

## NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold their regularly scheduled Council Meeting on Thursday, November 11, 2021, at the Millville City Office, 510 East 300 South in Millville, Utah, at 7:00 p.m.

1. Call to Order / Roll Call – Mayor Hair
2. Opening Remarks / Pledge of Allegiance – Councilmember Wilker
3. Approval of agenda
4. Approval of minutes of the City Council Meeting – October 28, 2021
5. Agenda Items—
  - A. Public Comment Period (2 min/person)
  - B. Municipal Election Canvass – Recorder Twedt
  - C. Alternative Sewer Technology Discussion – Councilmember Zollinger
  - D. Discussion on Short-Term Rentals – Councilmember Wilker
  - E. Consideration for cancelling meeting scheduled for November 25, 2021 – Mayor Hair
  - F. Review of 2021 Business Licenses for 2022 renewals – Recorder Twedt
  - G. City Reports: Roads, Parks, Water – Public Works Director Kendrick
  - H. Councilmember Reports and Other Items for Future Agendas
6. Adjournment.

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

This agenda was posted on November 8, 2021 to the City posting locations, the City Website and the Utah Public Meeting Notices Website.

  
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Corey Twedt, Recorder

**MILLVILLE CITY COUNCIL MEETING**  
**City Hall – 510 East 300 South – Millville, Utah**  
**October 28, 2021**

**PRESENT:** David Hair, Daniel Grange, Clay Wilker, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Denise Samples, Hal Christensen, Kara Everton, Laura Ferguson, Justin Ferguson, Stevie Wilson, Jason Bateman, Archer Bateman, Doug Nielson, Robert Cudney, Floyd Powell

**Call to Order/Roll Call**

Mayor David Hair called the City Council Meeting to order for October 28, 2021 at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Clay Wilker, Ryan Zollinger and Daniel Grange were in attendance with Councilmember Michael Callahan excused. Also, Treasurer Tara Hobbs and Recorder Corey Twedt were present.

**Opening Remarks/Pledge of Allegiance**

Mayor Hair welcomed everyone to the Council Meeting and turned the time over to Boy Scout Stevie Wilson who led all present in the pledge of allegiance.

**Approval of Agenda**

The agenda for the City Council Meeting of October 28, 2021 was reviewed.

**Councilmember Zollinger moved to approve the agenda for October 28, 2021.**

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

**Approval of Minutes of the Previous Meeting**

The Council reviewed the minutes of the City Council Meeting for September 23, 2021. Councilmember June pointed out a grammatical error on page five which was fixed.

**Councilmember June moved to approve the minutes for September 23, 2021.**

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

**Public Comment Period**

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

**Request for a Business License for White Birch Farms**

Linda Hendrickson has submitted a request for a business license for White Birch Farms at 380 South 200 East. She was not present at the City Council Meeting. **Councilmember Zollinger moved to approve the business license for White Birch Farms.**

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

**Report on P & Z Meetings held October 7<sup>th</sup>, October 14<sup>th</sup> and October 21, 2021**

Development Coordinator Kara Everton reviewed with the Council the Planning Commission’s draft minutes. Councilmember Zollinger asked a few questions concerning the Brad Webster Conceptual Plat review that occurred on October 7, 2021.

**Celco Development Discussion**

Denise Samples and Hal Christensen were present at the meeting representing Terrex Engineering and Construction who are under contract to purchase the Celco property east of Millville. Hal Christensen introduced himself as a civil engineer general contractor and owner of Terrex Engineering and Construction out of Ogden. Hal said that he has a contract to purchase the Celco property in both Providence and Millville City.

Hal reviewed an initial first draft conceptual plat that his company has put together for developing this property with single-family homes. Hal said that he is aware of the street and sewer issues and concerns from the Millville standpoint, but he thinks this can all be worked out and that they want to fast-track the entire project. The desire is to have a preliminary plat approved before the end of the year.

Mayor Hair pointed out that the biggest concern for Millville is all of the additional traffic that this will put on the Millville 550 East Road.

Councilmember Zollinger said to Hal that as he knows, Millville is currently in a lawsuit with the current owners of the property and that Millville would prefer to keep this property within the City limits. Hal said that he understood the current issues and that he thinks they can find solutions that would work for everyone.

Councilmember Grange said that he felt the roads in this area were not equipped for this amount of traffic. Hal said that his plan was to work with the existing owner to drop the current boundary line adjustment request and to develop that property in Millville instead of Providence. Councilmember Zollinger said that regardless of the City in which the property gets developed, the traffic will impact Millville City and the residents of Millville. He said that he was grateful that they were there to start a dialog and talk about the best way to make it work.

Hal said that they would be meeting with Providence and would be back in touch for next steps. Recorder Twedt said that Millville wouldn’t be moving forward with this

subdivision until the lawsuit was resolved. He pointed out that fees up to this point for the previous Celco subdivision had not been paid. The City is currently spending money defending a lawsuit regarding a boundary adjustment that would move the property out of Millville. This would need to be cleaned up before the City started on another subdivision on this property. Hal said that he would work with the current owner to provide a letter saying that the lawsuit would be dropped. Denise said that the lawsuit may not be dropped until there is some progress on this development. (A copy of the conceptual plat that was reviewed is included with the minutes as Attachment "C".)

#### **Review of Utility Adjustments for FY2022 Q1**

Treasurer Hobbs reviewed with the Council the utility bill adjustments that have been made for residents during the first quarter of Fiscal Year 2022.

#### **Review of Budget for FY2022 Q1**

Recorder Twedt reviewed with the Council the budget revenue and expense progress through the end of the first quarter of Fiscal Year 2022. He said that everything was progressing well and the City was doing good as far as the budget is concerned. (A copy of the quarterly budget review is included with the minutes as Attachment "D".)

