

Willard City Corporation

80 West 50 South
Box 593



Willard, Utah 84340
(435)734-9881

WILLARD CITY COUNCIL MEETING

The Willard City Council of Willard City Corporation will hold a **City Council** meeting on **Thursday, September 8, 2022**. The meeting will be held at the Willard City Offices 80 W 50 S. The meeting will be held in accordance with current COVID-19 guidelines. The meeting will begin promptly at 6:30 p.m. The agenda will be as follows:

6:30 p.m.

CITY COUNCIL MEETING

1. Call to Order

1. Invocation
2. Pledge of Allegiance
3. Conflict of interest declaration

2. Open Comment Period (Individuals have three minutes for open comments. If required, items may be referred to department heads for resolution. Items requiring action by the City Council will be placed on the agenda for a future meeting.)

3. New Business

- a. Discussion/Action regarding Wild Turkey Management suggested ordinance that forbids feeding and allow mitigation tags within the city limits.
- b. Discussion/Action on Ordinance 2022-01 Transit Room Tax 1%.
- c. Discussion/Action on Resolution 2022-07 Adopting new fee schedule for dog licenses.
- d. (1) discussion/possible approval of a development agreement for an MPC zone regarding Old Farm.
(2) discussion/ possible approval of a water agreement with Willard City and Old Farm.
- e. Discussion/Approval on Amendment to 12-400-11-01 Design and Construction Standards applicable to the subdivision application.

4. Planning Commission Report

5. Approval of Minutes

- a. Approval of the August 25, 2022, City Council Meetings

6. Financial

- a. Warrants, Vouchers, Reports

7. Department Reports

- a. Public Works
- b. Police Department
- c. Fire Department

8. Council Member Reports

- a. Mike Braegger
- b. Rod Mund
- c. Fred Ward
- d. John Seamons
- e. Kaleb Kunzler

9. Next agenda items (September 22, 2022)

10. Mayor's General Correspondence and Information

11. City Manager's Report

12. Consideration of Motion to Enter a Closed Session (if necessary) pursuant to UCA §52-4-205 (a) except as provided in Subsection (3), discussion of the character, professional competence, or physical or mental health of an individual; (b) strategy sessions to discuss collective bargaining; (c) strategy sessions to discuss pending or reasonably imminent litigation; (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares (e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares; (f) discussion regarding deployment of security personnel, devices, or systems; or (g) investigative proceedings regarding allegations of criminal misconduct.

13. Adjourn

/s/ Susan Obray
City Recorder, Willard City

I, designated City Recorder for Willard City, hereby certify that the foregoing notice and agenda was posted at the Willard City Hall, on the State of Utah Public Meeting Notice Website <https://www.utah.gov/pmn/index.html>, on the Willard City Website www.willardcity.com on August 22, 2022.

DRAFT ORDINANCE 2022-01

CHAPTER xx-xxx MUNICIPAL TRANSIENT ROOM TAX

This Chapter shall be known as the Willard City Municipal Transient Room Tax Ordinance

xx-xxx. Purpose. The Utah State Legislature authorizes municipalities to adopt an ordinance that imposes a one (1%) percent transient room tax that may be collected from persons and entities providing public accommodations in the City. It is the purpose of this ordinance to provide for the uniform assessment and collection of that tax pursuant to Part 3A of Title 59, Chapter 12, Utah Code, as amended, or its successor statute. The transient room tax imposed by this chapter may be used for general fund purposes.

xx-xxx. Effective Date. This ordinance shall take effect immediately upon posting and publication in the manner so required by law.

xx-xxx. Definitions.

(1) Public accommodations shall mean a place providing temporary sleeping accommodations that are regularly rented to the public and include but is not limited to:

- (a) a motel;
- (b) a hotel;
- (c) an RV Park;
- (d) an inn;
- (e) a bed and breakfast establishment;
- (f) trailer park;
- (g) RV campground;
- (h) a timeshare or other fractional interest development
- (i) a condominium
- (j) a residential vacation rental or similar accommodation.

(2) Rents shall include but is not limited to:

- (a) rents;
- (b) room charges and other eligible goods and services as enumerated in the “Utah State Tax Commission Publication 56 Sales Tax Information for Lodging Providers,” and
- (c) timeshare fees and dues

(3) Transient shall mean the occupation of a public accommodation, by a person, of less than thirty (30) consecutive days.

xx-xxx. Transient Room Tax Imposed. The following regarding imposing the transient room tax:

(1) There is hereby levied upon the business of every person, company, corporation, or other like and similar persons, groups or organizations, doing business in the City as RV Parks, tourist home, hotel, motel, or trailer court, residential vacation rental, inns or the like, and public

accommodations, an annual license tax equal to one percent (1%) of the gross revenue derived from the rent for each and every occupancy of a suite, room or rooms, occupied for a period of less than thirty (30) days.

(2) For purposes of this section, gross revenue shall be computed upon the base room rental rate. There shall be excluded from the gross revenue, by which this tax is measured:

- (a) The amount of any sales or use tax imposed by the state of Utah or by any other governmental agency upon a retailer or consumer; and
- (b) The amount of any transient room tax levied under authority of Section 3A of Chapter 12 of Title 59, Utah Code Annotated, 1953, as amended, or its successor statute.

xx-xxx. Exemptions to Transient Room Tax. No Transient Room Tax shall be imposed under this Chapter upon any person:

