Town of Leeds

Agenda
Town of Leeds Town Council
Wednesday, January 13, 2016

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, January 13, 2016 at 7:00pm. The Town Council will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

NOTE: IF YOU WISH TO SPEAK DURING CITIZEN COMMENT, PLEASE SIGN IN WITH THE RECORDER.

Swearing in of Nate Blake and Elliott Sheltman to the Town Council

Regular Meeting 7:00pm.

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Declaration of Abstentions or Conflicts
4. Consent Agenda:
    a. Tonights Agenda
    b. Meeting minutes of December 9, 2015.
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
    a. Dog Clinic, Saturday February 6, from 1pm to 3pm at Town Hall
7. Public Hearings:
8. Action Items:
    a. Allied Fence Co. bids for Park Projects, $970.00 for new soccer goals, $550.00 for new fencing and $700.00-$1,160.00 to repair the back stop on the baseball field
    b. Resolution 2016-01, Mosquito Abatement Representative
    c. Resolution 2016-02, Washington County Special Service District No. 1 Representative
9. Discussion Items:
    a. Planning Commission
10. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
11. Staff Reports:

    Closed Meeting- A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a); or for the discussion of pending or imminent litigation; as allowed by the Utah State Law 52-4-205(1)(c); or for the discussion of the purchase, sale , exchange, or lease of real property, including any form or a water right or water shares; as allowed by Utah Code 52-4-205(1)(d).
12. Adjournment

The Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 879-2447 at least 24 hours prior to the meeting.
The Town of Leeds is an equal opportunity provider and employer.
Certificate of Posting;
The undersigned Deputy Clerk/Recorder does hereby certify that the above notice was posted January 12, 2016 at these public places being at **Leeds Town Hall, Leeds Post Office**, the **Utah Public Meeting Notice website** http://pmn.utah.gov, and the **Town of Leeds website** www.leedstown.org.

Kristi Barker, Deputy Clerk/Recorder

Town of Leeds

Town Council Meeting for
January 13, 2016

1. Call to Order:
   Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7:00pm on January 13, 2016 at Leeds Town Hall, 218 N Main.

   Robert Goldsberry the Clerk/Recorder, Swearing in of Town Council Members Nate Blake and Elliott Sheltman.

   ROLL CALL:

	Present	Absent
MAYOR: WAYNE PETERSON	x	
COUNCILMEMBER: RON CUNDICK		x
COUNCILMEMBER: ANGELA ROHR	x	
COUNCILMEMBER: ELLIOTT SHELTMAN	x	
COUNCILMEMBER: NATE BLAKE	x	

2. Pledge of Allegiance by Councilmember Blake.

3. Declaration of Abstentions or Conflicts: None.

4. Approval of Agenda:
   Councilmember Rohr moved to approve tonight's agenda and meeting minutes of December 9, 2015. 2nd by Mayor Peterson. Motion failed in a Roll Call Vote.

   ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON				
COUNCILMEMBER: RON CUNDICK				x
COUNCILMEMBER: ANGELA ROHR	x			
COUNCILMEMBER: ELLIOTT SHELTMAN			x	
COUNCILMEMBER: NATE BLAKE			x	

   Mayor Peterson indicated that the December 9, 2015 meeting minutes can be deferred until next month's meeting.

   Councilmember Rohr moved to approve tonight's agenda. 2nd by Councilmember Blake. Motion passed in a Roll Call Vote.

   ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x			
COUNCILMEMBER: RON CUNDICK				x
COUNCILMEMBER: ANGELA ROHR	x			
COUNCILMEMBER: ELLIOTT SHELTMAN	x			
COUNCILMEMBER: NATE BLAKE	x			

5. Citizen Comments: None.

6. Announcements:
   a. Dog Clinic, Saturday February 6, from 1pm to 3pm at Town Hall.
   Mayor Peterson indicated the Dog Clinic will be held Saturday February 6th from 1pm to 3pm at the Town Hall.

   Town Council discussed the next Dumpster Day. It will be held February 12th - 14th.

7. Public Hearings: None.

8. Action Items:
   a. Allied Fence Co. bids for Park Projects, $970.00 for new soccer goals, $550.00 for new fencing and $700.00-$1,160.00 to repair the back stop on the baseball field.
   Mayor Peterson, we had discussed this at the last meeting. There is an Allied Fence Co. bid for 3 different park projects:
   1. $970.00 for new soccer goals.
   2. $550.00 for new fencing to keep people off the Town Hall roof.
   3. $700.00 to $1160.00 to repair the back stop on the baseball field.
   I researched the ability to utilize Impact Fees and unfortunately the Park Impact Fees are very specific with regards to not upgrading the existing parks, but rather outfitting future parks and additional park land that gets acquired within the Town of Leeds. As a result, we would need to utilize some of the Rap Tax money. We had added this year into our budget $10,000 in revenue as a result of the .1% of Rap Tax that came into effect. We are anticipating that the actual revenue will be higher than originally estimated and will get us a little more than $10,000. We not only budget the revenue but we also budgeted the expenditures in the park area. The money is restricted and must be used for recreation, arts, or parks. I think it would be a reasonable thing to utilize some of this money on these upgrades in the park. We don't have to spend it each year; we can move it into a future year and accumulate it for a period of time. St George is taking a different approach, they are bonding against it so they are able to expand their parks sooner, rather than later; however, for us with the amount involved, that is unrealistic to think we would go that route.

