

OPENING

Mayor Lisonbee brought the meeting to order at 6:02 p.m. welcoming all in attendance and led the Pledge of Allegiance.

PRESENT

Mayor Marty Lisonbee
Council member Debbie Kopp
Council member Michael McLaughlin
Council member Paul Edwardsen
Council member Denny Bass
Town Recorder Michelle Kinney

OTHERS IN ATTENDANCE

Fire Chief David Zolg, Jr
Margaret Ososki County Mosquito Board
Big Plains Water Chairman Harold Merritt
Commissioner Wenn Jorgensen
Commissioner Forrest Kuehne
Commissioner Janet Prentice

EXCUSED

Town Attorney Shawn Guzman

CONFLICT OF INTEREST DECLARATIONS

1. MAYORS TOWN UPDATE:

Mayor Lisonbee discusses the petition that was mailed out to residents to lower the speed limit on Highway 59. He asks residents to return the petition if they agree with lowering the speed limit. Mayor Lisonbee discusses the need for the turn lanes and slowing traffic through town.

Margie Ososki- Asks why UDOT doesn't use the money for Main Street on 59. Mayor Lisonbee points out that Main Street is a county road and highway 59 is State.

Councilperson Edwardsen- Suggests having someone walk around with the petition to get signatures.

Mayor Lisonbee asks residents to sign up for text or email reminders for meetings and messages.

Mike Versamack is a town zoning authority and planner for Toquerville and Hurricane. We will use his services for more detailed building projects to help us get those things right.

2. APPOINTMENT OF TOWN FINANCE DIRECTOR BEN BILLINGSLEY

Ben graduated with a Bachelor’s Degree in Accounting. He has worked previously in Corporate Accounting for 7 years and 5 years in General Management. He wants to be involved in the town and will come to the meetings whenever he is able.

MOTION: Mayor Lisonbee motions to appoint Ben Billingsley as Finance Director for the town of Apple Valley.

SECOND: Council Member McLaughlin

VOTE:	Council Member Kopp –	Aye
	Council Member McLaughlin –	Aye
	Council Member Bass–	Aye
	Council Member Edwardsen -	Aye
	Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

3. APPROVAL OF MINUTES FOR 10.17.2018

TIME STAMP: 14:00

MOTION: Council Member Bass motions to approve the minutes as written for October 17, 2018.

SECOND: Council Member Kopp

VOTE:	Council Member Kopp -	Aye
	Council Member McLaughlin –	Aye
	Council Member Bass–	Aye
	Council Member Edwardsen -	Aye
	Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

4. DISCUSSION AND ACTION ON RECOMMENDATION FROM PLANNING COMMISSION ON ZONE CHANGE FOR AV-1377-C FROM RESIDENTIAL 5 ACRE TO OPEN SPACE

**TRANSITIONAL ZONE. LEBARON HOLT PROPERTY.
TIME STAMP 15:30**

- MOTION:** Mayor Lisonbee motions that we approve the action Zone Change for AV-1377-C from Residential 5 acre to Open Space Transitional Zone for the LeBaron/Holt Property.
- SECOND:** Council Member Bass
- VOTE:**
- | | |
|-----------------------------|-----|
| Council Member Kopp - | Aye |
| Council Member McLaughlin – | Aye |
| Council Member Bass– | Aye |
| Council Member Edwardsen - | Aye |
| Mayor Lisonbee – | Aye |

The vote was unanimous and the motion carried.

**5. DISCUSSION AND ACTION ON RECOMMENDATION FROM PLANNING COMMISSION ON CHANGES TO TITLE 10 CHAPTER 26 SECTION 10, BUILDING SETBACK AND ADDITIONAL DESIGN STANDARDS.
TIME STAMP: 16:30**

50 foot setback to 75 on hillside.

- MOTION:** Council Member McLaughlin motions that we change Tile 10 Chapter 26 in Section 10 from 50 feet to 75 feet for building setback.
- SECOND:** Council Member Bass
- VOTE:**
- | | |
|-----------------------------|-----|
| Council Member Kopp - | Aye |
| Council Member McLaughlin – | Aye |
| Council Member Bass– | Aye |
| Council Member Edwardsen - | Aye |
| Mayor Lisonbee – | Aye |

The vote was unanimous and the motion carried.

**6. DISCUSSION AND ACTION ON RECOMMENDATION FROM PLANNING COMMISSION ON ZONE CHANGE FOR AV-1377-N FROM PLANNED DEVELOPMENT TO RESIDENTIAL 5 ACRE. OWNER ANTHONY SHAPLEY.
TIME STAMP 18:08**

The Mayor Mentions that this area was once zoned Planned Development for an RV Park. That did not work out and now we are changing it to RE5.

MOTION: Council Member Kopp motions that we accept the recommendation from the Planning Commission on zone change for AV-1377-N from Planned Development to RE5 owner Anthony Shapley.

