

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

**Tuesday, October 3, 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 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 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.

Bob Wolf of 196 Chitwood in Star Valley stated he has a request and a consideration. There is an attachment to Cornerstone which Star Valley owns, and it is in really rough shape. He was wondering if someone could go over there and look at it and possibly repave that section in front of it. He would also like the council to consider a dumpster for fire-wising purposes.

Donna Fox of 17 S. Walters Lane, #C1 in Star Valley stated that she is 100% in opposition of the council ruling for the benefit package for two employees. The reason is because the town is giving benefits based on a name and not a position. You don't do business that way. Positions dictate and not because someone likes you. There are only two employees. One has been doing due diligence since the beginning of time and the other one is less than two years. Benefits should not be based on how much you are liked but based on position. When the council unanimously awarded the two employees those benefits at the last council meeting, stated Donna Fox, employee Del was studiously taking notes and she wasn't included in that. She may be part time, but you are saying I like you; you can have it. Donna Fox stated she believes in benefits, but they have to be earned. She feels that the finances are getting out of hand and that Home Rule is to blame. She thinks it's time to rescind Home Rule and see how the budget really comes out because it's getting excessive. She didn't get a garden spot because someone didn't like her. Questioned Donna Fox – Is that the way

business is going to be done here. The council awarded based on a name. That is her complaint and she is totally against it. Business is not done that way. You don't pick and choose who gets benefits. She's horrified and ashamed, concluded Donna Fox.

Town Manager Grier stated he would like to respond because it is appropriate to respond to direct criticism. Town Manager Grier then asked Administrative Assistant Del Dupree if she wanted the 457 benefit package. She is just part-time and is already retired, responded Administrative Assistant Dupree, so she is not interested in participating. Perhaps, added Administrative Assistant Dupree, the next person in that position would be interested in participating.

There were no further public 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 September 19, 2023.

B. Approval of Accounts Payable from September 16, 2023 through September 30, 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 Armington and was seconded by Council Member McDaniel.

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 Abstained, Council Member McDaniel X, Mayor Davis X.

The motion was voted on and passed 6 - 0.

- **DISCUSSION ITEMS:**

1. Discussion and possible action to approve the Administrative Services Contract with Central Arizona Governments ("CAG") for the FY2023 Community Development Block Grant ("CDBG").

CAG Administrative & Special Projects Coordinator Angela Gotto stated that this is the annual administrative contract for the CDBG project. They are excited to be back on board with Star Valley. Ms. Gotto reported that CAG has typically charged eighteen percent (18%) in the past. When she stepped into the program, she streamlined the paperwork and found a better way to do all of the forms and applications. The cost has been reduced significantly, reported Ms. Gotto, and is now running between ten (10) and twelve (12) percent. Previously, they were charging upwards of \$30,000 to Star Valley – this year it is \$19,000. The application has already been submitted, reported Ms. Gotto, and they are waiting for approval from Arizona Department of Housing ("ADOH") for the funds. When the project does get funded, they will do all of the project monitoring. She knows that Star Valley has Engineer Dale Miller on board and that is a significant help to her as well. They will be monitoring the project regularly, concluded Ms. Gotto, and submitting reimbursements to get payments back to the town. Ms. Gotto asked if there were any questions. There were none and Mayor Davis stated he would accept a motion.

A motion to approve the Administrative Services Contract with CAG for the FY2023 Community Development Block Grant was made by Council Member McDaniel and was seconded by Council Member Highstreet.

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. First Reading and Public Hearing concerning Ordinance No. O 23-03 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF STAR VALLEY, ARIZONA, AMENDING ORDINANCE 06-02, THE ZONING MAP AND THE ZONING CODE FOR THE TOWN OF STAR VALLEY BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT ARIZONA STATE ROUTE 260, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBER 302-58-001E, FROM TR TD (TRANSITIONAL RESIDENTIAL TRAILER DISTRICT) TO C2 (COMMERCIAL TWO DISTRICT). (MOGOLLON MEADOWS REZONING).**

At the last meeting, briefed Town Manager Grier, the council voted against the rezoning of the property from TR TD to C3 requested by applicants Lee and Tina Martinez. Most of the council did indicate that C2 may be an appropriate zoning that they would consider and approve. Staff backed up the process with two additional public hearings, explained Mr. Grier. The first public hearing is the first reading of the ordinance. The council does not vote on the ordinance at the first reading. At the next meeting there will be a second reading. At that reading, concluded Mr. Grier, is when the council will consider whether or not to adopt the ordinance.

