

NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold their regularly scheduled Council Meeting on Thursday, June 8, 2023, at the Millville City Office, 510 East 300 South in Millville, Utah, at 7:00 p.m.

1. Call to Order / Roll Call – Mayor Hair
2. Opening Remarks / Pledge of Allegiance – Councilmember Wilker
3. Approval of agenda
4. Approval of minutes of the City Council Meeting – May 11, 2023
5. Agenda Items—
 - A. Public comment period (2 min/person)
 - B. Business license request for Miami Ice at 565 N. 200 E. – Jordan Caldwell
 - C. RAPZ Grant Funding for 2023 – Recorder Twedt
 - D. Election candidacy filing results – Recorder Twedt
 - E. Report on P&Z Meeting held June 1, 2023 – Development Coordinator Everton
 - F. Budget review for FY23 and FY24 – Recorder Twedt
 - G. PUBLIC HEARING – as close as possible to 7:30 p.m.
 - i. FY23 Budget Revisions
 - ii. FY24 Budget
 - H. Consideration of resolution adopting the revised Fiscal Year 2023 Budget – Mayor Hair
 - I. Consideration of resolution accepting the certified property tax rate (no increase) – Mayor Hair
 - J. Consideration of resolution adopting the Fiscal Year 2024 Budget – Mayor Hair
 - K. Consideration of resolution setting pay rates for City Treasurer and City Recorder – Mayor Hair
 - L. Consideration of resolution setting Mayor Pro Tempore for Fiscal Year 2024 – Mayor Hair
 - M. Consideration of resolution to accept an agreement with Cache County for building inspection services – Mayor Hair
 - N. Food Co-Op North Park Pavilion use – Mollie Anderson
 - O. City Celebration planning progress update – Councilmember Wilker
 - P. City Reports: Roads, Parks, Water – Public Works Director Kendrick
 - Q. Councilmember reports and other items for future agendas
6. Adjournment.

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during public meetings should notify Corey Twedt at (435) 881-2669 at least three days prior to the meeting.

This agenda was posted on June 5, 2023, to the City posting locations, the City Website and the Utah Public Meeting Notices Website.



Corey Twedt, Recorder

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
May 11, 2023

PRESENT: David Hair, Daniel Grange, Clay Wilker, Michael Callahan, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Kara Everton, Justin Card, Garrett Smith, Jacey Forsgren, Colter Wilker, Shaelyn Dattage, Ashley Sawin, Tyson Sawin, Chloe Baker, Nellie Baker, Adam Fitzgerald, Sarah Fitzgerald, Wendy Wilker, Brian Olsen

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for May 11, 2023, at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Michael Callahan, Ryan Zollinger and Clay Wilker were in attendance with Councilmember Daniel Grange to arrive later.

Opening Remarks/Pledge of Allegiance

Councilmember Callahan welcomed everyone to the Council Meeting and thanked them for coming. He then led all present in the pledge of allegiance.

Approval of Agenda

The agenda for the City Council Meeting of May 11, 2023, was reviewed. Mayor Hair said that it would be useful to have a closed executive session at the end of the meeting.

Councilmember Callahan moved to approve the agenda for May 11, 2023, with the addition of the closed session. Councilmember Zollinger seconded. Councilmembers Callahan, June, Zollinger and Wilker voted yes with Councilmember Grange to arrive later. (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 April 13, 2023.

Councilmember Callahan moved to approve the minutes for April 13, 2023. Councilmember June seconded. Councilmembers Callahan, June, Zollinger and Wilker voted yes with Councilmember Grange to arrive later.

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 Mill Canyon Livestock, LLC

Jacey Forsgren has submitted a request for a business license for Mill Canyon Livestock, LLC at 35 North 100 West. Jacey said that they have a farm and would like to sell flowers, produce and some select meats from a wagon in front of the home during the summer months. It was discussed that the wagon would be partially on the City right-of-way at times. **Councilmember Callahan moved to approve the business license for Mill Canyon Livestock, LLC.** Councilmember June seconded. Councilmember June expressed concern about the wagon being on the City right-of-way with the current emphasis on enforcement of the parking code. Councilmember Zollinger asked that Jacey review and comply with the code as it relates to parking. Councilmembers Callahan, June, Zollinger and Wilker voted yes with Councilmember Grange to arrive later. (A copy of the license application is included with the minutes as Attachment “B”.)

Traffic concerns in Mond-Aire southeast entrance

Ashley Sawin said that several residents from the Mond-Aire Subdivision have concerns with speeding traffic in that neighborhood. She said that they would like to request speed humps at certain locations and speed limit signs. She said that most of the speeding is from Providence residents passing through the neighborhood.

Councilmember Grange arrived at this time.

Councilmember Zollinger asked for clarification on what was being requested. Ashley said that they would like removable speed humps to be added at various locations in the Mond-Aire Subdivision. Councilmember Zollinger said that when a speed hump is added on one street, the traffic generally just filters to another street. Ashley said that they would like several speed humps added so that there is not a clear way through the subdivision without slowing for speed humps. Councilmember Zollinger asked that they specify the desired locations on a map so that the Council could consider the request. He said that he and the rest of the Council understood that speeding on residential streets is a valid concern (in Mond-Aire and in other parts of the City), and the Council shares those concerns.

Councilmember Callahan agreed that seeing a map listing the priorities would be helpful. Councilmember Zollinger said that another issue was the budget and how the City might pay for what was being requested in Mond-Aire. Ashley said that removable speed humps are relatively inexpensive at the price of only a couple hundred dollars.

Councilmember Wilker said that the City Celebration is coming up. Last year, they did a raffle for a benefit. He said that he wasn't ready to make any commitments, but that there is a possibility of getting money from the raffle for a pilot speed bump program.

Recorder Twedt pointed out that there had been several requests for speed bumps over the years and they have never been implemented in the City for various reasons.

Mayor Hair said that the City could reach out to the Sheriff's Department to have them patrol these areas of concern more frequently.

Councilmember Callahan discussed the possibility of putting up speed limit signs. Ashley asked that the Council consider reducing the speed limit in this neighborhood from 25 mph down to 20 mph.

