TOWN COUNCIL HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, November 13, 2024 at 6:00 PM

MINUTES

CALL TO ORDER- Mayor Farrar called the meeting to order at 5:57 p.m.
PLEDGE OF ALLEGIANCE
PRAYER- Prayer offered by Council Member Sair.
ROLL CALL
PRESENT
Mayor Michael Farrar
Council Member Kevin Sair
Council Member Annie Spendlove
Council Member Scott Taylor
ABSENT
Council Member Janet Prentice

DECLARATION OF CONFLICTS OF INTEREST

None decarded.

Mayor Farrar opened the meeting and announced a change in the agenda to prioritize the public hearing, noting that Bruce was participating online and had a busy evening. The Mayor stated that the public hearing would be addressed first, followed by a return to the Mayor's update, reports, and recommendations before proceeding to discussion and action items.

PUBLIC HEARING

1. Request for Disconnection #1 (~981 acres), Gooseberry Springs Ranch, LLC and BLM.

   Mayor Farrar opened the public hearing.

   Bruce Baird, serving as counsel for the applicants on two disconnection petitions, addressed the Mayor and Council members. He requested permission to present his comments only once, noting that the same remarks applied to both petitions, and he suggested that his statement be entered into the record for both matters. Bruce began by explaining that productive discussions had taken place earlier in the day with the Mayor, Heath, and Bradley. These discussions centered around various development agreements related to multiple projects within Apple Valley. He expressed optimism about the progress made and shared that they had established framework terms for nearly all the projects in question.

   Bruce emphasized that if the framework terms could be finalized into formal development agreements, there would be no need to proceed with the disconnection petitions. He refrained from providing specific details about the agreements or the disconnection petitions, acknowledging that if the process reached a point where a decision on disconnection was necessary, there was likely little he could say to influence the outcome. He outlined a 45-day period for continued negotiations and collaboration to work toward finalizing the agreements. However, he acknowledged the challenges posed by the holiday season, stating that if necessary, the applicants would be willing to grant the town a reasonable extension beyond the 45-day timeframe to avoid scheduling issues around Christmas and New Year's Day.

Bruce expressed his hope that continued progress would lead to a comprehensive and mutually agreeable resolution on all the projects. He anticipated returning in approximately 60 days with an extended agenda to present six or seven finalized development agreements for review and approval, ideally after they had been vetted by the Planning Commission. He concluded by expressing gratitude for the collaborative efforts of the Mayor, Heath, and Bradley, emphasizing the importance of the partnership and the significant strides made during their discussions. Mayor Farrar responded by expressing agreement with Bruce's summary, affirming the productive nature of their earlier discussions and the hope for continued progress.

Mayor Farrar closed the public hearing.

2. Request for Disconnection #2 (3,357 acres), Redstone at Canaan, LLC, Canaan Mountain Wilderness and BLM.

   Mayor Farrar opened the public hearing.

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   Mayor Farrar closed the public hearing.

3. Amend Fee Schedule for Solid Waste (Trash) Increase, Resolution-R-2024-38.

   Mayor Farrar opened the hearing.

   No public comments.

   Mayor Farrar closed the hearing.

Council Member Sair addressed the public and Council, noting their role in attending meetings concerning rates and cost management. Sair explained that while there have been efforts to keep rates from increasing, the rising costs of various factors, including waste management and fuel, make future rate hikes likely. Sair anticipated that another increase might occur later next year unless there are significant changes, such as potential decreases in fuel prices.

4. Amend Policies & Procedures (Employments Classifications/Compensation and Leave), Resolution R-2024-40.

   Mayor Farrar opened the public hearing.

   No public comments.

   Mayor Farrar closed the public hearing.

MAYOR'S TOWN UPDATE

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

The Mayor addressed issues with the Cedar Point water system, explaining that plans to shut off the water had been postponed in hopes of finding a better solution. He described ongoing struggles with the water infrastructure, emphasizing the lack of accurate plans and the need for mapping to avoid guessing about pipe locations. The Mayor expressed his goal of having the entire system mapped before leaving office.