Mayor Davis opened the meeting up for public comment and reminded everyone that they have three (3) minutes. John Evans of 208 N. Edison Way in Star Valley read the Town of Star Valley's Mission Statement aloud. He encouraged the council to use that as a filter as they use their wisdom in making their decision. Mr. Evans explained that his residence abuts the Freegard property. The zoning change, as he sees it, is going to have a significant impact upon his quiet enjoyment of his residence that he chose in Star Valley. He is asking for the council's support. Pat Evans of 208 N. Edison in Star Valley stated she was told that the council was for the change and that one person on the board was against it. They've come to find out that is not the case. There is only one person that she knows of in the Knolls that is for this project. The rest of the people that she's spoken with are against it. Originally, stated Mrs. Evans, when the property was bought it was going to be lots of one acre for homes. She was all for that. That is common to what the Knolls represent and what the properties behind them represent. Now it's going to be multiple properties including an RV park. The Knolls is not for that. She hopes the council takes that into consideration, concluded Mrs. Evans. Stan Ziminski of 3933 E. Highway 260, Space 124 in Star Valley stated he doesn't understand how it's going as far as it has. He read the proposal, and he is concerned about too much light and that insurance rates will explode because of being next to a gas station. He doesn't know what the number of homes is now, but he assumes it's a lot less than originally planned. Mr. Ziminski asked the council to think about it very carefully.

Applicant Lee Martinez stated he appreciates the public's concerns. The property was never going to be one (1) acre lots and he does not know how that story got started. The situation with him selling to Maverik, explained Applicant Lee Martinez, was initiated by the Freegards before he bought the property. He just took over the sale and he closed it. He is choosing to invest his hard earned money in a town that

is divisive. That is the last 1200 linear feet of frontage on the 260 in this town. The best use of that frontage is for commercial purposes, stated Applicant Lee Martinez, it's not rural. When driving through this town he does not know one business that is rural based or gives the impression of a rural community. They are trying to do their best to make sure that is the perception of what they are doing. Maverik's exterior elevations, reported Applicant Lee Martinez, are very country looking. He wonders whether they are making a good decision investing in this community. Applicant Lee Martinez stated he feels very strongly that they have a very good plan. There are only forty two small homes. There are a lot of people in this community that don't have a home and they are going to try to deliver affordable housing to the people in this community. They want it to be secure, they want it to be safe, and they want to abate the noise with design features that they have done. Applicant Lee Martinez stated the homes will face to the south with good views. He enjoys living in this area and he wants everybody else to enjoy it too. At the same time, added Applicant Lee Martinez, he has to make a good business decision. They were forced in the last meeting, stated Applicant Lee Martinez, to have a group of people from one mobile home development control the meeting. They were the only ones there and they voiced their opinions. The council acted accordingly. People from the community weren't there, it was just the Lamplighter that was represented. They did a very good job because they got what they wanted. Applicant Lee Martinez stated they asked during the meeting if they could have C2 and they were told that they would have to reapply. The town's attorney found that wasn't exactly accurate, reported Applicant Lee Martinez, and that they can go down to a C2 without having to start the process all over. They are now asking for rezoning to C2. They are looking at sixty to seventy full-time jobs on this property and a substantial amount of taxes being paid to the community. He does not think it's as bad as what people think, concluded Applicant Lee Martinez.

John Evans of 208 N. Edison Way in Star Valley stated he's all for development and moving forward. His concern and what will affect him is the excessive light, the excessive noise, and the terrible smell. He spoke with Sanitation Engineer Todd Christianson, reported Mr. Evans, who explained to him the terrible smell that will impact the Knolls from the sewage treatment plant that will be required to service that property. Applicant Lee Martinez responded that Todd Christianson is the person that is selling them the unit. John Evans responded that Todd Christianson told him that he doesn't work for you, and he hasn't spoken with you in two years. Not that we're aware of, responded Applicant Tina Martinez. In regard to light, stated Applicant Lee Martinez, they are dedicated to the dark sky, and they have been from the beginning. That is one of the requirements that they are fulfilling, stated Mayor Davis. Applicant Lee Martinez stated he does not know what to say about noise, they are tiny houses, and they will not have a lot of occupants. The RV park is not an RV park that has daily usage, it is annual usage.

