



TOWN COUNCIL PUBLIC HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, June 26, 2024 at 6:00 PM

MINUTES

Mayor | Michael Farrar |

Council Members | Kevin Sair | Janet Prentice | Annie Spendlove | Scott Taylor |

CALL TO ORDER- Mayor Farrar called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

PRAYER- Prayer was offered by Council Member Janet Prentice.

ROLL CALL

PRESENT

Mayor Michael Farrar

Council Member Kevin Sair

Council Member Janet Prentice

Council Member Annie Spendlove

Council Member Scott Taylor

DECLARATION OF CONFLICTS OF INTEREST

Declaring conflict of interest for Mayor Farrar.

MAYOR'S TOWN UPDATE

Mayor Farrar provided a town update, highlighting financial stability and positive developments. The budget was in good shape, with money being saved at a 5% return. The town's appearance had improved significantly, with commendations to Kevin for his work on the parks. An upcoming event had 200 registrations, signaling strong community engagement. Interactions had become more positive, reflecting a united community. Updates on the district included progress on the pipeline and aquifer study, with an expected completion by the end of the year. The town was managing its financial obligations well, with a rate increase effective July 1. Overall, the town was in a good state, with positive progress on various projects.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Council Member Discussions:

1. Council Member Sair reported an issue with a dip in the road near the gateway, suggesting poor compaction during a past drainage pipe installation. The need for repair was emphasized due to its impact on drivers.
2. Council Member Prentice briefly acknowledged the issue.
3. Mayor Farrar mentioned larger speed limit signs being installed in specific areas to address traffic concerns.
4. Council Member Sair added that necessary supplies and special tools were being organized to address these issues.

Additional Points:

Council Member Sair noted ongoing work on safety posts and reflector installations at a large drainage site.



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- Preparation for the July 4th event was well underway, with significant effort put into clearing thistles and notifying residents about parcel maintenance.
- Council Member Sair mentioned subcontracting work to replace problematic areas in bubbling wells and additional riprap work.

A proactive approach to town maintenance and community engagement, with specific focus on road repairs, safety improvements, and upcoming events was reflected.

PUBLIC COMMENTS: 3 MINUTES EACH - DISCRETION OF MAYOR FARRAR

No public comments.

PUBLIC HEARING

1. Compensation Increase for Specific Executive Municipal Officer (Fire Chief), Ordinance-O-2024-33.

Mayor Farrar opened the public hearing for Compensation Increase for Specific Executive Municipal Officer (Fire Chief), Ordinance-O-2024-33.

No public comments.

Mayor Farrar closed the public hearing for Compensation Increase for Specific Executive Municipal Officer (Fire Chief), Ordinance-O-2024-33.

2. Adoption of the FY2025 Budget and Amendment of the FY2024 Budget.

Mayor Farrar opened the public hearing for the Adoption of the FY2025 Budget and Amendment of the FY2024 Budget.

No public comments.

Mayor Farrar closed the public hearing for the Adoption of the FY2025 Budget and Amendment of the FY2024 Budget.

3. Amend Title 2.09.050 Mayoral Compensation Schedule, O-2024-24.

Mayor Farrar opened the public hearing to Amend Title 2.09.050 Mayoral Compensation Schedule, O-2024-24.

No public comments.

Mayor Farrar closed the public hearing to Amend Title 2.09.050 Mayoral Compensation Schedule, O-2024-24.



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4. Amend Title 8.08.030 Fireworks Restrictions, Ordinance-O-2024-25.

Mayor Farrar opened the public hearing to Amend Title 8.08.030 Fireworks Restrictions, Ordinance-O-2024-25.

No public comments.

Mayor Farrar closed the public hearing to Amend Title 8.08.030 Fireworks Restrictions, Ordinance-O-2024-25.

5. Amend Title 8.06.050 Noxious Weeds And Garbage Failure To Comply, Ordinance-O-2024-26.

Mayor Farrar opened the public hearing to Amend Title 8.06.050 Noxious Weeds And Garbage Failure To Comply, Ordinance-O-2024-26.

No public comments.

Mayor Farrar closed the public hearing to Amend Title 8.06.050 Noxious Weeds And Garbage Failure To Comply, Ordinance-O-2024-26.

