Town of Leeds

Agenda
Town of Leeds Town Council
Wednesday, February 10, 2016

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will, after a brief public opening hold a **CLOSED MEETING** on Wednesday, February 10, 2016 at 5:30pm and a **PUBLIC MEETING** on Wednesday, February 10, 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.

Closed Meeting 5:30pm

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).

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
    c. Meeting Minutes of January 13, 2016
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
    a. Dumpster Days February 12th-14th
7. Public Hearings:
8. Action Items:
    a. Park Projects
    b. Discussion and possible action on Planning Commission Appointments
    c. Discussion and possible action on $20,000 CLG Grant Application
    d. Discussion and possible action on Washington County Rap Tax Grant
    e. Discussion and possible action on Road Plan Update
9. Discussion Items:
    a. Protocol for Conducting Town Business
    b. Procedures for Ordinance Violations
    c. Water Related Issues
10. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
11. Staff Reports

    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 February 9, 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 CLOSED Meeting Minutes

February 10, 2016

1. Call to order:
   Mayor Peterson called to order the "Closed" meeting of the Leeds Town Council at 5:35pm on February 10, 2016 at Leeds Town Hall, 218 North Main.

ROLL CALL:

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

Also in attendance were, Gary Kuhlmann, Bob Nicholson, Bob Goldsberry and Kristi Barker.

2. Purpose of the closed meeting was to discuss impending litigation and related matters as allowed by Utah state Law 52-4-205(1)(c)

3. Adjournment:
   Mayor Peterson continued the closed meeting until February 24th at 5:30pm after a motion by Councilmember Cundick and 2nd by Councilmember Rohr. 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			

Mayor Peterson adjourned the meeting with the intent of reconvening the Public meeting after a motion by Councilmember Rorh and 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			

Time:6:58pm.

APPROVED ON THIS 9th DAY OF March, 2016

Wayne Peterson

Mayor, Wayne Peterson

ATTEST:

Kristi Barker

Kristi Barker, Deputy Clerk/Recorder

Town of Leeds

Town Council Meeting
February 10, 2016

1. Call to order:
   Mayor Peterson called to order the regular meeting of the Leeds Town Council at 5:34pm on February 10, 2016 at Leeds Town Hall, 218 N Main.
   A motion to close the public meeting and move into a "Closed" meeting to discuss litigation; as allowed by Utah state Law 52-4-205(1)(c) was made by Councilmember Cundick, with a 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			

The closed meeting began at 5:35pm and went until 6:58pm. The public meeting reconvened at 7:06pm.

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 Cundick.

3. Declaration of Abstentions or Conflicts: None.

4. Approval of Agenda:
   Councilmember Cundick moved to approve tonight's agenda and meeting minutes of December 9, 2015. 2nd by Councilmember Rohr. 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

Councilmember Sheltman moved to approve meeting minutes of January 13, 2016. 2nd by Councilmember Rohr. 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:
   Cheryl Lee, I have a question, I am the Post Master and I was wondering if the Hotel is legal and if they have a permit to operate? If not, why are they still operating? I have had a ton of problems with them and I have seen other people that have major issues with this.
   Mayor Peterson, I have been working with our Town Attorney who is outside right now, but what we are doing now is notifying them and setting a deadline of the end of the month for them to either be able to provide how it is that they are legally operating; or to come into conformance with Ordinances; or to cease and desist the activity there. It is something that is currently being worked on with legal counsel and a deadline has been set of February 29th, 2016.

   Loanne Barnes, I would just like to announce a Cosmopolitan event. Every last Saturday of the month we have program in Silver Reef. The one coming up on the 27th of this month is on rock art.
   Mayor Peterson, please feel free in the future to remind me of that and we can include it as an announcement of an activity in Town that gets posted for the public to see beyond those who attend here. I would be happy to do that and thank you for coming and sharing the event.

   Manuel Goy, I just want to ask when they are going to collect the blucan?
   Mayor Peterson, the blucan is every other pick up date beginning with last week's, so do not put out the cans tonight; however, a week from tonight, put them out and every other week going forward. For 2016 if you go to the Town website at www.leedstown.org there is a slider and if you click on the one that says blucan, there is a listing of the pickup dates.
   Manuel Goy, so they are picking it up every other week?
   Mayor Peterson, yes it is the same day as the garbage pickup but a different truck.