Ashley asked that the Council come up with an equally effective plan to deal with the speeding concerns if they decide not to approve the addition of speed humps. (A copy of the email sent by Ashley is included with the minutes as Attachment "C".)

Traffic concerns on Canyon Road

Chloe Baker provided a petition signed by several residents that live on Canyon Road sharing her concerns about the traffic issues. Chloe explained that Canyon Road is getting more and more traffic from ATVs that are always speeding up and down that road. She said that the biggest issue are motor bikes. Chloe has been speaking to officers from the Cache County Sheriff's Department and one recommendation would be to limit the speed to 20 mph since it is such a narrow road. Chloe said that she would like to request a temporary speed bump where the road turns to gravel, especially for when school is out. She also said that the City could request more patrol time from the Sheriff's Department on that road. Chloe said that the cars speeding there had been a little bit better this year, but the motor bikes were much worse. She also discussed the possibility of some children at play signs.

Councilmember Wilker said that some big tickets could help dramatically reduce the problem. Chloe agreed that more patrolling would be a big help.

Councilmember Zollinger said that there have been several complaints about speeding in various parts of the City and he thinks the Council needs to dig into it and try and make some improvements.

Mayor Hair suggested that the City speak to the Sheriff's Department about stopping all ATV traffic on that road to confirm that they are licensed properly. This would also make everyone aware of the police presence.

Chloe thanked the Council and said that she appreciated their time. She said that she loves living here and appreciates the help. (A copy of the petition from Chloe Baker is included with the minutes as Attachment "D".)

Report on P & Z Meetings held April 20, 2023 and May 4, 2023

Development Coordinator Kara Everton reviewed with the Council the Planning Commission's draft minutes for the meetings held April 20, 2023 and May 4, 2023.

Consideration of ordinance updating City Code to permit and add requirements for development on private lanes

Mayor Hair reviewed the proposed code updates that have been reviewed over various meetings by the Planning Commission. He said that the only part he would like to clarify in the proposed code was in 17.20A.060.B.11 where it listed the requirement for asphalt between the private lane and the City street. The proposed code only stated that asphalt was required. Mayor Hair said that he would prefer it be a little more specific on that requirement.

The Council discussed that 3” of asphalt should be required and then spent some time discussing whether hot asphalt should be required or just regrind should be permitted.

It was decided during the meeting to change this requirement from this:

“A driveway approach with a minimum of twenty feet (20’) by twenty feet (20’) of asphalt from the public street to the lane is required.”

To this:

“A driveway approach with a minimum of twenty feet (20’) by twenty feet (20’) of three inch (3”) minimum thickness of permanent asphalt from the public street to the lane is required.”

Councilmember Callahan said that the members of the Planning Commission were the experts on this and that he would like them to weigh in on this proposed change to the recommended code. Recorder Twedt said that he thought this was a good idea, but it was not a significant change. Sending it back to P&Z now would delay things significantly for people who may want to begin working through the subdivision process for building on a private lane. Recorder Twedt suggested the Council consider adoption of the new code with what had been discussed here tonight. Then have the Planning Commission review and make changes if they want to.

Councilmember Callahan motioned to approve Ordinance 2023-6 with the change of 3” minimum of permanent asphalt and have the Planning Commission look at it again and recommend updates if they would like to do so. Councilmember Wilker seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (The approved ordinance is included with the minutes as Attachment “E”.)

Consideration of a resolution for a sewer construction agreement with Blacksmith Fork Irrigation Company

Mayor Hair reviewed with the Council the resolution to approve an agreement for crossing the canals of the irrigation company with the ongoing Millville City sewer construction project.

Councilmember Callahan said that he didn't see anything that he was concerned about in the agreement.

It was clarified that this is only for the irrigation company and crossings going through the County out towards Hyrum.

Councilmember Zollinger asked if this would have any cost or schedule implications with the existing agreement Millville City has with the sewer construction contractor. Recorder Twedt said that this agreement would not affect the existing construction agreement or bid.

Councilmember Callahan motioned to approve Resolution 2023-6. Councilmember Grange seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (The adopted resolution is included with the minutes as Attachment "F".)

FY23 and FY24 Budget

Recorder Twedt reviewed proposed revisions to the FY23 Budget and a proposed first draft of the FY24 Budget. He explained that in this meeting, the Council should review the budget suggestions, make any changes they want, and adopt a preliminary FY24 budget. At the next meeting, following a public hearing, they will adopt a final FY23 Budget and the initial FY24 Budget.

Recorder Twedt reviewed a couple of the changes on the budget and why they were there. The Council asked for a recommendation from Recorder Twedt on the tax rate. Recorder Twedt said that he has pushed harder in previous years than he was planning to push this year. He said that he would still recommend a property tax increase. The City runs on fairly small margins and it wouldn't take much for a more significant tax rate increase to be needed. Small and more regular tax rate increases is what he would recommend. Recorder Twedt said that the biggest concern is the staff size and that new employees will be needed in the future. Currently, we don't have a way to pay for them with our current revenue.

Councilmember Wilker motioned to approve the preliminary FY24 Budget.

Councilmember Callahan seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (The information from the staff report is included with the minutes as Attachment "G".)

Scheduling of Budget Public Hearing

Recorder Twedt said that it is a State requirement that no two budget hearings be held at the same time. Because of this requirement, budget hearing times need to be selected early each year. Millville's budget hearing time is currently scheduled June 8th at 7:30 p.m.

Councilmember Callahan motioned to set the budget public hearing for June 8, 2023, at 7:30 p.m. Councilmember June seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes.

City Celebration planning progress and discussion

Councilmember Wilker said that Treasurer Hobbs has been doing a great job on helping with scheduling and lining up the events for the upcoming City Celebration. He said that Linn Stuebner had the food trucks committed. The plan was not to do vouchers this year for food. Food trucks will be available for whoever would like to purchase food and the City will provide drinks and potentially dessert. The car show is planned again for this year. The Lavender Festival is scheduled for a different date so that the two events don't conflict. Mayor Hair said that he would work on scheduling the same band that played at the City Celebration last year.

Treasurer Hobbs briefly discussed the schedule. The parade will begin at 10am followed by the water fight with the firemen at the North Park. The City Celebration will begin at 6pm at the South Park.

