

**TOWN OF LEEDS  
PUBLIC HEARING**

The Town Council of Leeds will hold a Public Hearing to adopt the Traffic School Ordinance #3-97 on **Wednesday, March 12, 1997** at 7:00 p.m. at the Leeds Town Hall, 218 North Main Street. Public welcome to attend.

**POSTED THIS 25th DAY OF FEBRUARY 1997**



Patrick J. Franks, Manager / Clerk

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Cassidy's Country Store

**THIS NOTICE MUST BE POSTED UNTIL MARCH 13, 1997.**

**IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE  
DATE INDICATED.**



In compliance with the Americans with Disabilities Act, The Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public hearing. Persons requesting assistance are asked to call Patrick Franks at 879-2447 at least 48 hours prior to the meeting.

***Town of Leeds***

**Public Hearing for the  
Traffic School Ordinance #3-97  
of March 12, 1997**

1. **CALL TO ORDER:** Mayor Melvin J. Evans called the meeting to order at 7:05 p.m.

2. **PRESENT:** Mayor Melvin J. Evans, Charlie Scott, Joanne Thornton, Marilyn Kay Fairbanks, and 4 residents or interested parties.

3. **PRESENTATION:** Mayor Evans had Patrick Franks read the ordinance to those present.

Time was turned over to the audience for questions or comments. Ron Taylor of the audience ask if the Town had met the requirements for a traffic school. The Council explained that all of the requirements had been followed and that we had patterned the Traffic School after Provo City's Traffic School.

Chief Elvin Braman made the comment that "we're offering a service to the community to help them preserve their driving record."

4. **ADJOURNMENT:** The meeting adjourned at 7:20 p.m.

**PASSED THIS 26th DAY OF MARCH 1997**

*Melvin J. Evans*  
Melvin J. Evans, Mayor

attest: *Patrick J. Franks*  
Patrick J. Franks, Manager / Clerk

Town of Leeds

COPY

Ordinance # 3-97

Town of Leeds Code 11-328

TRAFFIC SCHOOL- Participation-Fees

(1) Purpose. A Town of Leeds "Traffic School" program is hereby established for the purpose of increasing public awareness and knowledge of basic traffic safety requirements of vehicles traveling within the Town of Leeds and to reduce the amount of expenditures required to support enforcement of certain traffic citations in order to better protect the public's health, safety, morals and general welfare.

(2) Administration.

(a) The Traffic School program shall be administered by the mayor subject to the provisions of this section.

(b) The Traffic School's hours of operation shall be established by the Chief of Police.

(c) The requirements to successfully complete the program shall be established by the mayor subject to the provisions of this section.

(3) Program requirements.

(a) Length of attendance. Each participant shall attend ninety (90) minutes of instruction, which instruction shall cover three (3) or more of the following areas:

(i) Town of Leeds traffic enforcement policies;

(ii) Basic overview of common traffic offenses;

(iii) Speed and distance instruction; and

(iv) Radar functions.

(b) Said instruction shall be taught by one (1) or more Town of Leeds Police Officer (s).

(c) The Mayor shall establish program criteria to accomplish the requirements set forth in subsection (3) of this section. The criteria shall be set forth in writing and available to participants and the general public.

(d) The fee established in subsection (4) of this section must be paid prior to participation in the program.

(4) Fees. Eligible participants in the Traffic School program shall pay a fee of fifty dollars (\$50.00) to the Town of Leeds.

(5) Eligible participation. Upon receiving a traffic citation for a section of the Town of Leeds Code or other Town of Leeds ordinance violation within the jurisdiction of the Town of Leeds, any person, at his or her option, may choose to participate in the traffic school program subject to the following:

(a) the person must make a request to participate in the program to the Leeds Police Department within fourteen (14) days of receipt of the traffic citation;

(b) the person must have a valid driver's license;

(c) the person has not pled guilty to or been convicted of a moving traffic violation within the past year;

(d) the person is not currently in process of completing or has not completed the Traffic School program within the past year for a previous traffic citation;

(e) the incident giving rise to the traffic citation does not involve the use of alcohol or controlled substances by the person or within the person's control; and

(f) the incident giving rise to the traffic citation does not involve injury to person or property.

(6) Successful completion. The procedures and penalties otherwise adopted in Sections 11-320 and 11-327, Town of Leeds code shall not apply to said one (1) traffic citation upon the successful completion of the traffic school program by the person receiving said traffic citation.

(7) Successful completion of the program shall be evidenced in writing by the Town of Leeds.

(8) The mayor is authorized to perform all required and necessary administrative functions on behalf of the traffic school including, but not limited to, the coordination with outside agencies, the Utah court system and others.

(9) The mayor may delegate the duties and performance of any administrative action set forth in this section.

PASSED THIS 13 DAY OF March 1997

Melvin J. Evans  
Melvin J. Evans, Mayor

attest: Patrick J. Franks  
Patrick J. Franks, Manager / Clerk

**TOWN OF LEEDS  
PUBLIC HEARING**

The Town Council of Leeds will hold a Public Hearing to adopt the Traffic Ordinance #4-97 on Wednesday, March 12, 1997 at 7:15 p.m. at the Leeds Town Hall, 218 North Main Street. Public welcome to attend.

**POSTED THIS 25th DAY OF FEBRUARY 1997**



Patrick J. Franks, Manager / Clerk

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Cassidy's Country Store

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*Town of Leeds*

**Public Hearing for the  
Traffic Ordinance #4-97  
of March 12, 1997**

1. **CALL TO ORDER:** Mayor Melvin J. Evans called the meeting to order at 7:20 p.m.