Tula Elliott of Lamplighter told Mr. Martinez not to be disparaged about the residents in Lamplighter. She feels the residents do have some concerns, but she also appreciates what the developer is trying to do. Ms. Elliott stated she would rather have a nice development go into that meadow. She thinks that what they are proposing brings aesthetic value to this side of the 260. Questioned Ms. Elliott – Do we want our meadow to end up looking like the other side of 260? “No” stated Ms. Elliott. She has no problem with an annual RV park. She lives in an RV park, and she doesn't think the noise, or the smell is bad. She is in favor, concluded Ms. Elliott, and she is convinced it is not a truck stop. Bonnie Bahn of the Lamplighter stated her concern is the noise, the light, the general pollution and the traffic on the weekend. They have a very difficult time getting back and forth to anywhere on weekends. Increasing large vehicle traffic, concluded Ms. Bahn, would definitely impact their way of being able to get anywhere. Donna Fox of 17 S. Walters Lane, #C1 in Star Valley stated she doesn't know the answer

to the traffic issue. It's getting worse every day and it's not all in Star Valley. There were no further public comments and Mayor Davis closed the public comment portion.

This is the first reading, stated Mayor Davis, there is no vote tonight. The council can have some deliberation over the issue, informed Town Manager Grier, since there are proposed conditions. For clarity, explained Mr. Grier, the zoning change is only on the piece of property that is being proposed for C2 with the Maverik development. We are not looking at the properties around that property. We are only looking at the one proposed parcel that is at issue tonight, which is looking at a change in zoning from TR TD to C2 only at the Maverik station. Mr. Grier stated he will have Town Clerk Chapin read the conditions for the record. The council can make changes to the conditions, explained Mr. Grier, before they vote on them at the next meeting. The conditions have also been supplied to the applicants, so they are not blindsided by anything. The conditions may be what the council decides makes this a suitable change in the zoning, concluded Mr. Grier, or not a suitable change in the zoning.

Mayor Davis instructed Town Clerk Chapin to read the conditions. Town Clerk Chapin read the conditions as follows:

- A. The development shall be in substantial conformance with the Rezoning Site Plan as submitted, entitled *Star Valley Maverik Convenience Store (AZ0307)*, dated March 20, 2023, Sheets 1 through 12.
- B. The development shall be in substantial conformance with the Rezoning Narrative as submitted, entitled *Narrative for the Proposed Maverik*, dated June 6, 2023, consisting of two pages.
- C. Overnight semi-truck parking will NOT be allowed. Semi-truck parking and idling is limited to no more than thirty (30) minutes. A violation of this condition will result in revocation of Maverik's Town of Star Valley business license.
- D. Any signage shall not exceed four (4) feet in height and must comply with all sign regulations and dark sky regulations pursuant to the Town of Star Valley Code.
- E. There shall be an eight (8) foot high block wall, opaque wall, fence or approved landscape screen adjacent to any residential district if Applicant does not develop juxtaposed properties in accordance with the site plan submitted.
- F. An eight (8) foot public utility easement shall be dedicated to the Town of Star Valley along the north side of the property along all highway frontage at the time of building permit issuance.
- G. The developer bears all costs to supply water to the project.
- H. Compliance with all Arizona Department of Transportation requirements must be met.
- I. Adequate sanitary facilities shall be designed in accordance with an engineer and Gila County Sanitary District requirements.
- J. All applicable Town development standards shall be met.
- K. The development shall comply with all applicable Town codes and ordinances.
- L. The development shall comply with all current fire codes.

- M. Maverik acknowledges and agrees that the property shall be conveyed subject to a recorded deed restriction that prohibits the use of the property as a truck stop. Truck stop as defined means an establishment engaged in the fueling, servicing, repair, or parking of tractor trucks and trailers or similar heavy commercial vehicles and may also include overnight accommodations, showers or restaurant facilities primarily for the use of truck crews. While semi-trucks are allowed to fuel at the Maverik service station, excessive idling and overnight parking is not allowed.
- N. If any conditions listed in this Section 3 cannot be met or the applicant has not received an approved Building Permit for the Property within five (5) years of the approval date of the zoning change, then the rezoning may revert to the original TR TD designation pending Council action.