Election notice and candidacy filing period

Recorder Twedt reminded the Council that 2023 was a municipal election year. The terms will be up for Councilmembers June, Callahan and Zollinger. The election candidacy posting information is on the City website and in the posting boxes and another notice is going out in the City newsletter. The candidacy filing period will be June 1st through June 7th.

City Reports

Director of Public Works Chad Kendrick reported that the parking lot at the South Park was now sealed and striped.

He discussed some concerns with the neighborhood food basket pickup that was currently being done at the North Park. Recorder Twedt said that Mollie Anderson was planning on attending the City Council meeting in June to discuss this in more detail.

Director Kendrick said that Canyon Road had recently been graded.

The City wells are back on and being used as the water from Garr Springs is now being used by the other shareholders.

Director Kendrick briefly discussed some recent issues with cows getting loose and complaints from neighbors.

Councilmember Reports and Items for Future Agendas

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

Councilmember June said that she had received an email from a resident concerned about the noise from motor bikes on the hill north of the LDS Stake Center. Mayor Hair said that he had received a call about this as well. There are some limits on what can be done from the City as this is private property.

Councilmember June said that she attended a water planning session at the ULCT Conference, and there may be some upcoming legislation that will limit what cities can do with development water shares.

Adjournment

Councilmember Callahan motioned to enter a closed session to discuss ongoing litigation after which both the public meeting and the executive session will adjourn. Councilmember Zollinger seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. The meeting adjourned at 9:00 p.m.

SECTION IV: Additional Information

E. Utah State Tax Commission — Sales Tax Number: 92-3896590
F. State & federal regulatory agency licensing info: (Not referring to an EIN or entity number)
G. Did you use "One-Stop Online Business Registration" to Register your business with state and federal agencies?
H. Previous Business Name:
I. Previous Business Location:

SECTION V: Ownership (Parent business entity and business officer information)

Parent Entity
Parent Business Name: MIAMI ICE LLC
State Entity Type: Sole Proprietorship Partnership LLC Corporation Non-Profit Corporation (w/501 c3 letter)

Officers (1)
Officer Name: JORDAN CALDWELL
Home Address: PO BOX 657, 565 N. 200E MILLVILLE, UT 84326
This person can be contacted in the event of an after-hours police or fire emergency.

Officers (2)
Officer Name: WAYNE CALDWELL
Home Address: P.O. BOX 657, 565 N. 200 E. MILLVILLE, UT 84326
This person can be contacted in the event of an after-hours police or fire emergency.

SECTION VI: Notification and Verification of Authority

- 1) Mandatory review process — this application does not constitute a business license. All applications are subject to the review process mandated by Title 5 of the Municipal Code.
2) Additional Requirements — Under the Municipal Code, additional Business License application requirements are necessitated for some business types.
3) Denial of License — Application denial or subsequent license suspension or revocation are most often the result of:
4) Other regulatory bodies — It is the applicant's responsibility to determine and comply with any requirements from other regulatory agencies.
5) Signage — Permanent signage requires a separate Sign Permit Application, which is located on the city web site, Millvillecity.org.
6) Building alterations — All alterations to buildings or spaces, including electrical, plumbing, and mechanical alterations, require a separate building application.

I/We hereby agree to conduct said business strictly in accordance with the business license regulations as set forth in the Millville City Code, and swear under penalty of law the information contained herein is true.
Signature of Owner/Authorized Agent: Wayne Caldwell
Printed Name: Wayne K Caldwell
Date: 5-30-2023

SECTION VII: For administration use only

Classification: Conforming Non-Conforming Child Care Home Business Low Impact Medium Impact

Conditional Use: (If box is checked see conditions)

Agree Do not agree Signature: Date:

Yes No City Council grants permission Signature: Date:

FEES \$25.00 EXEMPT PAYMENT TYPE RECEIPT

HOME-BASED BUSINESS FEE EXEMPTION CERTIFICATION

Business Name MIAMI ICE

Owner Name Wayne & Jordan Caldwell

Business Address 565 N. 200 E. MILLVILLE, UT 84320

I hereby attest that the business operations I run from my home do not create any additional offsite impacts in my neighborhood. I see no clients or customers and require no off or on street parking, no large equipment is stored at my home and my business operations will not impact the neighbors through loud noise, odors, traffic or other unusual activity. Other reasons as to why I believe that my business qualifies for a fee exemption from the Millville City business license requirements ([Millville Code 5.04.140](#)) are as follows:

The Food Trailer (mobile Shave ICE) will primarily be
doing business at various locations around Cache valley, Peoples
houses for celebrations and at fairs. IT IS NOT doing
business in millville or stored in Millville.

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

Wayne Caldwell
Signature

5-30-2023
Date



Cache
County
1857

FINANCE DEPARTMENT

BUDGET | VENDOR PAYMENTS | PAYROLL | FINANCIAL REPORTING

May 26, 2023

Corey Twedt
Millville City
PO Box 308, 510 East 300 South
Millville, UT 84326

Reference: Millville South Park Extension

Mr. Twedt:

Thank you for participating in the Restaurant and RAPZ Tax program. The County appreciates the hard work and goodwill that organizations like yours offer to the County's citizens.

After the application deadline, each application was reviewed by the Restaurant and RAPZ Tax Board for eligibility and merit. Eligibility is determined by comparing proposed expenses in the application to allowable expenses defined by Utah Code. Merit is evaluated by individual Board members and then by the Board. Awards are based on these considerations, taking into account available funds. Board recommendations are presented to the County Council for final approval.

The County is happy to inform you that your organization has been awarded \$29,800. Funds can only be used for expenses presented in the referenced application and must be used by December 31, 2025. To receive your awarded funds, please submit a written request on your entity's letterhead, including a budget for using funds, invoices, receipts, or other relevant documentation, to the Cache County Finance Department, 179 North Main, Suite 202, Logan, UT 84321.

Please recognize the use of these funds appropriately to foster public awareness and appreciation for their benefits.

Kind Regards,

Alma Burgess
Cache County Finance



May 26, 2023

Corey Twedt
Millville City
PO Box 308, 510 East 300 South
Millville, UT 84326

Reference: Millville North Park Tennis Court Lighting

Mr. Twedt:

Thank you for participating in the Restaurant and RAPZ Tax program. The County appreciates the hard work and goodwill that organizations like yours offer to the County's citizens.

