

**NOTICE AND AGENDA
TOWN COUNCIL
Town Council - Regular Meeting/ Election Canvass**

Public notice is given that the Town Council of the Town of Apple Valley, Washington County, Utah will hold a **Town Council - Regular and Election Canvass Meeting on Wednesday, November 13th, 2019** at the **Apple Valley Town Hall**, 1777 N. Meadowlark Dr., Apple Valley, Utah, commencing at **6:00 PM** or shortly thereafter. In accordance with state statute, one or more council members may be connected via speakerphone. This meeting will be available for live stream at www.youtube.com. Search: Town of Apple Valley Utah.

The Agenda for discussion and action is as follows:

CALL TO ORDER / PLEDGE OF ALLEGIANCE/ ROLL CALL

MAYOR'S TOWN UPDATE

DISCUSSION AND ACTION

1. Approval and Certification of Election Results for the 2019 General Election
2. Changes to the Main Street Realignment project and vacating existing roadway

APPROVAL OF MINUTES

3. Approval of Minutes for 10.02.2019
Approval of Minutes for 10.16.2019

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Events Committee – Tish Lisonbee/Debbie Kopp
Planning Commission – Cynthia Browning/Michael McLaughlin
Fire Department – Chief Dave Zolg, Jr
Big Plains Water and Sewer SSD – Harold Merritt
Code Enforcement –Rich Ososki/Paul Edwardsen
Roads and Storm Drainage -
Mosquito Abatement- Margaret Ososki
Council-