#### **Ridgeline High School Statue Request**

Mayor Hair said that the principal of Ridgeline High School has asked if the school can purchase and put a statue of a hawk in the roundabout near the high school. Mayor Hair asked if there were any concerns from the Council with the City allowing this to happen since the roundabout is City property.

Recorder Twedt said that his concern was maintenance and responsibility if something were to break or need replacement with the statue. Mayor Hair said that the High School would take full responsibility for this. Councilmember Wilker said that he would just want to ensure that the statue was not so large that it would obstruct view for cars driving in and around the roundabout. Mayor Hair said that he would communicate the concerns to the school. He also said that they may want to light the hawk in future years, but not right away.

The consensus of the City Council was that it would be okay for Ridgeline High School to put the hawk statue in the roundabout.

#### **City Reports**

Director of Public Works Chad Kendrick said that in relation to the roundabout near the High School, the City may want to consider a ban on large trucks. The dump trucks and other construction equipment that is going through that roundabout are causing damage to the road at the roundabout and the road will require maintenance sooner if this continues to be a route for trucks coming into the City. Councilmember Zollinger said that with the

traffic light on the highway just west of the roundabout, this was the safest location for trucks to enter and exit Millville. He said that he wasn't sure how to solve the issue with this being the only traffic light on the highway with access to the City. Councilmember Zollinger said that he wasn't opposed to considering action on this, but he wasn't sure what the correct way to deal with the issue might be.

Director Kendrick reported that the well house construction was progressing as planned and he feels that the construction company is doing a good job. He reported that the static water at the new well is currently at a depth of 102 feet which is good. Director Kendrick also reported that the parks and wells have been winterized and the City is now running completely on spring water.

Director Kendrick said that they have been working on some asphalt patching of potholes. If the Council is aware of additional potholes, they should let him know.

Director Kendrick said that there were some issues with lights near the LDS Seminary building. He is aware of the problem and is working on getting them fixed.

The walkway at the South Park is now complete and is already getting some use. Chad said that it turned out good. They also installed some storm boxes at the southwest corner of the park parking lot to clean up some of the drainage issues. Director Kendrick said that as planned, they had removed a portion of the curb and grass at the park along with the walkway project to allow for additional parking to make it look a little better. The cost to add some patch asphalt to that area of the parking lot will be about \$12,000 and it will just be a temporary cover up as the entire parking lot at this park is in pretty bad shape and will need replacement in the near future. Director Kendrick suggested that the City may want to look into breaking up the parking lot into three projects and just do a complete repair of this middle portion now if the money was available to do so. Councilmember Zollinger said that he agreed and would prefer do a complete fix rather than paying \$12,000 for a temporary fix that would need to be redone soon. Recorder Twedt said that Director Kendrick was getting a quote for this middle portion and that they would look at available funding and come back to the Council with some more information.

Director Kendrick said that the new pickleball courts had been poured and look good.

Councilmember Grange asked how the trees in the park did with the recent snowstorm. Director Kendrick said that the parks did really well considering how much damage to trees had happened in other parts of the City. He said that Millville Elementary had a lot of damage to their trees and that the City had helped out with their clean up.

**Councilmember Reports and Items for Future Agendas**

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

Councilmember Zollinger said that he has been doing some research on alternative sewer treatment options and has been discussing one alternative option with an environmental engineer. There is one particular sewer option that Councilmember Zollinger said he would like to explore that may save some costs as the City has not yet been able to find the funding for the existing plan. He said that he would like to bring this engineer to the next meeting to discuss the technology as a potential alternative. Mayor Hair said that it would be good to have the City Engineer at that meeting as well to hear the proposal and provide additional information and insight as they had looked into many different options at the beginning of the project.

Councilmember Wilker said that he had a concerned resident approach him about vacation rentals. It was briefly discussed that they had discussed vacation rentals in previous meetings. They are not something the City can outlaw, but they can put in rules to help control them. The City Council had previously asked the Planning Commission to look into regulations around vacation rentals, which they did. When it came before the City Council, the decision was made not to take any action. Councilmember Wilker said that he would like to review it again and asked that it be on the next meeting agenda.

Councilmember Zollinger said that the issues addressed in the Merritt nuisance complaint regarding the animals from their neighbors had not been resolved and that he hasn’t been able to make a lot of progress in speaking to the neighbors. Councilmember Zollinger said that he would be doing some research of the ordinances and see what the next steps should be.

Treasurer Hobbs said that she had received a call about lights being out on a street in Mond-Aire and suggested that maybe brighter lights be installed. The Council pointed out that there were specifications that needed to be followed with lighting the streets. Director Kendrick said that they could just get the number of the light off the pole and call Rocky Mountain Power to do the repair.

Mayor Hair said that he received a call from someone that lives across the street from the cemetery. There are leaves from the trees in the cemetery that are falling and not being picked up, so they are blowing across the street on to her property. The resident had contacted the Cemetery District but had been told that they would not clean up the leaves. Mayor Hair said that he may gather up some people to help with the leaf clean up. One of the residents present in the meeting said that he lived in the area as well and would be willing to help.

Recorder Twedt reminded everyone that Tuesday was the last day to turn in ballots and reminded everyone to vote. Treasurer Hobbs said that she had received a request for more information on the candidates for residents that had not attended the Candidate Night or that did not know the two candidates running for Mayor. It was discussed that there is a State website on which candidates can post their profile, but that it has not been used by candidates running in Millville in the past. The City may try and get candidates to write up a profile that can go in the newsletter for future elections.

**Adjournment**

**Councilmember Wilker motioned to adjourn the meeting.** Councilmember Grange seconded. Councilmembers Wilker, June, Grange and Zollinger voted yes with Councilmember Callahan excused. The meetings adjourned at 7:58 p.m.



## **AGENDA REPORT: SHORT-TERM RENTALS**

**November 11, 2021**

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### **Background**

Beginning in August 2020, the Planning Commission reviewed concerns relating to short-term or vacation rentals in the City. The Council Council at that time reviewed what was being discussed, but there was not a lot (or majority) of interest in pursuing code updates to manage short-term rentals.