That concluded the reading of the conditions.

Mayor Davis opened up the meeting for council discussion. With all the restrictions and the developer agreeing to meet us in the middle, stated Council Member McDaniel, it is the best balance of developing the property. They want to bring something great to Star Valley and she thinks the conditions address many of the concerns that people have had. This does offer a lot of protection, concluded Council Member McDaniel, and is a great balance. Council Member Dueker stated he understands that they are supposed to be only looking at the gas station for zoning and not the rest of the development. The council still has to approve the zoning on the rest of that plan down the road. If for some reason the council doesn't approve the rest of the plan, stated Council Member Dueker, we've got that noise going across to other properties. It could be years before the rest of the development gets okayed. Council Member Dueker stated he is concerned about a sound and site barrier. That would be required by Maverik, responded Town Manager Grier, before the business license was issued. Council Member Binney stated he believes everything else is trailer district. It's already zoned for it so there would be no zoning change for that. That can all go in as designed. Things have changed, stated Council Member Dueker. Mayor Davis reminded the council that they are only talking about one piece of property right now. In order to talk about that one property, stated Council Member Binney, we have to talk about the east side of the property by the Lamplighter that now has nothing around it. There were storage buildings before. Questioned Council Member Binney – What are you planning to do with that? Mayor Davis reminded Council Member Binney that this is council discussion. Council Member Binney stated the developer is going to leave open noise to Lamplighter. Keep in mind, stated Mayor Davis, we are just talking about one section. Council Member Binney concluded he does worry about the sound for the Lamplighter. Mayor Davis asked if there were any other comments. There were none.

Mr. Grier pointed out it would be appropriate for the Maverik representative to speak on the conditions so there is some direction for the next meeting in case the council decides to go forward with the approval of the ordinance. Maverik Representative Todd Meyers stated there are some concerns. The first concern is the four foot high sign on a multiple lane highway. He does not know how anybody can see that sign unless they are exactly right at the access. Because of the speed of the traffic and traffic coming down both lanes, stated Mr. Meyers, that sign needs to be up a little bit higher. That is probably the thing that jumped out the most to him. The concern with the block wall, explained Mr. Meyers, is that they will be sharing their accesses. The property line of those accesses goes down the center of those private drives. Questioned Mr. Meyers – So where do you put that fence? As far as dark sky stated Mr. Meyers, they can have their electrical engineer comply with that. Maverik is not a truck stop, acknowledged Mr. Meyers. The definition worries him a little bit and he would like that tweaked just so there is no question in the future. They do not want overnight parking, they do not want showers, they do not want trucker's lounges. That is not who Maverik is, pointed out Mr. Meyers. His last concern, stated

Mr. Meyers, is if someone idles for more than thirty minutes, they could lose their business license. They can police it really good but that doesn't mean they catch everybody. Mr. Meyers concluded he wants a little clarification on that one.

Applicant Lee Martinez stated his responsibility in selling the property is to provide Maverik a clear understanding of what's expected within Star Valley on that property. When they were first talking about noise, they had to be three hundred feet away from a residential development. Now it's changed. Todd brought up a really good point, stated Applicant Lee Martinez, about the shared access agreement. The town is requesting Maverik to put a block wall around the perimeter of their property – you would have a block wall running down the middle of the road and that wouldn't work for anyone. They are planning to do a berm style landscaping, reported Applicant Lee Martinez, for a certain look. If you have a one foot pedestal that means the sign could only be three feet. Applicant Lee Martinez stated he doesn't think it would be possible for people driving down the highway to see that sign. He is not sure if the sign itself is four feet and sitting on a pedestal. Responsibly, stated Applicant Lee Martinez, we can all look at this and come to an agreement. Applicant Lee Martinez added he does not know what requirements there will be as far as setbacks for the sign. Town Manager Grier stated he appreciates Maverik weighing in. Mr. Grier then read condition E aloud. When we are talking about ingress/egress, explained Mr. Grier, that block wall wouldn't be adjacent to a residential district. The block wall is for the purpose of places like the Lamplighter in lessening the noise and the smell for them. That is why the language “adjacent to any residential property.” Mr. Grier stated he is a little confused about the four foot high sign because Mr. Martinez had assured him on no less than three occasions that he wouldn't allow a sign higher than four feet (a monument sign). Mr. Grier stated he was told that Maverik wanted a higher sign, but that Mr. Martinez was not going to allow it because he felt a four foot sign would be appropriate. Mr. Martinez responded that he also said the pedestal would have to be set so the sign was visible.

