marley Cox, Scott Jardine, Josh Paulsen

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for April 28, 2022 at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Clay Wilker and Ryan Zollinger were in attendance with Councilmembers Daniel Grange and Michael Callahan to arrive shortly. Also, Treasurer Tara Hobbs and Recorder Corey Twedt were present.

Opening Remarks/Pledge of Allegiance

Councilmember Wilker welcomed everyone to the Council Meeting and led all present in the pledge of allegiance.

Councilmember Grange arrived at this time.

Councilmember Grange then offered a word of prayer.

Approval of Agenda

The agenda for the City Council Meeting of April 28, 2022 was reviewed. Mayor Hair said that they were going to skip Item E for today and deal with that another time to give Recorder Twedt more time to look into that change. **Councilmember Zollinger moved to approve the agenda for April 28, 2022 with the exclusion of Item E.** Councilmember June seconded. Councilmembers Wilker, June, Grange and Zollinger voted yes with Councilmember Callahan to arrive later. (A copy of the agenda is included as Attachment "A".)

Approval of Minutes of the Previous Meetings

The Council reviewed the minutes from the City Council Meetings held March 24, 2022 and April 14, 2022.

Councilmember Zollinger motioned to approve the minutes from March 24, 2022. Councilmember June seconded. Councilmembers Wilker, June, Grange and Zollinger voted yes with Councilmember Callahan to arrive later.

Councilmember Wilker motioned to approve the minutes for April 14, 2022.

Councilmember Zollinger seconded. Councilmember June wanted to clarify that although she is concerned about the traffic ramifications with the proposed Heritage Group development, traffic is not her only concern. She is also concerned that a high-density development of this type will change the nature of the City which is intended to be "Country Living at Its Finest" as the City slogan suggests. Councilmembers Wilker, June, Grange and Zollinger voted yes with Councilmember Callahan to arrive later.

Public Comment Period

Mayor Hair opened the floor for any public comments.

Marley Cox introduced himself to the Council and said that he owns water rights that were deeded to him in 2008. He is working on finding a buyer or entity that needs and is interested in ownership of these water rights.

Councilmember Callahan arrived at this time.

Marley said that there is lots of new development happening in Cache Valley and building lots are selling very quickly. He said that he is looking for cities that are looking for water or developers that need to bring water to cities with their new developments. He said that he is working with the Division of Water Rights and would like to list the Millville wells as possible water sources on his water rights. That would allow for water to be taken from those sources using those water rights in the future if needed.

Councilmember Zollinger asked how much water he had available. Marley said he had approximately 68 acre-ft in water shares. Councilmember Wilker asked for clarification on how a deal would work. Marley said he wanted to get the transfer taken care of during his lifetime. He has experience in working with the Division of Water Rights. He would go ahead and get the Millville water sources listed in connection with his water shares and then if the City was interested in purchasing them, they would be available and ready to use in the future.

Mayor Hair said that they would investigate this and put it on a future agenda to discuss in more detail.

Councilmember Josh Paulsen from Providence City said that he was here representing himself and a few other councilmembers from Providence City. He said that he wanted to share a few of his thoughts regarding the Celco Boundary Line Adjustment (BLA) and future development on that property. He said that he would prefer work directly with the Millville City Council than have the developer involved in the discussions. Josh said that he doesn't like the idea of closing the road into Millville that was proposed by the Millville

City Council with the adoption of the resolution of intent to allow the BLA of the western Celco parcel. Councilmember Grange asked how Councilmember Paulsen felt about funneling all the Providence traffic down a one-lane road in a neighboring city. Josh said that he was interested in looking for a long-term solution that would work for both cities. He said that he thinks he understands the position of the Millville City Council. He said that he would like to work more collaboratively in the short term and find long-term solutions. He said that he would like good traffic flow between the two cities. He said that he and other Providence councilmembers were not enthused about what was coming before them for a vote.

Councilmember Grange said that he thinks it is shortsighted for Providence to continue to allow development that brings traffic not to their City, but to Millville. Providence collects the impact fees, but Millville gets all the impact and provides the roads and parks.

Councilmember Paulsen said that it was likely that the motion to accept the BLA would not pass with a pending road closure. He was wondering if that would make the lawsuit worse for Millville City. Recorder Twedt said that if Providence was planning to deny the boundary line adjustment, it would have been great if they had made that clear two years ago. Instead, the response from the Providence City Council was to let the lawsuit play out in Millville and see how it goes before deciding what they would do.

Recorder Twedt said that it is frustrating that at the last review in Providence, Councilmember Paulsen said that he wouldn't accept the BLA request for the large eastern parcel, because he wanted another outlet for that traffic. Now, Millville has proposed a compromise to provide another traffic outlet and Councilmember Paulsen says that he doesn't like it and still wants to funnel all the Providence traffic down through the narrow Millville streets.

Mayor Hair said that if this were to be discussed further in a City Council meeting, it would need to be on an agenda and not just part of the public comment period.

Request for a Business License for TextMyGov

A request for a business license has been submitted for TextMyGov at 695 W. 1700 S. Bldg. 22 Suite 103. Scott Jardine was present at the meeting representing the business. He said that they have between 15 and 20 employees working on site at the office in Millville. It was clarified that iWorQ is the parent and TextMyGov is a subsidiary. Sales tax revenue was discussed. Scott said that they work solely with governmental agencies. Recorder Twedt said that if this was the case, they would all be tax exempt and not pay sales tax. **Councilmember Grange motioned to approve the business license for TextMyGov.** Councilmember Callahan seconded. Councilmembers Wilker, June, Grange, Callahan and Zollinger voted yes. (A copy of the license application is included with the minutes as Attachment "B".)