This issue gets more complex as it often leads to issues around “mother-in-law apartments”, duplexes and other accessory dwellings. To help deal with concerns about utility fees for accessory dwellings, the City Council adopted Resolution 2021-3 in January regarding utility fees for multi-family dwellings. This is included here, because it comes up every time short-term rentals are discussed.

The City Council should make a decision on whether or not they want to pursue restrictions or require business licenses for short-term rentals within the City.

### **Included Documents**

- Notes from former Development Coordinator Randy Wall on short-term rentals
- Minutes from P&Z and City Council Meetings discussing short-term rentals
- Resolution 2021-3 requiring utility fees for accessory dwellings

ERU's- Cost for water/sewer for owner occupied residence only.

Business License required for someone to have Short/Long term rentals.

If not occupied by owner and renting out top and bottom separately it will fall into the cities Duplex regulations.

No parking on city easement, if tenet is found on parking on city easement city has the right to have vehicle towed at property owners expense.

ERU's- Cost will be applied to duplex regulations if not already specified in current code.

All other ordinances will be enforceable here as well as listed below but not limited to the following:

**Article I. Noise Ordinance- Chapter 9.22 – Noise Control**

<https://millvillecity.org/wp-content/uploads/2017/12/Chapter-9.22-Noise-Control.pdf?highlight=noise>

MILLVILLE CITY CODE TITLE 9 – PUBLIC PEACE, MORALS AND WELFARE CHAPTER 9.22

– **NOISE CONTROL** 9.22.010: **NOISE CONTROL**; DECLARATION OF FINDINGS AND POLICY

9.22.020: DEFINITIONS 9.22.030: PROHIBITED ACTS 9.22.040:...

**Article II. Parking Ordinance-Chapter 17.20A – Single-Family and Two-Family Residential (R-1)**

<https://millvillecity.org/wp-content/uploads/2018/05/Chapter-17.20A-Single-Family-and-Two-Family-Residential-R-1.pdf?highlight=parking>

...(124') minimum. 3. Minimum **Parking: Parking** spaces for a minimum of four (4) cars shall be provided.

4. Exterior Elevations: Exterior elevations shall resemble a single-family dwelling. 5. Living Area:...

**(a) Chapter 17.20B – Single-Family and Two-Family Residential (R-2)**

<https://millvillecity.org/wp-content/uploads/2018/05/Chapter-17.20B-Single-Family-and-Two-Family-Residential-R-2.pdf?highlight=parking>

...3. Minimum **Parking: Parking** spaces for a minimum of four (4) cars shall be provided. 4. Exterior

Elevations: Exterior elevations shall resemble a single-family dwelling. 5. Living Area: Each living...

**(b) Chapter 17.20C – Single-Family and Two-Family Residential (R-3)**

<https://millvillecity.org/wp-content/uploads/2018/05/Chapter-17.20C-Single-Family-and-Two-Family-Residential-R-3.pdf?highlight=parking>

...minimum. 3. Minimum **Parking: Parking** spaces for a minimum of four (4) cars shall be provided. 4.

Exterior Elevations: Exterior elevations shall resemble a single-family dwelling. 5. Living Area: Each...

Article III. Weed Ordinance-Chapter 8.08 – Nuisances

<https://millvillecity.org/wp-content/uploads/2017/12/Chapter-8.08-Nuisances.pdf?highlight=Weeds>

...8.08.050: TOILET OR SEWER FACILITIES 8.08.060: RESTRICTIONS ON BLOCKING WATER  
8.08.070: ABATEMENT OF **WEEDS** AND DELETERIOUS OBJECTS; REAL PROPERTY TO BE KEPT  
CLEAN 8.08.080: **WEEDS**; DEFINED 8.08.090: STANDARDS OF WEED...

(a) Chapter 17.20A – Single-Family and Two-Family Residential (R-1)

<https://millvillecity.org/wp-content/uploads/2018/06/Chapter-17.20A-Single-Family-and-Two-Family-Residential-R-1.pdf?highlight=Weeds>

...Prohibited Outside Containers: No trash, rubbish, **weeds**, debris, waste products or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone....

(b) Chapter 17.16 – Agricultural (A)

<https://millvillecity.org/wp-content/uploads/2018/04/Chapter-17.16-Agricultural-A.pdf?highlight=Weeds>

...rubbish, **weeds**, or other combustible material shall be allowed to remain on any lot outside of approved containers in any agricultural zone. C. No junk, debris, abandoned or dismantled automobile...

(c) Chapter 17.40 – Landscaping and Fencing

<https://millvillecity.org/wp-content/uploads/2018/04/Chapter-17.40-Landscaping-and-Fencing.pdf?highlight=Weeds>

...of way adjoining property shall include mowing or cutting of **weeds** and other vegetation to maintain integrity of the curbs, sidewalks and other public utilities. D. Irrigation: All portions of...

Article IV. Business License-Chapter 1.04 – General Provisions

<https://millvillecity.org/wp-content/uploads/2017/12/Chapter-1.04-General-Provisions.pdf?highlight=business%20license>

...phrases: **BUSINESS**: Any trade, profession, calling, activity, operation or enterprise for which a **license** is required by any ordinance or enterprise for which a **license** is required by any ordinance...

(a) Chapter 5.04 – Business Licenses Generally

<https://millvillecity.org/wp-content/uploads/2018/04/Chapter-5.04-Business-Licenses-Generally-1.pdf?highlight=business%20license>

MILLVILLE CITY CODE TITLE 5 – **BUSINESS LICENSES** AND REGULATIONS CHAPTER 5.04  
– **BUSINESS LICENSES** GENERALLY 5.04.010: DEFINITIONS 5.04.020: **BUSINESS**

LICENSE REQUIRED 5.04.030: LICENSE ASSESSOR AND COLLECTOR 5.04.040: PAYMENT DATES...