DISCUSSION AND ACTION - NEW BUSINESS

6. Compensation Increase for Specific Executive Municipal Officer (Fire Chief), Ordinance-O-2024-33.

Mayor Farrar discussed that the proposed increase would raise the fire chief's salary from \$40,000 to \$55,000, reflecting both merit and cost of living adjustments. Mayor Farrar highlighted the fire chief's excellent performance and minimal issues within the department, justifying the raise. Council Member Sair acknowledged the challenges faced over the past year but agreed that the fire chief's performance warranted the proposed increase. Additional discussion covered the fire chief's retirement system and budget considerations, ensuring that the increase was financially manageable.

The council expressed unanimous support for the fire chief, recognizing the importance of retaining competent staff and the value they bring to the town.

Motion: Council Member Sair motioned we approve Compensation Increase for Specific Executive Municipal Officer (Fire Chief), Ordinance-O-2024-33.

Motion made by Council Member Sair, Seconded by Council Member Spendlove.
Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

7. Resolution-R-2024-28, Town Of Apple Valley To Cover A Portion Of The Increase To The Firefighters Utah Retirement System (URS).



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Mayor Farrar introduced Resolution R-2024-28, which aimed to cover a portion of the increase in the firefighters' Utah Retirement System (URS). This move was intended to offset the rising retirement costs and support the firefighters in line with economic changes and merit considerations. Town Clerk/Recorder Jenna Vizcardo noted that this resolution mirrored a previous one mandated by external requirements.

Motion: Scott Taylor moved we approve Resolution-R-2024-28, Town Of Apple Valley To Cover A Portion Of The Increase To The Firefighters Utah Retirement System (URS).

Motion made by Council Member Taylor, Seconded by Council Member Spendlove. Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

8. Resolution-R-2024-26, Interlocal Agreement with Big Plains Water Special Service District.

Mayor Farrar introduced Resolution R-2024-26, concerning an interlocal agreement with the Big Plains Water Special Service District.

The agreement proposed a flat rate of \$60,000 per year to cover various expenses such as labor, equipment use, telephone, office supplies, and other administrative costs. This approach was designed to streamline operations by eliminating the need to track individual expenses.

Big Plains Water Special Sewer District had already approved the flat rate, and the council needed to give its final approval.

Mayor Farrar emphasized that the flat rate would simplify accounting and reduce the administrative burden on staff, including Council Member Sair and other workers.

No questions or concerns were raised by the council members, indicating their agreement with the proposed resolution.

Motion: Council Member Sair motioned we approve Resolution-R-2024-26, Interlocal Agreement with Big Plains Water Special Service District.

Motion made by Council Member Sair, Seconded by Council Member Taylor. Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

9. Resolution-R-2024-25, Adoption of the FY2025 Budget and Amendment of the FY2024 Budget.



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Mayor Farrar introduced Resolution R-2024-25, which involved the adoption of the FY 2025 budget and the amendment of the FY 2024 budget. Presented changes included additional funds for the fire chief's budget to cover a dispatch contract (\$7,200/year) and a medical director (\$1,200/year). The sale of a fire truck added \$1,000 to the fire budget. The budget was balanced, with \$130,000 allocated to savings.

Motion: Council Member Prentice motioned we accept Resolution-R-2024-25, Adopting of the Fiscal Year 2025 Annual Budget and Amending of the Fiscal Year 2024 Annual Budget.

Motion made by Council Member Prentice, Seconded by Council Member Sair.
Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

10. Amend Title 2.09.050 Mayoral Compensation Schedule, Ordinance-O-2024-24.

Mayor Farrar proposed Ordinance O-2024-24 to include a \$1 per month salary for the mayor. This change was necessary for official payroll and insurance purposes.

The council supported the change, acknowledging its minimal financial impact and procedural necessity.

Motion: Council Member Sair motioned we amend Title 2.09.050 Mayoral Compensation Schedule amendment.

Motion made by Council Member Sair, Seconded by Council Member Prentice.
Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

11. Amend Title 8.08.030 Fireworks Restrictions, Ordinance-O-2024-25.

Mayor Farrar discussed action item number 11, concerning amendments to the fireworks restriction's ordinance. The ordinance, previously approved, required a timeline adjustment. The change was proposed to accommodate those who wanted to stay late and enjoy fireworks during the Fourth of July barbecue. The event would still start at 7 PM, though it would not be dark yet. Many residents preferred not to stay past 9 PM for the fireworks. The new timeline would allow the fireworks to start at 7 PM, giving people the option to go home earlier if they wished. For those who wanted to stay later, the fireworks could continue until 11 PM. The main change was in the event timing.