   Councilmember Cundick, I noticed that we have some Boy Scouts here tonight and I just wondered if we could get the Scout Master to introduce the Scouts.
   Steve Wilson the Scout Master introduced the Scouts.

6. Announcements:
   a. Dumpster Days February 12th-14th
      Mayor Peterson announced Dumpster Days.

7. Public Hearings:

8. Action Items:
   a. Park Projects

Mayor Peterson, we tabled this item at our last meeting in search of additional estimates. I prepared a letter to send out to a variety of fencing companies; however, that same weekend I received a phone call from Angela who had made some phone calls regarding it. Angela do you want to update what the bid status is with regards to the success you were able to get in another bid.
Councilmember Rohr, the ones that would do recycling fencing, which is what these are for the park out here to repair the back stop, extension of the baseball stop and a fence separating the Town Hall from the park so we don't have kids climbing up there to watch the fireworks, plus soccer goals, we had one bid. I called about four other places and got one more company, Kirkland Fence to come out and give us a bid. It came in at $3,350 to do all three of those different projects.
Mayor Peterson, the original bid that we received from Allied Fence for the maximum amount of work was $2,680. While I had done my investigating, I did find out that if we wanted a wrought iron soccer goal, we would have had a lot more people that would have bid on it but that didn't seem to be an appropriate thing to put into our park. Our procedures request that we have 3 bids; however, it does permit Town Council under circumstances to deem it acceptable to have less than 3 bids.

Mayor Peterson asked for a motion to approve the proposal from Allied Fence Company for the three projects, the soccer goals at a total cost of $970.00, the fence extension connecting to Town Hall at a cost of $550.00 and the repair and upgrade of the backstop at a cost of $1,160.00 for a total of $2,680.00.

Councilmember Sheltman, what is the timeline on that?
Mayor Peterson, they are available in a very short term, so we could have something in place for the spring.

Councilmember Rohr, I so move. 2nd by Councilmember Cundick. All voted "Aye". 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

Mayor Peterson, that money will be coming out of the budgeted item that we had as a result of the Rap Tax, which is something that is expected to generate about $10,000 dollars a year given the current rate of sales tax collections in Washington County.
Councilmember Rohr, what was the total?
Mayor Peterson, the total was $2,680.00

b. Discussion and possible action on Planning Commission Appointments
Mayor Peterson, at this point we do still have 2 vacancies. I have not secured anybody at this point. I have received several suggestions and I have been following up with the people that were suggested. I will be looking to bring forward those appointments at a future meeting. We

do have one alternate; as well as 3 members. At this point, we do have a chance of having a quorum for meetings of the Planning Commission.

c. Discussion and possible action on $20,000 CLG Grant Application
Mayor Peterson, the early draft of that is included in the packet in front of you. It is one page that speaks of the CCC Camp and the Silver Reef Museum at the Wells Fargo Building. We have done this in the past and have been very successful with regard to getting volunteer hours. It is a matching grant; the application would be for a $20,000 dollar project where if we completed it and spent the full $20,000 dollars, we would be reimbursed $10,000 dollars of that by the National Park Service. It is a grant that does not require the total amount to be spent. For example, if we spent $18,000 dollars, the National Park Service would provide $9,000 dollars on that. We did apply as a Town and it is the next item and possible action. We are currently preliminarily approved for $6,000 of a Rap Tax Grant from the County above and beyond the money that we're receiving as a Town and that money was in response to a proposal with regards to the CCC Camp. That particular Rap Tax could be used as a portion of our matching funds against the project, so it would be something where we would not require a lot of volunteer hours to be able to potentially complete this without actually needing to expend any of our tax payers' dollars that are in the operating budget. Loanne and I will be working on this to get it submitted by the end of the week.

Mayor Peterson asked for a motion to approve submitting a $20,000 CLG Grant Application. Councilmember Cundick, I so move. 2nd by Councilmember Rohr.

