

Approved Meeting Minutes

Fairfield Town Council

Regular Session

September 17, 2025

Minutes

Date: Wednesday, September 17, 2025

Location: Fairfield Town Office, 121 West Main Street, Fairfield, Utah

Time: 7:00 P.M.

Minutes By: Stephanie Shelley

Call to Order

1) Roll Call

Town Council Members Present:

Mayor Hollie McKinney, RL Panek, Richard Cameron, Michael Weber, Tyler Thomas (via Zoom, arrived in person at 7:31 pm)

Staff Present:

Recorder: Stephanie Shelley, Attorney: Todd Sheeran, Sergeant Dutson, Treasurer: Codi Butterfield (Via Zoom)

Others Present: Tal Adair, Art Sanders (Holladay, Utah), Cheri Anderson (IRL), Mark Pringle, Vern Carson, Nate Martinez (Comcast), Justin Canning (Comcast), Ross Klvacer (Saratoga Springs).

Others Present Via Zoom: Tyler LaMarr, Jami, North Pointe Solid Waste, WTaylor, Alina, Jami Mascaro

2) Prayer / Pledge Of Allegiance

Councilman Cameron offered the prayer. Those in attendance repeated the Pledge of Allegiance.

Reports

1) Sheriff's Department Update.

Sergeant Dutson reported that during the month of August, the Utah County Sheriff's Office handled 33 service details in Fairfield. These included:

- Four abandoned 911 calls
- One traffic accident with injuries
- Seven animal complaints — primarily related to a resident trapping stray cats.
Approximately 38 cats were trapped and removed from Fairfield as part of this effort.
- Two motorist assists
- One criminal mischief case
- Two fire-related details
- Two follow-ups
- One hazard report
- One medical call
- One suspicious event
- One traffic incident

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- One VIN (vehicle identification number) inspection
- One welfare check

Council members acknowledged that the number of trapped cats was significant. Mayor McKinney expressed appreciation to the resident who undertook the effort to trap and remove the stray cats from town.

2) Planning Commission Update.

Wayne Taylor reported that the Planning Commission had held three meetings since the Council's last meeting. During that time, the Commission had forwarded the Fairfield Industrial Park Development Agreement to the Council with two additions:

1. Permitting cranes as a special use, and
2. The water requirement for the second phase of development is negotiable, based on the actual water usage in the first phase.

Wayne Taylor stated that the Commission had also moved forward the Water Ordinance, although there were some questions about the amount of water required for industrial and commercial sections. He explained that water usage can vary greatly depending on the type of business—for example, a convenience store might use around two acre-feet per year, while a cabinet shop might use only a fraction of that. The Commission felt the ordinance was workable as written, but suggested that a tiered system might be a more accurate approach for future consideration.

Additionally, the Planning Commission had moved forward with both the Airpark Zone and a version of an Airpark Overlay Zone for the Council's review. Mr. Taylor noted that they had not yet passed the third part of the ordinance, concerning special uses, but planned to address it at their next meeting scheduled for Monday night.

General Public Comment (2-minute limit per person): Comments are for any matter not on the agenda and not related to a pending land use application. *Two minutes per person, with a total limit of 14 minutes.*

Tyler Lamar – Miller Harrison law firm, representing West Desert Airpark and Mark and Alina Pringle. Mr. Lamar expressed concern that the proposed Airpark ordinance was being advanced too quickly. He urged the Council to study similar airport ordinances in Utah communities such as Woods Cross and West Jordan, which have established records of safety and public satisfaction. He cautioned that the current draft could expose Fairfield Town to litigation risks due to potential FAA preemption issues and encouraged additional review before adoption.

Neil Schwendiman – North Pointe Solid Waste

Neil stated that North Pointe had not received the required 10-day written notice of the proposed land use change that would affect its property due to the runway extension. He said this

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omission violated the Utah Land Use, Development, and Management Act (LUDMA). Neil noted that North Pointe holds a Conditional Use Permit (CUP) that has allowed lawful operation and development of the property for more than 50 years. He warned that any action by the Town to restrict or diminish that permitted use would result in immediate legal action.

Cherie Anderson – Intermountain Regional Landfill

Cherie stated that the proposed Airpark Overlay ordinance could negatively impact their operations in unclear and unintended ways. She expressed concern that the ordinance seemed intended to address gaps in an earlier development process that lacked sufficient communication and impact analysis. She questioned the need for a 10,000-foot overlay radius, suggesting instead that a 5,000-foot overlay would more accurately represent the actual area of influence and reduce unnecessary regulatory reach.

Consent Items

The Council may approve these items without discussion or public comment and may remove an item to the Business Items for discussion and consideration.

- 1) Approval of Minutes: August 20, 2025.**
- 2) #R2025-14. A Resolution Of Fairfield Town To Cancel the General Municipal 2025 Election**

Councilman Weber made a motion to approve the consent items. Councilman Panek seconded the motion. The motion passed unanimously.