After the application deadline, each application was reviewed by the Restaurant and RAPZ Tax Board for eligibility and merit. Eligibility is determined by comparing proposed expenses in the application to allowable expenses defined by Utah Code. Merit is evaluated by individual Board members and then by the Board. Awards are based on these considerations, taking into account available funds. Board recommendations are presented to the County Council for final approval.

The County is happy to inform you that your organization has been awarded \$23,144. Funds can only be used for expenses presented in the referenced application and must be used by December 31, 2025. To receive your awarded funds, please submit a written request on your entity's letterhead, including a budget for using funds, invoices, receipts, or other relevant documentation, to the Cache County Finance Department, 179 North Main, Suite 202, Logan, UT 84321.

Please recognize the use of these funds appropriately to foster public awareness and appreciation for their benefits.

Kind Regards,

Alma Burgess
Cache County Finance

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

June 1, 2023

PRESENT: Garrett Greenhalgh, Bonnie Farmer, Lynette Dickey, Darcy Ripplinger, Matt Anderson, Tara Hobbs, Kara Everton, Pam June, Mayor David Hair, Eric & Molly Dursteler, Jackson Derenham, Devin Preston

Call to Order/Roll Call:

Commissioner Greenhalgh opened the meeting for June 1, 2023, at 8:00.p.m. Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, and Matthew Anderson (Alt.) were present. Commissioner Thompson and Lewis are excused with Commissioner Ripplinger to arrive later. Development Coordinator Kara Everton was present and took the 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 for June 1, 2023.** Commissioner Farmer seconded. Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, and Matthew Anderson (Alt.) voted in favor. Commissioner Thompson and Lewis are excused and Commissioner Ripplinger to arrive later.

Approval of the Minutes of the Previous Meeting

The Planning Commission reviewed the minutes for the Planning Commission Meeting for May 4, 2023. **Commissioner Farmer moved to approve the minutes.** Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, and Matthew Anderson (Alt.) voted in favor. Commissioner Thompson and Lewis are excused and Commissioner Ripplinger to arrive later.

5.A. Zoning Clearance- Donald Lewis- Accessory Building- Garage- 124 E 100 N, Millville UT

The owner was not present. This accessory building will have a concrete floor, and electricity but no plumbing. The drawing measurements look a little off, however, if the accessory building is at least 30' from the front property line then it's good to go.

Commissioner Ripplinger arrived at this time.

Commissioner Anderson made a motion to approve the zoning clearance for an accessory building for Donald Lewis. Commissioner Ripplinger seconded. Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, and Matthew Anderson (Alt.) and Darcy Ripplinger (Alt) voted in favor. Commissioner Thompson and Lewis are excused.

5.B. Zoning Clearance- New Residence- Eric Dursteler- 140 N 100 W, Verla N Olsen Lot #1

The application shows the address being 114 North 100 West but it is actually 140 North 100 West. This home will have an apartment in the basement. Treasurer Hobbs informed them of the process of payment when that is rented. Height is 23-1/2". The homeowners will have a dryline for the sewer. Homeowners still need to get the septic permit from BRHD. We will sign the zoning clearance, but the septic permit needs to be turned in before it will be issued.

Commissioner Dickey made a motion to approve the zoning clearance for Eric Dursteler for a new residence with contingency of obtaining septic permit. Commissioner Ripplinger seconded. Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, and Matthew Anderson (Alt.) and Darcy Ripplinger (Alt) voted in favor. Commissioner Thompson and Lewis are excused.

5.C. Other

- Darcy Ripplinger said she was grateful for the timer for the pickleball lights turning off at 10pm.
- Bonnie Farmer asked if the owner of an ADU need to occupy either the primary or secondary residence. The commission confirmed that is correct.
- Mayor Hair suggested that the commission reviews the code regarding the accessory buildings being built on the drip line. There have been concerns expressed recently that when snow slides off the metal roofs, it often hits the fence and could damage it. The commission agree that there is need to investigate the code and revise if necessary. Cache County requires 5 foot off the property line but allows Millville to currently have buildings built up to the drip line.
- Jackson Derenham & Devin Preston are present and had some questions about some code. They live at 25 W 300 S. They were referencing our city code Chapter 15.08.010: PERMIT REQUIRED; EXCEPTIONS which states, "the permit required by this chapter. This section shall not apply where either: a) the retail cost of materials used is less than one thousand dollars (\$1,000.00), except for structural changes", and would like to have the commission clarify what structural changes means. Commissioner Greenhalgh stated that if you are adding footings in the ground or tearing out a wall that needs a beam that is a structural change. Plumbing, HVAC always should require a permit. The owners want to do a porch under the deck and create a walk out basement. It is a concrete wall with a window where they want to put a door. Commissioner Greenhalgh stated that frost protection is required in our area. The owners could cut out the footing, then install a foam board insulator or dig down deeper and put the footings deeper then that would satisfy the requirement. Based on the frost protection, they will need a zoning clearance from the city to get a permit through the county. They do want to rent some rooms in their basement as a long-term rental. The commission advised that the rental needs to be a self-contained space, so it needs to be a unit, and cannot rent out as individual rooms. Owner stated that they want to level out their driveway and advised what is necessary to finish it off against a property line. The commission made suggestions for a small wall.

- Matt Anderson stated that he needs to do a back wall, and due to the height, it will be engineered, he may do boulders or concrete. He asked if he needs a zoning clearance. Commissioner Greenhalgh stated that should be included with his original zoning clearance.

6. City Council Report – review minutes from the May 11, 2023, meeting

- The OHV certificate was discussed in depth. Mayor Hair stated that new law is in effect. Commissioner Ripplinger said that Providence has a similar situation with their canyon road as Millville City does, but they have some signs along that stretch of road that possibly help slow them down. Her concern is that if warnings are not given then there is no accountability. The commission agreed.
- The code updates for Private Lanes were discussed by the commission. It was understood that the need to clearly define asphalt was needed. Suggestion to the code would be “3” of permanent asphalt that meets Millville City Code standards” would be sent to the City Council.