PUBLIC COMMENTS

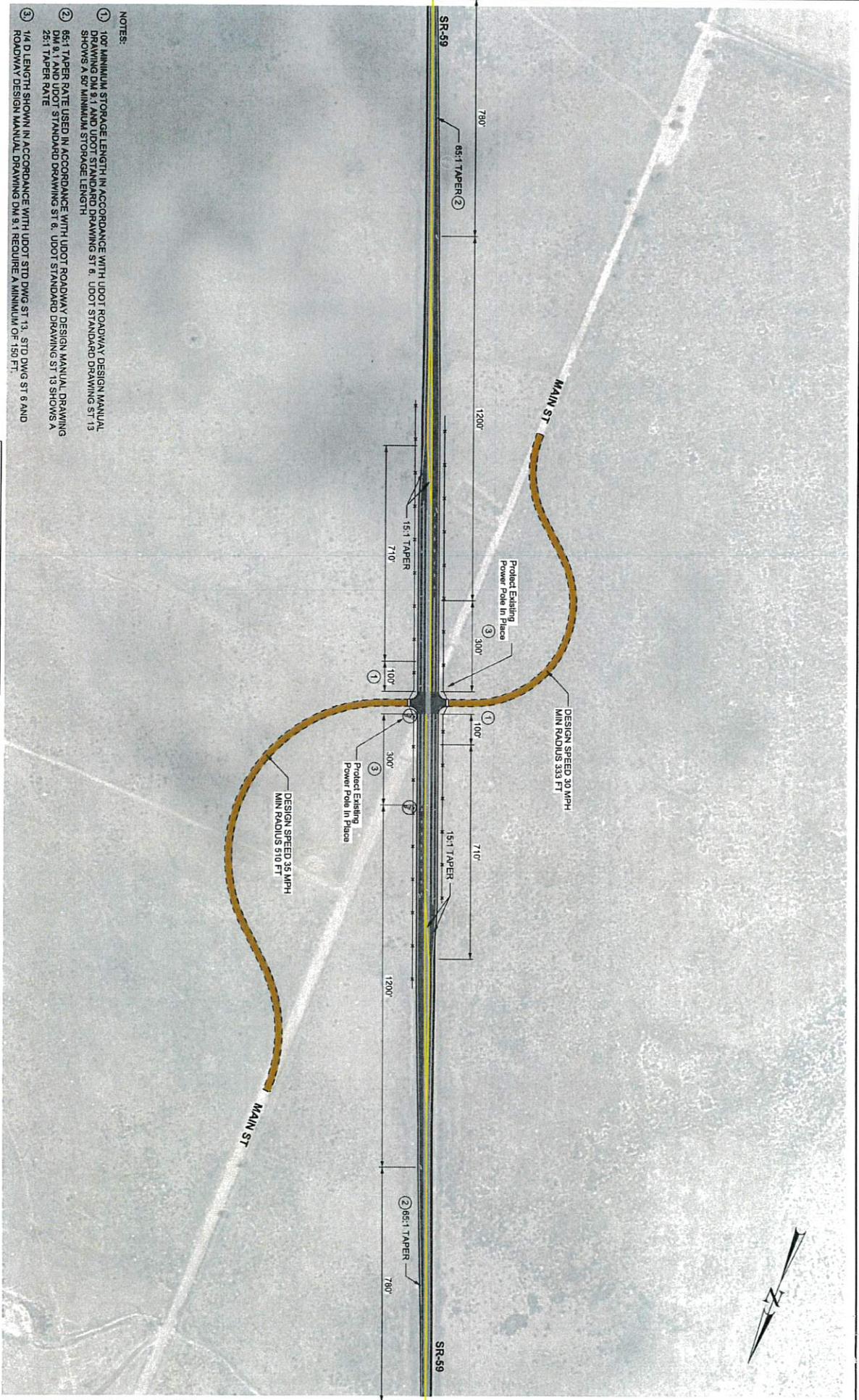
ADJOURNMENT

CERTIFICATE OF POSTING: I, Michelle Kinney, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this notice was posted on the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town Website www.applevalleyut.gov on the **6th day of November, 2019**.

Dated this 6th day of November, 2019

Michelle Kinney, Recorder
Town of Apple Valley

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS
In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should call 435-877-1190.



FOR INFORMATION ONLY

PIN:
PROJECT NO. 16507

SR-59/APPLE VALLEY MAIN ST TURN LANE EXHIBIT

SHEET NO.
EX-01

- NOTES:
- 1 100' MINIMUM STORAGE LENGTH IN ACCORDANCE WITH UDOT ROADWAY DESIGN MANUAL DRAWING DM 8.1 AND UDOT STANDARD DRAWING ST 6. UDOT STANDARD DRAWING ST 15 SHOWS A 50' MINIMUM STORAGE LENGTH
 - 2 65:1 TAPER RATE USED IN ACCORDANCE WITH UDOT ROADWAY DESIGN MANUAL DRAWING DM 8.1 AND UDOT STANDARD DRAWING ST 6. UDOT STANDARD DRAWING ST 13 SHOWS A 25:1 TAPER RATE
 - 3 1/4 D LENGTH SHOWN IN ACCORDANCE WITH UDOT STD DWG ST 13, STD DWG ST 6 AND ROADWAY DESIGN MANUAL DRAWING DM 8.1 REQUIRE A MINIMUM OF 150 FT.



OPENING

Mayor Lisonbee brought the meeting to order at 6:00 p.m. welcoming all in attendance.

PRESENT

Mayor Marty Lisonbee
Councilmember Debbie Kopp
Councilmember Denny Bass
Councilmember Michael McLaughlin
Councilmember Paul Edwardsen

Town Recorder Michelle Kinney

EXCUSED

Fire chief excused

MAYORS TOWN UPDATE

Nothing for today

DISCUSSION AND ACTION

1. CIB MASTER PLAN CONTRACT

The grant is from CIB to pay for engineering studies the town needs done. Impact fee studies Attorney Guzman mentioned that having an updated study would be needed if we have a big project come online. This does indicate we are using matching funds, the storm water study is for the homework that we need for the FEMA grant. A previous document we passed goes over the financial details. In order to know how to fix the flooding issues we need this study done. Many residents have been affected by the flooding and this is to help with this issue. This will help to identify the areas that a retention basin and pipelines are needed. This is a grant. Everything we spend now will be included in the total money that the town has to pay for the match. There is discussion on the need for the impact fee study for the fire department.

MOTION: Council Member Edwardsen moves to approve the CIB Master Plan contract

SECOND: Councilmember Kopp

VOTE: Councilmember Kopp - Aye
Councilmember Denny Bass- Aye
Councilmember McLaughlin Aye
Mayor Lisonbee – Aye

Councilmember Edwardsen Aye

The vote was unanimous and the motion carried.

2. REVIEW RECOMMENDATION FROM PLANNING COMMISSION ON SEPTEMBER 25TH TO CHANGE GENERAL PLAN FOR AV-1377-E FROM RESIDENTIAL TO AGRICULTURAL.

Attorney Guzman mentioned that he is sorry he isn't able to be here. There is a question that came up regarding proper noticing of residents in this general plan change. The Mayor explains the state of Utah doesn't make any requirement for the amount of distance from the property that must be notified. 2500 feet was on one of our documents but is not in our town code. It is determined that this is not a mandate and that there was no breach in town or state code in the noticing and holding of the public hearing. The General Map does not follow property boundaries so it may be difficult to determine the area for the 2500 feet. The council asks Mr. Graham to come forward and tell them about his plans for the property. He does plan on putting up a metal shop for his use to hold his tractors. Councilmember Kopp mentions comments from the last meeting about the ability to change his property to AG at some point in time and she did not see that in the written minutes.

- MOTION:** Councilmember McLaughlin moves to change the general plan for Apple Valley AV-1377-E from Residential to Agricultural.
- SECOND:** Councilmember Edwardsen
- VOTE:**

Councilmember Kopp -	Nay
Councilmember Denny Bass-	Nay
Councilmember Michael McLaughlin	Aye
Mayor Lisonbee –	Aye
Councilmember Edwardsen	Aye

The vote was unanimous and the motion carried.

