

**MINUTES OF THE
REGULAR MEETING OF THE COMMON
COUNCIL OF THE TOWN OF STAR VALLEY**

**Tuesday, November 15, 2022 at 5:15 pm
3675 East Highway 260, Star Valley, AZ
(Star Valley Town Hall)**

The Agenda for the meeting is as follows:

- PRAYER was offered by Pastor Dave Barber of Rim View Community Church.
- PLEDGE OF ALLEGIANCE
- CALL TO ORDER
- ROLL CALL:
Vice Mayor McKinney X, Council Member Armington X, Council Member Binney X,
Council Member Rappaport X, Council Member Dueker X, Council Member McDaniel
X, Mayor Davis X.

- **COMMENTS FROM THE PUBLIC**

During this portion of the meeting, members of the public may address the Town Council on items that are not on the printed agenda. Any remarks shall be addressed to the Council as a whole and not to any individual member. Speakers are limited to three (3) minutes per person unless additional time is granted by the Mayor. The Council may not discuss or act upon matters raised during public comments.

The Mayor opened up this portion of the meeting for public comment. There were no comments and the Mayor closed the public comment portion.

- **CONSENT AGENDA ITEMS:**

All items listed under the Consent Agenda will be voted on with one motion. If discussion is desired regarding any Consent Agenda item, that item will be removed from the Consent Agenda and voted on separately.

A. Approval of the minutes from the Regular Council Meeting held on October 4, 2022.

**B. Approval of Claims Payable from October 1, 2022 through November 15, 2022
for the General Fund and for the Water Department.**

A motion to approve consent agenda items A and B was made by Council Member Armington and was seconded by Council Member Binney.

A roll call vote was taken:

**Vice Mayor McKinney X, Council Member Armington X, Council Member Binney X,
Council Member Rappaport X, Council Member Dueker X, Council Member McDaniel X,
Mayor Davis X.**

The motion was voted on and passed 7 - 0.

- **DISCUSSION ITEMS:**

1. **Discussion and possible action regarding the current status of the SR260 Street Light Project.**

The SR260 Street Light Project, reported Town Manager Grier, started a couple of years ago. The developers, Lee and Tina Martinez, are in attendance and will present to council. We have held off on our street light project, explained Mr. Grier, as a courtesy to the developers so that they wouldn't incur additional costs by the Town putting in street lights and then them having to move the poles. Like most developments, they are waiting on ADOT and APS. The Town, reported Mr. Grier, has \$79,000.00 invested in the street light project to date. He understands Council Member Rappaport has some concerns about timing of when to go forward with the street lights. As the street light project hinges on the development, he invited Lee and Tina to address council and provide the status of the development.

Lee Martinez thanked council for taking the time to hear them out. According to ADOT, reported Mr. Martinez, the Town's permit for the street lights ran out in January of 2021 and the Town will need to reapply. He is expecting an approval letter from ADOT anytime soon. The site plan that has been tentatively approved by ADOT was then handed out to council. They had to make massive changes to the site plan to satisfy everyone involved. Maverik, reported Mr. Martinez, is scheduled to close on the property on the fifth of January. Maverik has been moved from the three acre parcel in the corner to the five acres directly across from Circle K. He has paid for two traffic studies in the last year. The first traffic study, reported Mr. Martinez, concluded that a traffic light can't be put in when traffic is going 45mph because there is no room to slow down. The other problem was the seven mile Sunday afternoon line of traffic and a traffic light in Town would cause a nine mile back up. ADOT, stated Mr. Martinez, has been very clear that they do not want a traffic signal in the Town at all. The second traffic study, reported Mr. Martinez, concluded that two traffic signals need to be put in on each end of Town, thus using the space between them to control the traffic. The bottom line, reported Mr. Martinez, ADOT is requiring a third 1,122 foot lane in front of the property. Mayor Davis asked if that lane is for acceleration/deceleration. Just to travel in for making a right hand turn, answered Mr. Martinez. The cost to construct the deceleration lane, reported Mr. Martinez, is about \$500,000.00 in land value and about \$386,000.00 in cash. Almost one million dollars, added Mr. Martinez.

