



TOWN COUNCIL HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, September 23, 2026 at 6:00 PM

MINUTES

CALL TO ORDER, PLEDGE OF ALLEGIANCE, PRAYER

The Town Council meeting was called to order by Mayor Farrar at 6:00 PM. The Pledge of Allegiance and an invocation were offered.

ROLL CALL

PRESENT

Mayor Michael Farrar
Council Member Kevin Sair
Council Member Scott Taylor
Council Member Richard Palmer
Council Member Lee Fralish

DECLARATION OF CONFLICTS OF INTEREST

Council Member Sair disclosed a conflict of interest regarding Item 8, Resolution R-2026-32, Amend Personnel Policies and Procedures (Leave), and stated that they would recuse from the item. No other conflicts of interest were disclosed.

MAYOR'S TOWN UPDATE & REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

The Mayor provided an update regarding the proposed new water tank. The Mayor stated that there was no official funding confirmation yet, but recent information suggested that activity associated with the PID may have been recorded. The Mayor stated that, once funding was available, the project was expected to move forward and that construction of the tank was anticipated to take approximately seven months.

The Mayor reported on flood-control work completed following the recent storms. Work included repairs to bar ditches, replacement of multiple 18-inch culverts with 36-inch culverts in the Zion Circle area, and replacement of the culvert entering Gooseberry. The Mayor stated that a separate meeting would be held within the next few weeks to review the flood-mitigation work completed, expenditures, and remaining projects. Planned work included excavating the retention pond near the well subdivision to increase capacity and constructing a larger retention pond on church property near Gooseberry.

The Mayor also discussed plans to bring forward proposed ordinance changes regarding bar ditches and culverts. The Mayor stated that current requirements placed maintenance responsibility on residents and proposed shifting responsibility for bar ditches and culverts to the Town. The Mayor explained that drainage conditions varied by location and that future culvert sizing would need to be evaluated based on site-specific conditions rather than a single standard. Residents experiencing flooding were encouraged to contact the Town office so concerns could be evaluated.

The Mayor reported that UDOT was planning a passing-lane project beginning near Gooseberry Lodges and extending east beyond the RV park. The Mayor also stated that UDOT had been asked to address passing concerns on a nearby hill and was considering restriping the area with solid lines to restrict passing where visibility was limited.

Council Member Fralish thanked the Mayor and Council for the opportunity to serve on the Town Council and stated an intention to serve the community to the best of their ability. The Mayor thanked Council Member Fralish for prior service on the Planning Commission and welcomed them to the Council.

PUBLIC COMMENTS: 3 MINUTES EACH - DISCRETION OF MAYOR FARRAR

Stewart Riding thanked the Town for the recent flood-control work and expressed appreciation for the response to flooding concerns. The Mayor discussed work completed in the area and stated that additional flood-mitigation efforts were continuing. Council Member Sair noted that drainage issues had been addressed with temporary measures for many years and supported continued improvements.

PUBLIC HEARING

1. Ordinance O-2026-22 – Establishing Culinary Water Rates and Amending Title 01.20.020 Commercial

Mayor Farrar opened the public hearing regarding Ordinance O-2026-22. The Mayor explained that commercial culinary water accounts were not included when the Town previously established tiered water rates and that the proposed ordinance would place commercial users on the same tiered rate structure as residential users. No public comments were received in person or online, and the public hearing was closed.

DISCUSSION AND ACTION

2. Ordinance O-2026-22 – Establishing Culinary Water Rates and Amending Title 01.20.020 Commercial

The Council considered Ordinance O-2026-22. The Mayor explained that commercial users had been billed at a flat rate of \$1.50 per 1,000 gallons and that the proposed amendment would apply the same tiered rate structure used for residential accounts. A resident asked whether the change would affect existing residential rates, and the Council clarified that residential rates were already established and would not change as a result of this ordinance. The Mayor identified several commercial accounts that would be affected and clarified that bulk water rates would remain unchanged.

MOTION: Council Member Taylor moved to approve Ordinance O-2026-22, Establishing Culinary Water Rates and Amending Title 01.20.020 Commercial.

SECOND: Council Member Palmer seconded the motion.

VOTE: Mayor Farrar called for a Roll Call vote:

Council Member Taylor - Aye

Council Member Sair - Aye

Mayor Farrar - Aye

Council Member Fralish - Aye

Council Member Palmer - Aye

The vote was unanimous and the motion carried.