3. REVIEW RECOMMENDATION FROM PLANNING COMMISSION ON THE ZONE CHANGE GENERAL PLAN FOR AV-1377-E FROM OPEN SPACE TO AGRICULTURAL

- MOTION:** Edwardsen moves to approve the zone change from Open Space to Agricultural
- SECOND:** Councilmember McLaughlin
- VOTE:**

Councilmember Kopp -	Nay
Councilmember Denny Bass-	Nay
Councilmember Michael McLaughlin	Aye
Mayor Lisonbee –	Aye
Councilmember Edwardsen	Aye

The vote was unanimous and the motion carried.

APPROVAL OF MINUTES

4. Approval of Minutes for 8.21.2019

MOTION:	Councilmember Edwardsen moves to approve the minutes for 8.21.2019	
SECOND:	Councilmember Bass	
VOTE:	Councilmember Kopp -	Aye
	Councilmember Denny Bass-	Aye
	Councilmember McLaughlin	Abstain (Absent at meeting)
	Mayor Lisonbee –	Aye
	Councilmember Edwardsen	Aye

The vote was unanimous and the motion carried.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Events Committee- Tish Lisonbee/Debbie Kopp- They raised over \$1,000 at the ice cream social for the park bathrooms. Founder’s day was amazing. We have the trunk or treat coming up on Halloween. Thanks to Becky Lindhardt coordinating with the town so we don’t overlap events with the church group so we don’t overlap and everyone can attend as many events as possible.

Planning Commission- Cynthia Browning/Michael McLaughlin- Nothing to report

Fire Department-Chief Dave Zolg, Jr. – David Zolg id excused.

Big Plains Water and Sewer SSD- Harold Merritt- Dale Harris- Nothing to report

Code enforcement- Rich Ososki/Paul Edwardsen- Nothing to report

Roads and storm drainage- Nothing to report

Mosquito abatement- Margie Ososki- Arizona was a hotspot for West Nile but nothing here.

Council- Councilmember Kopp asks what the status is on the bathrooms. Mr. Fischer mentions we have to have a nuclear density test on every lift because we are on commercial property. We have been compacting and we will be adding dirt to fill it in. We will run conduit to the pavilion and bathrooms at the same time. The county is okay

with us using the existing septic tank but the leech field may not large enough. We may need to double the leech.

PUBLIC COMMENTS

Mayor opens for public comment.

Richard Fischer thanks the council for the hard work they do.
Mayor Lisonbee thanks those working on the bathrooms.

Mayor closes public comments

ADJOURNMENT

MOTION:	Councilmember Kopp moves to adjourn	
SECOND:	Councilmember McLaughlin	
VOTE:	Councilmember Kopp -	Aye
	Councilmember Bass-	Aye
	Councilmember Edwardsen	Aye
	Mayor Lisonbee –	Aye
	Councilmember McLaughlin	Aye

The vote was unanimous and the motion carried.

Meeting adjourned at 6:32 p.m.

Date approved: _____

Marty Lisonbee, Mayor

ATTEST BY: _____

OPENING

Mayor Lisonbee brought the meeting to order at 6:00 p.m. welcoming all in attendance.

PRESENT

Mayor Marty Lisonbee
Councilmember Debbie Kopp
Councilmember Denny Bass
Councilmember Michael McLaughlin
Councilmember Paul Edwardsen

Town Recorder Michelle Kinney

MAYORS TOWN UPDATE

Nothing to report for tonight

DISCUSSION AND ACTION

1. Approval of Recommendation from the Planning Commission on Town Code 10.26.010 Outdoor Lighting. Ordinance O-2019-13

The mayor explains that the town has previously been thought of as a dark sky community but our requirements don't really reflect that. There is a dark sky website that has some modifications the planning commission has been considering. Councilmember McLaughlin feels like the proposed changes don't cover the commercial lighting issues. He gives some examples of issues the town has with commercial lighting. He mentions the repetitiveness of the code. Councilmember Edwardsen mentions that height requirement for signs should be a consideration and we should ask for signs that sit on the ground.

Councilmember McLaughlin suggests tabling this.

MOTION:	Mayor Lisonbee moves to table the item to a future meeting	
SECOND:	Councilmember Edwardsen	
VOTE:	Councilmember Kopp -	Aye
	Councilmember Denny Bass-	Aye
	Councilmember McLaughlin	Aye
	Mayor Lisonbee –	Aye
	Councilmember Edwardsen	Aye

The vote was unanimous and the motion carried.

2. Approval of Recommendation from the Planning Commission on Town Code 10.28.100, Parking Requirements of Private Recreational Vehicles in Residential Zones. Ordinance O-2019-14.