Councilmember Rohr, what does CLG stand for?
Mayor Peterson, Certified Local Government. It is something that back in the 1970's I believe that Leeds applied for and became a Certified Local Government. As a result, it makes us eligible for these grants that are administered by money through the National Park Service.
Councilmember Sheltman, the pricing that we have here, where is that coming from?
Mayor Peterson, at this point in time, what we needed were estimates in order to submit a grant application. Once we receive the grant, we are not expending the money immediately; we would be requesting bids for the actual work. These estimates were needed to be able to propose what we hope to do and to demonstrate that it is something that was reasonable with regards to the costs we were expecting.
Councilmember Sheltman, even as kind of loose estimates, were did we get them from?
Councilmember Cundick, we really are not basing that on any input we have had on a firm estimate. The way this works is, the people that administer this grant, the Park Service, they decide on how much they are willing to allow you to spend if you need to. So traditionally, you apply for the full amount and then you go out and get your bids and see what it takes. You want to cover yourself with an umbrella so that you don't get half way through the project and recognize that if you spend $18,000 dollars for example, that you are going to have to come up with $9,000 dollars matching in labor or in cash. The maximum you could get back is $10,000 if you spent $20,000 in labor and cash. It's kind of a ceiling but it gives you a broader framework to do the kind of work that you need to do.
Mayor Peterson, with the CCC Camp, there actually was estimates that were obtained as part of the Rap Tax application. Loanne do you recall off hand the bid?
Loanne Barnes, Russel put a bid in of $11,500 dollars for the stone work in the four buildings and the front wall in the front of the CCC Camp. I described in there what that bid would do and you probably passed that out.

Mayor Peterson, yes it has been distributed and then the $5,500 was from I believe a door company.
Loanne Barnes, yes we had another bid for the doors because the doors are in really bad shape and the windows at the CCC Camp. They gave us an estimate much beyond what we are requesting now, so I just limited it to one of the buildings and again that is just an estimate because we don't know exactly what it will be.
Councilmember Cundick, and if we get the award, then we would get several bids on it.
Loanne Barnes, yes.

All voted "Aye". 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

d. Discussion and possible action on Washington County Rap Tax Grant
Mayor Peterson, we had submitted a request from the County for about $19,000, a little bit under the money that would complete the work in the Officer's building and the others as well, with regards to new windows and doors. They had told us when we presented it to them that it was unlikely they were going to be able to grant it in total; however, they encouraged us to come back in future years and with it being multiple buildings, we can reasonably spread it out over time. At this time, they have given us a preliminary approval of $6,000. We need to confirm with them within the next 10 days that we are going to be able to scale it back to accomplish what we are doing with the money that they are providing. We will do that if the Council agrees to accept the preliminary amount of $6,000 dollars from the Washington County Rap Tax Grant.

Mayor Peterson asked for motion to approve accepting $6,000 or higher if they chose to do so from Washington County with regards to the Rap Tax Grant.
Councilmember Rohr, I so move, 2nd by Councilmember Cundick.

Councilmember Cundick, I just want to point out that this is not a matching portion, this is an unmatched grant
Mayor Peterson, correct this is an outright grant, but also, not all grants allow you to do this but this grant lets us turn around and match against the CLG Grant. The CLG Grant is willing to let us use a grant to satisfy our portion of the match.

All voted "Aye". 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

e. Discussion and possible action on Road Plan Update
Mayor Peterson indicated he had not yet received the updated road plan expenditures and will circulate it to Councilmembers as soon as it is received.

Item Tabled.

9. Discussion Items:
   a. Protocol for Conducting Town Business
   Councilmember Sheltman submitted a letter with suggestions to the Town Council on protocol for conducting Town business. Town Council discussed the following items in the letter:
   1. Town Hall office hours will be placed on the Town Website
   2. A draft Town Council Agenda will be published at the Post Office one week before the scheduled meeting. The Agenda will be highlighted "draft" and is subject to change up until 24 hours before the meeting per Utah State Law.
   3. A meeting schedule / Calendar be kept for any Town event. Town Council discussed it; however, no new procedure was made.
   4. All Town related discussions with the Mayor and or Councilmembers be held at Town Hall with minutes taken. Town Council discussed it: however, no new procedure was made.

   b. Procedures for Ordinance Violations
   Town Council discussed procedures and options for Ordinance Violations. Gary Kuhlmann the Town Attorney explained the process for prosecuting individuals that violate the Ordinances. There are two different options, the Town can file a civil suit seeking an injunction requiring them to comply; or you can take it criminally, which is what Gary recommended.

   c. Water Related Issues
   Town Council discussed the Town's waste water. Bob Nicholson the Town Planner recommended that Mike Chandler from Ash Creek Special Service District come and provide information on what Ash Creek is capable of with regards to Leeds waste water. The Mayor will contact Mike and see if he is available to come to the next Town Council meeting.