The next minor situation, reported Mr. Martinez, are the five APS poles that need to be moved at a cost of \$1.4 million. Mr. Martinez stated he thinks, on the application that the Town will have to resubmit for the street lights, is the understanding that APS wants a dark sky. The development, explained Mr. Martinez, is working towards having monument signs and lights that will light the sidewalk for the dark sky concept. The Town of Star Valley is a dark sky community, informed Mayor Davis. ADOT explained to him, responded Mr. Martinez, that the proposed street lights don't fit the dark sky concept. Maverik, reported Mr. Martinez, has a very specific design of their structure and the development will follow that with whatever they do throughout the entire property so that it looks cohesive. As far as lighting for Maverik, he told them they could not put up a twenty foot high sign. They can have a monument sign at each ingress/egress point and they can put whatever they want on their building because it is going to be set back quite a way from the road.

Mr. Martinez reported they changed their development design completely from where they started. They have still kept intact using the storage as noise abatement and security. They brought the building sizes down from eighteen feet high to ten to twelve feet high. He thinks it will be a nice look because what they are planning on doing is landscaping all the way to the building. They also reduced the number and type of units and considerably increased the green space throughout the property. Mayor Davis commented they are down to forty two units. Forty two units of site built homes, responded Mr.

Martinez, and about 60% of the total storage units that they had initially planned to put in. Queried Council Member Dueker – Are the storage units enclosed storage units? “All of them,” answered Mr. Martinez. Affordable housing is really an issue, stated Mr. Martinez. They are going to site build all the homes. The builder told him they can build an 800 square foot house in under six weeks. Queried Council Member Dueker – What would you rent the homes for? “We wouldn’t rent them,” responded Mr. Martinez, “they are for sale.”

Town Manager Grier pointed out time and money were invested in the SR260 Street Light Project and it was ready to go. Now we have permits that are expiring, all for the courtesy of the development, so the developer wouldn’t incur additional costs by having to move the street lights. The Town, reported Mr. Grier, has been sitting on this project for some two years with \$79,000.00 invested. What is in front of council, explained Mr. Grier, is whether or not to wait further on the development. We will then need to figure out whether or not we’re going to have additional changes and what the timing is. It sounds like we have to go back to ADOT because our permit expired. Council also wants to do the project right. It seems this is a good opportunity, suggested Mr. Grier, to have Mr. Martinez address this with council. It might change what we need to do or want to do. Queried Mr. Grier to Mr. Martinez – What do you think about that? Maybe, stated Mr. Grier, you don’t want street lights. First, replied Mr. Martinez, we have to put the third lane in and the lights on the property are located in the third lane. Secondly, we would have to meet with the Town to discuss the dark sky concept. Tina Martinez stated she would assume Maverik would have lighting similar to the lighting at Circle K. She does not know that all the street lights would be needed like they were before the development plan. Mr. Grier responded that is very possible. If council wants to go forward with the street lights we are going to need answers to some of those questions. We would really like to make our street light project go as quickly as possible since we’ve been waiting some three years. As soon as they get ADOT approval, responded Mrs. Martinez, their plan is to get the project going. His feeling, added Mr. Martinez, is the Town doesn’t need to do street lights along the development because they will have lighting all the way down for 1,122 feet.

Council Member Rappaport commented the Town has been really patient and can’t afford to keep changing things. We’ve waited a year for the development to break ground. We shouldn’t have to change our plans, concluded Council Member Rappaport. You don’t have to change your plans, responded Mr. Martinez, you have to reapply with ADOT and be accepted. The frustration is we have to do that because we have been waiting for your development, pointed out Town Manager Grier. To be clear, the only reason that the street light project has been on hold has been as a courtesy to the development. One of the main reasons for installing the street lights, stated Council Member McDaniel, was to get people to slow down. Queried Council Member McDaniel – With lights at Circle K, Maverik and the development, should we reevaluate just how many street lights, if any, that we will need? Mr. Martinez responded his understanding is the development needs to be lighted adequately for traffic in order for it to be approved. Council Member Rappaport stated the lights have to be standardized. We want to see the development happen, acknowledged Mayor Davis, and he understands it’s a lot of expense. Added Mr. Grier, we fully anticipate the Town will incur additional reengineering expenses because we’ve been waiting on the development. Mr. Martinez responded, the Town doesn’t need to reengineer or do anything in front of his property. Queried Mr. Martinez – If he can get ADOT to put into writing that the lights that they have proposed will satisfy any street lighting requirements, will that satisfy the Town? It’s not ADOT that dictates to us on that, responded Town Manger Grier. One of the reasons that we wanted street lights was for the safety of the highway, not just the aesthetics. What we need to know is the timing and likelihood that your project is indeed going to happen. Then council needs to decide whether or not to wait on street lights.