Councilmember McLaughlin asks about those who don't have a backyard and mentions carports or garages in the front yard. He would like to make some modifications and would like to table this. He would like to modify the criteria disallowing parking recreation vehicles in the front yard.

MOTION: Councilmember Kopp moves to table Ordinance number O-2019-14 Town code on Parking Requirement of Private Recreational Vehicles until they can take a look at it and speak with planning commission and make changes.

SECOND: Councilmember Bass

VOTE: Councilmember Kopp - Aye
Councilmember Denny Bass- Aye
Councilmember McLaughlin Aye
Mayor Lisonbee – Aye
Councilmember Edwardsen Aye

The Attorney asks for clarification about the motion and asks if they are taking this back to the planning commission or are they going just have a discussion with them about the changes.

MOTION: Councilmember Kopp moves to amend the previous motion to say that they table Ordinance number O-2019-14 for a work meeting to discuss with the Planning Commission the changes the Council feels need to be made.

SECOND: Councilmember Bass

VOTE: Councilmember Kopp - Aye
Councilmember Denny Bass- Aye
Councilmember Michael McLaughlin Aye
Mayor Lisonbee – Aye
Councilmember Edwardsen Aye

The vote was unanimous and the motion carried.

CONSENT CALENDAR

3. Approval of Consent Calendar for September and First Quarter of Fiscal year 2020

MOTION: Councilmember Kopp moves to approve the consent calendar for the first quarter of the fiscal year 2020

SECOND: Councilmember Edwardsen

VOTE: Councilmember Kopp - Aye
Councilmember Denny Bass- Aye
Councilmember Michael McLaughlin Aye
Mayor Lisonbee – Aye
Councilmember Edwardsen Aye

The vote was unanimous and the motion carried.

APPROVAL OF MINUTES

4. Approval of Minutes for 9.18.2019

MOTION: Councilmember McLaughlin moves to approve the minutes for 9.18.2019

SECOND: Councilmember Kopp

VOTE: Councilmember Kopp - Aye
Councilmember Denny Bass- Aye
Councilmember McLaughlin Aye
Mayor Lisonbee – Aye
Councilmember Edwardsen Abstain (not present at meeting)

The vote was unanimous and the motion carried.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Events Committee- Tish Lisonbee/Debbie Kopp- Halloween is coming- trunk or treat at 7:00. Prizes and costume contest.

Planning Commission- Cynthia Browning/Michael McLaughlin- Nothing to report

Fire Department-Chief Dave Zolg, Jr. – Burn season is still going and without water for over 100 days people need to be very careful. Some of the hydrants are really loose and Chief has been checking hydrants that haven't been tightened up good enough.

Code enforcement- Rich Ososki/Paul Edwardsen- People have more confidence in the code. Rich Ososki mentions his appreciation for having the roads in Gooseberry Watered.

Mosquito abatement- Nothing to report

Council- Mayor Lisonbee mentions the staking for the main street realignment is underway. The bathrooms are creeping along.

PUBLIC COMMENTS

Mayor opens for public comments

Rich Kopp- He would like the council to take the parking of the RV's case by case instead of trying to write everything into the code. He would like to make sure whatever the decision is it is one that is good for everyone.

Councilmember McLaughlin mentions this can cause problems with enforcing the code. Councilmember Edwardsen mentions that he doesn't know if he likes the idea of RV's in the front yard.

Richard Fischer- He would like us to be careful and not make the town ordinances into something that look like HOA rules.

Rich Ososki- He would like to see the town set a standard with these ordinances. Sometimes it is difficult to get RV's in the back but maybe they shouldn't have purchase that lot if it doesn't meet the lifestyle they want to live.

Margie Ososki- She would like to see all the candidates get together for a meet and greet so residents can ask questions about the flyers that are going around. She would like to ask some questions about comments she found offensive.

Tish Lisonbee- She discusses two rumors going around on two items that pertain to her. She reads a written statement.

One, that her and her husband pays reduced taxes or no taxes at all. She gives her tax statements to Ben so anyone who would like to may come in and review them. Secondly, that they own thousands of acres of land in Apple Valley that she has hidden within an LLC and that they hope to benefit financially from the Mayor's position with the town. She offers a reward of \$25,000 for anyone who can prove she owns this land.

Mayor closes public comments

ADJOURNMENT

MOTION:	Councilmember Kopp moves to adjourn	
SECOND:	Councilmember Edwardsen	
VOTE:	Councilmember Kopp -	Aye
	Councilmember Bass-	Aye
	Councilmember Edwardsen	Aye
	Mayor Lisonbee –	Aye
	Councilmember McLaughlin	Aye

The vote was unanimous and the motion carried.

Meeting adjourned at 6:36 p.m.

Date approved: _____

Marty Lisonbee, Mayor

ATTEST BY: _____