**(b) Chapter 9.28 – Consumer Protection**

<https://millvillecity.org/wp-content/uploads/2017/12/Chapter-9.28-Consumer-Protection.pdf?highlight=business%20license>

...contributions for or on behalf of any charitable organization or any other person, or who engages in the **business** of, or holds himself or herself out to persons as independently...

**(c) Chapter 3.12 – Sales and Use Tax**

<https://millvillecity.org/wp-content/uploads/2017/12/Chapter-3.12-Sales-and-Use-Tax.pdf?highlight=business%20license>

...of this chapter all retail sales shall be presumed to have been consummated at the place of **business** delivered by the retailer or his or her agent to an out...

Right for the City to do annual inspections on renewal of Business License.

Fine of \$500.00 will be imposed upon anyone found in violation of renting without an annual City License and without paying ERU's as discussed earlier.

If City has to appear in court to address any of the above items it will be at the expense of the property owners expense for any and all litigation.

All vehicles must fit in the property owners driveway unless additional permission has been received by City Council in a handwritten consent form.

- Only one rental unit is allowed per parcel Not sure if this will stay once we look at mother-in-law apartments.

Commissioner Lewis made a motion to approve the clearance. Commissioner Dickey seconded. Commissioners Dickey, Greenhalgh, Farmer, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor, with Commissioner Thompson excused.

**5.D. Funk Minor Subdivision – Final Plat**

Chris Funk has made arrangements with the previous property owner for him to install all of the sidewalks for the entire subdivision. They will be 5 feet wide, and positioned 3 feet west of the property line as specified by the public works director.

The sidewalks do not have to be installed before meeting with the City Council but no building permits will be issued until they are completed.

Lot 1 is using frontage along 100 West to meet the 108 foot frontage requirement, which means the home must face west.

Commissioner Lewis made a motion to recommend to the city council the approval of the Funk Minor Subdivision contingent upon the sidewalks being completed before any building occurs, and also contingent upon the frontage of lot 1 facing west (on 100 West). Commissioner Dickey seconded. Commissioners Dickey, Greenhalgh, Farmer, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor, with Commissioner Thompson excused.

**5.E. Millville Escape Subdivision Preliminary Plat – Set Public Hearing**

Jeremy Jensen participated by video conference, however the sound would not work so he also called in over the phone.

Chairman Greenhalgh clarified that the sewer is on the way. Currently no major subdivisions are allowed due to the moratorium imposed by Bear River blocking septic permits until the sewer is completed. When the sewer is done the homes in this subdivision should be okay to proceed forward.

All of the required paperwork listed under Ord 16.16.020 for the preliminary plat has not been received, including item F.10. Owners Of Subdivided Lots: One copy of a list of the names and addresses of all owners of subdivided lots and unplatted land contiguous to or within six hundred feet (600') of the boundary of the proposed subdivision.

This list is required in order to notify surrounding neighbors of the public hearing, and should be supplied prior to moving ahead with the process.

Commissioner Lewis made a motion to set a public hearing for Thursday Sept 17, 2020 at 8:05 pm contingent upon receiving the list of neighboring property owners' names and addresses by Sept 1, 2020. If the list is not received no hearing will be scheduled. Commissioner Anderson seconded. Commissioners Dickey, Greenhalgh, Farmer, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor, with Commissioner Thompson excused.

**5.F. Airbnb Ordinance Review – Dev. Coordinator Wall**

Randy researched what the laws were regarding Airbnbs and has provided documents for the commissioners showing places where they are legal or illegal, what the Utah law states regarding short term rentals, and some suggestions for what should be included in our own ordinance. (see attached) He also called all around the county and found that only two cities have ordinances addressing Airbnbs, Logan and Providence. Both of those cities do not allow them, and most places are just turning a blind eye to the issue.

The main concerns that seem to surface with Airbnbs are; Noise, parking, curfews, and destruction of property. Many of these issues are already addressed in our current ordinances. A suggestion was made to require a business license which could allow the city greater control over regulating the business if complaints are received.

Before the commission precedes any further with developing a whole new ordinance they want to make sure the City Council is wanting this regulation for the city. Dev. Coordinator Wall will review this topic at the next council meeting to see what their interest is.

#### **5.G. Review of Sidewalks**

The commissioners had maps of all the existing sidewalks in the city which had been drawn up by Harry Meadows. In the discussion it was identified that this was more complicated than just picking an area to say sidewalks are required here.

The costs for installing sidewalks can be quite large and the city may never get around to installing them where they had hoped.

The commissioners wanted to focus on filling in the missing spots where pieces of sidewalk had never been completed. They also thought sidewalks should be required in places that were adjacent to a lot with an existing sidewalk.

There was also discussion about all new major subdivisions installing sidewalks, but minor subdivisions may or may not be required to have them.

There were some areas of town that have never had them but maybe should have some, like on 300 South near the park. Also brought up were areas near churches, schools, parks and feeder roads.

Chairman Greenhalgh felt that the current map was too hard to decipher and requested a clearer map showing the houses that currently had sidewalk in front of them. Randy volunteered to put something together for next time.

The discussion will be continued at the next meeting.

#### **5.H. Other**

Val Meyer has presented drawings from his engineers (and approved by Millville engineers) to show the retaining wall needed on his Hillside Overlay parcel. He was present to request approval from the planning commission to proceed with the construction of the wall and the soil compaction for his foundation. The commissioners were all in agreement that he could move forward, but didn't know if the county would require a building permit in order to have the inspections done.

Chairman Greenhalgh stamped and signed the drawings for Mr. Meyer to take to the county, and told him to have the county contact him if they had any concerns.

#### **6. City Council Report – review minutes from the Aug 13, 2020 meeting**

Commissioner Farmer asked about the Millville Escape Subdivision annexing into Providence.

