



APPLE VALLEY TOWN COUNCIL

1777 N Meadowlark Dr, Apple Valley
Tuesday, August 10, 2021 at 6:00 PM

(DRAFT) MINUTES

Notice is given that a meeting of the Town Council of the Town of Apple Valley will be held on **Tuesday, August 10, 2021**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Mayor | Dale Beddo |

Council Members | Kevin Sayer | Paul Edwardsen | Mike McLaughlin | Marty Lisbonnee |

CALL TO ORDER / PLEDGE OF ALLEGIANCE/ ROLL CALL

Pursuant to the Executive Order issued by Governor Gary Herbert on March 18, 2020 regarding Electronic Public Meetings, please be advised that the meeting will be held electronically and broadcast via Zoom. Persons allowed to comment during the meeting may do so via Zoom. Login to the meeting by visiting:

<https://us02web.zoom.us/j/89102005798>

To call into meeting, dial (253) 215 8782 and use Meeting ID 891 0200 5798

DECLARATION OF CONFLICTS OF INTEREST

None

MAYOR'S TOWN UPDATE

skip

PUBLIC HEARING

1. FISCAL YEAR '21 BUDGET ADJUSTMENT

Councilmember Marty Lisbonbee said he spent several days on the general ledger. He said found some problems with entries that were made okay but just in the wrong place—such as various tax revenue put in as State Tax, rather than divided out to types of tax. Marty felt that consistent reviewing future entries will help us stay on track. He expressed that co-mingled moneys are making it look like our revenue is higher than it actually is as it includes the portion that must be paid to the state. Fire impact fees, etc. must be segregated out as they are limited in how they can be used. He explained that there is also a time limit on when the money must be spent or we have to give it back. He proposed that these could be tracked on a spreadsheet, and also recognized that turnover staff must be trained and monitored in how to categorize the revenues. Another issue Marty brought up was the deferred tax revenue \$101,000—should be on new budget. He concluded by saying that we should do some more homework to finish this up.

2. FISCAL YEAR '22 FINAL BUDGET ADOPTION

Marty pointed out that the \$100,000 contingency that was going to be divided into 3 parts could not all be \$35,000; one of the \$35,000 should be \$30,000 for the math to work. He also stated that though some revenue is high, it should not hold this up. He concluded by saying that he would approve this 22 budget with the adjustment on the contingency fees

Richard Osawski, community member, asked who does the budget?

Beddo and Marty said that it is a group effort; many people have input including you [town members].

Richard observed that the Campbell's gave the town a water truck, and wondered if we had money to fix it. Marty said the transmission is out, but he thinks it is worth fixing. Beddo explained that we got numbers; it would take \$8000. Further, there is an individual willing to donate a transmission. Richard expressed concern about loaning the town equipment to others such as developers.

Richard also wondered about the Public Bathrooms, noting that he did not see any money allocated in the 22 Budget, and asked if they were completed. Beddo responded that there was one small outstanding invoice, and repairs and landscaping being donated by a private resident. Richard also worried about some pallets of dead grass which he was told that it was the grass that had been torn out. Marty added that electricians were getting lights out to the pavilion.

Richard drew attention to 4141-110: Other Salaries, where he noted that there were increases for some. Beddo pointed out that they were understaffed, undertrained, restructuring, and growing.

Richard also brought up the new, young girl hired for the office, but Beddo confirmed that, no, they were still in the interview process for hiring.

Again, Richard pointed the council to 4441-320: Engineering professional fees, where he noted that \$20,000 seemed pretty low when we have to go back to the engineer to solve all these developer problems. Beddo reassured him that the developer pays for the most part—unless the town requires something above and beyond the developer agreement needs.

Richard also wondered about line 4180 where there was \$35,000 new from last year. Beddo confirmed that it was the contingency that they had been talking about—reallocated this year.

Richard concluded by observing that the Covid money, \$99,000 plus, did not seem to be in the budget. Beddo explained that it happens after the budget is prepared, and that they had already received half of it. He also explained that it is specified as to how it can be used.

Close public hearing

DISCUSSION AND ACTION

3. DISCUSSION AND POSSIBLE ACTION ON FISCAL YEAR '21 BUDGET ADJUSTMENT

Marty made a motion that we table the approval of the current year proposed fiscal year 2021 pending some questions that we provide to the town until we provide some answers.

[?] seconded

Mayor Beddo reiterated that passing this budget was time sensitive—only two days until it must be approved.

Marty said that somebody else could make a motion if they wanted to pass it, but he felt it was missing numbers or categorizing errors.

As it had already been seconded, they voted on tabling it:

- Y Mayor Dale Beddo
- Y Councilmember Michael McLaughlin
- Y Councilmember Paul Edwardsen
- Y Councilmember Kevin Sair
- Y Councilmember Marty Lisonbee

4. DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF FINAL BUDGET FOR FISCAL YEAR '22

Marty made the motion: I propose that we approve the 2022 Budget with the one modification that we reduce the \$35,000 to \$30,000 from administration.

