Town of Leeds

Amended Agenda
Town of Leeds Town Council
Wednesday, March 9, 2016

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, March 9, 2016 at 7:00 P.M. 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 .

Regular Meeting 7:00 p.m.

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 February 10, 2016 and February 24, 2016
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
    a. Special Planning Commission Meeting, Wednesday, March 30 at 7:00pm
7. Special Presentation:
    a. Southwest Mosquito Abatement and Control District, Sean Amodt
    b. Ash Creek Special Service District, Mike Chandler
8. Public Hearings:
9. Action Items:
    a. Silver Pointe Estates Phase 1, amended Final Plat Map
    b. Planning Commission Appointments
    c. Discussion and possible action regarding Main Street curb and gutter project with UDOT
    d. Clerk/Recorder Appointment Ratification
10. Discussion Items:
11. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
12. 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).
13. 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 March 4, 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
March 9, 2016

1. Call to Order:
   Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7:00pm on March 9, 2016 at Leeds Town Hall, 218 N 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		Attended by phone

2. Pledge of Allegiance by Commissioner Sheltman.

3. Declaration of Abstentions or Conflicts: None.

4. Approval of Agenda:
   Councilmember Cundick moved to approve tonight's agenda and meeting minutes of February 10, 2016 and February 24, 2016. 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. Special Planning Commission Meeting, Wednesday, March 30 at 7:00pm.
      Mayor Peterson announced there will be a Special Planning Commission Meeting on Wednesday, March 30th and a regular meeting on April 6th.

7. Special Presentation:
   a. Southwest Mosquito Abatement and Control District, Sean Amodt
      Sean Amodt from the Southwest Mosquito Abatement and Control District gave a presentation on mosquitos in Washington County.

   b. Ash Creek Special Service District, Mike Chandler

Mike Chandler from Ash Creek Special Service District discussed Ash Creek's sewer system and septic tanks with Town Council.

8. Public Hearings:

9. Action Items:
   a. Silver Pointe Estates Phase 1, amended Final Plat Map
   Scott Woolsey from Alpha Engineering representing Silver Pointe Estates explained the amendment to the Final Plat Map, Phase 1. The amendment was for a lot line adjustment on a parcel to accommodate a water tank.
   Town Council discussed it further.

   Mayor Peterson asked for a motion to approve Silver Pointe Estates, Phase 1 amended Final Plat Map as presented.

   Councilmember Sheltman indicated he was not sure if the parcel was the right size to accommodate the water tank.
   Mayor Peterson, we could approve subject to the necessary acreage being available for the proposed tank.

   Mayor Peterson asked for a motion to approve Silver Pointe Estates, Phase 1 amended Final Plat Map as presented with the condition that it be verified that the LDWA's future tank would be appropriately fitted on that particular parcel that is proposed.
   Councilmember Blake, I so move. 2nd by Councilmember Rohr.

   Councilmember Cundick, I just want to know if Elliott is comfortable with that?
   Councilmember Sheltman, personally no.
   Councilmember Cundick, because it is subject for approval later, or because you don't think it will be adequate.
   Councilmember Sheltman, I am just not sure.
   Councilmember Cundick, well, if we have the Engineer who is advising LDWA look at it and he says "yes or no".
   Councilmember Sheltman, when we looked at it, we looked at the tank only.
   Councilmember Cundick, I understand that, but what I am saying is if we approve this subject to approval by LDWA, then it seems to me that whatever the Engineer says would be it.
   Councilmember Sheltman, if we come to the conclusion that we need a bigger space, are we going to have to bring it up again?
   Councilmember Cundick , if it doesn't fit, then we are back to square one as I understand the motion right now.
   Scott Woolsey, what would happen then is you would basically still have to make a change.
   Councilmember Cundick, it is approved only if it is satisfactory to LDWA as I understand it right now. Am I correct in the understanding?
   Mayor Peterson, that's what I asked for a motion on.
   Councilmember Sheltman, ok thanks for the clarification.