3. Ordinance O-2026-19, Zone Change for parcel AV-1354-D-1 from Open Space Transition Zone (OST) to Agricultural 5 Acres Zone (AG-5) for applicant: Randall and Marilyn Pemberton Trustees.

The Council considered the requested zone change for parcel AV-1354-D-1. The Mayor explained that the parcel was located in the Coyote area and that the applicants sought AG-5 zoning for the property. Council Member Sair asked whether road improvements would be required. The Mayor stated that a road-delay agreement would be required because the property fronted Black Rock Road. The Planning Commission had recommended approval on September 9, 2026.

MOTION: Council Member Taylor moved to approve Ordinance O-2026-19, Zone Change for parcel AV-1354-D-1 from Open Space Transition Zone (OST) to Agricultural 5 Acres Zone (AG-5) for applicant Randall and Marilyn Pemberton Trustees.

SECOND: Council Member Fralish seconded the motion.

VOTE: Mayor Farrar called for a Roll Call vote:

Council Member Taylor - Aye

Council Member Sair - Aye

Mayor Farrar - Aye

Council Member Fralish - Aye

Council Member Palmer - Aye

The vote was unanimous and the motion carried.

4. Ordinance O-2026-20, Zone Change for parcel AV-1354-D-2 from Open Space Transition Zone (OST) to Agricultural 5 Acres Zone (AG-5) for applicant: Randall and Marilyn Pemberton Trustees.

The Council considered the requested zone change for parcel AV-1354-D-2. The Mayor noted that the parcel was adjacent to the parcel considered under the previous item and involved the same applicants and requested zoning. The Planning Commission had recommended approval on September 9, 2026.

MOTION: Council Member Sair moved to approve Ordinance O-2026-20, Zone Change for parcel AV-1354-D-2 from Open Space Transition Zone (OST) to Agricultural 5 Acres Zone (AG-5) for applicant Randall and Marilyn Pemberton Trustees.

SECOND: Council Member Palmer seconded the motion.

VOTE: Mayor Farrar called for a Roll Call vote:

Council Member Taylor - Aye

Council Member Sair - Aye

Mayor Farrar - Aye
Council Member Fralish - Aye
Council Member Palmer - Aye
The vote was unanimous and the motion carried.

5. Resolution R-2026-33, Acknowledging a Vacancy on the Town of Apple Valley Planning Commission and Appointing a Regular Member to Fill the Vacancy.

The Mayor recommended appointing Brooke Paxton to fill the regular Planning Commission vacancy created by Council Member Fralish's appointment to the Town Council. The Mayor explained that the appointment was subject to the advice and consent of the Council.

MOTION: Council Member Taylor moved to approve Resolution R-2026-33, acknowledging the Planning Commission vacancy and appointing Brooke Paxton as a regular member.

SECOND: Council Member Palmer seconded the motion.

VOTE: Mayor Farrar called for a Roll Call vote:

Council Member Taylor - Aye
Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Fralish - Aye
Council Member Palmer - Aye
The vote was unanimous and the motion carried.

6. Resolution R-2026-35, Appointment of Alternate Planning Commission.

The Mayor recommended appointing Tanya Knudson as an alternate member of the Planning Commission and discussed Knudson's willingness to attend meetings and learn the Planning Commission process.

MOTION: Council Member Sair moved to approve Resolution R-2026-35, appointing Tanya Knudson as an alternate member of the Planning Commission.

SECOND: Council Member Palmer seconded the motion.

VOTE: Mayor Farrar called for a Roll Call vote:

Council Member Taylor - Aye
Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Fralish - Aye
Council Member Palmer - Aye
The vote was unanimous and the motion carried.

7. Ordinance O-2026-21, Amend Title 10.18.020 Residential Lots; Access.

The Council considered Ordinance O-2026-21 as a housekeeping amendment to make the residential access provisions consistent with the Town's previously adopted 24-inch culvert standard for new construction. The Mayor explained that the ordinance retained discretion for different culvert sizes when site conditions required an alternative.