Mayor McKinney - Yes

Councilman Thomas - Yes

Councilman Panek - Yes

Councilman Cameron - Yes

Councilman Weber - Yes

Business Items

The Council will discuss (without public comment) and may approve the following items:

- 1) Approve the Fairfield Industrial Park Development Agreement, approximately located at 400 S Allens Ranch Road.**

Tal Adair presented an overview of the development agreement, outlining its current progress and utility considerations. He reported that discussions with Rocky Mountain Power regarding the installation of three-phase power are ongoing and have not yet been finalized. As an interim solution, both Tal and Mayor McKinney have engaged Big D Construction to explore enclosed generator options to provide temporary power until permanent infrastructure is established.

The development is intended to proceed in phased stages, allowing for an orderly and sustainable build-out. Council members reviewed key components and updates to the development agreement, including last-minute legal revisions completed earlier that afternoon.

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Key discussions during this session involved:

1. **Cranes Usage:** The Council agreed to modify the classification of cranes from a special use to a permitted use within the boundaries of the approved development.
2. **Water Infrastructure:**
 - a. An initial allocation of 10 acre-feet of water was confirmed, with maintenance and replenishment procedures discussed.
 - b. Alternative approaches were considered, including integrating water systems with each phase of development and adjusting oversight roles to refer to “town expert” instead of specific engineering titles.
 - c. Water requirements were set at 0.9 acre-feet per lot, with provisions for future reassessment as needed.
3. **Noise Regulation Compliance:** A consensus was reached to align occupational noise limits with OSHA standards, allowing up to 85 decibels during operating hours of 7:00 AM to 7:00 PM.
4. **Setbacks:** The Council discussed reducing side setbacks from 15 feet to 10 feet to maximize land use efficiency. This adjustment applies to structural placements only and does not affect non-structural land use.
5. **Plat Finalization:** The final plat recording will proceed once all application requirements are met, including coordination with fire, health, and other municipal departments, as well as completion of financial and administrative obligations.

Due to the scope of revisions and required legal review, the finalized plat and related documents will be brought back for further consideration once all attorney and staff feedback has been incorporated. Mayor McKinney announced that the item will return to the agenda at the following week’s meeting for continued review and possible approval.

2) **Approve Fairfield Industrial Park Development Agreement Final Plat approval.**

This was covered in the previous agenda item.

3) **Ordinance #2025-15. Water Regulations. An Ordinance Amending the Current 6.1. Water Regulations, in the Fairfield Town Code, Replacing, Revising, and Adding Regulations as Needed.**

The Council discussed the proposed updates to the Town’s Water Ordinance, focusing on the water usage requirements for commercial and industrial properties.

Council Member Tyler Thomas proposed reducing the water requirements for both commercial/retail and light industrial lots to 0.5 acre-feet per lot. He supported this recommendation with personal research on comparable business operations, noting that many

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enterprises—particularly those without significant water demands—can function effectively with a smaller allocation.

The Council also reviewed the provision allowing the Town Council to approve a reduction in required water rights when an applicant demonstrates that the full allocation exceeds their operational needs.

After discussion, the Council reached a consensus to revise the required water allocations as follows:

- Commercial/Retail: from 1.8 acre-feet to 0.9 acre-feet per lot
- Light Industrial: from 0.9 acre-feet (retained as is)

This revision establishes a uniform water requirement of 0.9 acre-feet per lot across both categories, supporting efficient resource management while maintaining flexibility for business development.

Councilman Thomas made a motion to approve Ordinance #2025-15. Water Regulations. An Ordinance Amending the Current 6.1. Water Regulations, in the Fairfield Town Code, Replacing, Revising, and Adding Regulations as Needed. Councilman Panek seconded the motion. The motion passed unanimously.

Mayor McKinney - Yes

Councilman Thomas - Yes

Councilman Panek - Yes

Councilman Cameron - Yes

Councilman Weber - Yes

4) Comcast Presentation

Nate Martinez and Justin Canning presented Comcast's proposal to bring cable television and high-speed broadband internet services to Fairfield. They displayed a map illustrating the proposed network buildout and explained that Comcast sought to establish a Franchise Agreement with the Town.

The proposed agreement had been reviewed by Town Attorney Todd Sheeran and Mayor McKinney prior to the meeting.

Mr. Martinez highlighted Comcast's investment across Utah, noting that the company had invested over \$1 billion statewide in the past three years—approximately half of which supported network maintenance and upgrades. He outlined Comcast's service offerings and noted the introduction of standardized national pricing, starting at \$40 per month, with options for one-year and five-year price locks.

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They described the construction process, which would include installation of approximately 60,000 feet of cable—with about 80% aerial and 20% underground—and estimated the project would take around six months to complete.

Council members raised several questions and concerns:

- Whether Comcast would be permitted to use Rocky Mountain Power's utility poles, and what contingencies were in place if access were denied.
- The difficulty of acquiring easements in Fairfield, where many properties have long-standing ownership and lack established public utility easements.
- Whether all homes within Fairfield—specifically, four homes located approximately two miles east of town—would be included in the buildout.

Town Attorney Todd Sheeran noted that Section 6.1 of the proposed franchise agreement did not currently require Comcast to build out all areas of town, which conflicted with prior discussions. He recommended adding clarifying language to ensure that all homes shown on the project map would be connected, with a specified completion timeline.

