

Minutes of the regular meeting of the Town Council of the Town of Apple Valley, Washington County, Utah that was held on the 7<sup>th</sup> day of July, 2016 at the Town Office Building, 1777 N. Meadowlark Dr. Apple Valley, Utah.

1. The meeting was called to order at 6:00 pm.
2. The Pledge of Allegiance was led by Mayor Moser.
3. Roll Call: Trevor Black, Robert Campbell, Judith Davis, Ron Brown and Mayor Moser were present. Legal Counsel, Todd Sheeran was present. Rod Mills and Curtis Neilson of Ensign Engineering were present. April Ruesch was present. Dale Harris was excused. Chief Louie Ford was excused. Jack Davis was excused. Town Clerk, Nathan Bronemann, was present taking minutes.

4. Declarations of conflict of interests.  
None stated.

5. Public Comments

Tracy Hammon asked about posting speed limits in the town.

Mayor Moser said there would be more speed limits posted in the town.

Marty Lisonbee suggested posting a sign at the fire station to notify residents about fireworks restrictions.

Mayor Moser said the town had posted on all of its available outlets.

Marie McGowan added that it had been posted for over a month.

Motion made by Judith Davis to close public comment. Trevor Black seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Judith Davis-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 5/0.

6. Presentation on Special Assessment Areas and Storm Water Drainage Fees

Curtis Neilson said they had estimated a cost of adding additional double chip and seal which would cost from \$110,000-120,000 per mile. He said they had also assessed some problem areas that have drainage issues. He said the improvement of the drainage in those areas would cost around \$200,000.

Rod Mills said a fair amount of research had been done to look at what other communities in the area charge for storm water drainage. He said many other municipalities are charging fees. He said he would suggest a flat rate storm water drainage fee. He said other communities were charging from \$4-15 per month per residential household. He said commercial properties were charged based on a calculation of their impact compared to an average residence. He said that regarding road improvements, he would recommend creating a special assessment area (SAA). He said he thought the best method would be to create one SAA that would encompass the entire town.

Mayor Moser said that if an SAA were created to double chip and seal all dedicated roads in town, it would cost each resident about \$600 per year.

Tish Lisonbee asked what the proposed \$200,000 in storm drainage improvements would buy the town.

Mayor Moser said there were a few critical drainage issues that would improve.

Mayor Moser added that at a \$5.00 per month storm water drainage fee, the Town would be able to collect \$24,000 per year and be able to bond for about \$250,000 to make the needed improvements.

7. Public Comments on possibility of creating Special Assessment Areas and/or a Storm Water Drainage Fee

Marty Lisonbee asked how long the storm water drainage repair loan would be.

Mayor Moser said it would likely be a 10-year loan.

Judith Davis asked if everyone in town would be assessed the same amount.

Mayor Moser said everyone would be assessed the same amount.

Margaret Ososki asked what an SAA was.

Mayor Moser said an SAA was a special assessment area that would increase property taxes to pay for improvements.

Mike McLaughlin said that if the town were to charge for a drainage fee it would be ongoing. He said if the town collected a drainage fee, it would be expected that problems would be taken care of in a timely manor.

Mayor Moser said some issues could still take some time, but each project would be evaluated.

April Ruesch asked if it would include Zion Estates and Cedar Point.

Mayor Moser said it would involve the whole town and all residents would pay a fee. He said each issue would be given a priority and funding spent accordingly.

Robert Campbell asked what the width of the double chip and seal would be.

Curtis Neilson said it was calculated at 24 feet wide.

Tish Lisonbee said she thought it was a great idea and that the town needed these improvements. She said the dust would decrease.

Ron Brown said it would also help with vehicle maintenance.

Judith Davis said her neighborhood was also paved and if an SAA were put in place, she would be paying for improvements in other areas.

Marty Lisonbee said he would prefer that the storm water drainage fee be higher to get more done.

Nathan Bronemann stated that Washington City billed a monthly storm water drainage fee of \$6.80, St. George billed \$4.75, Santa Clara billed \$13.85, and Ivins billed \$10.97. He said according to a document provided by Washington City, the area average was \$9.09 per month.

Margaret Ososki asked what would happen to residents that couldn't afford \$600 per year.

Mayor Moser said if it was passed, residents would end up having to pay.

Chris Kingsley said that if the bar ditches were improved, they should handle the majority of water drainage.

Jerry Darger asked if the drainage fee would be charged to everyone with a hookup.

Mayor Moser said it would be charged to each residence. He said the council would need to discuss if vacant lots should be charged a storm water drainage fee.

Margaret Ososki suggested having an open house to discuss the options.

Dale Kingsley suggested that the fee be flexible.

Mayor Moser said any fee charged by the town would be flexible and could be adjusted.

Marty Lisonbee said that the larger communities had a large commercial base that helped pay for infrastructure.

Andy Sadler suggested that the SAA be a percentage of the property tax instead of a flat rate.

Mayor Moser said there would be areas that had non-dedicated roads that could not be improved. He said the \$600 per year was a rough estimate based on a calculation of 2.83 miles in one area of town. He said that before better calculations are made, they needed more town input. He said gathering more information was costly.

Charlie Greco asked how many people in the room usually didn't come to the meetings. He said he didn't feel that the notice was specific enough for the public to understand.

Mike McLaughlin said he was for the improvements. He said they would increase the property values. He said it would also improve health due to decreased dust.

Mayor Moser said the input he received was that the residents in attendance wanted more information and to try to get more in attendance to give feedback.