10. Citizen Comments:

11. Staff Reports:
   Councilmember Rohr, I went to the latest Solid Waste Management meeting this week. The meeting wasn't too involved but it discussed the recycling program and how well they thought it was going along. Leeds has had their first pick up but not every part of the County has; however, it should be completed by this week. They disbursed 40,000 blucans at a cost of $46.00 each.
   I thought they were of a less quality than our other can but I was informed that they are made differently; they are more flexible which should give them a longer life. Over the Opt-Out policies that most of the communities went with, there was less than 1% complaint problem.
   Mayor Peterson, did they mention anything at that meeting because we just got something yesterday morning here at Town Hall indicating they are rolling back the price increase on garbage pickup apart from the Blucan?

Councilmember Rohr, it was not discussed at the meeting but it seemed like I read something about that.
Mayor Peterson, well it is until further notice, so people are going to see a yo-yo of a trash bill because we are going to be giving back what was charged as an increase in the first quarter in the second quarter. Then in the third quarter, we will be getting on to what it should be going forward; however, that is until further notice, so we will certainly keep you informed. That just arrived yesterday, so sorry I didn't have a chance to share that with you.
Councilmember Rohr, one other comment, they will be paying the Towns from the binnies, that should be coming out pretty soon and that will probably be the last time.
Mayor Peterson, so that will be the last time the binnies pay?
Councilmember Rohr, yes.
Councilmember Cundick, we were not advised of that.
Mayor Peterson, no, they said the binnie program would continue and I guess it has continued to this point.
Councilmember Rohr, it will continue but because there is so little going into the binnie program it was more of a gift that we were getting.
Councilmember Cundick, we were told that the binnie program would continue.
Councilmember Rohr, the binnie program will stay in place, it's the money.
Councilmember Cundick, well that's the program, so we were misled.
Councilmember Sheltman, so there is no more revenue coming in from this?
Mayor Peterson, the last check is coming in and then after that, there will not be any. It has dwindled from about $800.00 to about $500.00 but I suspect it will be less than $500.00.
Councilmember Rohr, and I think that part of it is because it costs them to recycle glass, they do not get any money back.
Councilmember Cundick, you can keep the other binnies and take the glass away. You are telling us that we will not get any money period from recycling right now, right?
Councilmember Rohr, the Town after this year, yes that was my impression. When they came around they didn't say that?
Councilmember Cundick, we were told that the binnie program would remain in place but it is not remaining in place if we are not getting our money out of it.

Mayor Peterson, I attended one of the quarterly meetings at the Washington County Water Conservancy. The snow pack is the best that it has been in four years. They also mentioned that they will be working at the State Assembly with regards to questions surrounding the Lake Powell pipe line. The current proposal as it was explained is, that the State is looking to fund the initial construction of the pipe line, with the County being obligated over the course of 50 years to take down 70% of the capacity of the pipe line and when they take down the capacity, pay for it at that point in time.

Mayor Peterson, indicated we will be having another closed session in two weeks.

Councilmember Rohr, is there any announcement about February 17th?
Mayor Peterson, there is something to share; people may have seen the posting. The Town has received an application for a zoning change. It relates to the Grapevine Wash project area. There will be an information session provided by the Developers and their Engineer here at Town Hall. It is not a Town meeting; some of Town Council may be here to learn. If the zone change moves ahead there will be a public hearing at the Planning Commission meeting and there will be

subsequent action following any recommendation from the Planning Commission at the Town Council Level.

Kevin Lee, is this our current Road Plan up on the wall right there?
Mayor Peterson, I do not believe that map is 100% up to date, so we would need to check on that and get back with you if you have a specific question about a specific road.
Kevin Lee, that is actually why we are here, somebody said there was a new proposed road map and a new road went right through our property.
Mayor Peterson, I will try to look into it and get back with you what information I find, with regards to what roads are in that area with your property and the County as to any recorded easements. That is certainly a starting point, I think Gary would be looking for any recorded easements on your property and I wouldn't think that anything could not happen without you being notified if it was not a preexisting easement.
Kevin Lee, right and that is why we were kind of like wow, ok, there is no easements on our property.
Mayor Peterson, ok I would suspect that you are pretty much in the know with regards to it.

12. Adjournment:

Councilmember Cundick adjourned the meeting.
Time: 8:34pm.

APPROVED ON THIS 9th DAY OF March, 2016

Wayne Peterson

Mayor, Wayne Peterson

ATTEST:

Kristi Barker

Kristi Barker, Deputy Clerk/Recorder