

OPENING

Mayor Lisonbee opens the meeting with attendance and leading in the Pledge of Allegiance at 6:00PM.

ROLL CALL/PRESENT

Mayor Marty Lisonbee
Councilmember Debbie Kopp
Councilmember Paul Edwardsen
Councilmember Mike McLaughlin
Councilmember Dale Beddo

Recorder/Clerk Not Present
Staff: Taylor Pledger, John Barlow (Virtual)
Town Attorney Shawn Guzman

CONFLICTS OF INTEREST DECLARATIONS

None

CONSENT AGENDA

- A. Invoice Registry (Page 74)**
- B. Financial Statement (Page 64)**
- C. Minutes for:**
 - a. July 15th, 2020.
 - b. August 19th, 2020.
 - c. September 16th, 2020.
 - d. October 21st, 2020.

MOTION: Councilmember Kopp moves to approve consent agenda items A, B and C.

SECOND: Councilmember Edwardsen

VOTE:	Councilmember Kopp	Aye
	Councilmember Beddo	Aye
	Councilmember Edwardsen	Aye
	Councilmember McLaughlin	Aye
	Mayor Lisonbee	Aye

The vote was unanimous and the motion carried.

Mayor's town update:

Informed everyone that the computers for the town have arrived and we are just waiting for the remote server to arrive. We received a Utah grant for about \$30,000 from UDOT to help pay for some General Plan work and Master Road Plan work. We are submitting to CIB to see if they will match the grant given for a total of \$60,000. We recently made a change in our lot line adjustments and we are no longer charging or having municipal oversight on lot line adjustments. The Planning Commission received a letter of resignation from Jarry Zaharias. We will be looking for someone to fill that seat and it will be posted on the website and all town bulletin boards.

Informed the town that the public hearing segment of today's meeting will need to be tabled. It is a requirement in the state code to post all public hearing notices in a newspaper. As this requirement was skipped, items listed in the public hearing will have to go back to the Planning Commission and a new public hearing will need to be held.

PRESENTATION

1. Sunrise Engineering on Impact Fee Study

- a. Impact Fee Analysis (IFA Addendum)
- b. Parks & Recreation Fee Facilities plan (IFA Addendum)
- c. Roadway Facilities Plan (IFA Addendum)
- d. Storm Water Facilities Plan (IFA Addendum)

End Presentation.

(For more information, refer to the Impact Fee Analysis found on the Apple Valley website)

PUBLIC HEARING

2. Adoption of Ordinance 2020-27, an ordinance modifying Impact Fees.

MOTION:	Mayor Lisonbee moves to table the public hearing on Ordinance 2020-27, modifying Impact Fees.	
SECOND:	Councilmember Edwardsen	
VOTE:	Councilmember Kopp	Aye
	Councilmember Beddo	Aye
	Councilmember Edwardsen	Aye
	Councilmember McLaughlin	Aye
	Mayor Lisonbee	Aye

The vote was unanimous and the motion carried.

**3. Creation of one or more public infrastructure districts by Town of Apple Valley Utah.
(Jepson Canyon).**

MOTION: Mayor Lisonbee moves to table the public hearing on the creation of one or more public infrastructure districts by the Town of Apple Valley Utah.

SECOND: Councilmember Edwardsen

VOTE:

Councilmember Kopp	Aye
Councilmember Beddo	Aye
Councilmember Edwardsen	Aye
Councilmember McLaughlin	Aye
Mayor Lisonbee	Aye

The vote was unanimous and the motion carried.

4. Adoption of Ordinance 2020-26, an ordinance creating the Office of Town Administrator.

MOTION: Mayor Lisonbee moves to table the public hearing on Ordinance 2020-26, an ordinance creating the Office of Town Administrator.

SECOND: Councilmember Mclaughlin

VOTE:

Councilmember Kopp	Aye
Councilmember Beddo	Aye
Councilmember Edwardsen	Aye
Councilmember McLaughlin	Aye
Mayor Lisonbee	Aye

The vote was unanimous and the motion carried.

DISCUSSION AND ACTION

1. Discussion and possible action on Ordinance 2020-28 An Ordinance Amending the Zoning Map; AV-1329 to RE-1.0 (Page 13)

MOTION: Mayor Lisonbee moves to table Ordinance 2020-28, amending the zoning map for parcel AV-1329 to RE-1.0.

SECOND: Councilmember Edwardsen

VOTE: Councilmember Kopp Aye
Councilmember Beddo Aye
Councilmember Edwardsen Aye
Councilmember McLaughlin Aye
Mayor Lisonbee Aye

The vote was unanimous and the motion carried.

2. Discussion and possible action on adoption of Ordinance 2020-27, an ordinance modifying impact fees.

MOTION: Mayor Lisonbee moves to table the adoption of Ordinance 2020-27.
SECOND: Councilmember Mclaughlin
VOTE: Councilmember Kopp Aye
Councilmember Beddo Aye
Councilmember Edwardsen Aye
Councilmember McLaughlin Aye
Mayor Lisonbee Aye

The vote was unanimous and the motion carried.

3. Discussion and possible action on the creation of one or more public infrastructure districts by Town of Apple Valley, Utah. (Jepson Canyon)

MOTION: Mayor Lisonbee moves to table the creation of one or more public infrastructure districts by Town of Apple Valley, Utah.
SECOND: Councilmember McLaughlin
VOTE: Councilmember Kopp Aye
Councilmember Beddo Aye
Councilmember Edwardsen Aye
Councilmember McLaughlin Aye
Mayor Lisonbee Aye

The vote was unanimous and the motion carried.

4. Discussion and possible action on adoption of Ordinance 2020-26, an ordinance creating the Office of Town Administrator.

