

Unapproved Meeting Minutes
Fairfield Town Council
Public Hearing / Regular Meeting
July 16, 2025

Minutes

Date: Wednesday, July 16, 2025

Location: Fairfield Town Office, 103 East Main Street, Fairfield, Utah

Time: 7:00 P.M.

Minutes By: Stephanie Shelley

Call to Order

1) Roll Call

Town Council Members Present:

Mayor Hollie McKinney, RL Panek, Tyler Thomas,

Excused: Richard Cameron, Michael Weber

Staff Present:

Stephanie Shelley- Recorder, Codi Butterfield - Treasurer, Todd Sheeran - Attorney (via Zoom)

Others Present: Tal Adair, Vance & Suzanne Baxley (Genola), McKay Swainsten (Santaquin), Wayne Taylor, Nick & Heather Christensen (Cedar Hills), Brent Ault, Heidi Densley, Jayson Densley.

Others Present Via Zoom: Brenda Tanner, McKay Swainston, Jim, J Gillman.

2) Prayer / Pledge Of Allegiance

Councilman Thomas offered the prayer. The Pledge of Allegiance was recited.

Reports

1) Sheriff's Department Update.

Sgt. Garret Dutson provided an update on recent incidents in the town. He reported that a couple of extra patrols were initiated due to recent concerns. There was one fire assist, a few follow-ups on previously reported cases, and one potential hazard that required immediate attention. The canine unit also assisted during an investigation.

He then detailed specific incidents, including a traffic incident currently under investigation, one trespassing case requiring further investigation, and a weapons offense that occurred south of town but was reported using the town's address.

2) Planning Commission Update.

Wayne Taylor presented the Planning Commission update from July 2nd. He reported that the commission discussed the "Phantom Roads" north of 75 North, which are approximately 56 to 66 feet wide, and there was no real interest in reducing the width from 66 to 56 feet. The Comcast site plan was approved, allowing them to proceed with obtaining a building permit. A site plan submitted by Garcia was tabled because it only included a set of plans with no

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additional information, and no representative was present. There was also a discussion regarding the Fairfield Industrial Park development agreement.

Public Hearing 7:03

The Council will accept public comment, two minutes per person, on the following item(s):

1) Review and consider adoption of an update to the Fairfield General Plan.

Mayor McKinney noted that the project has been in progress since last fall, with several public meetings held. All public comments have been addressed, and the document has been available online for over a month for review.

2) Public Comment for agenda item #1

Heidi Densley expressed concerns about the proposed General Plan and its impact on her property. She stated that:

Fishing Pond Mandate: The draft plan requires a fishing pond on several acres of prime highway frontage. This land has historically been designated for commercial development, providing economic growth opportunities along Highway 73. Requiring a fishing pond would remove this land from productive use, diminish its market value, and potentially constitute a regulatory taking under Utah Code §10-9a-508. She questioned why recreational needs could not be met through public open space or existing parks rather than burdening private property owners.

Commercial Parcel Restrictions: The plan limits her commercial property to hydroponic greenhouses. This land has long been zoned commercial and light industrial, offering flexibility for job-creating businesses in Fairfield. Restricting it to hydroponic farming unnecessarily limits sustainable commercial development and stifles innovation. While agricultural policies can encourage greenhouses as an option, the mandate infringes on property owners' rights to choose compatible uses. Such prescriptive measures in a guiding document risk discouraging investment and could lead to legal challenges.

Heidi urged the council to maintain flexibility in land-use designations, keep highway frontage as commercial/residential, and allow property owners to adapt to future opportunities while aligning with Fairfield's low-density and rural character.

Mayor McKinney clarified that the inclusion of a hydroponic greenhouse and fishing pond in the draft General Plan was based on prior discussions with the Densleys. When the shell building was approved, the Densleys had expressed interest in pursuing a hydroponic greenhouse, which the Council believed aligned with the plan.

She explained that the fishing pond was included because the Densleys had previously suggested opening it to the public. She further stated that the General Plan serves as a guiding document, not a mandate. It is adopted as a resolution, not an ordinance, meaning it provides recommendations rather than enforceable requirements. Passing the plan as a resolution ensures flexibility for future adjustments, while signaling the types of businesses and developments the Town hopes to encourage.

