



## APPLE VALLEY TOWN COUNCIL

1777 N Meadowlark Dr, Apple Valley  
Wednesday, July 28, 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 **Wednesday, July 28, 2021**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

**Mayor** | Dale Beddo |

**Council Members** | Kevin Sair | Paul Edwardsen | Mike McLaughlin | Marty Lisonbee |

*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/88665189302>

To call into meeting, dial (253) 215 8782 and use Meeting ID 886 6518 9302

#### CALL TO ORDER / PLEDGE OF ALLEGIANCE/ ROLL CALL

Mayor Beddo called the meeting to order at 8:07 AM.

A Pledge of allegiance was conducted.

#### PRESENT

Mayor Dale Beddo

Councilmember Michael McLaughlin

Councilmember Paul Edwardsen

Councilmember Kevin Sair

Councilmember Marty Lisonbee

#### DECLARATION OF CONFLICTS OF INTEREST

There were no declarations of conflict of interest.

#### MAYOR'S TOWN UPDATE

Mayor Beddo gave an update on the Mayor's meet, the Mayor forum that took place the night prior. Mayor Beddo expounded on the committee that offered questions to the Mayoral candidates.

Mayor Beddo invited (First name) Chipman to speak. Ms. Chipman discussed how the event went and some of the problems they experienced the night prior: interruptions by a mayoral candidate while presenting rules.

Mayor Beddo gave an update on the development agreement for Robert Campbell. Mayor Beddo elaborated on the purpose of a development agreement. Mayor Beddo explained that the Town Attorney sent a letter covering the purpose of a development agreement, and recommended against a development agreement in the case of Campbell development. He stated that final plat is the instrument that ensures the applicant follows the ordinance of the Town.

Mayor Beddo addressed flyers. He discussed that the one flyer that was sent out by the Fire department that made statements of claims that the town took against the fire department (inaccurately). The Mayor said that he was going to invite the prior mayors to respond in written form (to correct those statements).

The Mayor gave an update on meter reading issues. The Mayor discussed issues relating to the meter reader. Cedar Point and Canaan Springs meter, for two to three months, has had inconsistencies in their readings. We are working on it, trying to find out what the problem is.

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

The Mayor stated that this agenda item would be moved to earlier in the meeting.

The Mayor invited the applicant's engineer to talk.

Mike Bradshaw, Travis Wells' engineer, discussed that one of the issues was the bond. Mayor Beddo said the town was trying to move away from a performance bond, moving instead to cash bonds or irrevocable lines of credit. Mike Bradshaw and the Mayor had discussions about the required bond, specifically, how to relate to portions that are completed. The developer can build without a bond, at-risk, but the infrastructure would need to be bonded minimally before final plat approval. They also discussed the time element.

Councilmember Sair read aloud a message that was "sent" to him. The message was relating to the validity of the plat for AV-1329 plat (a split parcel from the main parcel). Councilmember Lisonbee said that it was relating to the fact that there were two lots named AV-1329. He also said that the split went through all the channels, and this message is not factual.

Councilmember Lisonbee expressed concern regarding the minimum road width. Mayor Beddo, Mike Bradshaw, and Councilmember Lisonbee had a discussion about how wide the minimum road width should be for Rome Way. Lisonbee discussed public roads (20' vs 25') The town will put in the road if the developer wants to wait until they do; they had indicated previously that they were willing to asphalt the road. Mayor Beddo also explained the engineers compromise: 20'-25' as wide as possible with asphalt without having to reconstruct the road. Mike's concern is meeting the 25' when it would take reconstruction to do so. Libby Wells objected to a statement Councilmember Lisonbee made regarding what Travis Wells had agreed to verbally in a prior meeting. Mayor Beddo reiterated that they are only asking them to go to 25' when they can. Mike Bradshaw agreed that the proposal could work. Mayor Beddo discussed the role of the developer and how much the Town should expect from them.

Councilmember Lisonbee also verified that the 10-14' was referring only to Juniper.

Because of the corrections needed, Councilmember Lisonbee said he would like to send it back to Dayton for the attorneys to make final corrections before approval.

The Council and Mr. Bradshaw discussed the timeline regarding how long the developer has to record the final plat. Mike was concerned with the 2-year time constraint. Mayor Beddo agreed to set it at 2 years from the signing of the construction drawings. He also agreed to call a special meeting to approve the final.

## **PUBLIC HEARING**

### **2. CONSIDERATION AND POSSIBLE ACTION ON ADOPTION OF FINAL BUDGET FOR THE FISCAL YEAR 2022**

Mayor Beddo opened the public hearing.

Local Resident, Margaret Osowski: With the new budget, are there any plans to work on the dirt roads? They are so bad.

Mayor Beddo said they have done some work but they don't have the budget to do gravel roads. They are doing blading about every 2 to 5 weeks. He discussed some of the roads they have been doing. They plan to do more regular maintenance.

Local Resident, (Name), concerned about a washed out road that did not get repaired.

Mayor Beddo assured her that they are going to repair it.

Local Resident, Richard Osowski, stated that Interstate put the worst road base on that they could find. The roads are getting washed out, and with more rain, we are in for a lot of damage. They are deteriorating. The RV park development is creating so much dust. Regarding the budget, Richard asked for some clarification on some line item differences, and wondered if any extra money could be used for emergency case if a road gets washed out.