- (1) engaged in business for solely religious, charitable, or other types of strictly nonprofit purpose who is tax exempt in such activities under the laws of the United States and the State of Utah; or
- (2) engaged in a business specifically exempted from municipal taxation and fees by the laws of the United States or the state

xx-xxx. Collecting Agent. On or before the effective date of this Chapter, Willard City shall contract with the State Tax Commission to be the City's Collection Agent and to perform all functions incident to the administration and collection of the Municipal Transient Room Tax, in accordance with the provisions of this Chapter. The Mayor is hereby authorized to enter into agreements with the State Tax Commission that may be necessary for the continued administration and operation of the Transient Room Tax enacted by this Chapter.

xx-xxx. Penalties and interest. Penalties and interest equal to those authorized by U.C.A. Sections 59-1 401 and 59-1 -402 (as amended), or its successor, shall be imposed on any person who:

- (1) Is required to pay the tax under this part; and
- (2) Does not remit the tax to the collecting agent within the time prescribed by law.

xx-xxx. Records. Persons operating short-term rentals shall maintain records kept in conformity with generally accepted accounting principles for the purpose of disclosing and verifying the gross revenues derived from providing short-term rentals. Such records must be maintained for a minimum of three (3) years from the date services were provided. The records shall be available to Willard City or the Utah State Tax Commission for review and inspection during normal operating hours.

PASSED by the City Council on this _____ day of _____, 2022, by a vote of
_____ For and _____ against.

Travis Mote
Mayor

Susan O Bray
City Recorder

RESOLUTION 2022-07

A RESOLUTION OF THE WILLARD CITY COUNCIL ADOPTING A NEW FEE
SCHEDULE SUBJECT TO CHAPTER 13-20-03-02 OF THE WILLARD CITY
CODE RELATING TO THE FEES FOR DOG LICENSING AND REGISTRATION IN
WILLARD CITY

WHEREAS, the Willard City Council has adopted an ordinance for the licensing and registration of dogs within Willard City and,

WHEREAS, the Willard City Council finds that the charges for this service needs to be changed periodically and,

WHEREAS, Title 13-20-03-02 of the Willard City Code provides for a specific fee to be charged for the registration and licensing of dogs which the City Council can amend by resolution,

NOW THEREFORE BE IT RESOLVED that the fee schedule listed in Title 13-20-03-02 (A) be amended to read and enacted as follows:

- | | |
|-------------------------------|---------|
| 1. Each spayed female dog | \$10.00 |
| 2. Each neutered male dog | \$10.00 |
| 3. Each non-spayed female dog | \$25.00 |
| 4. Each non-neutered male dog | \$25.00 |

This resolution shall become effective on January 1, 2023, and upon passage and posting as required by law.

Passed this _____ day of _____, 2022 by a vote of ____for and ____against

ATTEST

Travis Mote,
Mayor Willard City

Susan Obray,
Willard City Recorder



Chris Davis <cdavis@willardcity.com>

Dog fee resolution

Lisa Clark <lclark@willardcity.com>

Thu, Aug 25, 2022 at 11:27 AM

To: Chris Davis <cdavis@willardcity.com>

Cc: Colt Mund <colt@mht-law.com>, Willard Administrator <administrator@willardcity.com>, Bryce Wheelwright <brycewillardcity@gmail.com>, Theron Fielding <tfielding@willardcity.com>

These are the fees for our surrounding cities:

Perry City - \$20 / \$8 if altered
Brigham City - \$20 / \$10 if altered
Tremonton City - \$30 / \$10 if altered
Mantua City - \$20 / \$10 if altered
Honeyville City - \$12 / \$7 if altered
Corinne City - \$20 / \$10 if altered
North Ogden City - \$30 / \$10 if altered
Pleasant View City - \$20 / \$10 if altered

And this is us:

Willard City - \$15 / \$5 if altered

I also noticed that some cities offer a discount rate for Seniors (people, not dogs!) of \$5. I did not see a different fee whether in-tack or if altered.

[Quoted text hidden]

{DRAFT}

12-400-11-01. Design and Construction Standards Applicable to all Subdivision Applications:

(3) The installation and construction of all required subdivision improvements, facilities, services, and amenities shall comply with all standards and requirements, as applicable, and as provided and required by the Willard City Public Works Standard. ~~Book.~~

(4) The Developer shall be responsible for the installation of gas mains, power mains, water mains, storm water mains, communication mains, and the installation of infrastructure for fiber optic lines and a secondary water transmission and delivery system prior to street paving.

12-400-11-10. Storm water retention and pedestrian travel~~sidewalks, Curbs, and Gutters:~~

~~The installation of curb, gutter, and sidewalks may be required by the Planning Commissions and/or City Council with any proposed subdivision or development.~~ The intent is to provide adequate storm drainage, reduced flood hazard and to protect the health, safety, improvements, property, and the general welfare of the persons residing in the area to be subdivided or developed. An applicant of a proposed subdivision or development shall ~~Prior to considering the waiver of the curb, gutter, and sidewalk requirement to any subdivision or development, the applicant shall~~ provide the following to the Planning Commission and SLUA: (1) A proposed storm water retention and drainage plan for the proposed subdivision or development ~~that alleviates the need for curb and gutter;~~ and (2) a proposed plan to address traffic circulation and pedestrian travel within the subdivision or development that preserves the safety and general welfare of pedestrians ~~without a sidewalk~~. The City Engineer shall then review the proposed plans and submit a written recommendation to the Planning Commission for consideration.

12-400-12-04. Possible Adjustments or Revisions to Water Rights Conveyance Requirements.

(2) Lands which are Restricted Against Future Development. Where development of the property in question is restricted by unusual circumstances such as topographic features, environmentally sensitive or fragile conditions, or voluntary limitations on landscape and other activities which will reduce the amount of water to be provided by the City, the City Council may reduce the amount of water right required to be conveyed to an amount commensurate with the nature of the proposed restricted development. Any such restriction must be accompanied by enforceable provisions for securing compliance in a form to be approved by the Willard City Attorney.