   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			

b. Planning Commission Appointments

Mayor Peterson, as the Council is aware, there are 2 openings on the Planning Commission. One is a result of a resignation of somebody that is going to be leaving the area. The other is a result of Elliott Sheltman having been elected to Town Council and unable to serve. I spoke to a variety of people in Town and was provided with some names to contact regarding potential candidates and I offered to the Council as well, if they had any ideas to please share them with me. Some people did and as a result I had the opportunity to speak with two individuals that are here this evening. One is a longer standing resident of Leeds, Gary Tanner. The other is a fairly new arrival to the Town of Leeds, Darryl Lewis. I believe they are both very qualified to serve on the Planning Commission. I am very appreciative of the fact of their willingness to have their names put forward. I believe we now will have a planning Commission with the addition of these two individuals with 5 very capable members, as well as, one very capable alternate. At this point as the Town Ordinance requires, I request that the Town Council approve Gary Tanner for a term that would expire June 30, 2018. That would be replacing the term of Norm Peters, who had to resign and Darryl Lewis be appointed for a term that would expire June 30, 2020. That would be replacing Elliott Sheltman, who is now a member of the Town Council.

Councilmember Blake indicated he disagrees with the candidates, not because they were not qualified but felt like Danielle Stirling is the most qualified to become a full time member because of the work she has completed in the past with drafting Ordinances.

Mayor Peterson, well having brought up that name, I can tell you that I was approached by Danielle, who has been an alternate since January of 2014 and due to family circumstances, as she's described it, wasn't able to be active but now is at a point where she can be active again. I think that the Planning Commission would benefit from not only having 5 full time serving members being able to attend but also an interested, well-informed, alternate, who at the present time is available. We now have the luxury of not having to beg people to provide public service but are willing to do that. As the Mayor, I am given the opportunity and the way this process works is, I put forward names and then you as Council are in a position to determine if they are competent, capable and appropriate names to have put forward. I would hate to think the Town of Leeds wants to emulate Washington DC, but I am not hearing you say that you think there is any short comings of the members that I am proposing but rather just a preference for somebody else.

Councilmember Blake, it is not necessarily a preference, Danielle and I are friends but outside of the friendship, she has been a pillar of this community and like I said, most of the Ordinances that come across our desks, she has supplied those Ordinance as an alternative and a pillar of our community, that we have adjusted to and helped put everything together to the situation we are in now, to help bring back our Town as a community. When I got on Town Council 4 years ago, it was a lost cause.

Councilmember Sheltman, I was on Planning for 2 years and I commend these gentlemen for willing to put themselves though being a volunteer for the Town of Leeds. It can be quite an experience; however, I think on Planning Commission, there are a lot of things we are going to

have to deal with fairly quickly that maybe haven't been for a long time. I know the Planning Commission has not met in 6 months and again there are a lot of things that I feel are important that are going to need to be addressed. I have been given a letter from the Planning Commission members that they want me to read if I may, this is to the Town of Leeds attention, Town Council and it says: (Councilmember Sheltman read the following off his phone)

> After discussion with fellow members of the Planning Commission, we would like to express our support for Danielle Stirling to be a full-time member of the Planning Commission. A recent interim Chairmanship was incredibly successful and highlighted her strong qualities of leadership, insight and historical knowledge. We realize that others have been contacted for service, but we feel like she would be the right person to assist us in accomplishing our important duties this year and beyond.
> Respectfully submitted,
> John Poast
> Darrell Nelson
> Danny Swenson

Town Council discussed it further. Councilmember Blake and Sheltman indicated that if this comes up for a vote, they would not approve both candidates. Instead they want Danielle Stirling as a full time member and one of the candidates as an alternate.
Gary Tanner asked Councilmembers to strike his name off.
Mayor Peterson, what I am willing to do at this point is put forward the name of Darryl Lewis to fulfill the term that expires on June 30, 2020 and I will hold in abeyance until I have an opportunity, among other things, to speak with the alternate member further. I would also appreciate an opportunity for Gary Tanner to consider the possibility of serving as an alternate, because I believe his time in the Town and his experience in his professional life would be sadly missed if they were not involved in the Planning Commission.