7. Agenda Items/Notes for Next Meeting

- Schedule Public Hearing for a Zone Change for the Park Extension from Agriculture to Open Space to match the rest of the park is scheduled for June 15, 2023, at 8:05 p.m.
- Drip Line code research and update
- Asphalt in code for private lanes
- Chapter 15.08.010 Permit Exceptions- clarification. Some items of clarification are as follows:
 - o Does the county require a zoning clearance for a basement remodel?
 - o Is there a timeframe that an original home permit is good until to address inspections for further construction.
- Zoning Clearance- remodel/addition/basement buildout.
 - o Is it associated with the address? Last couple years they’ve been charging for the basement permits upfront.

8. Calendaring of future Planning Commission Meeting

- June 15, 2023, at 8:00 pm.

9. Adjournment

Chairman Greenhalgh moved to adjourn the meeting at approximately 9:17 p.m.



AGENDA REPORT: BUDGET REVIEW

June 8, 2023

Background

At the end of each fiscal year, the Council reviews the yearly budget and adopts a new final budget – with adjustments – for the current year. Additionally, the Council must adopt the new fiscal year budget in June of each year. If a tax rate increase is planned, a preliminary budget is adopted in June and the final budget is adopted in August.

At the City Council meeting held on May 11, 2023, the Council reviewed the budget and some updates have been made since then. At that meeting the Council also discussed the property tax rate and it was determined that Millville would accept the certified rate set by the County for 2023. This means that the actual percentage of property tax collected by the City will change a little bit, but the City will bring in the same amount of revenue from property taxes as they did last year. This does not necessarily mean that residents will pay the same in property taxes this year as they did last year, but it does mean that the City will not collect more than last year.

At this meeting, the Council will review the updated budgets and hear from interested residents concerning the budgets. The Council will have the option to update or change the budgets based on feedback received. Following the review of the budgets and public hearing, the Council will review resolutions to adopt the certified tax rate as well as the FY23 and FY24 budgets.

Here are some items of note related to the budgets:

- **Sales Tax Revenue** – Sales Tax Revenue is the largest revenue source for the General Fund and accounts for more than double the amount of revenue than is generated from property taxes. Sales tax revenue increased again this year.
- **Property Taxes** - Millville has done two very small increases in property taxes in the past 30 plus years and is not planning to do one this year. Millville continues to have an extremely low property tax rate in comparison to other surrounding cities. Millville runs with minimal employees and is effective with the small budget. The City, like all of the residents, is seeing inflation in supplies and will need to continue to increase employee pay rates to remain competitive. In addition to this, law enforcement and fire protection rates continue to increase year to year (this year by about \$2,500 each). As discussed by the City Council on the budget review held in May of this year, it is likely that a tax rate increase will be needed at some point in the next few years, but for now, Millville is planning to accept the certified rate set by the County.
- **Class “C” Road Revenue** – The City continues to collect and save Class “C” Road Revenue. The thought process is to preserve as much of this money with only minor

road treatments for now until the sewer project is complete. City-wide road treatments will be done after the sewer system is installed.

- **Impact Fees** – There was only a small number of new homes built during fiscal year 2023. Revenue was lower than originally estimated as a result. Park Impact money was used in FY22 to complete the South Park walkway project, help with the costs of the pickleball courts and repair the South Park parking lot. Road Impact money was used to help with the road portion of the parking lot repair and help pay for the 550 North right turn lane project.
- **American Rescue Plan (ARPA) Covid Revenue** – Millville will be allocated a total of \$254,400 in ARPA money. Half of that money was received in fiscal year 2022 and the other half was received in fiscal year 2023. This money is slated to help with the costs of the well and sewer projects. The money was received into the General Fund and then was transferred to the Water/Sewer Fund. A generator for the new well and a SCADA system on the water lift station are planned to come out of some of the remaining ARPA funding in FY24.
- **Grants and Other Funding** – The FY23 Budget shows the grant revenue and expense for the COG 300 South to Nibley 3200 South engineering design project. For RAPZ, at the end of FY22 the City was awarded \$65,600 for the park extension project. At the end of FY23, the City was awarded an additional \$29,800 for the park extension project that will be spent before the end of the fiscal year and \$23,200 that will be spent in FY24. Additionally, the RAPZ population allocation is about \$7,100 in FY23 and expected to be about the same in FY24.
- **Sewer Project** – Construction on the sewer project has begun and is expected to be completed by the end of 2025. The revenue from the construction loans was shown on the FY22 budget. We are now spending out of that revenue and will do so until we can close those loans and then move into other portions of the funding package for the sewer project. For the sewer project, all loan money must be spent first after which grant money will become available. For the sewer project, the City will receive 55% in grant money and 45% in loans.
- **Payroll** – All Cities in Cache Valley are struggling to keep employees right now. Pay rates for City workers, like most other workers, has increased dramatically over the past couple of years and it is a competitive market. This budget includes a pay rate increase of 6% for all full-time employees and 3% for part-time employees for FY24. The City Council has not received a pay rate increase for many years. In FY23, the Council motioned for a \$100 per month increase for the Mayor.
- **Street Christmas Lights** – The very old Christmas ornament/lights that we put on the poles around town in December are falling apart and a big dangerous. With the lower cost expected for the City Celebration this year and some cost savings in the same budget category, we can take the extra money to purchase new pole ornaments. Unfortunately, the new ornaments can't arrive until August, so on the budget, you will see a proposed decrease in the Parks/Recreation account budget for FY23 and a corresponding increase in FY24 to purchase those ornaments.
- **Park Rentals** – Rentals of the park pavilions continues to be very popular. The rentals/reservations of the City pickleball courts has also increased a lot. This is resulting in additional revenue, but also additional clean-up costs, repairs and garbage. Staff is keeping an eye on this to ensure the revenue is keeping up with the expenses.

- **Interest Revenue** – Interest rates were very low in FY22 and were very high in FY23. The budget also now shows interest revenue for the sewer loans. The interest expenses for these loans are included in the overall sewer expenses.
- **Election Expenses** – Since 2023 is an election year, you will see a large increase in this budget item for FY24.
- **Roads Expenses** – There was an increase in the costs for roads in the general fund this year. With all the snow plowing this winter, we had higher costs and many repairs of our equipment.
- **Capital Expenses** – We continue to move significantly more money into our capital savings accounts than we are expending. This is very good. In FY24, we have budgeted to purchase a used backhoe. We have budgeted this for the past several years, but have not made the purchase yet. We will need a backhoe as we do additional ground work and repairs with the new sewer system.