Council Member Binney stated he thinks it's beneficial for the town to wait. We decided not to proceed and we shouldn't make him incur another dime. The Town will save money if we don't have to put lights in. It's to the benefit of the Town to wait, concluded Council Member Binney. Mr. Martinez reported they have over a half a million dollars in engineering fees and expenses in the development so far. They've got too much money invested to not go forward. Maverik, reported Mr. Martinez, now has over half a million dollars invested as well and they can't afford not to build here. Council Member Dueker asked where the water drainage on the property is going. Mr. Martinez referred to the various storm water storage areas on the site plan. Mayor Davis asked if retail is still in the plans. Mr. Martinez answered it became too difficult because ADOT felt that Maverik was enough commercial retail business for this stretch of land. Queried Council Member Binney – ADOT has control over our zoning? They have control over the traffic flow on their highway, responded Mr. Martinez. We had to go from one hundred thirty five homes, reported Mr. Martinez, to forty two homes to satisfy ADOT.

Hellsgate Fire Department, reported Mr. Martinez, has asked the development to install five (5) fire hydrants along the east side of the property because Lamplighter does not have an adequate number of fire hydrants. Should there ever be a catastrophic fire at Lamplighter, Hellsgate would like to have one available to them and they would like the development to incur that expense. Queried Council Member Dueker – What kind of power do they have to enforce that? “They could not give us a permit,” answered Mr. Martinez. Mrs. Martinez stated they are not purposely holding up the development. They have been pushing ADOT as much as they can and they want to get this project going as much as the Town does. Council Member Dueker asked if there are elevation drawings available as to what will be seen from the street view. Mr. Martinez responded he can provide those drawings to the Town. Council Member Dueker disclosed it might sway his decision on street lights. Council Member Armington asked if Freegard Lane will still exist. “Yes,” answered Mr. Martinez. Council Member Binney asked if Maverik is on their own septic. “They are not using ours,” replied Mr. Martinez.

The town manager and staff, expressed Mr. Martinez, have been helpful and really good to work with. Mr. Martinez then asked if the Town could provide him a letter, that he could take to ADOT, stating that the Town needs an answer. Mayor Davis asked if that would hurt him or help him. “Nothing is going to hurt him now,” responded Mr. Martinez. Mrs. Martinez stated she thinks they are really close because they are just waiting for the signed approval letter from ADOT. Mayor Davis opened the meeting up for council discussion. Council Member Dueker suggested entertaining the idea of doing street lights where we were planning on putting them, except in front of the development. If things change with the development, lights can be put in at that point. He would like to see the Town do something to get this project rolling, concluded Council Member Dueker. Mayor Davis stated he believes the Town would have to submit a new application with ADOT. Town Manager Grier answered we will be starting over with everybody. The interruption in front of the development, according to what APS told him, could be a possible problem. Council Member Dueker stated there is power running down that side of the road so there would be no interruption. Mr. Grier stated he doesn't think it is so simplistic and he will need to ask APS.

Council Member Binney advocated to just wait on the development. Put this project on hold, advocated Council Member Armington. Council Member Dueker commented there is not enough information to make a decision on it tonight. Vice Mayor McKinney advocated to revisit this at the second meeting in January. Council Member Binney responded he would rather wait until the developer has his answers. Council Member McDaniel advocated to wait a little longer. Ultimately, stated Council Member McDaniel, we do want what's going to look best for the town and we won't know exactly what that is until Maverik and the development are in place. Council Member Rappaport stated we are kind of panned in on what we can do. She would like to see the street lights go in. From what he is hearing,

stated Mayor Davis, council would like to postpone this until after Mr. Martinez hears back from ADOT. Mayor Davis asked for a motion.

A motion to discuss this at a future meeting once we receive information from the developer was made by Council Member Dueker and was seconded by Council Member Binney.

A roll call vote was taken:

Vice Mayor McKinney Yes, Council Member Armington Yes, Council Member Binney Yes, Council Member Rappaport Yes, Council Member Dueker Yes, Council Member McDaniel Yes, Mayor Davis Yes.

The motion was voted on and passed 7 - 0.

• ADJOURNMENT

A motion to adjourn the meeting was made by Council Member Armington and was seconded by Vice Mayor McKinney.

The motion was voted on and passed 7 – 0

APPROVED:

Bobby Davis, Mayor

Date: _____

ATTEST:

Edie Chapin, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Star Valley held on the 15th day of November 2022. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 23rd day of November 2022.

Edie Chapin, Town Clerk