Mayor Peterson asked for a motion to approve Darryl Lewis to the term expiring on June 30, 2020 on the Planning Commission.
Councilmember Rohr, I so move. 2nd by Councilmember Cundick. 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. Discussion and possible action regarding Main Street curb and gutter project with UDOT.
Curtis Nelson from Ensign Engineering discussed the Capital Improvement Plan for Leeds Main Street Curb and Gutter project with Town Council.

Mayor Peterson asked for a motion for us to notify UDOT that we would be interested in investigating further the offer of them to provide up to $119,000 contribution towards the Main Street Curb and Gutter Project.

Councilmember Blake, I so move. 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			

d. Clerk/Recorder Appointment Ratification
Mayor Peterson, at the end of each municipal election cycle which we went through at the end of last year, the Town is supposed to be appointing or reappointing their officials and for us that would be a Clerk/Recorder and a Treasurer. I would prefer to hold off on the appointment or reappointment of the Treasurer at this time and just ask that Ron Cundick continue to serve until such time that the next step is determined. At this time I would like to put forward the name of Kristi Barker to serve as our Clerk/Recorder going forward. I appreciate the service that Bob Goldsberry has provided but I believe that it would be in the best interest of the Town to go in a different direction as we move forward; therefore,
I am putting forward Kristi Barker's name for ratification by Town Council.

Councilmember Rohr, I so move. 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			

10. Discussion Items:

11. Citizen Comments:
Carrie Dickson, I own a lot on Main Street and I am here to address the Grapevine rezoning that's come before Planning Commission and coming before the Council. I just want to make sure that it's gone on record that certain things are brought to your attention. I appreciate that you have a lot of outside conversations, agreements and workings with things, but as a member of the community, such as I am, I still would like to make sure that we keep as close to the characteristics of the Town of Leeds, where I believe every single one of us has appreciated and is why we actually own property or live here in the Town. While we have a lot of diversity, we have a lot of unity in that diversity. So I just wanted to let you know, while I am sure of you are very aware of your General Plan, I would like as much adherence to that as you possible can conjure up, especially in zoning issues like this. I know that a lot of us have been very much concerned about the amount of the high density and even the quarter acre lots. If it is at all possible, I would like very much for you to please revisit making those a little larger. I have mentioned before, this particular development is roughly 1/3 the size of the Town of Leeds and yet it increases so many of the other zoning areas so

much more than 1/3, way more in a couple of areas. I understand that this is a much better deal then what is currently on plat, I appreciate that very much. I also want to make sure that for the Town of Leeds, we do the best that we can and that in the future, we do not have to come back and do a bandage fix on something. I appreciate your time, I appreciate your effort, I appreciate that you allow me to comment tonight, but I would like very much for the General Plan to be followed as close as possible.