Council Member Dueker stated he thinks the sign issue would be more understandable if there were a landscape elevation. We have been provided with an elevation of the actual building. Questioned Council Member Dueker – What are people going to see driving down the 260? What's the landscape going to look like? We've all of a sudden heard tonight, stated Council Member Dueker, there's going to be a berm. Questioned Council Member Dueker – Is that going to be decomposed granite? Is it going to be grass? Are there going to be flowers? Is there going to be a tree? At the very least, stated Council Member Dueker, he would like to see an architectural landscape drawing of what the elevation in front of Maverik is going to be. He thinks that will also help everyone understand the signage. He wants to know what the development is going to look like to the driving public. He would still like to see, concluded Council Member Dueker, an architectural landscape elevation.

Council Member Binney stated new businesses take a lot more criticism than older businesses. He has two signs that are taller than four feet. We have a sign code, reported Council Member Binney, and as long as it meets the sign code that should be fine. His side of the street where his business is located is kind of trashy. No matter what they do, stated Council Member Binney, he thinks it will be an improvement. To be fair to another business, concluded Council Member Binney, the signs should all be treated equally. There was some discussion between Council Members Binney and Dueker. Council Member Dueker asked Town Manager Grier if he could provide the sign ordinance to the council before the next meeting. That can be provided responded Town Manager Grier. It doesn't restrict you, pointed out Mr. Grier, from putting a condition on this property that is being changed from TR TD to Commercial. Staff put in the sign conditions, reported Mr. Grier, which were articulated to him by the applicant. Mr. Grier stated he imagines Maverik wouldn't mind doing a landscape and submitting that to the council before the next meeting in two weeks. Questioned Mr. Grier – Can you supply Council

Member Dueker with what he would like to see? Maverik Representative Todd Meyers responded he doesn't think he can have it done in two weeks, but that he can have it done for the meeting after that.

Questioned Mayor Davis – What date is our next meeting? Town Manager Grier asked Town Clerk Chapin if the second reading had already been published. “Yes” responded Town Clerk Chapin. It is going to be published in this Friday's paper and next Friday's paper. It would delay the second reading of the ordinance, explained Mr. Grier, and you have to understand the ordinance doesn't take place until thirty days after its passage. One thing he and Mr. Martinez spoke about, reported Mr. Grier, was expediting the project. Mr. Grier asked Council Member Dueker what he would like to see. Council Member Dueker replied he would like to see the whole frontage and to scale. Questioned Council Member Dueker – How high are those berms? Where are those berms running? What's covering the berm? The council is on the verge of okaying a gas station, stated Council Member Dueker. The least we can do is know what it's going to look like from the road so if we don't agree with it, we can make some changes. Todd Meyers answered he is happy to provide that, but he just doesn't think he can have it done in two weeks. Questioned Mr. Meyers – Could this item be moved to the following meeting? We are trying to expedite this, stated Mayor Davis, because it's been held up. He has no problem with that if Mr. Martinez doesn't have a problem with that. We have a second reading in two weeks, pointed out Council Member Binney, we don't have to vote on it. We can put the vote off for another two weeks. There is a first reading and a second reading, explained Mr. Grier. The first reading is tonight. It is required to be published in the newspaper and it has been. The second reading is already in place to be published in the newspaper. There would be an additional expense that would have to be borne by the developer unless the council wants the town to pay for it. Mr. Grier stated he supposes it's possible to put it off for a couple more weeks. He doesn't think there is any requirement, concluded Mr. Grier, between the first reading and the second reading. Applicant Lee Martinez suggested making it a condition to have an acceptable drawing that they will agree with as a group. That way they can move forward with the plan to do it on the 17th. Mr. Grier responded he doesn't like that. Questioned Council Member Binney – Couldn't we have the second reading in two weeks and not vote? At the second reading you are voting, responded Mr. Grier.