MOTION: Mayor Lisonbee moves to table the adoption of Ordinance 2020-26.

SECOND: Councilmember McLaughlin

VOTE: Councilmember Kopp Aye
Councilmember Beddo Aye
Councilmember Edwardsen Aye
Councilmember McLaughlin Aye
Mayor Lisonbee Aye

The vote was unanimous and the motion carried.

5. Discussion and possible action on appointing the Town Administrator.

MOTION: Mayor Lisonbee moves to table the appointment of the Town Administrator.

SECOND: Councilmember McLaughlin

VOTE: Councilmember Kopp Aye
Councilmember Beddo Aye
Councilmember Edwardsen Aye
Councilmember McLaughlin Aye
Mayor Lisonbee Aye

The vote was unanimous and the motion carried.

6. Discussion and possible action on resolution certifying authorized users for Public Treasurer's Investment Fund.

MOTION: Mayor Lisonbee moves to change discussion item 6, modifying the title from town administrator to finance director, and approving the resolution certifying authorized users for Public Treasurer's Investment Fund.

SECOND: Councilmember Kopp

VOTE: Councilmember Kopp Aye
Councilmember Beddo Aye
Councilmember Edwardsen Aye
Councilmember McLaughlin Aye
Mayor Lisonbee Aye

The vote was unanimous and the motion carried.

7. Discussion on Fraud Risk Assessment

John Barlow- Mentioned that this is a new requirement that started in 2019. The state auditor publishes a questionnaire that is a self-assessment. This questionnaire is meant to be a tool to figure out how we are doing with fraud risk to ensure it doesn't happen.

Mayor Lisonbee- Asked why we scored a 0 on IT security?

John Barlow- Stated that is the score the town gave itself last year and as there were no improvements this year, we did not increase that number. Explained that we are in the process of getting equipment that will allow for better security and when that equipment arrives it could potentially increase our score.

Mayor Lisonbee- Stated that he would like to take some time to go over this assessment and discuss it further.

MOTION:	Mayor Lisonbee moves to table the discussion on Fraud Risk Assessment.	
SECOND:	Councilmember Edwardsen	
VOTE:	Councilmember Kopp	Aye
	Councilmember Beddo	Aye
	Councilmember Edwardsen	Aye
	Councilmember McLaughlin	Aye
	Mayor Lisonbee	Aye

The vote was unanimous and the motion carried.

8. Discussion and Training

Mayor Lisonbee- Mentions that there are several modules that will be sent to the Town Council and the Planning Commission that are required training regarding GRAMA requests, public meetings, and fraud risk.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Events Committee –

None

Planning Commission –

None

Fire Department – Chief Dave Zolg, Jr

Mentioned that it has been quiet, we had a few rescues and a couple of car accidents. We are starting some online training that will coincide with some in house training. Winter fire school has been cancelled this year. We are starting to get ice here and there, asked the public to watch out on the roads and to be careful. Burn season is really tentative right now with the 500 ft. clearing, our days are far and few in-between. Make sure when you're filling out a burn permit that you're looking at your index. It is your responsibility to read the permit and follow our procedures. The next burn season will open March 1st to May 30th.

Big Plains Water and Sewer SSD –

Harold Merritt- Mentioned that the district completed the preliminary rehab of the Canyon Springs water. They are flowing now and we are working on getting measurements of that flow.

Code Enforcement –

None

Roads and Storm Drainage –

None

Council-

None

MAYOR OPENS PUBLIC COMMENTS

John Peay- Mentioned he has been living here for 27 years. Believes our number one problem is water. He thinks the idea of bringing water from Canyon Springs will not be enough water to develop Apple Valley. Mentioned that when it rains, all of the water comes from the top of Rome Way and travels down the hill, flooding Mt. Zion Dr. Mentioned the whole town has a drainage issue and he believes the town has a lot of problems. He feels as though codes are not being enforced. John Peay offered a letter to the Town Council expressing his opinions on future development plans that are coming up for discussion.

Shamim Monshizadeh- Asked who the city retains to draft developer agreements?

Mayor Lisonbee- Stated they are done by the attorney of the party asking for the agreement then the council and the town attorney will review and negotiate the agreement. Stated that agreements become attached to the land, not the developer.

Shamim Monshizadeh - Asked if there are reverter clauses in the developer agreement?

Attorney Guzman- Mentioned there are no reverter clauses for zoning changes. It is a legislative act.

Mayor Lisonbee- Stated it will not be open for a public hearing at the town council level.

Barry Herrnstein- Asked when the meeting for the zoning change will be expected to take place?

Mayor Lisonbee - Stated that the meeting will take place the first Wednesday of January.

Margaret Ososki- Asked how can they get a zoning change if they don't own the property?

Mayor Lisonbee- Stated that we have an affidavit in the file from the owner that has designated someone to act on their behalf.

Bevon Carry- Asked for clarification on the delay of today's public hearing

Mayor Lisonbee- Mentioned that there are some discrepancies on where the public hearing notice is supposed to be posted. Code states we have to post it to a local newspaper; however, we do not have one. Mayor Lisonbee mentioned that the town attorney believes it still must be posted in a newspaper nearby.

MAYOR CLOSES PUBLIC COMMENTS

ADJOURNMENT

MOTION:	Councilmember Kopp moves to adjourn tonight's meeting.	
SECOND:	Councilmember Edwardsen	
VOTE:	Councilmember Kopp	Aye
	Councilmember Beddo	Aye
	Councilmember Edwardsen	Aye
	Councilmember McLaughlin	Aye
	Mayor Lisonbee	Aye

The vote was unanimous and the motion carried.

Meeting adjourned at 7:44 p.m.

Date approved: 3-9-2021



Marty Lisonbee, Mayor

ATTEST BY: Michelle Kinney