

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

**Tuesday, January 17, 2023 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 Vice Mayor McKinney.
- PLEDGE OF ALLEGIANCE
- CALL TO ORDER
- ROLL CALL:  
Vice Mayor McKinney X, Council Member Armington X, Council Member Binney X,  
Council Member Dueker X, Council Member Highstreet 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 was no public in attendance 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 January 3, 2023.**

**B. Approval of Accounts Payable from January 1, 2023 through January 15, 2023  
for the General Fund and for the Water Department.**

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

**A roll call vote was taken:**

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

**The motion was voted on and passed 7 - 0.**

- **DISCUSSION ITEMS:**

1. **Second Public Hearing, discussion and possible action to adopt Ordinance No. O 23-01 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF STAR VALLEY, ARIZONA, AMENDING THE CODE OF STAR VALLEY, ARIZONA, BY ADOPTING TITLE 3, CHAPTER 4 RELATING TO REGULATING SHORT-TERM RENTALS AND VACATION RENTALS; INCORPORATING THE RECITALS BE REFERENCE; ESTABLISHING A PURPOSE; SETTING FORTH DEFINITIONS; REQUIRING A PERMIT TO OPERATE A SHORT-TERM RENTAL OR VACATION RENTAL WITHIN TOWN BOUNDARIES; ESTABLISHING REGULATIONS; ADOPTING NOTIFICATION AND DISCLOSURE REQUIREMENTS; ADOPTING INSURANCE REQUIREMENTS; ADOPTING APPLICATION FEES; ESTABLISHING FINES AND PENALTIES FOR VIOLATIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

This is the second reading of the Short-Term Rental ordinance, explained Town Manager Grier. The meeting will need to be opened to the public for comment once council has concluded discussing. Council Member Armington commented that both Scottsdale and Tempe just passed a Short-Term Rental ordinance. The timing isn't odd to be in front of council, responded Mr. Grier. It was passed in the last legislative session and took effect, he believes, on September 23<sup>rd</sup>. A team of municipal law attorneys with the League of Arizona Cities and Towns drafted the ordinance template that everyone is using. Governor Ducey, reported Mr. Grier, didn't allow municipalities to regulate short-term rentals. There were unforeseen consequences of that impact on law enforcement. It doesn't have a lot of bite to it but it is the most we can regulate pursuant to the state law. It is up to council to decide whether or not they want to regulate to the fullest extent available. It is not a lot of regulation, concluded Mr. Grier, but it is something.

Queried Council Member Highstreet – Is Payson looking at this? Are you aware if this is on their radar? Mayor Davis responded that Payson has already adopted it. Council Member McDaniel stated she is in favor of it. Council Member Binney stated he doesn't like it completely but does agree with it. He thinks it's poorly written and he doesn't like that there is no definition of short-term rentals. Council Member Highstreet responded the state defines it as thirty days or less. Town Manager Grier confirmed he and Town Clerk Chapin researched it and it is defined through the state statute as thirty days. Mr. Grier stated he believes it is better defined by saying transient in nature.

Council Member Binney stated he read that the owner is responsible to get approval from adjoining lots. Notification is required, responded Town Manager Grier. Queried Council Member Binney – Does that work like a zoning change? If they say no, do we just turn it down? The ordinance doesn't say that, answered Mr. Grier. It just says notification is required. Keep in mind this doesn't have all the bite in the world. It does put some burden on Town Hall to regulate something that we are not really able to regulate because it's been short sheeted by state law. But if you don't like regulation, maybe you are good with the lack of regulation. Council Member Binney stated the biggest regulation in it is that the responsible party has to be responsible for no sex offenders within the facility. Mr. Grier stated he doesn't think the idea was to keep it from happening. He thinks it's very toe in the water and it doesn't regulate very forcefully. Council Member Binney stated he's for it. Queried Council Member McDaniel – How does an individual do a background check? Mr. Grier responded he does not know.