Following the discussion, the Council and Comcast representatives agreed to:

- Include a provision requiring the connection of all homes within one year, and
- Allow an additional year if Comcast encounters unforeseen difficulties obtaining easements, permits, or rights-of-way.

5) Approve the Comcast Franchise Agreement

This item was addressed together with the previous agenda item.

6) Ordinance # 2025-16 An Ordinance repealing and reinstating Fairfield Town Code § 10.11.260 (Airpark Zone) and § 10.11.275 (Airpark Overlay Zone), and amending Town Code § 10.16 (Special Use Regulations) to add special use regulations to the additional special uses found in the Airpark Mixed-Use Zone's table of uses

Mayor McKinney summarized the extensive effort invested in drafting and redrafting the ordinances, noting that she personally devoted over 100 hours to the process, with comparable time contributed by Vonda, approximately \$14,000–\$16,000 in consulting support from JUB Engineering, and additional time from the Town Attorney. She expressed concern about adopting the Town Attorney's most recent revisions without first comparing them to the version previously approved by the Planning Commission. The Mayor also acknowledged the fatigue and division the process has caused within the community.

Overlay Responsibility and State Grant Language:

Mayor McKinney stated that she was comfortable with the Airport Zone Ordinance as written, but expressed reservations regarding the proposed overlay. She read from a State of Utah grant to West Desert Airpark, which outlines the airport sponsor's responsibility to obtain easements or enforce zoning to prevent obstructions to air navigation in accordance with 14 C.F.R. Part 77.

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Key Discussion Points:

- **Town's Role in the Overlay:** Council members discussed whether the Town should implement the overlay or defer that responsibility to the State and the Airpark. Mayor McKinney emphasized that the airport sponsor, West Desert Airpark, holds primary responsibility under the grant and questioned why the Town should act as the "enforcer." Members also noted that the Town lacks authority to place easements on private property and acknowledged the presence of two nearby landfills within the potential influence area.
- **5,000 ft vs. 10,000 ft Influence Area:** The Council reviewed conflicting information about the appropriate overlay radius, referencing maps and prior discussions suggesting either 5,000 feet or 10,000 feet from the runway. Members discussed the implications of each option for surrounding properties, including the nearby landfills.
- **Easements and Financial Impact:** The Council discussed the possible financial burden on the Airpark if it were required to purchase aviation easements under an adopted overlay. The Town Attorney clarified that, under Utah Code, aviation easements are only triggered when development occurs within the influence area and do not retroactively affect existing uses, such as current landfill heights.
- **State Law Requirements:** Town Attorney Todd Sheeran explained that Utah Code requires municipalities to adopt an airport overlay consistent with Part 77, defining the airport influence area as extending 5,000 feet from the runway. He reiterated that all development within this area must comply with Part 77 standards and that, upon development, an aviation easement must be offered to the airport owner at appraised fair market value.

Elements of the Airport Zone Ordinance the Mayor Wished to Retain:

- **Residential Cap:** Limited to 27 one-acre lots with hangar access.
- **Open Space:** At least 30% of developable land to remain as open space, with clarified criteria for qualifying areas.
- **Aircraft Weight Limit:** Maximum aircraft weight of 12,500 pounds.
- **Operations Cap:** Limited to 10,000 operations per year, not to exceed 28 per day.
- **Commercial Operations:** Part 135 commuter/on-demand commercial operations prohibited, except for emergency aircraft.
- **Traffic Pattern Documentation:** Requirement to document traffic patterns in FAA supplements and on the airport website.
- **Operational Practices:** Encouragement of flight and departure patterns designed to avoid residential areas whenever feasible.

The Council agreed to table the item to allow the Planning Commission to meet on Monday to address the missing "Special Uses" section and consider the new information presented. A follow-up Council meeting was scheduled for Thursday, September 25, to continue deliberation.

7) Town Corn Hole Event, discuss and pick a date

Due to the late hour, the Council agreed to cancel this event for the year.

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8) Approve bids on the Town Office Maintenance and rain gutters.

Council Member Weber reported that Tristan's bid was by far the lowest received for the Town's maintenance work. Tristan offered to provide weed eating and mowing services for the remainder of the year, with a new maintenance contract to begin in the spring.

He also reported that he was in the process of obtaining additional bids for rain gutter installation. Contractors were scheduled to inspect the Town Office on Thursday morning and again on Tuesday at 10:00 a.m. to prepare their estimates.

9) Looping the north water line discussion and approval of design

The Council revisited previous discussions regarding the looping of the north water line, estimated initially at \$280,000. Mayor McKinney noted that while authorization had already been given to move forward with construction drawings, that step had not yet been completed. The Council reaffirmed the need to proceed with the detailed engineering plans so the project can be ready for competitive bidding once preparations are finalized.

Adjournment

Councilman Panek made a motion to adjourn the meeting. Councilman Cameron seconded the motion. The motion passed unanimously.

The meeting adjourned at 11:05 p.m.

October 15, 2025

Stephanie Shelley

Minutes Approval Date

Stephanie Shelley Town Recorder