   Mayor Peterson asked for a motion to approve the expenditures for the park in the amounts of $970.00 for the soccer goals, $550.00 for the fence connecting to the Town Hall and then the $1,160.00 for the upgraded backstop.
   Councilmember Blake, I so move. 2nd by Councilmember Rohr.

   Councilmember Sheltman, do we have anything other than the one estimate?
   Mayor Peterson, on this particular one, we had received a verbal estimate that was substantially higher on the soccer goals and backstop. We did not get additional bids beyond that. It is challenging here for less than $1,000 dollars and we are not required to get multiple bids. With the back stop, it is going above the $1,000 with some of the options that are being suggested.
   Councilmember Sheltman, Do you know who the estimate was from?
   Mayor Peterson, the other estimate was from the individual that had done the work on the restrooms, which is Alan Roberts Company.

Councilmember Sheltman, this could possibly be up to $2,500 dollars, did I read that correctly?
Mayor Peterson, if you add the three together, then yes it would come up to more than $2,500.
Councilmember Blake, Allied is very reputable.
Councilmember Sheltman, which I know, we have used them for the water company. I guess my concern on this, if we are going to do an expenditure of $2,500 dollars, if someone comes up to me as a Councilmember and says "I heard the cost was $2,500 dollars, I know it can be done for $1,000", I don't have much of an answer to that other than we got a quote in writing from one entity and that's what they said the cost was going to be. I personally don't feel comfortable being in that position. I would feel better if we at least had 2, 3 would be better, but at least 2 quotes in writing to show that indeed, we got the best price. I know when dealing with companies like this, when you get a couple of bids, even if one is lower with a company that you would rather not use, you can always transfer that over and ask that they match that bid, which they will normally do. I would have a hard time voting for this based on the fact that there is only one written estimate.
Mayor Peterson ok, one thing we can do is the motion was to approve the expenditure. We do not necessarily have to utilize Allied Fencing, we could seek other estimates. It is not something that is tremendously timely, in terms of time of year, where over the course of the next few weeks there is going to be a lot of soccer or baseball activities out there. So I would suggest that we could vote to approve the expenditures not specifying the company, or else wait and get additional ones. If people are comfortable with this amount of money, we could go and seek additional estimates in order to see if we could get a better price and then if we fail at that then go ahead with the work; or, we can wait and bring it back to a future Town Council meeting.
Councilmember Blake, the only thing that I see conflicting is, a project under $2,500 and you got a local company out of Leeds, Allied Fence and you're going to get other companies that are going to come in and maybe, or maybe not, their bids are going to be higher; but at the same time, Allied is reputable and for $2,500 dollars, it is a pretty small amount to get a reputable company to come in and do the job right the first time.
Mayor Peterson, I don't mind trying to get additional bids just to get comfortable. I understand as it is brought forward, that these were not split out to try to make it sound like $1,000 or less type of projects, but certainly the perception could be there that it was done to try to keep it underneath the $1,000 so that we were not looking for additional bids. So I can seek out additional bids and send out requests for people to provide. We did that with the tree work we had done here at Town Hall and as was mentioned by Elliott Shelman, you don't necessarily have to just say ok. We are going to go outside of Leeds with it if we have a number that is close to what is here. We can discuss it further with Allied and see if we can't get the job done and both use a local company and also get the best price for the Town.
Councilmember Sheltman, and like I said Nate, that it would also give you an idea of the price being represented is fair and competitive.
Councilmember Blake, I think we will find that it will be fair and more than competitive.
Mayor Peterson ok, if desired, would the preference be that we go ahead and approve the expenditure up to this amount and then see if we are able to do better with obtaining additional bids?
Councilmember Sheltman, I have a question, if we do that, do we have to bring this up in another meeting?
Mayor Peterson, we have to approve expenditures up to a certain amount. I believe if you end up getting less of an expense over time that is permissible.

Councilmember Sheltman, I guess what I am asking is, let's say we get another bid or two, are we going to have to present that at the next meeting anyway? In other words, if we have to do that, I don't see a point in approving it tonight.
Mayor Peterson ok, in that case then, we certainly can defer this to the February meeting and I will seek the additional bids between now and then so we can have this completely bid out prior to the actual expenditure.