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Motion: Council Member Prentice let's accept the amendment 8.08.030 Fireworks Restrictions, Ordinance-O-2024-25 and accepting the change of time.

Motion made by Council Member Prentice, Seconded by Council Member Sair. Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

12. Amend Title 8.06.050 Noxious Weeds And Garbage Failure To Comply, Ordinance-O-2024-26.

Mayor Farrar introduced item number 12, which required amending the ordinance on noxious weeds and garbage failure to comply. The need for amendment arose from an overlooked error in the original ordinance. The ordinance incorrectly stated that the town would cover the costs of weed removal and cleanup. This was identified as a typographical error and was corrected to ensure property owners would be responsible for these costs.

The amended ordinance now stipulates that if property owners fail to maintain their properties, the town will issue a statement of the hours spent on cleanup, and enforcement and collection will fall under the civil enforcement code. The change allows the town to bill property owners for cleanup services. Council Member Sair acknowledged the significant time spent on this issue over the past year.

Motion: Council Member Sair motioned we accept amended title 8.06.050 the Noxious Weeds And Garbage Failure To Comply, Ordinance-O-2024-26.

Motion made by Council Member Sair, Seconded by Council Member Prentice. Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

13. Resolution-R-2024-27, Appointing a responsible Town Council Member of the Emergency Management Program.

Mayor Farrar introduced item number 13, Resolution R-2024-27, which involved appointing a responsible town council member to the Emergency Management Program. It was mentioned that Council Member Taylor had been chosen for the role due to his relevant experience. Council Member Taylor would work with the Fire Chief to ensure community safety in emergencies, although it was hoped that the program would not need to be used. Council Member Sair also noted ongoing efforts to clean and mobilize emergency equipment and resources, ensuring they were in good condition and ready for use.



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Motion: Council Member Sair motioned we accept Resolution-R-2024-27, Appointing a responsible Town Council Member of the Emergency Management Program, Scott Taylor.

Motion made by Council Member Sair, Seconded by Council Member Spendlove. Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

DISCUSSION AND ACTION - OLD BUSINESS

14. Consider Approval of the Development Agreement for Oculta Roca (Hidden Rock Development Group, LLC). *Tabled from November 29, 2023 Town Council Meeting.

Mayor Farrar moved item number 14, which concerned the development agreement for Oculta Roca (Hidden Rock Development Group, LLC) This item had been tabled since November 29, 2023, pending a water agreement, which had since been signed. The development agreement covered several key points:

- The project involved the development of 204 acres into four horizontal cabins and 18 residential lots.
- The development had a Planned Development Overlay (PDO) and was required to comply with all existing development ordinances and standards.
- Any material modifications to the master plan would require town council approval.
- The developer intended to maintain 90% open space within the project area.
- All infrastructure would be installed before the sale or occupancy of any lots.
- Up to 10% of residential lots could be used for short-term rentals, with an on-site rental manager required by town ordinances.
- The developer would provide amenities such as a spa, restaurants, and bars.
- Public infrastructure would be built by the developer, with the possibility of creating a Public Infrastructure District (PID) to help finance these improvements through a special tax on property owners.

Council Member Sair asked for clarification on certain points, particularly regarding infrastructure and access roads. The main entrance would be paved and include turn lanes, while the secondary access would be a road base. The developer would bring the secondary access up to town standards, and all improvements would comply with town design standards and be approved by the town engineer.

Mayor Farrar noted the cooperative nature of the developers and their adherence to rules and procedures throughout the process.

Motion: Council Member Sair motioned that we approve on the Development Agreement for Oculta Roca (Hidden Rock Development Group, LLC), this was tabled from November 29, 2023 on the town Council meeting, the Oculta Roca Apple Valley DA 03-12.24.



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Motion made by Council Member Sair, Seconded by Council Member Taylor.
Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove,
Council Member Taylor

The vote was unanimous and the motion carried.

DISCUSSION AND ACTION - PLANNING COMMISSION BUSINESS

15. Amend Title 10.07.090 Conditional Use Permit, Ordinance-O-2024-22.

*Planning Commission recommended approval on June 5, 2024.