Mayor Beddo said, yes, if you go through the procurement process.

Local Resident, Richard Osowski, also wondered why our taxes went up, but what we Apple Valley got went down, not by much, but when you times it by all the residents, it is a lot.

No more comments; public hearing closed.

## **DISCUSSION AND ACTION**

### **3. DISCUSSION AND POSSIBLE ACTION ON BUDGET ADOPTION FOR FISCAL YEAR 2022**

Councilmember Michael McLaughlin wondered why p3 "other interdepartmental charges" went from \$4000 to 10 grand?

Councilmember Marty Lisonbee explained the difference.

John explained how engineering fees will be treated: coded to specific projects.

Councilmember Marty Lisonbee wondered about the roadway improvements.

Mayor Beddo: We addressed it earlier in the public hearing. We can use the money for road improvements if we come back to here and go through the process.

Councilmember Marty Lisonbee wants to be able to go back to the minutes and see what he says. He also expressed disapproval at the budget reconciliation, which he has requested and still does not have, and yet he is supposed to be voting on a budget without that information. Another concern is that when the contingency got divided up, they do not equal the revenue. He stated that he wants to wait to approve the budget until the council gets financials. Also, we don't have, since March, what the checks are even written for. The consent agendas we have not been getting. There are always reasons, but we are still not getting them. We should be getting the consent agenda every month.

John agreed with Lisonbee that the contingency allocation is just a math error.

Jeff agreed to get the consent agendas out.

Councilmember Marty Lisonbee discussed the problems of various budget line items.

John expressed that Lisonbee's goals are good aims. However, the budget is just the amount that you can do. Every year, the differences will go into an unassigned fund balance. There is more than one day to do the budget.

Mayor Beddo and John discussed the changes that were made from the prior meeting discussion.

Councilmember Kevin Sair wondered why the actuals don't get updated to what actually happened?

John and Councilmember Marty Lisonbee discussed the relevance of adjusting the past budget to actual, and how the auditors will look at it. Basically, there is no problem with the way we have done it.

Councilmember Michael McLaughlin and Paul Edwardson felt that the differences should be made known to the council so they can see what is going on.

John explained that staff turnover causes huge problems in the learning curve, but the expectations that Councilmember Marty Lisonbee's expectations are not invalid, but they need to think about how to approach the problem in a way that does not make the environment tense.

The council decided to wait until the next meeting to approve the budget so that they can get some of those missing reports first.

Councilmember Kevin Sair made a motion to table both line items #3 and #4

Councilmember Paul Edwardson seconded. Passed unanimously

#### 4. DISCUSSION AND POSSIBLE ACTION BUDGET ADJUSTMENT FOR FISCAL YEAR 2021

Councilmember Kevin Sair made a motion to table both line items #3 and #4

Councilmember Paul Edwardson seconded. Passed unanimously

5. PROPOSAL FOR JEFF VORAN TO BE APPOINTED/SWORN IN AS TOWN RECORDER

Mayor Beddo observed that Jeff Voran has already been appointed; he just needs to be sworn in.

Marty explained that it could be done outside of the meeting and noticed. No objections to his being sworn in.

6. DISCUSSION AND POSSIBLE ACTION ON RATIFICATION OF ARPA CORONAVIRUS RELIEF AGREEMENT

John discussed the requirements for this money, similar to Corona Virus relief, but slightly expanded, for example, allows for water systems or broadband expansions—anything that helps the town handle Covid.

7. RESOLUTION AND ADOPTION OF BUDGET FOR FISCAL 21

Mayor Beddo said his printout said this was #7.

Mayor Beddo made a motion to table #7.

Councilmember Mike McLaughlin seconded. Passed unanimously

**REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS**

Councilmember Michael McLaughlin said the fire department had asked to get on the agenda but it got taken off. Mayor Beddo said he got a formal request to go on the agenda to discuss alternative ways to buy a fire truck. And then they withdrew the request.

Councilmember Marty Lisonbee registered a concern that the minutes are being posted before getting approval without a designator that they are a draft. Also, the recordings are supposed to be posted within three days. Councilmember Paul Edwarson also expressed a concern that we need to be more consistent with the meeting schedule so the community knows what to expect.

Mayor Beddo discussed the internet towers; the owners approached the city wondering if they wanted to take it over, only about \$200 a month now. Councilmember Lisonbee said another component has to do with the fire safety. Mayor Beddo told Travis it would make practical sense to just sign it over. Travis will report back. We have been approached by a company out of Arizona to bring additional internet services to our area, so we could potentially increase that income. I will continue to look into it with our attorney.

**PUBLIC COMMENTS**

Local resident, (Name), some residents are having a hard time getting onto the Zoom meetings. Mayor Beddo explained that it is probably a problem at their end. Mayor wondered if Jeff could talk with provider about technician aide.

Local resident, Margaret Osowski, wondered more about what the ARPA CORONAVIRUS RELIEF was.

John Barlow read the major categories, pretty broad possibilities.

### **REQUEST FOR A CLOSED SESSION**

Councilmember Marty Lisonbee requested a closed session to discuss a [common seen] character.

(?) second

Unanimous vote.

### **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](http://www.applevalleyut.gov) and sent to The Spectrum on the **21st day of July, 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.