Item tabled until the February meeting.

b. Resolution 2016-01, Mosquito Abatement Representative.
Mayor Peterson, every 4 years we are asked to appoint an individual who attends meetings of the Washington County Mosquito Abatement Control District. In the past, this has been served by Darrell Nelson who is willing to continue on in this role. The action item would be to approve Resolution 2016-01, Mosquito Abatement Representative which reappoints Darrell Nelson to this position.

Mayor Peterson asked for a motion to approve Resolution 2016-01.
Councilmember Rohr, I so move. 2nd by Councilmember Blake.

Councilmember Rohr, is it possible yearly to get a report from Darrell Nelson as to what has transpired?
Mayor Peterson, I am sure we could ask him and knowing Darrell, I am sure we would be able to get him here to bring us up to date on the Mosquito Abatement activities.
Councilmember Sheltman, how often do they have meeting?
Mayor Peterson, I believe it is quarterly that Darrell has spoken to me about the meetings that he has attended.

Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x			
COUNCILMEMBER: RON CUNDICK				x
COUNCILMEMBER: ANGELA ROHR	x			
COUNCILMEMBER: ELLIOTT SHELTMAN	x			
COUNCILMEMBER: NATE BLAKE	x			

c. Resolution 2016-02, Washington County Special Service District No. 1 Representative.
Mayor Peterson, Resolution 2016-02 is an annual requirement to re-appoint a representative to the Washington County Special Service District No. 1, which handles solid waste and recycling within the County. Angela Rohr has served in that capacity for the past 2 plus years. This Resolution would be re-appointing Angela for the calendar year of 2016, or if you look at it, until such time that a successor had been designated and appointed.

Councilmember Sheltman made a motion to approve Resolution 2016-02. 2nd by Councilmember Blake.

Councilmember Sheltman, how often do they meet?
Councilmember Rohr, theoretically is would be quarterly, but in reality, it has been more like 9 times a year.
Councilmember Blake, it is almost monthly we get an update.
Councilmember Rohr, at the last meeting they asked us to get some verification that we had all been through the current Open Meetings Act Training and have something in writing. Maybe next meeting we can do that training.
Mayor Peterson, sure, I would be happy to put that on the agenda. Kristi if you could note the Open Meetings Act Training.

Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x			
COUNCILMEMBER: RON CUNDICK				x
COUNCILMEMBER: ANGELA ROHR	x			
COUNCILMEMBER: ELLIOTT SHELTMAN	x			
COUNCILMEMBER: NATE BLAKE	x			

9. Discussion Items:
   a. Planning Commission.
   Mayor Peterson indicated there is open positions for Commissioners and asked Councilmembers if they have any recommendations to let him know.
   Town Council discussed Planning Commission meetings and would like Commissioners to finish reviewing the General Plan before the end of June.

10. Citizen Comments: None.

11. Staff Reports:
   Councilmember Rohr, the next phase of our road work, is it to be done July 1 and into the next fiscal year?
   Mayor Peterson, Correct, this email arrived in my inbox today. Not trying to put you on the spot but UDOT has been working with Ensign Engineering regarding the project to take the curb and gutter up to where the bennies are currently located. The estimate for that job including a 10% contingency is $201,000. What UDOT has said they would have available would be $119,000, which would be just under 60% of the project including contingency. I think it is worthwhile for us to talk a little bit in general as to whether we want to look into being willing to spend up to $80,000 to get to that point. We did set up earlier last year a Capital Improvement Plan for the Town that included Main Street. The reason we did that was we we're starting to accumulate to much excess and if you hold on to it, the State can come in and force tax reductions because you are collecting more money then you need. It is unfortunate from my view of it because in a smaller Town, there is sometimes a need to accumulate a larger cushion against things because with a $300,000 dollar budget, there is certainly an event that could cause us a very significant need to emergency repair something; whereas, in a Town the size of St George that have millions in their budget, they would be able to absorb a significant hit a lot easier. With all that being said, we are not allowed to just bank a significant amount of money. The money would be there in the Capital Improvement Plan if we were to choose to go