Council Member Sair confirmed that efforts to map the water system had uncovered various unexpected elements, and the Mayor reported that Phase One of the pipeline project was nearly complete, with Phase Two set to begin. The pump station was identified as the primary delay for Phase Two, and the Mayor noted efforts to expedite progress.

Council Member Sair also mentioned temporary road markers and cautioned drivers to be careful until concrete could secure them. The Mayor announced budget adjustments that would allow for new road base on Bubbling Wells Road, improving conditions significantly.

Fire Chief Michael Gross presented a proposal for a new metal building at Cedar Point to serve as a fire station. He outlined three bids, with the lowest at $10,000, and detailed the total estimated cost at approximately $13,000, including engineering fees. Chief Gross emphasized the financial benefits of purchasing the building compared to renting and highlighted the impact fee funds available for this project. He also mentioned that using these funds for a permanent station would be an efficient allocation.

The Mayor and Council expressed support for the project, recognizing the necessity of a second fire station to maintain compliance with fire service regulations, improve insurance ratings, and cover the town's extensive area. Chief Gross explained that the town's ISO rating had improved from a six to a five after placing an engine at Cedar Point, and he emphasized the importance of a permanent facility to sustain this progress.

Plans were made to hold a special meeting to finalize the building purchase and adhere to government purchasing laws. Town Clerk/Recorder Jenna Vizcardo suggested scheduling the meeting for the following Wednesday to move forward efficiently. The Council thanked Chief Gross for his efforts.

PUBLIC COMMENTS: 3 MINUTES EACH - DISCRETION OF MAYOR FARRAR

Resident Rich Ososki shared that a prospective resident who bought a lot from David Wilson called him with questions about the area's CCRs (Covenants, Conditions, and Restrictions). Rich explained that while the town isn't directly involved, the community does have an informal architectural board, including Mr. Farr, that could review her plans voluntarily. The caller, a realtor caring for her elderly mother, felt more comfortable adhering to the CCRs and was invited to submit her plans. Rich advised her to contact the town for details on development and water issues and mentioned she looked forward to meeting community members to feel more connected.

DISCUSSION AND ACTION

5. Joint Defense Memorandum with Colorado City. IGA has been signed and approved, pending Joint Defense Memorandum. They go together, but they are different in function.

   Mayor Farrar introduced item number five concerning the joint defense Memorandum of Understanding (MOU) related to the Intergovernmental Agreement (IGA) with Colorado City. Fire Chief Michael Gross explained that the agreement addresses responsibilities with the dispatch center, clarifying shared liability and mutual support. He noted the issue had required several revisions but emphasized it was mainly a formality, as the town has already been paying for the dispatch services, which are working well. Council Member Sair acknowledged the effort involved.

MOTION: Council Member Taylor moved that we approve Joint Defense Memorandum with Colorado City. IGA has been signed and approved, pending Joint Defense Memorandum. They go together, but they are different in function.

SECOND: The motion was seconded by Council Member Spendlove.

VOTE: Mayor Farrar called for a vote:

Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Spendlove - Aye
Council Member Taylor - Aye

The vote was unanimous and the motion carried.

6. Resolution R-2024-38, Amend Fee Schedule for Solid Waste (Trash) Increase.

MOTION: Council Member Sair motioned we approve Resolution R-2024-38, Amend Fee Schedule for Solid Waste (Trash) Increase.

SECOND: The motion was seconded by Council Member Taylor.

VOTE: Mayor Farrar called for a Roll Call vote:

Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Spendlove - Aye
Council Member Taylor - Aye

The vote was unanimous and the motion carried.

7. Resolution R-2024-40, Amend Policies & Procedures (Employments Classifications/Compensation and Leave).

Mayor Farrar introduced Resolution R-2024-40, which updates administrative policies and procedures regarding employment classifications, compensation, and leave. He explained the additions, including a two-hour minimum for on-call employees to ensure fair compensation, recognizing that being called in briefly can still disrupt their day. Columbus Day was added as a paid holiday for town employees, aligning it with the water district's policy. Additionally, 30 hours of annual sick leave was introduced for full-time employees to remain competitive and support staff members who are unwell.