Mayor McKinney emphasized that the plan does not bind property owners to specific uses but reflects the Town's growth vision.

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Heidi Densley asked if it would be possible to return the designation to suggested multiple uses, rather than the current language, to prevent the plan from slowly evolving into strict requirements in the future. She expressed concern that the existing wording represents an unusually strict recommendation.

Attorney Todd Sheeran explained that the General Plan is an advisory document intended to guide the Town Council in planning for future growth. He stated that the plan does not change the current zoning of any property. The included map is only a visual representation of what the Town would like future development to potentially look like, but it does not alter existing zoning. Any zoning changes would require a separate and formal process.

Mayor McKinney reiterated that adoption of the General Plan would not change the current zoning and confirmed that the Densleys' property along the highway remains designated as commercial in the plan. She noted that the inclusion of a hydroponic greenhouse was intended as a positive option for the town, and could make grant funding opportunities more accessible if pursued in the future.

She emphasized that the plan is not intended to lock the property into one specific use and that the fishing pond concept was originally suggested by the Densleys, not mandated by the Council.

Todd Sheeran explained that while the General Plan is primarily advisory, it can influence future zoning changes. For example, if a property is currently zoned agricultural and the General Plan designates the area for future commercial use, a property owner requesting an industrial rezone in the future would need to request both a zoning change and an amendment to the General Plan map. He noted that the map serves as a guiding reference, so any use that differs from the General Plan's designation would require an update to the plan before approval.

Mayor McKinney clarified that the Densleys' property is currently zoned light industrial, so no zone change would be required for uses allowed under that designation. She stated that a zone change would only be necessary if a request for heavy industrial use were made.

She added that the property along Highway 73 may include areas zoned commercial and indicated that the Town plans to review and update its commercial zoning in the future. Mayor McKinney noted that extending commercial zoning along Highway 73 would make sense for the Town's growth.

3) Vote to approve Resolution #2025-11 A Resolution of Fairfield Town, Utah, Amending the Fairfield General Plan, Located Within the Fairfield Town plan dated July 1, 2025

Councilman Thomas made a motion to approve Resolution #2025-11, A Resolution of Fairfield Town, Utah, Amending the Fairfield General Plan, Located Within the Fairfield Town plan dated July 1, 2025, dated July 16, 2025. *Councilman Panek seconded the motion.*

Mayor McKinney - Yes
Councilman Thomas - Yes

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Councilman Panek - Yes

The motion passed unanimously.

4) Discuss vacating a portion of the road approximately located directly south of 220 North and west of 200 East, approximately located at 175 East running North and South.

McKay Swainsten explained that a section of land, referred to as a “phantom road,” has existed for many years but is not in use and has no plans for future development. The proposal is to vacate this unused roadway to clean up property lines, as the land is being transferred into a family trust.

He noted that there is currently no road in this location, and the road to the south has already been vacated. The existing road stops at this point, and the vacated section is identified on the map.

In exchange, a triangular portion of the same property will be dedicated to the Town, allowing for the proper alignment of the existing road and creating a straight-through intersection.

5) Public Comment for agenda item #2

No one present had any comments.

6) Vote and approve [Ordinance No. 2025-11](#), An Ordinance vacating a portion of an undeveloped right-of-way approximately located directly South of 220 North and West of 200 East, approximately located at 175 East running north and south.

Councilman Thomas made a motion to approve Ordinance No. 2025-11, An Ordinance vacating a portion of an undeveloped right-of-way approximately located directly South of 220 North and West of 200 East, approximately located at 175 East running north and south. Dated July 16, 2025. Councilman Panek seconded the motion.

Mayor McKinney - Yes

Councilman Thomas - Yes

Councilman Panek - Yes

The motion passed unanimously.

General Public Comment (2-minute limit per person): Comments are for any matter not on the agenda and not related to a pending land use application. *Two minutes per person, with a total limit of 14 minutes.*

No one present had any comments.

Consent Items

The Council may approve these items without discussion or public comment and may remove an item to the Business Items for discussion and consideration.