The Mayor stated that additional ordinance changes would be presented in the coming months following work with the Town Engineer to address drainage design and culvert sizing on a site-specific basis. The Council discussed how required culvert capacity could vary based on location, accumulated drainage flows, rock conditions, utilities within bar ditches, and other site constraints. The Mayor stated that the anticipated changes would apply to new construction and that existing residents would not generally be required to replace existing culverts at their own expense. The Mayor also discussed using stormwater funding for future drainage improvements. The Planning Commission had recommended approval on September 9, 2026.

MOTION: Council Member Taylor moved to approve Ordinance O-2026-21, Amend Title 10.18.020 Residential Lots; Access.

SECOND: Council Member Sair seconded the motion.

VOTE: Mayor Farrar called for a Roll Call vote:

Council Member Taylor - Aye
Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Fralish - Aye
Council Member Palmer - Aye
The vote was unanimous and the motion carried.

8. Resolution R-2026-32, Amend Personnel Policies and Procedures (Leave).

Council Member Sair recused from consideration of this item. The Council considered Resolution R-2026-32 regarding leave provisions for exempt salaried employees. The Mayor explained that the amendment would allow eligible employees to sell back up to 80 hours of vacation leave per year while maintaining at least 40 hours of accrued vacation. The amendment would also increase the maximum banked vacation balance from 120 hours to 140 hours. The Mayor discussed the change as a way to provide flexibility for employees while reducing the potential for large accrued-leave payouts in future budgets.

MOTION: Council Member Fralish moved to approve Resolution R-2026-32, Amend Personnel Policies and Procedures (Leave).

SECOND: Council Member Palmer seconded the motion.

VOTE: Mayor Farrar called for a Roll Call vote:

Council Member Taylor - Aye

Council Member Sair - Recused

Mayor Farrar - Aye

Council Member Fralish - Aye

Council Member Palmer - Aye

The motion carried.

9. Resolution R-2026-34 - Amend Title 01.21.000 Appendix B Acknowledgement of Water Supply.

The Council considered Resolution R-2026-34 as a housekeeping amendment to the Town's Acknowledgement of Water Supply form. The Mayor explained that the amendment updated the form to reference the Town of Apple Valley. The Council briefly discussed separate language previously added to water-related documentation clarifying that issuance of a will-serve letter did not guarantee the timing or availability of water service.

MOTION: Council Member Taylor moved to approve Resolution R-2026-34, Amend Title 01.21.000 Appendix B Acknowledgement of Water Supply.

SECOND: Council Member Palmer seconded the motion.

VOTE: Mayor Farrar called for a Roll Call vote:

Council Member Taylor - Aye

Council Member Sair - Aye

Mayor Farrar - Aye

Council Member Fralish - Aye

Council Member Palmer - Aye

The vote was unanimous and the motion carried.

CONSENT AGENDA

The Consent Portion of the Agenda was considered by one non-debatable motion. The Council reviewed the following items:

10. Minutes: August 19, 2026 - Town Council Hearing and Meeting.

11. August 2026 Disbursement Listing.

12. Budget Report for Fiscal Year 2027 through August 2026.

13. August 2026 Water Usage Comparison.

The Mayor noted a \$10,000 expenditure to Cluff Drilling & Pump associated with final work on the Merritt and Gregerson well project and stated that the expenditure was included within the previously discussed project costs. The Mayor reported that the Fiscal Year 2027 budget remained generally aligned with the expected percentage of the fiscal year completed.

MOTION: Council Member Taylor moved to approve the Consent Agenda, Items 10, 11, 12, and 13.

SECOND: Council Member Sair seconded the motion.

VOTE: Mayor Farrar called for a vote:

Council Member Taylor - Aye

Council Member Sair - Aye

Mayor Farrar - Aye

Council Member Fralish - Aye

Council Member Palmer - Aye

The vote was unanimous and the motion carried.

REQUEST FOR A CLOSED SESSION: IF NECESSARY

A closed session was not requested.

ADJOURNMENT

MOTION: Council Member Sair moved to adjourn.

SECOND: Council Member Fralish seconded the motion.

VOTE: Mayor Farrar called for a vote:

Council Member Taylor - Aye

Council Member Sair - Aye

Mayor Farrar - Aye

Council Member Fralish - Aye

Council Member Palmer - Aye

The vote was unanimous and the motion carried.

Meeting adjourned at approximately 6:31 PM.

Date Approved: _____

Approved BY: _____
Mayor | Mike Farrar

Attest BY: _____
Recorder | Jenna Vizcardo