MILLVILLE CITY BUDGET - REVENUE		REVISED	FINAL	ORIGINAL
Account Description		FY23 Budget	FY23 Budget	FY24 Budget
GENERAL	Property Tax	\$151,000	\$157,000	\$157,000
	Sales Tax	\$350,000	\$415,000	\$380,000
	Motor Tax	\$900	\$900	\$900
	In Lieu Fees - UTV Recreation Fees	\$8,000	\$8,700	\$8,000
	Comcast Franchise	\$9,200	\$10,200	\$10,000
	Energy Sales and Use Tax	\$160,000	\$187,000	\$170,000
	Animal Licenses	\$4,300	\$4,800	\$4,400
	Ambulance / EMS	\$44,000	\$45,000	\$45,000
	Fines / Court	\$3,500	\$2,000	\$2,000
	Business Licenses	\$2,600	\$2,600	\$2,600
	Sanitation	\$215,000	\$227,000	\$227,000
	9-1-1 Service	\$27,000	\$27,000	\$27,000
	Class "C" Roads	\$120,000	\$135,000	\$135,000
	Appro. Fund Bal. Class "C" Rd	\$0	\$0	\$0
	Appropriated Fund Balance	\$0	\$0	\$0
	Park Impact Fee	\$45,900	\$45,900	\$32,000
	Park Impact Appropriated FB	\$24,400	\$22,400	\$0
	Road Impact Fee	\$17,600	\$17,600	\$10,500
	Road Impact Appropriated FB	\$72,400	\$72,400	\$0
	Restaurant/RAPZ Tax Awarded	\$65,600	\$96,800	\$30,200
	Youth Council	\$600	\$600	\$800
	Park Rentals	\$7,000	\$11,200	\$8,000
	Building Permits	\$7,400	\$10,400	\$6,500
	Development Review Fees	\$5,000	\$5,500	\$3,000
	Reimbursed Fees; Eng. & Dev.	\$5,000	\$8,800	\$5,000
	Interest	\$20,000	\$40,100	\$25,000
	COVID Grants (CARES or ARPA)	\$127,200	\$127,200	\$0
	COG Grant (reimbursement)	\$379,900	\$145,000	\$234,900
	Donations	\$6,800	\$6,800	\$200
	Misc. Revenue	\$800	\$3,500	\$100
Mass Transit Sales Tax/CVTD	\$30,000	\$33,000	\$36,000	
TOTAL GENERAL	\$1,911,100	\$1,869,400	\$1,561,100	

STORM WATER	Charges for Stormwater	\$33,000	\$33,500	\$33,500
	Stormwater Construction Fees	\$2,400	\$2,400	\$1,600
	Interest	\$1,600	\$2,300	\$2,000
	Transfer from General Fund	\$0	\$0	\$0
	Appropriated Fund Balance	\$7,000	\$1,900	\$0
	TOTAL STORMWATER	\$44,000	\$40,100	\$37,100

MILLVILLE CITY BUDGET - REVENUE	REVISED	FINAL	ORIGINAL
Account Description	FY23 Budget	FY23 Budget	FY24 Budget

CPT PROJ.	Interest	\$23,400	\$36,000	\$20,000
	Appropriated Fund Balance	\$0	\$0	\$0
	Transfer from General Fund	\$130,500	\$305,000	\$147,200
	TOTAL CAPITAL PROJECT	\$153,900	\$341,000	\$167,200

WATER & SEWER	Charges for Water Service ...	\$490,000	\$502,000	\$490,000
	Miscellaneous Income	\$20,000	\$7,100	\$14,000
	Interest	\$27,000	\$53,800	\$38,000
	Interest Income (Sewer Loans)	NA	\$375,000	\$270,000
	Water Impact Fee	\$30,500	\$30,500	\$18,300
	Water Connection Fees	\$1,500	\$1,800	\$1,000
	Residential Sewer Fees	\$40,000	\$43,300	\$43,300
	Charges for Sewer Service	\$16,400	\$19,000	\$19,000
	Sewer Connection Fees	\$31,500	\$31,500	\$0
	Sewer Impact Fee	\$26,280	\$26,200	\$52,500
	Grant Proceeds (Water)	\$0	\$0	\$0
	Grant Proceeds (Sewer)	\$0	\$0	\$0
	Debt Proceeds (Water)	\$0	\$0	\$0
	Debt Proceeds (Sewer)	\$0	\$0	\$0
	Transfer from General Fund	\$127,200	\$127,200	\$0
	Transfer from Capital Project Fund	\$0	\$0	\$0
	Appropriated Fund Balance	\$14,446,020	\$7,813,500	\$5,764,800
	TOTAL WATER AND SEWER	\$15,256,400	\$9,030,900	\$6,710,900