Dev. Coordinator Wall explained that there was some discussion going on with Jeremy Jensen about moving this current subdivision into Providence and making some future concessions regarding the remainder of the Celco property in Millville.

#### **7. Agenda Items for Next Meeting**

Building permits

Sidewalks review

#### **8. Calendaring of future Planning Commission Meeting**

The next regularly scheduled meeting will be held Thursday, Sept 3, 2020 at 8:00 pm.

#### **9. Adjournment**

Chairman Greenhalgh moved to adjourn the meeting at 9:50 p.m.

Commissioner Thompson made a motion to approve the clearance. Commissioner Dickey seconded. All voted in Favor.

#### **5.D. Airbnb Ordinance Review – Dev. Coordinator Wall**

Mayor Hair expressed some concerns about the impact that airbnbs could have on the roads, sewer, and water. Currently those who are renting out apartments within the city are paying an ERU (Equal Residential Unit) fee which helps with some of the impact costs to the city. However, not everyone is paying it.

The commissioners held a very lengthy discussion about who might be renting, how the city would be impacted, and ways to regulate this type of business activity.

The main consensus was that if you are getting any kind of income then you should have a business license.

Other items that were discussed to include in a new ordinance were:

- Requiring a business license
- Short term rentals (Airbnbs) and long term rentals (Apartments)
- Owner Occupied vs Non-Owner Occupied
- Costs for renting a unit in your own home (Owner Occupied)
- Costs for renting out a separate house (Non-Owner Occupied)
- Renting more than one unit in a Non-Owner Occupied house = Duplex
- Only one rental unit allowed per parcel, otherwise it is considered a duplex
- Rentals must comply with existing ordinances for parking, noise, weeds
- Violation of city ordinances could result in a fine (\$ to be determined), towing of vehicles, or litigation
- Owners must maintain the landscape
- The city has the right to an annual inspection of the property upon renewal of the license
- If a property owner has more than one residential unit on the same parcel (Owner Occupied rental) they will pay ERU fees on the second unit (i.e. main residence + basement apartment, or main residence + Airbnb over the garage)
- If a property owner has a second house on a separate parcel that they are renting out (non-owner occupied) they are already paying income to the city in the form of property taxes, water bill, sewer bill, etc. on that house and therefore are not required to pay the ERU fees.

#### **5.E. Other**

- Commissioner Lewis questioned the existence of a rumored transient colony up Millville Canyon. Both Tara Hobbs and Bonnie Farmer said they had a female contact them at their homes seeking someone who could help her with a transmission. The police had been notified of a suspicious person and made contact with this person shortly after she spoke with Bonnie. Both Tara and Bonnie felt very uncomfortable with the interactions and thought she might be casing the area.

It was confirmed that this female was associated with a group who have been residing at the mouth of Millville Canyon. This campsite was brought to light due to a stabbing incident which occurred last week.

The Forest Service has a 14 day limit that they allow anyone to camp, after which they must relocate. They have been enforcing this rule; however the distance of relocation has been questionable.

- Commissioner Lewis said that he noticed a large number of trailers and semi-trucks that were parked down at the end of 300 North where the road dead ends at the high school bleachers. He questioned if that was something allowed by the city.

Dev. Coordinator Wall said that he would check into it.

**Consideration of a Resolution Authorizing the Maximum Amount of \$1,286,000 Water Revenue Bond Anticipation Notes, Series 2020, and \$1,286,000 Water Revenue Bonds, Series 2022 pursuant to a note resolution and a bond resolution to be approved by the Mayor, City Recorder and Councilmember Grange as the Pricing Committee, for water system improvements and related improvements; and related matters**

Recorder Twedt explained that this was the resolution that would create the pricing committee that would approve and sign all for the paperwork for the loans for the well and sewer projects.

**Councilmember Callahan moved to approve Resolution 2020-22.** Councilmember Wilker seconded. Councilmembers Callahan, June, Grange, Wilker and Zollinger voted yes. (The approved resolution is included with the minutes as Attachment “E”.)

**Review of Sewer and Well Project Funding**

Mayor Hair reviewed with the Council the final funding from USDA on the sewer project. He said that he felt the City had done quite well with over 50% of the cost of the project being covered in grants. Councilmember Callahan said that he agreed that the numbers looked really good to him and thanked Mayor Hair and the staff for all of their hard work on getting the funding.

Mayor Hair provided a brief update on the well project. The Division of Water Rights was requiring the City to do some test pumping to ensure that there were no adverse effects on Garr Springs. The well driller was helping with this and had dropped a pump down 280 feet with a water level of approximately 230 feet for the test pumping. This would work for a minute or so and then draw the water down below the 280-foot depth of the pump so that they could not get steady flow. The new plan is to bring the drill truck back to the well site and pump water into a weir to measure the amount being pumped and then continue to monitor Garr Spring.

**Report on P & Z Meeting held August 20, 2020**

Development Coordinator Randy Wall reviewed with the Council the Planning Commission’s draft minutes for the meeting held August 20, 2020. He said that the Planning Commission would like to understand how interested the Council is in pursuing regulations around vacation rentals within the City. He said that the Planning Commission felt there was a need to work on this, but wanted to make sure that the City Council was interested in it before continuing. Development Coordinator Wall said that the Planning Commission also felt there was a need to clean up the City Code as it relates to “Mother-in-Law apartments”.

Mayor Hair said that he is very interested in rules being put in place for vacation rentals before it becomes an issue for the City. It was discussed briefly that vacation rentals could not be restricted, but they could be managed and regulated. Mayor Hair said that he felt that they should be treated like any other business in the City.

Councilmember Zollinger asked if this was currently a problem or just something for which the Mayor had issues. Mayor Hair said that there are vacation rentals in Millville right now that do not have a business license. To his knowledge, there were not major issues right now, but that he thinks code should be established to prevent issues in the future.