Mayor McKinney stated that Agenda Item No. 3, Resolution R2025-12, needed to be removed from the consent items because Utah County was not ready for the Town to sign the interlocal cooperation

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agreement. She noted that Resolution R2025-10 and the meeting minutes could still be approved as part of the consent agenda, but Resolution R-2025-12 would be removed.

- 1) **Approval of Minutes: June 18, 2025, and July 2, 2025.**
- 2) **Resolution R2025-10 A Resolution Of Fairfield Town To Participate In The Utah County CDBG Program**
- 3) **Resolution R2025-12 A Resolution Of Fairfield Town, Utah, Approving The Interlocal Cooperation Agreement With Utah County For The Relating To The Conduct Of Community Development Block Grant Program For Federal Fiscal Years 2026 Through 2028 And Successive 3-Year Periods Thereafter.**

Councilman Thomas made a motion to approve the consent items one and two, excluding item three. Councilman Panek seconded the motion.

Mayor McKinney - Yes
Councilman Thomas - Yes
Councilman Panek - Yes

The motion passed unanimously.

Business Items

The Council will discuss (without public comment) and may approve the following items:

1) Future Town Events

The Council discussed upcoming community events. Mayor McKinney confirmed that the Christmas event will be held on December 6th, and she has booked the drone show again. She plans to seek donations to support the event. The Council agreed that the Christmas event was successful last year and should continue to improve, particularly in the area of sound equipment to ensure announcements are audible throughout the venue.

The Council also considered whether to hold a Halloween event. Members noted that a previous Fairfield Halloween event had been popular but conflicted with Cedar Fort's event, which drew many residents. The consensus was that resources should focus on enhancing the Christmas celebration rather than reviving the Halloween event, unless volunteers come forward to organize it.

The Council agreed to hold a cornhole tournament again this year, with participation limited to Fairfield residents. The event is scheduled for Wednesday, August 27th, starting at 6:00 p.m. Details regarding food and prizes will be finalized later.

2) Discuss the Cemetery

The Council discussed the cemetery ordinance, which has been ready for passage but delayed due to the cemetery land being within a cemetery district. A title search will be required to confirm how the land was placed in the district and determine the process for removing it. Utah County has agreed to deed two roads, including the road leading to the cemetery, to the Town once deeds are prepared.

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The discussion focused on establishing standards for decorating graves. The Mayor noted past disputes over items left on graves and suggested creating clear guidelines, such as limiting the number and size of decorations and restricting areas around headstones. Council members agreed standards are needed to maintain the cemetery's appearance and reduce conflict. Examples from Lehi's cemetery rules were reviewed as a possible guideline.

The Council also discussed hiring a landscaping company to handle mowing and cleanup, relieving the cemetery board from that responsibility. The council supported this idea, noting that it would ensure consistency and avoid personal disputes. There was agreement that rules should allow some decorative items while preventing the cemetery from becoming cluttered.

Additional topics included appointing or confirming a sexton with clear duties for burials and paperwork, staggering the terms of the cemetery board, and ensuring that future appointments are open to all residents. The Council also revisited the idea of installing a wrought iron fence, which is included in the budget but estimated at over \$100,000. Some members expressed concerns about the cost, while others felt improvements are necessary to enhance the cemetery's appearance.

The discussion concluded with agreement to send the ordinance back to the cemetery board for revisions, including standards for decorations, maintenance responsibilities, and sexton duties, and to return with a final recommendation.

3) Discuss and enact an administrative code enforcement process.

The Council reviewed and discussed Ordinance 2025-14, establishing the administrative code enforcement process. Mayor McKinney asked if there were any questions, and Councilman Panek requested clarification on several points.

First, he asked whether the identity of a person making a complaint would be disclosed under GRAMA requests. Attorney Todd Sheeran explained that disclosure would depend on applicable GRAMA exceptions, but in most cases, the complainant's name would likely be public.

Second, question whether town officials must submit complaints in writing, similar to residents. Attorney Sheeran and Mayor McKinney agreed that all complaints should be in writing to maintain proper documentation.

Finally, she asked whether existing conditions would be subject to new regulations. Attorney Sheeran explained that legally established uses before an ordinance change are generally considered nonconforming and may continue unless significantly altered.

Councilman Thomas motioned to approve Ordinance No. 2025-14, An Ordinance Enacting Chapter 1.15 Of The Town Code Related To Code Enforcement And Repealing Certain Sections In Conflict Therewith. Dated July 16, 2025. Councilman Panek seconded the motion.

