

Hinckley Town Council
Town Council Chambers
161 East 300 North Hinckley, UT
Digital Recording of Regular Meeting
Thursday, December 18, 2024

Invocation: Skip Taylor

I. PLEDGE

Mayor Brian Florang asked all to rise and join in the Pledge of Allegiance.

II. ROLL CALL

Mayor Brian Florang

Council Members: Donald Brown, Chris Mork, Skip Taylor

Excused: Council Member Ray Searle

Maintenance Employee: Joe Stevens

Hinckley Town Clerk Tresa Taylor

III. GUESTS:

Gregory Wagner, Jacob Wagner, Matt Ward, Molly Stevens, Joy Partridge, Ruben Partridge, Clay Holman

Mayor Brian Florang called the meeting to order at 7:02 pm and welcomed all guests.

IV. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

Mayor Brian Florang asked council members for corrections or a motion to approve the meeting minutes. Council Member Donald Brown moved to approve the minutes as presented for December 5, 2024. Council Member Skip Taylor seconded the motion, all voted aye. Motion carried.

V. PETITIONS, REMONSTRANCES, AND COMMUNICATION

None.

VI. REPORT OF GOVERNING BODY – BOARDS – COMMITTEES:

None.

VII. STAFF REPORTING

None.

VIII. NEW BUSINESS

1. Gregory Wagner, Apex Development Partners - Requesting a zone change from Agricultural Zone AG to Residential R-1 for roughly 8-10 acres of Parcel H-2191, at approximately 650 West Center Street, to allow for construction of 20-25 Duplexes (40-50 Units).

Mayor Brian Florang opened stating he's had some conversation with Gregory Wagner and noted this evening is not about a zone change request but an opportunity to familiarize the council with the project Apex Development Partners is proposing.

Mayor Brian Florang invited Gregory and Jacob Wagner to the podium.

Jacob Wagner, Vice President of Apex Development Partners used a power point presentation to provide the following information:

Experience - Combined development, general contracting, and property management experience of over 35 years;

Development States - Central and southern Utah and across the state of Arizona;

Development Types - Multifamily housing, senior housing, and veteran housing.

Jacob Wagner noted their most recent and upcoming development is in Fillmore and will start in the spring of 2025.

Jacob Wagner explained Apex Development Partners operates specifically under Section 42 Housing and discussed the following differences between Section 42 Housing – vs – Section 8 Housing:

Section 8 Housing

- The government subsidizes or pays a portion of the tenant's rent based on tenant's income.
- Rent Assistance declines if tenant's income rises. This disincentivizes tenants from bettering themselves and earning more income.

Section 42 Housing

- Occupancy is primarily limited to families and seniors.
- The tenant pays 100% of the rent.
- Rent doesn't increase when tenant's income increases.
- Steppingstone to eventual home ownership.

Jacob Wagner gave a rental example, noting in southern Utah a three-bedroom two bath duplex market rent rate is \$1800 to \$2000 per month, and an affordable unit with the same layout rents from \$400 to \$1000 per month.

Mayor Brian Florang asked, "If the government is not directly subsidizing rent, how does Apex Development Partners make up the difference between the market rent and the affordable housing rent?"

Jacob Wagner responded, "That's a good question and it is an extensive process. But essentially the project is built through tax credits, getting funding for a good part of the project and allowing the company to build the project with less out of pocket and to rent out the property at lower rates."

Jacob Wagner noted the residents of a Section 42 community must qualify to live in the community, noting it is all about qualifying in the beginning and income limits range from 30% Average Median Income (AMI) up to 50% AMI. Gregory Wagner added, the rent amount is based on family size and income level.

Jacob Wagner discussed ideas they believe that set them apart from other developers:

- Vertical Integration – Design, Development, Construction, and Property Management all under one roof,
- Low density communities closely resembling residential suburban neighborhoods.

- They have been asked by every city they have built to come back and build additional phases. Gregory Wagner encouraged all to drive by and check out their properties in Richfield, Cedar City, Hurricane, or St George.
- They started developing Section 42 properties nearly 30 years ago and have never sold a property, noting they are in for the long run.

After viewing various property images in the power point presentation, Council Member Donald Brown stated, you build these homes here and there is no Walmart, Shopko, or nothing here, and asked, "How can you build a subdivision like this and maintain it in Hinckley Town?"

Gregory Wagner replied, "Our bread and butter has been from building in rural areas. We have an onsite manager that lives onsite and probably 9 times out of 10 our building and landscape maintenance person lives onsite. We are very hands-on and visit our properties on a regular basis to make sure they are well maintained. We have won awards for properties in Utah and Arizona- such as Projects of the Year. We know what we are doing, and we do a really good job."

Council Member Skip Taylor asked, "Will this be a project developed in phases, or will it be built at one point?"

Jacob Wagner discussed the process of a market study to get a good understanding of the housing demand in the area, and stated depending on the market study this project may be anywhere from 35 to 50 units and all units will be built over a nine-month period.