SECOND: Council Member McLaughlin

VOTE:

Council Member Kopp -	Aye
Council Member McLaughlin –	Aye
Council Member Bass–	Aye
Council Member Edwardsen -	Aye
Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

**7. DISCUSSION AND ACTION ON RECOMMENDATION FROM PLANNING COMMISSION ON GENERAL PLAN AMENDMENT APPROVAL FOR ZIONS GOOSEBERRY PRESERVE UNITS AV-1327. PORTION OF PARCEL INCLUDING NW ¼ OF NW ¼ OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M. CURRENT LAND USE DESIGNATION COMMERCIAL/R-MEDIUM AREA NEW LAND USE DESIGNATION TO RECREATIONAL AREA. OWNER STANDARD DEVELOPMENT LLC.
TIME STAMP 21:00**

MOTION: Mayor Lisonbee motions that we approve the recommendation from Planning Commission on the general plan amendment approval for Zions Gooseberry Preserve units AV-1327. Portion of parcel including NW ¼ of the NW ¼ of Section 28 Township 42 South Range 11 West SLB&M. Current Land Use designation of Commercial/Residential Medium Density area new land use designation to be Recreational Area presented by Travis holm and Standard Development LLC.

SECOND: Council Member Kopp

VOTE:

Council Member Kopp -	Aye
Council Member McLaughlin –	Aye
Council Member Bass–	Aye
Council Member Edwardsen -	Aye
Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

8. DISCUSSION AND ACTION ON RECOMMENDATION FROM PLANNING COMMISSION ON ZONE CHANGE FOR ZIONS GOOSEBERRY PRESERVE UNITS AV-1327 PORTION OF PARCEL INCLUDING NW ¼ OF NW ¼ OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M FROM OST-OSC TO CABIN OR TINY HOME PARKS ZONE. OWNER STANDARD DEVELOPMENT LLC.

TIME STAMP 23:30

Frank Lindhardt- would recommend that we get the left and right turn lanes in first before we give the zone change. Tell the applicant that we will change the zone once the turn lane issue has been solved.

Council Member Denny Bass- comments that the road issue would be dealt with during the building and development process.

Mayor Lisonbee- comments about the importance of developers paying for the portion of impact that their project would put on the turn lanes and roads. The intersection at Main Street is going to be realigned. They will be required to do a traffic study. They will need to bring water over there as well.

Frank Lindhardt- Shares his feeling that development does not matter in relationship to someone's life. He doesn't want to see anymore development until the intersection on Highway 59 has turn lanes put in.

Landon Holm from Standard Development. We need the rezone in order to proceed with funding, development and to have the traffic study done.

Pamela Quayle, Smithsonian- Asks if the the town has liability if we allow development that the road cannot handle and someone is killed.

Richard Kopp asks if the project could be contingent on the lanes being in place.

Mayor Lisonbee- We can have a Pioneering agreement that would pay him back as other projects come on board- Legal counsel has told the mayor that we cannot force them to pay for the entirety of the turn lanes.

Frank Lindhardt mentions that many of the accidents out there are from people slowing to turn right or left and someone trying to make a pass as they do this.

Rich Kopp-Can the zone change be written up contingent on the road work being done?

Forrest Kuehne- agrees with Rich that we should have something in writing that they will help get this road in.

Frank Lindhardt recommends all the owners in the area including the developer to get together to pay for the plans and get this done.

Landon Holm mentions that once the cabins are built it will create revenue for the town and help with these types of projects.

Council Member Mike McLaughlin- Comments that he is in agreement that something needs to be done with the road.

Council Member Debbie Kopp- If gooseberry is not ready to partner with them to fix the road then do we have to make one person wait for the other?

Mayor Lisonbee again mentions that we can write up a pioneering agreement. He has confidence that the county and developer are willing to get this fixed.

Council Member Mike McLaughlin states that he is not opposed to the change if we can get the money for the road before the development is done.

Frank Lindhardt- Any traffic study that is done by a developer is going to be done by their engineer and they will come up with any numbers that serves them best. The town also needs to have their engineer do a study so you can come to an agreement on what is to be done that is best for the town.

Mayor Lisonbee-Traffic study will be made a condition that he will have to pay for the traffic study. He states that he will make it part of the agreement that we will have them (the developer) pay for a traffic study from an impartial engineering firm.

Council Member Debbie Kopp-Before he will be able to get plat approval he will have to agree to turn lanes?

Council Member McLaughlin-We are getting ahead of ourselves because he has a lot he has to do before he will be able to build anything and once he does the traffic study it will say that he needs to put in turn lanes.

Rich Kopp-If he has to have the lanes done before we approve the plat then all of this is a moot point.

Chief Zolg: At what point are the impact fees initiated?

Mayor Lisonbee-Approvals will be based on the turning lanes. We are doing zone changes for these other individuals tonight who also need to do road improvements. He will have permission to move forward with engineering so they can do work toward a preliminary plat.

Council Member Denny Bass: Even with the zone change he still can't do anything until he has all the other proper paperwork.

Landon Holm- The zone change makes sense for where this is located in the town.

Council Member Paul Edwardsen- I like to see good planned development in this community. The other side of the coin is what's the hurry? This will happen as a natural turn on events.

Mayor Lisonbee- Comment's on what the hurry is. The ability to bring the water line over to Main Street is huge for this town. Without the water line it is cost prohibitive. We can kill development tonight or we can move this town forward with engineering and more. We still need to find out where the intersection is going to be.