The mayor opened the meeting for public comment. There was no public in attendance and the mayor closed the public comment portion. There was no further discussion.

**A motion to approve and adopt Ordinance No. O 23-01 amending Star Valley Town Code Title 3 by adding new Chapter 4 and adopting by reference that certain document filed with the Town Clerk entitled Title 3 Business and License Regulations, Chapter 4 Short-Term Rentals and Vacation Rentals was made by Council Member McDaniel and was seconded by Council Member Armington.**

**A roll call vote was taken:**

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

**The motion was voted on and passed 7 - 0.**

- 2. Discussion and possible action to adopt Resolution No. R 23-01 – A Resolution of the Mayor and Common Council of the Town of Star Valley, Arizona, amending the Town Code of Star Valley, Arizona, declaring as public record that certain document filed with the Town Clerk entitled “Title 3, Chapter 4: Short-Term Rentals and Vacation Rentals.”**

Town Manager Grier explained this resolution adopts the ordinance into the Town Code. There was no discussion.

**A motion to adopt Resolution No. R 23-01 – A Resolution of the Mayor and Common Council of the Town of Star Valley, Arizona, amending the Town Code of Star Valley, Arizona, declaring as public record that certain document filed with the Town Clerk and entitled “Title 3, Chapter 4: Short-Term Rentals and Vacation Rentals” was made by Council Member Highstreet and was seconded by Council Member Armington.**

**A roll call vote was taken:**

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

**The motion was voted on and passed 7 - 0.**

- 3. Discussion and possible action to purchase artificial turf for installation around the splash pad and pickleball court at the community park.**

Town Manager Grier reported this is a project he and Council Member Binney are working on. Mr. Grier disclosed they are not ready to go yet. They have been talking to several companies that install artificial turf. The one they are favoring is the \$40,000 proposal for artificial turf around the pickleball court as well as artificial turf and curbing around the splash pad. They were hoping to get some samples from the company that placed that bid but they haven’t been able to do that. Council Member Binney reported he spoke with Carlos today. Carlos told him the blue turf would only be staked down and there would be no sand used. Council Member Binney stated that is not acceptable as there would be nothing to hold it down.

Council Member Dueker stated his concern that the blue turf sample doesn’t look like water will travel through it because the backing looks like it is solid. Council Member Dueker reported he spoke with a friend who works for OC Parks and is in charge of inspecting playgrounds. The question she asked was what is the surrounding area the artificial turf will back into. He told her it’s decomposed granite and she said we would want to stay away from a product that has a taller pile height because once the granite

gets in their it's very hard to get it out. The conclusion was a lower pile height that would also allow water to penetrate through the surface would be the best choice. We need to find something that will meet those requirements, concluded Council Member Dueker. Council Member Binney stated he's played on artificial turf that abuts to granite and there was no problem with granite getting on it. Mayor Davis asked if there will be some type of border around it where it meets the granite. Mr. Grier answered there will be a cement curb around the splash pad. The artificial turf at the pickleball court, informed Council Member Binney, is to keep the granite off of the court. Mr. Grier added the poured in place option is pretty expensive. And it does shrink over time, added Council Member Binney. Nothing is permanent and the average is about ten years. Mayor Davis asked if this should be put on another council meeting. Mr. Grier responded that is what he would suggest. Mayor Davis announced this will be brought up in a future council meeting.

- **ADJOURNMENT**

**A motion to adjourn the meeting was made by Council Member Armington and was seconded by Council Member Binney.**

**The motion was voted on and passed 7 – 0.**

**APPROVED:**

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**Bobby Davis, Mayor**

**Date:** \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
**Eddie 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 17<sup>th</sup> day of January 2023. I further certify that the meeting was duly called and held, and that a quorum was present.**

**Dated this 23<sup>rd</sup> day of January 2023.**

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**Eddie Chapin, Town Clerk**