Mike: seconded.

Vote:

- Y Mayor Dale Beddo
- Y Councilmember Michael McLaughlin
- Y Councilmember Paul Edwardsen
- Y Councilmember Kevin Sair
- Y Councilmember Marty Lisonbee

5. CONSIDERATION AND POSSIBLE APPROVAL OF A DEVELOPMENT AGREEMENT FOR TLW INVESTMENTS, LLC, PARCEL NUMBER AV-1329-D

Craig Carlisle, lawyer for applicant, explained that they had worked out all the details on the agreement, adding that they all had a copy—if there are any questions. (Lost connection)

Mayor Beddo, Councilmember Michael McLaughlin, Councilmember Marty Lisonbee, Fred Coats engaged in a discussion regarding the issues of 20' vs 25' road: the road is 25' but not 25' of asphalt: asphalt vs shoulder widths, maintenance issues, possible cut back of the hill and put in a retainer wall around the curve, relocate fire hydrant, culverts, drainage, slope of curve, engineer approvals vs town approval, other alternatives, making policies the same for all developers, limitations as to what can be asked of developers, what the town is able to do, (Mayor Beddo was under the impression that before his time the subdivision was already approved—Marty explained that it can't be yet), concerns about projects being engineered before it gets to this point, (clarification that impact fees had been waived because of the donation of property—valued higher than the impact fees), possibilities of vouchers being used since they could be more accurate as a specific value, concerns that the road should be done right—not just passed, questions as to who should pay for what, any money spent on this road for the town's needs could give the developer a credit (voucher), traffic able to do out the main road, impact of traffic on this road, asphalt could go in all the way to the hill with a slope that sends the water to the hill, concerns of one sub-par road vs another sub-par road, possibly put storm drains under the road, how do we move forward? Beddo wondered about changing the agreement to 25' period and letting the engineers work to solve the water problem? Marty observed that we had previously discussed ways of getting the water off the road and helping with flooding down below.

Mayor Beddo made the motion to approve the development agreement contingent on paragraph 4A being reconstructed and approved by our attorney, as follows: The developer agrees to construct a favorable grade on the existing city road, Rome Avenue, with a 25' wide asphalt road. The developer shall install 25' of asphalt pursuant to the paragraph the developer shall submit for an engineer report, identifying those areas for review and final approval by the town engineer during the construction plan-review process.

?(name) seconded.

Vote:

- Y Mayor Dale Beddo
- Y Councilmember Michael McLaughlin
- Y Councilmember Paul Edwardsen

- Y Councilmember Kevin Sair
- Y Councilmember Marty Lisonbee

6. DISCUSSION AND POSSIBLE ACTION ON CANCELLATION OF ROBERT & MARIA CAMPBELL'S DEVELOPMENT AGREEMENT

Mayor Beddo reiterated that this had been discussed last meeting in regards to requiring the Campbell's to have a development agreement. He then read the then Mayor's statement regarding specifically limiting the development to 11 units. Since the development was already done, it was a non-issue.

Mayor Beddo made the motion that we remove the development agreement requirement, and the project, Little Creek, may move forward without the development agreement.

(?)Mike, second.

Vote:

- Y Mayor Dale Beddo
- Y Councilmember Michael McLaughlin
- Y Councilmember Paul Edwardsen
- Y Councilmember Kevin Sair
- Y Councilmember Marty Lisonbee

Councilmember Marty Lisonbee then voiced that his concern was with the limit to 11 cabins. He is okay with it since that is in writing. Platt Amendments can be done and go through the planning process.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

none

PUBLIC COMMENTS

Mr. ?Keate? alleged that he read that roads are 30'—where did 25' come from? However, he added, it does say 25' for an RV road. He also wondered how the RV Park would begin building in 10 days when they had not been approved. Mayor Beddo informed him that the agreement that was approved was with UDOT on the roads. Beddo explained that it would be six weeks; they are in the process.

Richard, town member said that he had put in a Gramma request for the RV park; he had asked for all permits; he also sent a second one; (he went to his car to get copies) . Richard then read that one said it was approved by the planning committee. Also, he suggested that they could use some dust control. He also discussed the .50

charge for paperwork which was on his water bill which he had paid on the spot. He informed them that they owed him 50 cents. Beddo noted that it was an old form, that they now have an updated form.

?Maria: discussed cooking: pastries, tortilla soup

REQUEST FOR A CLOSED SESSION

Call for a private work session; 5 minutes.

ADJOURNMENT

Interested persons are encouraged to attend public hearings or present their views in writing at least one day prior to the meeting.

CERTIFICATE OF POSTING: I, Jeff Voran, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this Hearing notice was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town Website www.applevalleyut.gov and sent to The Spectrum on the **3rd day of Aug, 2021**.

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.