*Mayor McKinney - Yes
Councilman Thomas - Yes
Councilman Panek - Yes*

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The motion passed unanimously.

4) Ordinance #2025-13, An Ordinance of the Fairfield Town Council of Fairfield Town, Utah, Amending Section 5.1.120. (Excessive Sound Levels) Related to the Use of Jake Brakes Within Fairfield; and amending Section 5.1.10.(B) text and adding specific definitions.

The Council discussed Ordinance 2025-13, which amends Section 5.10.12 of the Town Code regarding excessive sound levels related to the use of Jake brakes within Fairfield. Mayor McKinney explained that the amendment adds a definition for Jake brakes and includes enforcement provisions.

Previously, the Town had no enforceable measures for violations involving Jake brakes. The updated ordinance now specifies the classification and penalty structure, providing a clear basis for enforcement.

Councilman Thomas motioned to approve Ordinance #2025-13, An Ordinance of the Fairfield Town Council of Fairfield Town, Utah, Amending Section 5.1.120. (Excessive Sound Levels) Related to the Use of Jake Brakes Within Fairfield; and amending Section 5.1.10.(B) text and adding specific definitions. Dated July 16, 2025. Councilman Panek seconded the motion.

*Mayor McKinney - Yes
Councilman Thomas - Yes
Councilman Panek - Yes*

The motion passed unanimously.

5) Discussion on Items relating to the Fairfield Industrial Park development agreement.

Tal Adair led a discussion with the Council and Attorney Todd Sheeran regarding a proposed development agreement. He explained that the agreement would establish terms between the developer and the Town, allowing for some flexibility in land use and design standards to create a functional, diverse, and attractive development while ensuring compliance with the Town's goals. Tal noted that he and Todd have been refining the agreement to present to the Planning Commission for review before Council consideration.

The discussion focused on water infrastructure and reimbursement. The Town previously funded a waterline for the project area with the understanding that the Inland Port Authority would reimburse the cost, but the timeline for repayment is uncertain and may take four to six months. Both the Council and the developer agreed the development agreement should include provisions for drilling a well as soon as feasible, likely after reimbursement is received or when bond financing becomes available. There was consensus that the well should be installed early in the development process while maintaining flexibility in timing.

The Council also reviewed plans for park and trail amenities within the development. The developer proposed creating a park that would serve Fairfield residents and suggested amenities geared toward adults, such as a pickleball or basketball court, to complement existing Town facilities. Liability concerns were raised regarding private ownership of a park with public access, and options discussed included Town ownership of the land with maintenance by the developer

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or HOA, or full Town maintenance if accepted. Insurance requirements and access rules will be further reviewed.

The discussion then turned to the south road providing access to the project area. This road was originally requested by the airport, and the developer indicated a preference to keep it private initially due to cost. The Council agreed it should remain private until the Town determines the need to assume ownership, provided the road meets Town standards at that time. This requirement will be clearly stated in the development agreement to protect the Town's interests.

Power supply was also addressed. Tal reported delays in securing three-phase power through Rocky Mountain Power, which may affect development timelines. As a contingency, the developer is exploring installing an on-site power generation system within a soundproofed building to meet industrial needs.

The Council expressed general agreement with the proposed approach and directed Attorney Sheeran to draft language addressing these issues, including timelines for infrastructure, responsibilities for park maintenance, and provisions for future road dedication. The development agreement will return to the Planning Commission for review before final Council approval.

6) Update on the Inland Port Authority

Mayor McKinney stated that the topic had been thoroughly discussed under the previous agenda item and that no further discussion was required at this time.

Closed Session

Possible motion to enter into closed session for the purchase, exchange, or lease of property; pending or reasonably imminent litigation; the character, professional competence, or the physical or mental health of an individual; or the deployment of security personnel, devices, or systems.

Adjournment

Councilman Thomas made a motion to adjourn the meeting. Councilman Panek seconded the motion. the motion passed unanimously.

The meeting adjourned at 8:24 p.m.

August 20, 2025

Stephanie Shelley

Minutes Approval Date

Stephanie Shelley Town Recorder