Mayor Farrar introduced Planning Commission business item number 15, which concerned amending ordinance 10.0.7.090 for conditional use permits. The Planning Commission had recommended approval in June 2024. This amendment, related to item number 16, focused on short-term rentals and allowed the issuance of conditional use permits under specific conditions.

The Mayor explained that the amendment aimed to provide flexibility in cases where properties were close to the 300-foot distance restriction from other short-term rentals. An example was given of a property that was 298 feet away from another. This ordinance would enable the town to issue conditional use permits in such cases, offering flexibility and common sense in enforcement.

Council Member Prentice supported the amendment, noting that flexibility could help address community concerns and allow more short-term rentals in suitable locations. The discussion highlighted that this change would not automatically grant approvals but would let the Planning Commission consider conditional use permits based on individual circumstances.

The amendment also included an annual review process, allowing the town to revoke permits if issues arose.

Motion: Council Member Sair motioned that we amend Title 10.07.090 Conditional Use Permit, Ordinance-O-2024-22.

Motion made by Council Member Sair, Seconded by Council Member Prentice.
Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

16. Amend Title 10.14 Short Term Vacation Rental Rules and Regulations, Ordinance-O-2024-23.

*Planning Commission recommended approval on June 5, 2024.

Motion: Council Member Sair motioned that we amend Title 10.14 Short Term Vacation Rental Rules and Regulations, Ordinance-O-2024-23.



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Motion made by Council Member Sair, Seconded by Council Member Spendlove. Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

17. Ordinance-O-2024-28, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1378-N, AV-1378-R, AV-1378-S, AV-1378-P. Applicant: Cortney Barlow.

*Planning Commission recommended approval on June 5, 2024.

Mayor Farrar introduced item number 17, concerning Ordinance-O-2024-28, which involved a zone change application. This application proposed converting parcels AV-1378-N, AV-1378-R, AV-1378-S, and AV-1378-P from Open Space Transition to AG X Agricultural Zone. The total land area in question was 182 acres.

Mayor Farrar emphasized that this change was part of the AG X program, which had received positive feedback from the community. The program allowed property owners to switch to agricultural zoning at no charge, promoting farmland and giving the town more control over zoning. The aim was to preserve the town's agricultural and rural character. This application was one of several similar requests, reflecting the community's support for maintaining and enhancing the town's agricultural identity.

Motion: Council Member Prentice motioned that we accept the Ordinance-O-2024-28, Zone Change Application from Open Space Transitional to A-X Agricultural Zone for parcels: AV-1378-N, AV-1378-R, AV-1378-S, AV-1378-P for Cortney Barlow as recommend by the Planning Commission on June 5th.

Motion made by Council Member Prentice, Seconded by Council Member Sair. Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

18. Ordinance-O-2024-29, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1365-O. Applicant: Jonathan J George.

*Planning Commission recommended approval on June 5, 2024.

Mayor Farrar proceeded with item number 18, involving Ordinance-O-2024-29, which dealt with a zone change application. This application sought to convert parcel AV-1365-O from Open Space Transition to AG X Agricultural Zone. The applicant for this change was Jonathan George, and the parcel in question spanned 10 acres.

The Planning Commission had previously recommended approval of this change on June 5, 2024.



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Motion: Council Member Spendlove motioned that we approve Ordinance-O-2024-29, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1365-O. Applicant: Jonathan J George.

Motion made by Council Member Spendlove, Seconded by Council Member Taylor. Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

19. Ordinance-O-2024-30, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1367-A, AV-1370-A, AV-1371-A, AV-1368, AV-1356-A-1, AV-1360, AV-1357, AV-1356-B, AV-1359, AV-1349, AV-1348-B. Applicant: Hirschi Big Plain Ranch Irrevocable Trust.

*Planning Commission recommended approval on June 5, 2024.

Mayor Farrar moved on to item number 19, ordinance 0-2024-30, which pertained to a zone change application. This application aimed to convert multiple parcels from Open Space Transition to AG X Agricultural Zone. The affected parcels included AV-1367-A, AV-1370-A, AV-1371-A, AV-1368, AV-1356-A-1, AV-1360, AV-1357, AV-1356-B, AV-1359, AV-1349, and AV-1348-B. The applicant for this change was the Hirschi Big Plain Ranch Irrevocable Trust, and the total area affected was 915 acres.