Councilmember Grange said that he didn't see a need to try and fix something that wasn't broken. Councilmember Wilker said that he felt a business license should be required. Councilmember Zollinger said that he has used a lot of vacation rentals and that if there are problems in the future, they can be addressed, but that he does not want to restrict this type of rentals in Millville.

### **Celco Discussion**

Development Coordinator Wall explained that his proposal was for Millville to allow Jeremy Jensen to do a border-line adjustment into Providence for the subdivision he wants to develop right now as long as the old agreement is nullified so that all future development on the Celco property occurs within Millville City. It was briefly discussed that the terrain for much of that property would need to be handled very carefully to not cause issues for the parts of Millville that were downhill. Mayor Hair said that he would like the rest of the land to be developed within Millville so that this could be handled and reviewed by Millville instead of Providence.

Councilmember Grange proposed that the current subdivision being discussed have no dead-end roads that would eventually connect into Millville. He said he would prefer that no future connections from the current subdivision connect to the south to the property that would eventually be developed in Millville.

Recorder Twedt suggested that if an agreement were made for all of this to happen, that Jeremy Jensen should be responsible for all attorney fees and that the City should not spend any more money with attorneys regarding the Celco property.

The consensus of the Council was for Development Coordinator Wall to begin having these discussions with Jeremy Jensen.

### **Review of Low-Income Sewer Lateral Funding Plan**

Recorder Twedt reviewed a draft of the low-income sewer lateral funding program. He asked the Council if they had any concerns or thoughts on the program. Recorder Twedt said that he felt it was important to make sure that there was a clear way to determine who would receive the funding so that there was not a need for someone to make a decision that could lead to the appearance of favoritism.

Councilmember Grange said that he wasn't sure that using a basis of last year tax returns was the best way to determine who was most in need of the grant funding. He said that there could be wealthy people that just didn't make any money last year. Recorder Twedt

**MILLVILLE CITY  
RESOLUTION 2021-3**

**MONTHLY FEES FOR MULTI-FAMILY DWELLINGS AND APARTMENTS**

WHEREAS, Millville City Code allows for multi-family dwellings and/or rentals in Millville City under certain circumstances; and

WHEREAS, it is not clear what fees are required for residences with an apartment or separate dwelling on the same lot;

NOW THEREFORE, be it resolved that the Millville City Council adopts the following:

A main residence will be charged the following monthly fees – as set by resolution - for each dwelling or rental on a property, in addition to the main residence:

- Water Base Rate
- 911 Service Fee
- Sewer Fee/Base Rate
- Storm Water Fee
- Ambulance & EMS Fee

Approved and passed by the Millville City Council this 14th day of January 2021.

SIGNED:

  
\_\_\_\_\_  
David Hair, Mayor

ATTEST:

  
\_\_\_\_\_  
Corey Twedt, City Recorder



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



## **AGENDA REPORT: BUSINESS LICENSES REVIEW**

**November 11, 2021**

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### **Background**

In December, renewal notifications will be sent to existing businesses. The City Council reviews current business licenses yearly to note any concerns or problems and to potentially restrict issuing renewals if they think there is a problem.

Please review the list of 2021 (current) business licenses and discuss any concerns or issues prior to renewal letters and instructions being sent out for 2022 business licenses.