MOTION: Council Member Bass motions to accept the zone change to allow them to get started on engineering and plat plans and we can hold him accountable after the fact to what he needs to do before he can start building. I make a motion that the recommendation from the planning commission for the zone change for **ZIONS GOOSEBERRY PRESERVE UNITS AV-1327 PORTION OF PARCEL INCLUDING NW ¼ OF NW ¼ OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M FROM OST-OSC TO CABIN OR TINY HOME PARKS ZONE. OWNER STANDARD DEVELOPMENT LLC**

SECOND: Council Member Mayor

VOTE:

Council Member Kopp -	Aye
Council Member McLaughlin –	Aye
Council Member Bass–	Aye
Council Member Edwardsen -	Nay
Mayor Lisonbee –	Aye

Motion passes with 4 members voting aye and Council Member Edwardsen voting nay.

TIME STAMP: 1:05:00

MOTION: Mayor Lisonbee motions to amend the agenda and would like to talk briefly about impact fees.

SECOND: Council Member Bass

VOTE:

Council Member Kopp -	Aye
Council Member McLaughlin –	Aye

Council Member Bass–	Aye
Council Member Edwardsen -	Aye
Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

Mayor Lisonbee would like everyone to review the Fee Schedule he passed out to the council.

Paul: Are you concerned that we are too high or too low; Mayor; I think we should be higher than some places but probably not as high as we are now.

Mayor Lisonbee mentions that he would like to discuss this again at a future date.

9. CONSIDER APPROVAL ON REPORTS, RECOMMENDATION, APPOINTMENTS, AND ANNOUNCEMENTS:

TIME STAMP: 1:14:40

- **Events Committee- Tish Lisonbee/Debbie Kopp-** December 8th 11:00-1:30 Cookie Exchange. Left overs will be donated to the Senior Living Home in Hurricane. Food Drive will also be held at the same time and the food will be donated to the Hurricane Valley Food Bank.
- **Planning Commission- Cynthia Browning/Michael McLaughlin**
- **Fire Department- Chief Dave Zolg, Jr.**

Signed up guys for training; 5 guys for winter fire school; 16 hour propane class that Chief will be attending. Hazmat classes; Search and rescue training; Looking into starting a crew that will be utilized by St. George and sponsored by the county. That will be based here. Working on the hummer again and will get the tank in mounting boxes. SCDA is the final year for this and we need to get that addressed. Bass: Will these trainings get us certified to go out on federal fires? Chief Responds yes, Engine 191 is having electrical issues. Lights went out when chief was driving down the road;

Burning- 50% of people are getting a permit. He is going to have to start calling the Fire Marshall for those who are not getting a permit. Mayor Asks Chief to let Ben know if he would like something put in the monthly bill about burning.

Roads- Wet weather is coming be very careful. Vehicle maintenance is important. Mitigation will start once we get snow.
- **Engineering- Rod Mills-** Mayor Lisonbee states FEMA money is being applied for. We need to mobilize a committee to help with the application process. We need to document some of the washouts and flooding in town and compile into book form. There are about 25 applicants and only 9 will get the funding. Let Mayor Lisonbee know if you are willing to help.

- **Big Plains Water and Sewer SSD-** Harold Merritt
- **Code Enforcement-**Paul Edwardsen/Rich- Mayor Lisonbee would like to have a meeting set up with Rich Ososki and Attorney so we can get Rich going on code enforcement.
- **Roads and storm drainage-** Grading a gooseberry should happen as soon as we get some water
- **Council**
- **Other**

10. PUBLIC COMMENTS

MOTION: Council Member Kopp Motions to open Public comments.

SECOND: Council Member Edwardsen

VOTE:	Council Member Kopp -	Aye
	Council Member McLaughlin –	Aye
	Council Member Bass–	Aye
	Council Member Edwardsen -	Aye
	Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

Rich Kopp mentions that Bob Campbell had a bunch of pictures from the storm.
Margie Ososki thanks the Fire Chief for coming over to help burn weeds.
Ed Finkenberg expresses his concern about the lake by the bridge.

MOTION: Council Member Kopp Motions to close Public Comment.

SECOND: Council Member Bass

VOTE:	Council Member Kopp -	Aye
	Council Member McLaughlin –	Aye
	Council Member Bass–	Aye
	Council Member Edwardsen -	Aye
	Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

11. DISCUSSION AND ACTION ON THE GATEWAY PROJECT-ENSIGN ENGINEERING

Mayor has a meeting on Monday with them.

12. REQUEST FOR A CLOSED SESSION

Not Needed

13. ADJOURNMENT

MOTION: Council Member Kopp Motions to Adjourn tonight’s meeting

SECOND: Council Member Edwardsen

VOTE:

Council Member Kopp -	Aye
Council Member McLaughlin –	Aye
Council Member Bass–	Aye
Council Member Edwardsen –	Aye
Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

Meeting adjourned at 7:33 p.m.

Date approved: 1-16-19



Marty Lisonbee, Mayor

ATTEST BY: Michelle Kinney
Michelle Kinney, Recorder