Susan Savage, following up with Carrie, I would probably make this comment later at another meeting, but just to offer it is something to think about. As I looked at the different colors, the different kinds of zoning on there, it seems to me that in the planning, there would need to be some kind of discretionary clause at least, or something to allow for the kinds of things that you would address at the time they come to us with a subdivision. It is not all flat land, all the same like Washington Fields, so as specific plans come in, there can be drainage areas, there may need to be soil samples. We have had a lot of blue clay issues, so before in Leeds we have had homes built where the floors have cracked because the soils were not done. The thought I just had was to commit to make a blanket commitment in those areas it might be impossible to solve and also protect future residents. There might need to be something that says "we would accept the various kinds of zoning that are being asked for, but as the subdivisions are applied for individually, that protect your ability to examine those things"; or if you felt good about where those zones are on the plan, maybe to say "we accept that, in so far as, the plans allows us to do those things".
Mayor Peterson, one of the things that the preliminary Development Agreement did was adjust certain standards with regards to construction, width of roads and other radiuses and the like. One of the things with it being a rezoning is it would be subject to all currently existing Leeds Ordinances and all of Leeds existing construction guidelines. That is something that we have the services right now, Bob Nicholson who was not involved when the original preliminary Development Agreement was done is currently available to us. I think that you raise very important points and one of the things about this turning into a rezoning, as opposed to, a Development Agreement is, that it brings things back to where everything needs to follow proper codes. The ones that you bring up as concerns are the ones that would be reflected in the review that would be done before any construction could take place.
Susan Savage, if you accept the plans the way they presented it, does that mean that they would be guaranteed the number of lots that it would allow?
Mayor Peterson, no, the one thing that it is saying is, the acreage in each color would be zoned that particular color, that particular zone, but with the unbuildable land, they are aware. They have already highlighted hillsides where it couldn't be built and if there was blue clay or anything like that, they would not be able to build. That is not going to be transferable, it just becomes an unbuildable portion regardless of what it is zoned if it has something like blue clay involved with it. So this agreement does not allow for substitution, which as you bring it up, was something that was in the proposed Development Agreement that was involved in the past. This would be zoning and if it was unbuildable, it is unbuildable whatever zone it was. You can't build on it and you don't get something in exchange for that, it's just unbuildable land.

12. Staff Reports:

Councilmember Rohr indicated she spoke to Darren Cottam and asked Mayor Peterson if he received the changes to the street repair plan. The Mayor indicated he had not received it yet.

Councilmember Rohr, I just wanted to follow up on Susan's comments about when it comes time for subdivisions to be put in, or development. If this goes through fast, the comment about soils

and drainage, currently we have no one except our building inspector to give any say so on how a lot might be developed. Probably individual lots may not have soil samples done, we have no requirement for that I know of.
Councilmember Blake, I reject that Angela because the County requires all compaction test and soil testing as soon as it records before you put in any roads. They have perc tests for septic systems through Southwest or when you go through the County.
Councilmember Rohr, I know there needs to be perc tests, but I don't know about the soils samples.
Councilmember Blake, soil test have been standard for the last 15 years, so all soils test have to be done on any excavation that needs to be done. So as far as your blue clay situation, all the County requires is piers with spot footings, or over excavation. All that Engineering is a state wide requirement as of right now and has been for years.
Councilmember Rohr, that is done on an individual lots but I am thinking about a subdivision in general.
Councilmember Blake, all roads, anything in a public right-of-way, roads, sidewalks, curb and gutter has to have your standard soils reports, over excavation, road base, the standard basic compaction, road base compaction and core testing, all that has to be up to par.
Councilmember Rohr, so do we have that on Silver Pointe Estates, which might be putting in streets, curb and gutters and all that?
Councilmember Blake, that is an automatic given. The building department doesn't handle that. That is something that Leeds Town should require.
Councilmember Rohr, I think that was the point I was trying to make.
Councilmember Blake, indicated he didn't realize we didn't require that. That is the minimal State testing and is completed prior to final recordation of the map.
Mayor Peterson, indicated he believes all that is required in the Towns Construction Standards that they have to meet State-mandated requirements.
Town Council discussed it further and the Mayor indicated subdivisions are something that the Town's Engineers look over and he is sure they would have thrown in a red flag had they not been completed on Silver Pointe Estates. The Mayor will check with DEQ on if there will be any restrictions on the parcels in Silver Pointe Estates.

13. Adjournment:
Councilmember Cundick adjourned the meeting.
Time: 10:01pm.

APPROVED ON THIS 13 DAY OF April, 2016

Wayne Peterson
Mayor, Wayne Peterson

ATTEST:

Kristi Barker
Kristi Barker, Clerk/Recorder