The Planning Commission had recommended approval of this change in June 2024. It was noted that most of the affected area was currently designated as Open Space Transition, with only 160 acres under Rural Estates One. By converting these parcels to AG X, the applicant effectively eliminated the potential for 160 homes in that area.

Council Member Prentice expressed agreement and support for the change.

Motion: Council Member Taylor motioned that we approve Ordinance-O-2024-30, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1367-A, AV-1370-A, AV-1371-A, AV-1368, AV-1356-A-1, AV-1360, AV-1357, AV-1356-B, AV-1359, AV-1349, AV-1348-B. Applicant: Hirschi Big Plain Ranch Irrevocable Trust.

Motion made by Council Member Taylor, Seconded by Council Member Sair. Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

20. Ordinance-O-2024-31, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1365-N. Applicant: John Carl Izaak McHenry/Todd A Chamberlain.

*Planning Commission recommended approval on June 5, 2024.



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Mayor Farrar proceeded to item number 20, Ordinance O-2024-31, which involved a zone change application. The application sought to convert parcel AV-1365-N to AG X Agricultural Zone from its current designation of Open Space Transitional. The parcel in question was 10 acres.

The Planning Commission had recommended approval of this change on June 5th, 2024.

Motion: Council Member Prentice motioned that we accept the Planning Commission's recommendation for Ordinance-O-2024-31, Zone Change Application from Open Space Transitional to A-X Agricultural Zone for parcel: AV-1365-N. Applicant: John Carl Izaak McHenry/Todd A Chamberlain.

Motion made by Council Member Prentice, Seconded by Council Member Taylor.
Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

21. Ordinance-O-2024-32, Zone Change Application from Open Space Transitional to A-X Agricultural Zone for parcels: AV-1390, AV-1366-A-1, AV-1369-A. Applicant: Farrar Family Trust.

*Planning Commission recommended approval on June 5, 2024.

Mayor Farrar introduced item number 21, Ordinance O-2024-32, which involved a zone change application. The application aimed to transition parcels AV-1390, AV-1366-A-1, and AV-1369-A from Open Space Transitional to AG X Agricultural Zone. The applicant for this change was the Farrar Family Trust, covering a total of 218 acres. The Planning Commission had recommended approval of this change in June 2024.

Mayor Farrar clarified that he would be abstaining from voting on this item due to his personal involvement. He noted that his own properties were already in the Greenbelt and that this change would not affect his tax status. His family trust had applied for this transition to benefit the town, which he supported despite his abstention.

Motion: Council Member Prentice motioned that we accept Ordinance-O-2024-32, Zone Change Application from Open Space Transitional to A-X Agricultural Zone for parcels: AV-1390, AV-1366-A-1, AV-1369-A. Applicant: Farrar Family Trust, the Planning Commission recommended approval on June 5th.

Motion made by Council Member Prentice, Seconded by Council Member Spendlove.

Roll Call Voting Yea: Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

Voting Abstaining: Mayor Farrar

The vote was four yes and one abstain and the motion carried.



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CONSENT AGENDA

- 22. Approval of Minutes: May 22, 2024.
- 23. Disbursement Listing for May 2024.
- 24. Budget Report for Fiscal Year 2024 through May 2024.

Mayor Farrar addressed the consent agenda items, proposing that they be approved together in one motion. He noted that there was a corrected budget report presented at the meeting.

Motion: Council Member Scott Taylor motioned we approve the Consent Agenda, number 22, approval of minutes May 22, 2024. Number 23, Disbursement Listing for May 2024 and number 24, Budget Report for Fiscal Year 2024 through May 2024 to include those changes Mayor Farrar stated earlier.

Motion made by Council Member Taylor, Seconded by Council Member Prentice. Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

REQUEST FOR A CLOSED SESSION: IF NECESSARY

No request.

ADJOURNMENT

Motion: Council Member Spendlove motioned to adjourn the meeting.

Motion made by Council Member Spendlove, Seconded by Council Member Sair.

Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

The meeting was adjourned at 6:49 p.m.

Date Approved: _____

Approved BY: _____

Mayor | Michael L. Farrar

Attest BY: _____

Town Clerk/Recorder | Jenna Vizcardo