### **Included Documents**

- 2021 List of Active Business Licenses

# Millville City 2021 Active Business Licenses

| ISSUED TO                | BUSINESS NAME                      | BUSINESS ADDRESS LN 1           | Number |
|--------------------------|------------------------------------|---------------------------------|--------|
| Bodie Lyon               | Lyon Fruit Orchard                 | 570 North Main                  | 2250   |
| Laura Jardine            | Lemon Tree Interior Design         | 280 East 300 North              | 2251   |
| Corey Twedt              | Twedt Consulting                   | 181 East 550 North              | 2252   |
| Mandy P. Schiess         | Eric & Mandy Schiess LLC           | 181 West Center                 | 2253   |
| Tara Hobbs/Holli Johnson | Tara's Beauty Shop                 | 414 South 550 East              | 2254   |
| Trevor Hobbs             | Canyon View Aeration & Lawn Care   | 414 South 550 East              | 2255   |
| Guy Curtis               | Crossroads Traffic Management      | 385 North 200 East              | 2287   |
| Joan A. Findlay          | J.A.F. Drafting, Inc.              | 249 East Center                 | 2357   |
| Jason Dattage            | Dattage Sprinkler Inc.             | 56 West 300 North               | 2285   |
| Brian Jensen             | ABJ Specialty                      | 650 North Main                  | 2305   |
| DeAnn Blanchard          | Suspended in Time by DeDee         | 390 South 100 West              | 2282   |
| Carson Allen             | CA Repairs                         | 11 North Main Street            | 2347   |
| Quinn Johnson            | Lawn Specialists                   | 160 North 300 East              | 2322   |
| Robert B. Wick           | Rob Wick Construction LLC.         | 130 West 300 North              | 2312   |
| Lindsay Monson           | Professionails                     | 250 South 300 East              | 2265   |
| Janice Gregory           | Janice Gregory's Preschool LLC     | 50 West 100 South               | 2296   |
| Naseer A. Mirza          | Chills On Wheels Ice Cream         | 290 W. 1140 N.                  | 2348   |
| Donald Lewis             | Don's Quality Tile, Inc.           | 124 East 100 North              | 2262   |
| Jason Dattage            | Liveit Global Marketing, LLC       | 56 West 300 North               | 2356   |
| Bart Esplin              | Rockin' Bee Honey                  | 20 West 300 South               | 2340   |
| Colter Wilker            | Black Canyon Excavation            | 117 West 400 North              | 2328   |
| Trevor Booth             | Epic Breakroom Solutions LLC       | 695 W. 1700 S. Bldg 28 Unit 107 | 2350   |
| Ross Bowen               | Covenant Consulting Group, Inc.    | 190 West 265 South              | 2286   |
| Mike Hansen              | Xtreme Machine - Peace Frog        | 98 West 300 South               | 2292   |
| Nathan E. Peterson       | The Whitney Connection LLC         | 1000 N 1000 W Ste 108           | 2293   |
| Jack R. Gage             | Jack R. Gage Refrigeration (JRG)   | 695 West 1700 South Bldg 15     | 2272   |
| Jack R. Gage             | Craft Contractors LLC              | 695 West 1700 South Bldg 15     | 2273   |
| Craig Nielson            | Stellar Collision Repair           | 380 North 200 East              | 2268   |
| Deven Gnehm              | Signature Sales, LLC               | 1000 W. 1000 N.                 | 2298   |
| Jason Low                | Saddlerock Remodel and Repair      | 159 East 500 North              | 2294   |
| Pam Waldron              | Salon Solace                       | 15 East 300 South               | 2257   |
| Glenn Floyd              | Chromoly Plus                      | 296 North 100 West              | 2263   |
| Ryan Pierson             | Artistic Rail                      | 11 East 650 North               | 2319   |
| R Greg Patterson         | Bowls & Stuff                      | 225 N. 350 E.                   | 2264   |
| Mark Perkes              | Reapp LLC                          | 77 East 200 South               | 2311   |
| Mark Bodily              | Curb Appeal Garage Doors           | 160 West 200 North              | 2288   |
| David Hair               | D&B Equipment                      | 355 North 100 West              | 2269   |
| Amber Sleight            | I'd Rather Be Sewing               | 220 North 300 East              | 2270   |
| Ryan Zollinger           | Global Industries LLC              | 1000 N 1000 W Bldg 15           | 2271   |
| Jonathan Atwood          | 1i4 Group LLC                      | 1000 N 1000 W Bldg 29, Ste 109  | 2309   |
| Josh Slater              | Rocky Mt. Technology SVCS, Inc.    | 1000 W 1000 N BLDG 29 STE 101   | 2277   |
| Josh Slater              | Lyndale Marketing Inc.             | 1000 W 1000 N BLDG 29 STE 101   | 2276   |
| Kyle Hancey              | Hancey's Precast and Backhoe       | 15 South 550 East               | 2279   |
| Lance Zollinger          | Zollinger Commercial Warehousing   | 1000 W 1000 N                   | 2295   |
| Matthew Anderson         | Anderson Auto                      | 340 North Main                  | 2290   |
| Cathy Anderson           | Don's Auto Body                    | 340 North Main                  | 2291   |
| Sam Weston               | Classic & Antique Auto Restoration | 270 South Main                  | 2289   |

| ISSUED TO                      | BUSINESS NAME                    | BUSINESS ADDRESS LN 1             | Number |
|--------------------------------|----------------------------------|-----------------------------------|--------|
| Ryan Bingham                   | Les Olson Company                | 795 W 1700 S Bldg 28 #100         | 2315   |
| John or Kris Blankman          | Paradise Fire Protection         | 1000 W 1000 N Suite 100           | 2275   |
| Norman Doyle                   | RubyClaire Boutique Inc.         | 1250 W 950 N Bldg 25 Ste 103      | 2307   |
| ItaKraft Countertops           | Jassiel Ramirez                  | 765 W 1950 S Bldg 22 Ste 104      | 2357   |
| Joel Duffin                    | Atomic Jolt Inc.                 | 460 North 150 East                | 2358   |
| Shane Jackson                  | Omnia Plumbing & Construction    | 295 East 400 North                | 2359   |
| Sally Stocker                  | Very Good Design, LLC            | 240 West 200 South                | 2302   |
| Ron Lundberg                   | Archery Customs                  | 190 West 100 North                | 2325   |
| Michael H. Evans               | Master Evans Martial Arts        | 695 W. 1700 S. Bldg. 25 Suite 103 | 2256   |
| Tom or Kathy Fecteau           | Kathy Kaye Foods, LLC            | 1000 N 1000 W Bldg #30            | 2301   |
| Dixie Loveless                 | Mountain Peak Volleyball         | 725 West 1940 South               | 2281   |
| Jason Leishman                 | Legacy Concrete                  | 165 East 100 South                | 2274   |
| Brett Hadfield                 | Silicone Plastics                | 97 West 300 South                 | 2266   |
| Brett Hadfield                 | Hadfield Insurance Services      | 211 East 500 North                | 2297   |
| Desaree Salerno                | Come Home to Clean LLC           | 295 North 100 West                | 2313   |
| Gary Walker                    | Walker Hobbies                   | 113 East 350 South                | 2308   |
| Ryan Zollinger                 | ZBROZ Racing LLC                 | 1000 N 1000 W Bldg 8              | 2300   |
| Jessica Summers                | Dog Breeding Services            | 150 West 600 East                 | 2351   |
| Ashlie Jessop                  | Ashlie Jessop                    | 164 East 350 South                | 2327   |
| Wayne Ruud                     | Invision Windows/Doors           | 96 North 100 West                 | 2299   |
| Carrie Newman                  | Cerus Gear, LLC                  | 700 W 1700 S Bldg 29 Ste 106      | 2331   |
| Colton Murray Thain            | Mean Machine                     | 695 West 1700 South #15           | 2318   |
| Ashleigh McDonald              | Valley Girl Fitness LLC          | 765 W. 1950 S. Bldg 22 Suite 102  | 2354   |
| James E. Fields                | Mountain Greenery                | 71 West Center                    | 2261   |
| Jill Woolley                   | Creative Corner Preschool        | 420 North 200 East                | 2321   |
| Hank Nielsen                   | Niels Fugal Sons Company LLC     | 1000 W 1000 N                     | 2336   |
| Earl Cox                       | Cox Electric                     | 293 East Center                   | 2278   |
| Ginger Meadows                 | Ginger Meadows Services          | 410 North 300 East                | 2326   |
| Matt Fackrell                  | Accent Painting & Special Coat   | 10 West 300 South                 | 2283   |
| Fred Lowry                     | Lowry and Associates, Inc.       | 10 West 300 South                 | 2284   |
| D'Arcy Echols                  | D'Arcy Echols & Co.              | 98 West 300 South                 | 2337   |
| James Christopherson           | Overhead Door of Cache Valley    | 1000 W 1000 N, Ste 101            | 2304   |
| Trevor Booth                   | Emerald Cliffs LLC               | 765 W 1700 S Bldg 22 #105         | 2360   |
| Mitch Zilles                   | MR Zilles Transportation         | 273 North Main                    | 2361   |
| Amanda Hansen                  | Little Turkey Shoppe             | 120 North 300 East                | 2280   |
| Heber Hernandez                | H&J Drywall Construction, LLC    | 548 N. Main                       | 2259   |
| Crae Williams                  | StoneHaven Construction          | 25 E. 450 N.                      | 2329   |
| Jenny Williams                 | Busy Bugs Preschool              | 25 East 450 North                 | 2267   |
| Melecio J. Hilera              | Jacob's                          | 278 North 100 East                | 2353   |
| Trudy Sorenson                 | Minds Eye LLC                    | 69 West 200 South                 | 2330   |
| Rael Thomson                   | Mountain Shih Tzu                | 480 South 550 East                | 2323   |
| Zachary Norton                 | Refine It Marketing              | 310 East 100 North                | 2334   |
| Larry Lewis                    | Larry S. Lewis Construction Inc. | 40 North 100 East                 | 2317   |
| Marie Jenkins                  | Yellow Door Salon                | 545 North 140 East                | 2320   |
| Amy Eskelsen                   | For The Dog LLC                  | 35 East 300 South                 | 2314   |
| Tessa Miller                   | Divine Designs by T              | 275 East 300 North                | 2349   |
| Ken Hamilton or Daphne Carlson | Bio Minerals Technologies, Inc.  | 1000 N 1000 W Bldg 28, Ste 103    | 2310   |