Council Member McDaniel asked if the berm was for the residential area or for Maverik. Applicant Lee Martinez responded it will be continuous landscape out front. Questioned Council Member McDaniel – How can condition C be re-worded to make Maverik comfortable with it but also protect it from becoming a truck stop? The concern she heard the most, reported Council Member McDaniel, was that people don't want semi-trucks to be able to park there and hang out. Condition C, stated Council Member McDaniel, says that it is limited to thirty minutes. Maverik Representative Todd Meyers stated he is fine with thirty minutes and that is not the problem. Town Manager Grier stated he thinks Mr. Meyers concern is the business license revocation, and he agrees with him on that. Staff can write a due process into that condition so that it gives Maverik due process protection.

Town Manager Grier stated he is hearing two different things. Maverik is saying they would be okay with meeting not in two weeks, but in a month to be able to provide what Council Member Dueker is asking for. That is one council member, stated Mr. Grier, maybe the rest of the council members don't care about the landscape elevation. Mr. Grier stated he is hearing Applicant Lee Martinez saying to go ahead and do the second reading and vote on it with the condition that there is a landscape plan supplied to the council that all of the council has to agree on. He is not comfortable with that, pointed out Mr. Grier, because the council wouldn't be supplied with the information until after they have already voted on the ordinance. Questioned Mr. Grier to the applicant/developer – What are you saying as far as a time frame? We would like to be business friendly in our consideration, concluded Mr. Grier. If the council just needs a landscape plan, responded Maverik Representative Todd Meyers, that is available now. He

would not have renderings of the street view put together for two weeks. That is up to Council Member Dueker, stated Mr. Grier. Council Member Dueker stated he would like to see an elevation so the council can get an idea of what will actually be seen driving down the road. That's generally a standard thing when it comes to development. The sign placement, what the vegetation is going to be, what we are going to see, concluded Council Member Dueker. Mr. Meyers responded they have a landscape plan ready right now. An elevation rendering would need to be created and that would take more than two weeks.

Mayor Davis asked about raising the elevation of the sign from four feet to eight feet. Mayor Davis stated he understands if it needs to be a little bit higher. Questioned Mayor Davis – Can we look at something like that? They can do elevations of the sign, responded Maverik Representative Todd Meyers. Applicant Lee Martinez stated the berms aren't going to be very high because vision can't be blocked per ADOT. Mayor Davis stated he just wants to see if the issue of the four foot sign can be alleviated by raising the sign a little bit. Maverik Representative Todd Meyers stated they could do an eight foot monument sign with the same stone on the base as will be on the store. That is something he could provide quickly. Questioned Mayor Davis – Would that solve the problem? “Yep” answered Mr. Meyers. Questioned Town Manager Grier – What problem are we solving? Mayor Davis answered he is talking about the sign and raising it from four feet to eight feet. Questioned Mr. Grier – Are you changing your position Mr. Martinez? Applicant Lee Martinez replied he is not changing his position. The base of the sign is fine at four feet. Mr. Meyers asked if they could propose a sign eight foot max and use the stone. He can have that to the council in two weeks, concluded Mr. Meyers.

Council Member Dueker stated we are talking about a development, and we are asking questions about a development. He's got to believe that there is somebody there in Utah that Mr. Meyers can throw an extra \$1,000 bucks at and they will put him at the top of the line to get that drawing done. It's crazy that we have a development and people are asking questions at the last hour because they want to make sure it is something that fits the rural lifestyle. He would just like to see what it looks like, and that is nothing new. Council Member Dueker reported that he asked Mr. Martinez a month ago for this very thing. Mr. Martinez told him he spent enough money on this project and that he can trust him. All he is asking for is an elevation, stated Council Member Dueker, so we know what everyone is going to see. You gave us an elevation of the building. Now that we are getting into signage, he wants to know what it's going to look like from the road. He knows they want to make it look nice and that it's not going to be cheap. Your idea of nice and cheap may be different than ours, concluded Council Member Dueker.

Applicant Lee Martinez stated the comment about throwing an extra \$1,000 bothers him. The cost of a rendering is about \$1,000. Questioned Applicant Lee Martinez – What are the sign guidelines for the Town of Star Valley? Mayor Davis stated he does not know off the top of his head. Applicant Lee Martinez requested those be sent to him. Council Member Dueker stated he's blown away that with something this large and with this large of a company behind it that they can't deliver an architectural elevation of a landscape. He thought it would have been drawn up from the very get go. Maverik Representative Todd Meyers responded he's happy to provide the sign. Council Member Dueker stated he would like to see what everyone will be seeing all the way down the road. He recommended the developer and Maverik get together on what the concept is going to look like and present it to the council so they can see it. Applicant Lee Martinez responded that ADOT has to approve everything before he can do anything. It is still in their hands as far as what type of finish they want on the sidewalk. Questioned Council Member Dueker – They are going to tell you what type of granite to put on a hump? “Yes, they actually do” answered Applicant Lee Martinez.