ahead with it. I don't know what the future will hold with regard to availability of funds from UDOT. They were very generous in the last one they did 85% of what the costs were. This one is only 60%, but it is a much bigger project.
Councilmember Rohr, 2 things. One might be to reduce the scope of the project to reduce the price. Another was, remember after the storm several of us walked on the curb that had been done and I wondered if there was money that we still need to reinforce it. Hopefully we are not going to have that kind of flooding again because of the work UDOT did on the irrigation ditch opening it back up to the retention pond; but in the meantime, we could still have a big rainfall that could still, even without that excess water coming down, further erode. Or do some repair on the damage that was done with this last one, some of it was behind our new curb. It seems like there was one section that might actually be working on endangering our new work.
Mayor Peterson, certainly that was prior as your highlighted with UDOT coming in because they had concerns with erosion right by I-15. After it eroded by I-15, it was passing under I-15 in what was not intended to be a water channel, but a passage channel; as a result, that water was not controlled when it came out on the east side of the highway and towards Main Street.
The thing with UDOT is this is a substantial amount of their budget for this type of work where they help local communities. I think they said the total budget for the entire County was only about $300,000; we are getting a very significant share of it. But I did hear what you said; you were not telling them it is not enough, it is saying "could we scale back the project in some way that would allow us to successfully complete it". One of the things included here is sidewalks for example, that is $37,500 of the actual estimate. There are separate grants that are available for sidewalks that we may be able to get but the thing with grants is, you can apply as much as you are able; however, that does not guarantee that you are going to be successful with the application. I could certainly go back with a question standpoint, to ask them first of all if scaling it back would be acceptable and would they want us to continue to do 40%, or would they be willing to do more. The other would be if we were to do sidewalks separate from it, would that be something they would be willing to assist because those grants come through UDOT as well.
Councilmember Rohr, as I was thinking, Dana had indicated that they do not usually do sidewalks and so maybe that is why the percentage is not as high.
Mayor Peterson, we did not do sidewalks last time, we only repaired a section that needed to be preserved when they were doing the work. We did not put any new sidewalk in so I can certainly ask them those questions. Is there a general since that if we can work it out, we would be willing to accept the $119,000 from UDOT?
Councilmember Rohr, can we pay for it, do we have the funds and would it wipe out our total?
Mayor Peterson, no it would not wipe out our total Capital Improvement Budget. It would probably bring us close to but not even under the number where the state gets twitchy and says "you need you to spend a little more". I believe that is over $100,000.
Councilmember Rohr, in that case, maybe you could check to see if they would be willing to delay the side walk and put that towards a future grant.
Mayor Peterson, I would prefer to coordinate it just because my understanding is when you put a curb and gutter in and then you want to try to put in a sidewalk alongside of it two years later say as an example, it is not really the same as you just deferred the cost, it is going to be more expensive to try to put the sidewalk in alongside of the curb and gutter.
Councilmember Blake, not necessarily.
Mayor Peterson, not necessarily, ok that is good to know. Something else that we should also be addressing as we go further forward with this is, the actual distance between the curb and the

sidewalk is known as a park strip. Our park strip turned into an erosion strip when we had the heavy waters coming down from the real intense storm. I can understand how it has the potential to look nicer but from a structural standpoint, it seems to just offer something additional that could go wrong. I don't know what the general view would be where we are adding additional sidewalk, to eliminate the park strip. I don't know that it would change the cost dramatically, but I think it might improve the durability.
Councilmember Rohr, walk around St George the park strips on Main Street are nonexistent.
Mayor Peterson, we do not need to make any decision on this right now, we can revisit this later.

Councilmember Rohr, I have hung on to it only because the Councilmember was never doing anything about it, we now have no one assigned to Parks.
Mayor Peterson, if anyone is interested in being assigned to parks, please let me know.

Mayor Peterson, have you heard anything lately in regards to the Blucan program?
Councilmember Rohr, they hoped to have the cans out during the month of January and then be able to start the route in February.
Town Council discussed it further.

Mayor Peterson, I was invited to meet with Randy Stevens, the new superintendent that took over the past year for Ash Creek Special Service District.
Mayor Peterson discussed it further with Town Council and indicated Ash Creek believed now that there would be ways to selectively do certain parts of Town in regards to putting in a sewer system.

Councilmember Rohr, what you said about Impact Fees on Parks only being on new parks, acquisitions and land. With the Silver Reef Park, does that mean if we do something with it we can't do anything more to it? We can't spread it out over a 10 year period for development of that park?
Mayor Peterson, no we can develop that park. The Impact Fee was calculated at the level of service that is being provided to the existing parks in Town. What was used as the justification was that the Town established acreage per number of residents that they wanted to have. When you get new land, whether it is donated to you by a Developer or you have to purchase it, that land is there, it is raw park land, bringing it up to what was spelled out as the Town standards with regards to it is permissible with the Impact Fees. On that, I should mention something that Ron Cundick has been working on. The larger portion of the park up by Silver Reef is something that the Home Owner Association of that area currently has the title to and they are willing to convey it to the Town. They are in the process of working up the documents needed to accomplish that. Our 1/3 of a park could become a full park sometime within the next few months.

12. Adjournment:

Councilmember Blake adjourned the meeting.
Time: 7:48pm.

APPROVED ON THIS 10 DAY OF February 2016

Wayne Peterson

Mayor, Wayne Peterson

ATTEST:

Kristi Barker

Kristi Barker, Deputy Clerk/Recorder