TOTAL	\$17,365,400	\$11,281,400	\$8,476,300
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MILLVILLE CITY BUDGET - EXPENSES		REVISED	FINAL	ORIGINAL
Account Description		FY23 Budget	FY23 Budget	FY24 Budget
GENERAL	General Government	\$44,500	\$40,000	\$44,500
	Auditor (General) ...	\$16,000	\$15,000	\$16,000
	Financial Consulting & IT (General) ...	\$14,000	\$10,400	\$14,000
	Insurance (General)	\$20,000	\$20,000	\$20,000
	Elected Officials (General)	\$20,500	\$20,800	\$21,500
	General Non-Category Payroll	\$86,500	\$86,500	\$91,700
	P&Z ...	\$9,500	\$7,500	\$9,500
	Legal (General) ...	\$14,000	\$10,000	\$14,000
	Engineering (General) ...	\$30,000	\$26,000	\$30,000
	Building (General) ...	\$10,800	\$12,000	\$12,500
	Law Enforcement	\$26,200	\$26,200	\$29,000
	Animal Control ...	\$3,800	\$3,800	\$3,800
	Fire	\$27,000	\$26,800	\$29,000
	First Responders and EMS	\$43,200	\$43,200	\$43,200
	Elections ...	\$500	\$200	\$7,300
	Roads - General ...	\$120,000	\$126,200	\$131,200
	Roads Class "C" Regular ...	\$46,000	\$11,000	\$46,000
	Roads Class "C" Capital Outlay	\$0	\$0	\$0
	Class "C" Designated Future Use	\$74,000	\$124,000	\$89,000
	COG Road Project (Reimbursable)	\$379,900	\$145,000	\$234,900
	Road Impact Fee Capital Outlay	\$90,000	\$90,000	\$0
	Road Impact Fee Designated Future	\$0	\$0	\$10,500
	Parks (General) ...	\$129,000	\$129,000	\$136,000
	Parks/Recreation - Other ...	\$11,600	\$5,700	\$17,500
	Park Capital Improv. RAPZ (Reimbursable)	\$78,400	\$108,000	\$31,900
	Park Impact Fees ...	\$70,300	\$68,300	\$10,300
	Park Impact Fees - Designated Future	\$0	\$0	\$21,700
	Sanitation	\$216,000	\$210,500	\$220,000
	9-1-1 Service	\$26,500	\$25,800	\$27,000
	Disaster Relief	\$4,000	\$4,000	\$4,000
	Public Safety/Emergency Preparedness ...	\$6,000	\$4,500	\$6,000
	Youth Council ...	\$5,200	\$3,800	\$5,900
	Designated for Future Use	\$0	\$0	\$0
Mass Transit Tax Distribution/CVTD	\$30,000	\$33,000	\$36,000	
Transfer to Capital Project Fund	\$130,500	\$305,000	\$147,200	
Transfer to Water-Sewer Fund	\$127,200	\$127,200	\$0	
TOTAL GENERAL	\$1,911,100	\$1,869,400	\$1,561,100	

MILLVILLE CITY BUDGET - EXPENSES	REVISED	FINAL	ORIGINAL
Account Description	FY23 Budget	FY23 Budget	FY24 Budget

STORM WATER	Salaries/Benefits	\$19,000	\$19,600	\$20,800
	Special Dept. Supplies (SW) ...	\$9,000	\$6,000	\$9,000
	Capital Outlay	\$16,000	\$14,500	\$7,300
	Appropriated for Future Use	\$0	\$0	\$0
	TOTAL STORMWATER	\$44,000	\$40,100	\$37,100

CPT PROJECT	Capital Outlay - Gen Government	\$95,000	\$5,000	\$105,000
	Capital Projects	\$0	\$0	\$0
	Transfer to Water-Sewer Fund	\$0	\$0	\$0
	Designated Future Use	\$58,900	\$336,000	\$62,200
	TOTAL CAPITAL PROJECT	\$153,900	\$341,000	\$167,200

WATER & SEWER	General (Water) ...	\$63,000	\$63,000	\$64,900
	Salary/Benefit (Water) ...	\$146,000	\$146,000	\$154,500
	Legal (Water) ...	\$10,000	\$7,000	\$10,000
	Engineering (Water)	\$11,000	\$5,000	\$11,000
	Engineering (Sewer)	\$0	\$0	\$0
	Auditor (Water) ...	\$12,000	\$12,000	\$12,000
	Financial Consulting & IT (Water) ...	\$8,500	\$7,000	\$8,500
	Insurance (Water)	\$9,000	\$9,000	\$9,000
	Special Department Supplies - Water ...	\$44,000	\$44,000	\$44,000
	Special Department Supplies - Sewer	\$200	\$100	\$200
	City Sewer/Nibley	\$9,000	\$12,000	\$12,000
	ARPA	\$127,500	\$18,600	\$118,800
	Capital Outlay (Water)	\$15,000	\$0	\$0
	Water Capital Projects	\$0	\$0	\$0
	Sewer Capital Projects	\$14,630,000	\$8,536,000	\$6,094,000
	InterCity Sewer Upsizing Payment	\$0	\$0	\$0
	Water Bond (1997)	\$0	\$0	\$0
	Water Bond (2006)	\$91,200	\$91,200	\$92,000
	Bond (2000) - Parker Well	\$45,000	\$45,000	\$45,000
	Cap. Facility Rplcmnt Fund Reserve	\$35,000	\$35,000	\$35,000
	Designated for Future Use - Water	\$0	\$0	\$0
	Designated for Future Use - Sewer	\$0	\$0	\$0
TOTAL WATER AND SEWER	\$15,256,400	\$9,030,900	\$6,710,900	

TOTAL	\$17,365,400	\$11,281,400	\$8,476,300
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**MILLVILLE CITY
RESOLUTION 2023-7**

REVISIONS TO THE 2023 FISCAL YEAR BUDGET

WHEREAS, the Millville City Council has reviewed the budget which was adopted on January 12, 2023; and

WHEREAS, there have been changes proposed to increase and decrease various department revenues and expenses to meet the needs of the City; and

WHEREAS, a Public Hearing was held by the Millville City Council on June 8, 2023, for the purpose of receiving public comment on the proposed revisions;

THEREFORE, BE IT RESOLVED that the Millville City Council adopts the Revised Budget for Fiscal Year 2023 as proposed.

Approved and passed by the Millville City Council this 8th day of June 2023.

SIGNED:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

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

**MILLVILLE CITY
RESOLUTION 2023-8**

MILLVILLE CITY 2023 PROPERTY TAX RATE

WHEREAS, the Millville City Council has reviewed the budget for the Fiscal Year 2024;
and

WHEREAS, the property taxes are a large portion of such budget to operate the City and
provide services to the City residents; and

WHEREAS, the County Auditor has proposed the certified tax rate; and

WHEREAS, the Council acknowledges the dollar amount to be collected with said rate;

NOW THEREFORE, be it resolved the Millville City Council adopts the certified tax
rate as certified by the Cache County Auditor for 2023.

Approved and adopted this 8th day of June 2023, by the Millville City Council.