Mr. Meyers is saying he would be glad to provide that, stated Town Manager Grier, but they just can't do it in a two week time period. Questioned Mr. Grier – Does the council believe that is something

they really want to see before they vote on this? Does the council want to push this off for another two weeks? Mr. Grier stated he is not hearing they have a problem with that. Questioned Mr. Grier – Does the council want to hold up the approval of the ordinance at the next read? Mr. Grier stated he thinks that can be done, but it will have to be republished. There may be some disagreement between the applicant and Maverik. He’s not sure who he should be looking at with this issue, concluded Mr. Grier. Applicant Tina Martinez stated she will send over the landscape plan they have. If that is sufficient, then we can move forward. If you get it to us quickly, responded Council Member Dueker, then they can review it. Maverik Representative Todd Meyers stated he can easily get a landscape plan and sign elevation to the town within a day or two.

Council Member Binney stated he has listened to all this minutia. Whatever they are going to do is going to look better than his side of the road. Let them bring in their sign and their paperwork and get it done in two weeks – let’s be done with it, concluded Council Member Binney. You guys want us to do the rural lifestyle and keep that mission statement alive, stated Council Member Dueker, but we can’t even take a look at what it’s going to look like. Anything looks better than Circle K, stated Council Member Binney. That doesn’t take away our responsibility to make sure what’s coming in looks well, responded Council Member Dueker. Council Member Binney stated that Council Member Dueker is forcing people to pay for things for his wishes. Council Member Armington stated he is in agreement with Council Member Binney. The Town of Star Valley sign is well above four feet. There is a sign across the street that is probably twenty five feet. We are arguing over spilt milk, concluded Council Member Armington. Questioned Mayor Davis – If we raised it to eight feet would that solve the problem? “Yes” answered Maverik Representative Todd Meyers. Mayor Davis asked if everyone is in agreement with that. “Yes” responded Council Members Binney. He doesn’t agree with that, stated Council Member Dueker, but there are six people who do agree with it. Just change that from four feet to eight feet, stated Mayor Davis. Mayor Davis asked Mr. Meyers if he would have the rendition of the sign to the town in a couple of weeks. In a couple of days, answered Mr. Meyers. Mayor Davis asked if there was any other discussion. Questioned Town Manager Grier – Are we moving forward in two weeks? “Two weeks” responded Mayor Davis.

**3. Discussion and possible action concerning increasing council’s compensation.
Requested by Council Member Ray Armington.**

Council Member Armington clarified he would just like to have the compensation looked at. We are very adamant, stated Council Member Armington, about looking at the salary of the employees. This item has not been addressed, reported Council Member Armington, since 2013. At that 2013 meeting a good point was brought up that if we are going to attract people to replace us we need to make it more attractive to other people. With times changing, concluded Council Member Armington, he thinks it’s time we look into that and see what there is that we can do to bring it up to date. Our current compensation for a council member is \$500 a month, reported Mayor Davis, and \$700 a month for the mayor. He was looking around at different towns and Globe just approved an increase for their council. Based off of the 2020 census, reported Mayor Davis, they have a population of 7,200. The compensation for the Mayor is \$12,000 and for the council it is \$8,000. It doesn’t take effect until 2025, concluded Mayor Davis. It said in the wording that this would not go in effect until 2024, replied Council Member Armington. Pursuant to our code, pointed out Town Manager Grier, if council puts an increase in place it doesn’t take effect until the next council is seated.

The one thing that he has found with the people he has contacted (Payson, Globe and Superior), stated Mayor Davis, is that they also offer town insurance to council members if they choose to take that. That part of their compensation would go towards insurance versus them paying it out of pocket.