Cache County Sheriff Report for 2021 and Fiscal Year 2023 Law Enforcement and Animal Control Contracts

Lieutenant Mikelshan Bartschi introduced himself and Deputy Higbee from the Cache County Sheriff's Department. He gave a brief update and review of the letter that had been sent to the City Council. He explained that the Sheriff's Department continues to spend far more time in Millville City than the hours for which the City has contracted. He explained that over the next few years, they need to increase the contracted hours incrementally to come closer to in line with the actual hours spent by the Sheriff Department in Millville City.

Recorder Twedt said that the contract listed the yearly rates for the next three years. It also listed the hourly pay rate by which the total amount was calculated. He asked if that hourly rate would increase over the upcoming years and if that would affect the contracted amount. Lieutenant Bartschi said that they would be looking at the hourly rate next year, but if the City were to approve the existing contract, the City would lock in the rates listed on that contract for the next three years. He said that the Sheriff's Department had always been as transparent as possible on their contracts and wanted to continue making everything as clear as possible.

Recorder Twedt asked how the number of hours were determined or how the deputies decided when to be in Millville. Lieutenant Bartschi said that it was based on both calls and regular patrolling. They have found that by keeping their regular patrol numbers up, they can reduce the number of calls and crime in a city.

Mayor Hair said that he felt the contract prices were still a very good deal for Millville City.

Lieutenant Bartschi said that there was no increase in the Millville City animal control contract proposed for this year. He then discussed the new animal impound facility that is being built by the Sheriff's Department. He said that they are working on including a veterinary school at the new shelter and that he thinks it will be a great program.

Councilmember Zollinger said that he had concerns about the new impound facility. He said that with a new expensive building and staff, he expected that those costs would be passed along to the cities in the coming years as the County tried to find ways to fund the ongoing yearly costs.

Lieutenant Bartschi said that they will continue to be as transparent as possible on costs going forward. The Sheriff's Department was building the facility because they saw it as needed within the County. No city will be obligated to use the impound facility if they would rather deal with animal impounds in another way or through another facility. He said that the current plan was to open the facility in August of this year, but they want to make sure it is done correctly and not rushed. He said that if Millville City would like, they have the option of including a Councilmember in the committee that is discussing the facility and making decisions on how it will be run. He said that he understands the concerns from the cities and that they are working through these issues.

Councilmember Wilker confirmed that the Sheriff Department was planning on participating once again in the City Celebration and Night Out Against Crime in June. They confirmed that they were. Recorder Twedt said that he was appreciative of the Sheriff's Department. He said he feels that they communicate and work well with Millville City.

Consideration for approval of the FY23 Law Enforcement and Animal Control Contracts

Councilmember Zollinger motioned to table the review and consideration to approve the law enforcement and animal control contracts until after the FY23 budget review. Councilmember Wilker seconded. Councilmembers Wilker, June, Grange, Callahan and Zollinger voted yes. (A copy of the staff report and related information is included with the minutes as Attachment "C".)

Report on P&Z Meetings held April 7, 2022 and April 21, 2022

Development Coordinator Kara Everton reviewed with the Council the Planning Commission's draft minutes for the meetings held on April 7, 2022 and April 21, 2022. There was a brief discussion by the City Council on the issues relating to accessory dwellings and the deficiencies in the Millville City Code in addressing this issue. Recorder Twedt said that there are code updates needed to address accessory dwellings, apartments, and short-term rentals. Councilmember Zollinger suggested that a work meeting be scheduled for the Planning Commission and City Council to work through these issues together. Recorder Twedt said that he would work with Development Coordinator Everton to get some questions together on how to deal with these issues based on reviews of code from other cities and then he would schedule a work meeting.

Councilmember Reports and Items for Future Agendas

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

Councilmember Callahan discussed the study that is planned to look at secondary water in Providence and Millville City. This had been discussed in a previous meeting. Councilmember Callahan said that he supported this study and felt that it would be good for Millville City to know the things that might be learned from that study.

Councilmember Wilker said that he had held another planning meeting with the residents and youth that are helping plan and carry out the upcoming City Celebration. He asked the Council if they had recommendations for food trucks to be added to the list for consideration by the planning committee. Several options were provided. Councilmember Zollinger said that one concern he had was that the food trucks would bring enough food. He had been to an event with food trucks before where they ran out.

Recorder Twedt said that at the ULCT Conference, they spent a significant amount of time discussing the Legislative Policy Committee (LPC). The LPC is made up of representatives from all of the cities that are interested. The LPC weighs in and determines what the ULCT's policies will be as they relate to lobbying and driving for specific legislation that relate to cities throughout the State. We are allowed to include up to three people from Millville in the LPC. They meet via Zoom every couple of months and then much more regularly during the legislative session. Recorder Twedt said that if there were any members of the City Council that were interested in being part of the LPC, they should let him know so that he can get their names submitted to the League.

Adjournment

Councilmember Zollinger moved to adjourn the meeting. Councilmember Wilker seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. The meeting adjourned at 8:22 p.m.