MOTION: Council Member Taylor move we approve Resolution R-2024-40, Amend Policies & Procedures (Employments Classifications/Compensation and Leave).
SECOND: The motion was seconded by Council Member Sair.
VOTE: Mayor Farrar called for a Roll Call vote:

Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Spendlove - Aye
Council Member Taylor - Aye

The vote was unanimous and the motion carried.

8. Ordinance O-2024-84, Amend Title 11.02 Subdivisions.

*Planning Commission recommendation on November 6, 2024.

Mayor Farrar introduced Ordinance O-2024-84, amending Title 11.02 on subdivisions. He explained that the changes are required to comply with new state law, effective for smaller towns, like theirs, starting January 1. The key update is that the Town Council can no longer approve preliminary and final plats. Instead, a new body must handle approvals. The town chose the Planning Commission, a common choice for municipalities. The ordinance revisions, prepared by Sunrise Engineering, mostly reflect mandatory changes, with minimal input from the town. Mayor Farrar invited questions and noted Chairman Commissioner Bradley Farrar was available for further clarification.

MOTION: Council Member Sair motioned we approve Ordinance O-2024-84, Amend Title 11.02 Subdivisions. Planning Commission recommendation on November 6, 2024.
SECOND: The motion was seconded by Council Member Spendlove.
VOTE: Mayor Farrar called for a Roll Call vote:

Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Spendlove - Aye
Council Member Taylor - Aye

The vote was unanimous and the motion carried.

9. Ordinance-O-2024-85, Amend Title 10.10.020 A Agricultural Zone.

*Planning Commission recommendation on November 6, 2024.

After the meeting, it was clarified that Ordinance O-2024-85 should have been removed from the agenda. It had been tabled at the Planning Commission and was awaiting further review from the November 12th work session. The ordinance, already voted on as O-2024-74 on October 23, 2024 contained the necessary language regarding AG-X lot splits.

CONSENT AGENDA

10. Minutes: September 26, 2024.
11. Minutes: October 2, 2024.
12. Minutes: October 9, 2024.
13. Minutes: October 23, 2024.
14. Minutes: October 8, 2024 - Events Committee Meeting.
15. Disbursement Listing for October 2024.
16. Budget Report for Fiscal Year 2025 through October 2024.

Mayor Farrar reviewed the consent agenda, which included the approval of meeting minutes from September 26, October 2, October 9, and October 23, 2024, as well as minutes from the October 8, 2024 Events Committee Meeting. He also mentioned the budget and disbursement listings, noting that the budget appeared good overall. He reassured everyone that spending tends to decrease as the colder season begins.

MOTION: Council Member Taylor moved to approve the Consent Agenda, number 10. Minutes: September 26, 2024, number 11. Minutes: October 2, 2024, number 12. Minutes: October 9, 2024, number 13. Minutes: October 23, 2024, number 14. Minutes: October 8, 2024 - Events Committee Meeting, number 15. Disbursement Listing for October 2024, number 16. Budget Report for Fiscal Year 2025 through October 2024.
SECOND: The motion was seconded by Council Member Sair.
VOTE: Mayor Farrar called for a vote:

Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Spendlove - Aye
Council Member Taylor - Aye

The vote was unanimous and the motion carried.

REQUEST FOR A CLOSED SESSION: IF NECESSARY

No request.

ADJOURNMENT

MOTION: Council Member Sair motioned we adjourn.
SECOND: The motion was seconded by Council Member Taylor.
VOTE: Mayor Farrar called for a vote:

Council Member Sair - Aye

Mayor Farrar - Aye
Council Member Spendlove - Aye
Council Member Taylor - Aye

The vote was unanimous and the motion carried.

The meeting was adjourned at 6: 32 p.m.

Date Approved: 12/11/24

Approved BY: ____________________
Mayor | Michael L. Farrar

Attest BY: ____________________
Town Clerk/Recorder | Jenna Vizcardo