Questioned Mayor Davis – We don't have that, do we? "You do not" answered Town Manager Grier. Council Member Highstreet stated it would be worth it to have staff look into it comparatively to towns our size to see what they are doing. He didn't get into this for the money. He also agrees with doing it in order to stay competitive, concluded Council Member Highstreet, and encourage people to participate in local government. Council Member Binney reported there was no compensation originally. This town has always been very conservative. If you figure \$500 and two hours a night twice a month, the council is making \$125 an hour. That is pretty good pay. Council Member Binney stated he's not sure an increase is needed. He's been doing it for quite a few years, he enjoys it, and he's not doing it for the money. Questioned Council Member Binney – Does anyone think they are worth more than \$125.00 an hour? That's what we are making right now, pointed out Council Member Binney. We don't need any more money, concluded Council Member Binney.

Council Member Dueker stated he was appointed and he was surprised to find out he was getting money for service. He doesn't think they should even be discussing a raise for servicing the community. He also doesn't think anyone is going to leave their positions if they don't get a raise. Council Member Dueker stated he considers it a privilege and he takes it seriously. He doesn't think an increase is a good idea, concluded Council Member Dueker. Council Member McDaniel stated when she was first appointed to council she thought there was no compensation and she thought that she was volunteering her time to give her services to the community that she loves. As far as financially incentivizing people she thinks that would draw people who are interested in the money rather than people who are interested in serving the town. She thinks \$500 a month is a lot. I was coming into it, concluded Council Member McDaniel, thinking that it was just going to be volunteering my time.

Town Manager Grier stated Finance Administrator Woody calculated the cost of living increase and what the adjustment would be. Using the CPI inflation calculator, reported Finance Administrator Woody, the same buying power from ten years ago until now on \$500 would be \$659 and on \$700 would be \$922. That is just over \$11,000 a year for a mayor and almost \$8,000 a year for a council member, which puts us pretty close to Globe, concluded Finance Administrator Woody. Vice Mayor McKinney stated he has always been an enthusiastic fan of increasing compensation and benefits for town staff members. He doesn't know if an extra \$40 a week for a council member is going to attract a better quality of applicant to run for office. Vice Mayor McKinney stated he doesn't think it makes any difference. He was two or three months into his first campaign, reported Vice Mayor McKinney, before he found out there was compensation. He enjoys being paid and having more would be fun, concluded Vice Mayor McKinney, but he doesn't think there is a justification under the idea of attracting better people to the table.

A motion to not adjust the council's compensation was made by Council Member Binney and was seconded by Council Member McDaniel.

A roll call vote was taken:

Vice Mayor McKinney Yes, Council Member Armington No, 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 6 - 1.

4. Discussion and possible action to amend the personal leave portion of the August 15, 2023 Employment Agreement of the Town Manager/Town Attorney in order to correct errors. Finance Administrator Tina Woody will explain.

After reviewing the contract, explained Town Manager Grier, it was discovered that the leave portion was not correct. Mr. Grier stated he always stays arms-length from any of those matters since he

is both Manager and Attorney. Finance Administrator Woody explained it was when she went to process the agreement that she found issues. One of the issues was that it was to be credited on January 1st. Meaning, explained Ms. Woody, if you are allowing the Town Manager/Attorney to have three weeks of vacation he's going to get that three weeks all at one time. Our system handles vacation accruals based on pay period, so it is earned over a period of time. The Town Manager/Attorney may have three weeks available to him, explained Ms. Woody, but that's going to be put on an accrual rate by the pay period. Our HR manual does say that it's a tiered accrual rate based on years of service. What you have in the agreement here is less than what a regular employee would be getting if they were here for the same number of years of service that the Town Manager/Attorney has been. Ms. Woody pointed out that Mr. Grier shorted himself a bit on this particular item. In looking at that, the Town Manager/Attorney cannot earn less vacation than a regular employee with the same amount of years of service. Also, added Ms. Woody, vacation is not calculated at the beginning of each year, it's earned through an accrual rate per pay period based on years of employment. That was the reason for the correction, which gives the Town Manager/Attorney twenty seven (27) days of vacation versus twenty three (23) days of vacation.

A motion to authorize amendment of the personal leave portion of the 8/15/23 Employment Agreement of the Town Manager/Town Attorney in order to correct the errors as stated by Ms. Tina Woody was made by Council Member Highstreet and was seconded by Council Member McDaniel.

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.

• ADJOURNMENT

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

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 3rd day of October 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 11th day of October 2023.

Edie Chapin, Town Clerk