SIGNED:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

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

**MILLVILLE CITY
RESOLUTION 2023-9**

ADOPTING THE BUDGET FOR FISCAL YEAR 2024

WHEREAS, the Millville City Council has reviewed the proposed budget prepared and presented; and

WHEREAS, the Millville City Council has taken into consideration needs for funding in various departments; and

WHEREAS, the Millville City Council has held a public hearing on June 8, 2023 for the purpose of receiving public input with regard to the proposed budget;

NOW THEREFORE, be it resolved the Millville City Council adopts the budget for Fiscal Year 2024.

Approved and adopted this 8th day of June 2023, by the Millville City Council.

SIGNED:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

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

**MILLVILLE CITY
RESOLUTION 2023-10**

SETTING THE COMPENSATION FOR APPOINTED OFFICIALS

WHEREAS, the Mayor has recommended revising the compensation paid to the City Recorder and the City Treasurer;

THEREFORE, it is hereby resolved that:

1. The salary for the City Recorder shall be established at the hourly rate of \$36.04.
2. The salary for the City Treasurer shall be established at the hourly rate of \$21.38.

These salaries shall be effective 1 July 2023.

Approved and passed by the Millville City Council this 8th day of June 2023.

SIGNED:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

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

**MILLVILLE CITY
RESOLUTION 2023-11**

RESOLUTION APPOINTING A MAYOR PRO TEMPORE FOR FISCAL YEAR 2024

WHEREAS, the City Council sees the need for maintaining Public Safety within the community and determining the chain of command; and

WHEREAS, if for some reason the Mayor, Chief Officer of the community, was not available or could not be reached for some reason; and

WHEREAS, the Council felt there should be someone appointed to be in charge and make decisions in behalf of the City;

NOW THEREFORE, it is hereby resolved that Councilmember Daniel Grange will serve as Mayor Pro Tempore for Fiscal Year 2024.

Approved and passed by the Millville City Council this 8th day of June 2023.

SIGNED:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

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

**MILLVILLE CITY
RESOLUTION 2023-12**

**APPROVING AN AGREEMENT WITH CACHE COUNTY FOR
BUILDING INSPECTION SERVICES**

WHEREAS, new homes and buildings in Millville City require inspections to ensure safety for future occupants; and

WHEREAS, Millville City has for many years contracted building inspections from building inspectors employed by Cache County; and

WHEREAS, the Millville City Council wishes to continue contracting with Cache County for building inspections in Millville City;

NOW THEREFORE, be it resolved by the Millville City Council that the attached agreement for building inspection services in Millville City is hereby approved.

Passed and approved by the Millville City Council this 8th day of June 2023.

SIGNED:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

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

AGREEMENT FOR BUILDING INSPECTION SERVICES

THIS AGREEMENT is made this _____ day of _____, 2023, by and between Cache County, Utah, a political subdivision of the State of Utah, with its principal offices located at 179 North Main, Logan, Utah 84321 (hereinafter "County") and _____, a municipal corporation of the State of Utah, with its principal offices located at _____ (hereinafter "Municipality").

WHEREAS, the County possesses certain expertise in the field of building inspection and the Municipality is in need of such expertise for conducting building inspections within its jurisdiction;

NOW, THEREFORE, in consideration of the premises, the mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **SCOPE OF SERVICES:** The County shall provide building permit inspection services to the Municipality.
2. **COMPENSATION:** The County will retain 80% of the building permit fees collected for the services rendered under this Agreement, and remit the remaining 20% to the municipality.
3. **TERM:** The term of this Agreement shall commence on ____, 2023 and continue until ____, 2028, unless otherwise terminated as provided herein.
4. **INDEMNIFICATION:**
 - a. The Municipality agrees to indemnify, defend, and hold harmless the County, its officers, agents, and employees from and against any and all claims, liabilities, losses, costs, damages, expenses, suits, actions, decrees, judgments, or demands arising on account of any personal injury, death, or damage to property suffered, made, incurred, or sustained by any person or entity whatsoever, resulting directly or indirectly from the County's performance of the services under this Agreement.
 - b. This indemnification clause shall survive the termination of this Agreement.
5. **Modification.**

This Agreement may be modified only upon the written agreement of both parties.

6. Notice.

Any notice to be given under this Agreement must be given in writing by email, personal delivery, or by mail and is effective, as applicable: five (5) days after mailing, when actually personally delivered or upon the sender's receipt of confirmation generated by the recipient's email system of receipt by the recipient's email system.

7. Survival.

All rights and obligations of the parties under this Agreement will cease upon termination of this Agreement, other than the rights and obligations that by their nature or express terms survive termination of this Agreement, including without limitation records retention requirements, governing law, and remedies.

8. Severability.

The parties agree if any provision of this Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining provisions will not be affected.

9. Counterparts.

This Agreement may be executed in several counterparts, all of which when taken together constitute one agreement, notwithstanding that all parties are not signatories to the same counterpart. Each copy of the Agreement so executed constitutes an original.

10. No Intended Beneficiaries.

Cache County and Municipality are the only parties to this Agreement and are the only parties entitled to enforce its terms.

11. Assignment.

Municipality may not assign or transfer its interest in this Agreement without the prior written consent of Cache County.

12. Merger.

This Agreement and any exhibits constitute the entire agreement between the parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement.

13. Applicable Law.

This Agreement shall be administered and interpreted in accordance with the laws of the State of Utah. Jurisdiction and venue shall be in the First District Court, Cache County, Utah.

14. Term and Termination.

Either party may terminate this Agreement with or without cause upon six months written notice to the other party.

IN WITNESS THEREOF, the Parties hereto have caused these presents to be executed by their duly authorized officers as of the day, month, and year first above written.

CACHE COUNTY

By _____

CACHE COUNTY EXECUTIVE

ATTEST:

By _____

Title _____

MUNICIPALITY

By _____

MAYOR

ATTEST:

By _____

Title _____

Councilmember Assignments 2023

Councilmember Daniel Grange

- Water
- Trails
- Fire/EMS/Emergency Preparedness
- City Celebration Support

Councilmember Ryan Zollinger

- Sewer
- Parade

Councilmember Clay Wilker

- City Celebration/Night Out Against Crime
- Youth Council

Councilmember Pamela June

- Ordinance Enforcement
- P&Z
- Fair Booth

Councilmember Michael Callahan

- Law Enforcement/Animal Control
- Ordinance Enforcement Support
- Wildfire