Evelyn Greco asked if the town didn't receive enough money to maintain the roads.

Trevor Black said the Cedar Point roads were in poor condition and he personally donated the labor to put down \$1,200 in tar to maintain them. He said there wasn't enough in the budget to do the required maintenance.

Ron Brown added that B&C road funds would increase if the roads were paved.

Mayor Moser said that was true, but it still wasn't enough to add more pavement. He said if the town wanted to get more done, the only way would be to increase taxes.

Jerry Darger said Apple Valley didn't have businesses to bring in revenues and so desired improvement cost fell back on the residents. He said he was in support of paying for improvements.

Ron Brown said he may not benefit from the improvements, but was in favor of paying for improvements.

Lee Kapke asked if information could be mailed out.

Motion made by Robert Campbell to close public comment. Ron Brown seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Judith Davis-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 5/0.

8. Discussion and action on Interlocal Agreement for Use of Water with Big Plains W&S SSD

Mayor Moser said the agreement was a formality to allow the District to use the Town's water rights in exchange for water usage at no charge.

Motion made by Ron Brown to accept the interlocal agreement. Judith Davis seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Judith Davis-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 5/0.

9. Discussion and possible action on Resolution 2016-08 establishing a storm water drainage fee

Mayor Moser recommended that this item be continued until more feedback was received.

Motion made by Mayor Moser to continue this item to a later date. Ron Brown seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Judith Davis-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 5/0.

10. Report on Gateway Project progress

Rod Mills reported that the Gateway Project was progressing. He said concrete paving was taking place every day or two. He said that once one side was done, traffic would be shifted to the new concrete to complete the other side of the road. He said the project was about 30 days behind schedule, but the contractor was committed to catch up.

Tracy Hammon added that he worked for Interstate Rock and stated that they had a lot of other work and a couple projects were finished. He said they would have more attention to this project now.

11. Reports from Town Council members on assignments

Robert Campbell said the head guy over trash collection would be coming to visit the town.

12. Report and recommendation from the Planning Commission, (including discussion and action)

Nothing to report.

13. Report and recommendation from the Big Plains Water and Sewer SSD

Nothing to report.

14. Report and recommendation from the Fire Department

Mayor Moser said burn season was closed and that fire works were illegal unless discharged at the fire department with permission.

15. Report and recommendation from the Community Events Committee

Marie McGowan reported that all but one summer camp class was complete. She said the Independence Day celebration was a success with about 90 people. She said there was a great fireworks display from residents. She said there was volleyball and a wading pool.

16. Report and recommendation from the Code Enforcement Officer

See attached.

17. Report and recommendation from Emergency Management

See attached.

18. Report and recommendation from the Public Works Department

Nothing to report.

19. Consent Calendar - Income and Expenses - Town Treasurer

Motion made by Trevor Black to approve the consent calendar. Judith Davis seconded the motion.

Vote: Trevor Black-yes, Robert Campbell-yes, Judith Davis-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 5/0.

20. Consider approval of minutes:

a. June 16, 2016 Regular Meeting Minutes

Motion made by Judith Davis to approve the June 16, 2016 meeting minutes. Ron Brown seconded the motion. Vote: Trevor Black-yes, Robert Campbell-abstain, Judith Davis-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 4/0 with one abstention.

21. Announcements

Mayor Moser thanked everyone for their attendance and feedback.

Robert Campbell said there were a couple of boy scouts that were in attendance to propose some Eagle projects to the mayor.

22. Request for a closed session

None requested.

23. Adjournment

Motion made by Judith Davis to adjourn the meeting. Trevor Black seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Judith Davis-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 5/0.

Meeting adjourned at 7:15 PM.

Date approved: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Nathan Bronemann

\_\_\_\_\_  
Richard Moser

**CODE ENFORCER'S REPORT TO TOWN COUNCIL July 7, 2016**

Since June 16, 2016:

I've been on vacation the last 2 weeks, so don't have much to report.

Weeds are still a problem. They are drying out and are a major fire hazard.

I received an email about dogs at large, the same ones I've received multiple complaints about and have notified the town prosecutor, again. He is working on it.

I received a complaint regarding junk and junk cars stored on a property and have issued a warning ticket.

People should contact the town office before putting up any buildings, fences or animal runs, or before moving trailers and other items on to properties, to make sure they are in compliance with all ordinances or check land use codes on our website.

If anyone has a complaint regarding a town ordinance violation please come into the town office and fill out a complaint form.

Thank you,  
April Ruesch

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**EMERGENCY MANAGEMENT REPORT July 7, 2016**

I will be attending LEPC in St. George on July 14th. I'm catching up on S.W. Citizen's Corps, reviewing the newly revised By-laws and the After Action Report for our conference last April.

Important class for elected officials: 8/5/2016 8:00:00 AM MT, Crisis Leadership and Decision Making for Elected Officials MGT-340, Heritage Center on August 5, 2016, 105 N 100 E, Cedar City, Utah, 84720, United States

(IMPORTANT Reminder all town officials, workers and firemen are required to take NIMS courses, at least the ICS100 & 700). It is also recommended that town officials take ICS-G402. Firemen especially should complete more ICS courses online and when they become available to be eligible for grants and to be prepared for emergency incidents. We need your cooperation. The more people trained, the better prepared we will be. Outside help will not always be available and able to get to us. (If you need assistance let me know. THIS will need to be done to continue getting the grant.)

Thank you,  
April Ruesch