| ISSUED TO            | BUSINESS NAME                                    | BUSINESS ADDRESS LN 1            | Number |
|----------------------|--------------------------------------------------|----------------------------------|--------|
| Paul Hair            | Triple PPP Inc.                                  | 180 West Center Street           | 2362   |
| Colby Nielson        | High Country Home Builders                       | 253 North 250 East               | 2335   |
| Cole Knighton        | Knighton Construction, LLC                       | 371 North 100 East               | 2355   |
| Tyson Burnham        | Singular Edge LLC                                | 490 North 200 East               | 2342   |
| Natalie Rae Anderson | Papper Apparel                                   | 266 East 250 North               | 2341   |
| Micheal J. Wyatt     | Mike's Busted Knuckle Repair, LLC                | 180 East 200 North               | 2316   |
| Rodney Tripp         | Ultralight Adventure Products                    | 695 W 1700 S Bldg 28 Ste 102     | 2306   |
| Ryan Shurtleff       | <a href="http://CampSaver.com">CampSaver.com</a> | 695 W 1700 S Bldg 12, Unit C     | 2343   |
| Colby E. Gill        | Western Adjusting Services LLC                   | 397 South 200 East               | 2346   |
| Cerissa Hebdon       | CrossFit Antietam                                | 700 W 1700 S #105                | 2339   |
| Rachel Smith         | A Dip of Darling                                 | 700 W. 1700 S. Ste. 111          | 2345   |
| Todd Aslett          | Auto Paint Designs                               | 26 West 300 North                | 2333   |
| Kyle Egbert          | Mountain Valley Botanical                        | 700 W. 1700 S. Suite 104         | 2258   |
| Ryan Rockhill        | AR Logan LLC                                     | 765 West 1940 South #100         | 2343   |
| Bre Jacobsen         | BZ Concepts LLC                                  | 109 East 200 South               | 2352   |
| Michael Johnson      | Summit Electric Inc.                             | 625 North Main                   | 2324   |
| Kalob Wahler         | Dub's Universal Repair                           | 120 North 300 East               | 2363   |
| Sean Kartchner       | Pepperidge Farm                                  | 699 West 1700 South #14 & #16    | 2364   |
| Kyle Pence           | Smooth Shop                                      | 1000 N 1000 W Bldg 8             | 2332   |
| Josh Cowley          | Fab-Tech Machining                               | 55 West 400 North                | 2365   |
| Bryce Casselman      | Sang Tao Corporation                             | 250 East 450 North               | 2366   |
| Colt Pini            | Triing LLC                                       | 30 West 550 North                | 2367   |
| Tanner Condie        | Cache Valley Pressure Washing                    | 94 North 400 East                | 2368   |
| Breanne Jacobsen     | Freezy Breezy Treats LLC                         | 109 East 200 South               | 2369   |
| Justin Hamilton      | Red Poppy Rentals                                | 695 West 1700 South Bldg 28 #111 | 2371   |
| Katherine Evans      | Home Plan Portfolio                              | 543 North 300 East               | 2372   |
| Linda Hendrickson    | White Birch Farms                                | 380 South 200 East               | 2373   |

# **Councilmember Assignments 2021**

**Updated 12/10/20**

## **Councilmember Daniel Grange**

- Sewer
- Fire/EMS/Emergency Preparedness

## **Councilmember Ryan Zollinger**

- Ordinance Enforcement
- Fiber Internet
- Sewer Support
- Trails

## **Councilmember Clay Wilker**

- Animal Control
- City Celebration Support
- Youth Council and Parades

## **Councilmember Pamela June**

- City Events (Millville Days/ Night Out Against Crime, Easter, Christmas, Fair Booth)
- P&Z

## **Councilmember Michael Callahan**

- Water
- Wildfire
- P&Z Support
- Sewer Support