Council Member Donald Brown asked about town infrastructure such as roads and asked, "How will Apex Development Partners help to upgrade town roads to compensate for the extra traffic, and Gregory Wagner responded, we pay impact fees wherever we build."

Jacob Wagner stated at the end of the day our purpose to create a win-win situation for the community.

Lastly, Jacob Wagner presented and discussed a conceptual drawing of the proposed Hinckley site to be built at approximately 650 W. Center Street, Hinckley and said the site will also include a clubhouse for resident use and a tot lot.

2. Review and discuss a Water Rate Analysis prepared by Cody Deeter, EFG Consulting.

Clerk Tresa Taylor displayed the Water Rate Analysis report provided by Cody Deeter on the large screen and Mayor Brian Florang stated this analysis was done following the Water Master Plan. He explained the analysis considers current water rates and the rate changes needed to fund improvements identified in the Water Master Plan. Mayor Florang noted this analysis is not a recommendation but simply an analysis and the first step function change would be approximately a 35% increase in monthly water rates along with an annual water rate increase of 5% to fund the improvements listed in the Water Master Plan. Mayor Florang stated the council will need to arrange a work meeting for further review of the analysis.

3. Review and discuss the decision of the Division of Water Quality Board to loan Hinckley Town \$267,000 as a Design Advance for the Engineering Design of the Town Sewer Lagoons.

Mayor Brian Florang informed council members the town received funding as a loan from

the Division of Water Quality for engineering design for the town sewer lagoons and explained the loan will be paid back when the town receives funding for the entire sewer lagoon project.

X. OUSTANDING BUSINESS

1. Park Pavilion

None.

2. Rural Communities Opportunities Grant – Hinckley Industrial Park rehabilitation project updates: Roads – Donald Brown; Water and Sewer – Chris Mork; Economic Development – Skip Taylor; Signage – Ray Searle

Clerk Tresa Taylor informed council members she contacted James Saunders at Jones & DeMille Engineering for information to prepare a bid notice and bidding documents for the road work in the Industrial Park and she is waiting to hear back.

3. Water and Sewer Master Plans – Update on Master Plans

None.

4. Mini Split Install, Restroom & Breakroom

None.

5. General Plan Update

Mayor Brian Florang noted Jess Peterson, R6 Community Advisor is working on the town's General Plan Update and plans on Jess providing an update on January 16, 2025.

6. CDBG Grant Update

Mayor Brian Florang informed council members he signed the contract for the CDBG Grant noting the funding is for water improvement projects consisting of the purchase and installation of an emergency generator at the treatment plant and installation of 1400' of 8" water line on 500 South.

Clerk Tresa Taylor said she reached out to Tamara Dockstader, CDBG Program Specialist for more information on moving forward with the grant funding.

XI. MISCELLANEOUS DISCUSSION

Council Member Donald Brown asked if the housing project for Apex Development Partners is approved, then how does the town assess and collect impact fees for roads and other town infrastructure? Mayor Brian Florang stated it is a process of negotiation with the town and the developer, and the Planning and Zoning Commission is the primary for these conversations.

Mayor Florang explained the new subdivision ordinance is a three-step process noting the First step - Pre-application meeting (town discusses infrastructure needs), Second step – The developer presents a preliminary application to be reviewed and discussed by Planning Commission, and Third step – Final application which is approved or denied by the Land Use Authority(LUA) and the LUA for a subdivision is the chair of the Planning Commission.

A subdivision application may be approved or denied strictly based on the town ordinances. If the application is denied, then the developer may appeal to the Town Council.

Mayor Brian Florang discussed a zone change and said the State requires a zone change decision to be based on the Town's General Plan.

Mayor Florang said the Town Council and Planning Commission needs to be consistent and aligned with the Town's General Plan and Ordinances.

Mayor Brian Florang again stated he's had some conversation with Apex Development Partners and encouraged them to hold off with their application until February so the town can get through the subdivision ordinance changes and then appropriately respond to their application.

Council Member Skip Taylor said ordering and getting candy for Santa visits has been a bit difficult, but the candy is here, and emails and calls have been sent out to residents to sign up for a Santa visit.

XII. PAYMENT OF BILLS

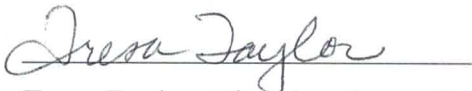
Council Member Donald Brown moved to approve the following purchase orders:
PO # 99 to Business Solutions, \$283.01, for checks and
PO # 100 to DOSSD, \$16,959.56, for water treatment plant expenses and power.

Council Member Skip Taylor seconded the motion to approve purchase orders, all voted aye. Motion carried.

Council Member Donald Brown moved to pay the bills. Council Member Skip Taylor seconded the motion, all voted aye. Motion carried.

XIII. ADJOURNMENT

Council Member Chris Mork moved to adjourn at 8:11 pm. Council Member Donald Brown seconded the motion, all voted aye. Motion carried.



Tresa Taylor, Hinckley Town Clerk
Dixie Talbot, Hinckley Town Clerk



Mayor Brian Florang