2. **PRESENT:** Mayor Melvin J. Evans, Charlie Scott, Joanne Thornton, Marilyn Kay Fairbanks, and 4 residents or interested parties.

3. **PRESENTATION:** Mayor Evans had Patrick Franks read the ordinance to those present.

Time was turned over to the audience for questions or comments. There were no comments from the audience concerning this addition to the Traffic Ordinance.

4. **ADJOURNMENT:** The meeting adjourned at 7:30 p.m.

**PASSED THIS 26th DAY OF MARCH 1997**

*Melvin J. Evans*  
Melvin J. Evans, Mayor

attest: *Patrick J. Franks*  
Patrick J. Franks, Manager / Clerk

Town of Leeds

COPY

Ordinance # 4-97

**TRAFFIC ORDINANCE**

The Town of Leeds adopts all of the Utah Code traffic regulation rules as they apply to cities and towns with the following additional restrictions allowed by law. The additional restrictions are applicable only to those streets controlled by the Town of Leeds (i.e., excludes County and State Roads). They are:

**Speed Limits (prima facie)**

1. The speed limits on Vista Avenue and East Center Street are set at 20 mph, because of the danger of children at play on, or near the streets.
2. The speed limit on Babylon Road is set at 10 mph, because it is a short Dead End Street serving a town park.
3. The speed limit on West Mulberry is set at 10 mph, because it is a short Dead End Street serving a Historical Site parking lot and ending at a pond.
4. The speed limit on West Center is set at 10 mph for that portion west of the first turn, because the next curve occurs with "limited sight distance" (over a knoll) followed by a Dead End barrier.
5. The speed limit on Silver Reef Road that is within the corporate boundaries of the town will be set at 30 mph. This rural road has sharp curves and limited sight distance.
6. The speed limit on North Main Street from 545 North Main Street to the corporate boundary at approximately 1000 North Main Street will be set at 35 mph, consistent with the speed limit on the entirety of Main Street.

The notice of these restrictions will be made by appropriate signs. Otherwise, the State Code setting (prima facie) speed limits at 25 mph for residential areas will apply on Leeds streets. Exceeding these speed limits will result in a citation. The Town of Leeds adopts as a part of this ordinance the State of Utah Uniform Fine/Bail-Forfeiture Schedule.

**OTHER TRAFFIC REGULATION**

Other traffic regulations will be set according to Utah Code. All traffic control devices (including signs placed by the municipality) shall be adhered to. If any of these regulations are broken the penalties will be given through the State of Utah Uniform Fine/Bail-Forfeiture Schedule.

**PASSED THIS 12th DAY OF MARCH 1997**

Melvin J. Evans  
Melvin J. Evans, Mayor

attest: Patrick J. Franks  
Patrick J. Franks, Manager / Clerk

**PUBLIC NOTICE**

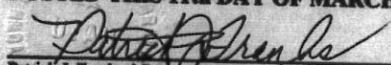
**TOWN OF LEEDS  
TOWN COUNCIL MEETING**

The Town Council of Leeds will hold a Town Council Meeting on Wednesday, March 12, 1997 at 7:30 p.m. at the Leeds Town Hall. Public welcome to attend.

**AGENDA**

1. Call to Order
2. Roll Call
3. Pledge
4. Vote on Traffic School Ordinance #3-97
5. Vote on Traffic Ordinance #4-97
6. Loan Resolution for Fire Station
7. Patrick Franks, Manager / Clerk (5 minutes)
  - Update on Fire Station
  - Update on Justice Court Application
8. Melvin Evans, Mayor (20 minutes)
  - Fire Service District Planning
  - Impact Fee Planning
  - Annexation
  - UDOT Planning Meeting Update
  - Volunteer Day
9. Joanne Thomson, Council Member (5 minutes)
  - Clean-up Day
10. Kay Fairbanks, Council Member (10 minutes)
  - Report on LDWA Meeting
  - Parks & Recreation
11. Charlie Scott, Council Member (10 minutes)
  - Report on Ashcroft Coordinating Council Meeting
12. Stephen Westhoff, Council Member (15 minutes)
  - Planning / Zoning Update
  - Delever Dicks Property Follow-up
  - Proposed Noise Ordinance
13. Other Business
14. Adjournment

**POSTED THIS 11th DAY OF MARCH 1997**

  
Patrick J. Franks, Manager / Clerk

- Posted in the following public places:
1. Leeds Town Hall
  2. Leeds Post Office
  3. Cassidy's Country Store

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BEFORE THE DATE INDICATED.**



***Town of Leeds***

**Minutes for the  
Town Council Meeting  
of March 12, 1997**

**1. CALL TO ORDER:** Mayor Melvin J. Evans called the meeting to order at 7:30 p.m.

**2. ROLL CALL:** Mayor Melvin J. Evans and Council Members Joanne Thornton, Charlie Scott, & Marilyn Kay Fairbanks.

**3. FLEDGE:** Patrick Franks.

**4. VOTE ON TRAFFIC SCHOOL ORDINANCE #3-97:**

**MOTION:** Joanne Thornton made a motion to accept the Traffic School Ordinance as written and reviewed. Kay Fairbanks seconded the motion and all were in favor.

**5. VOTE ON TRAFFIC ORDINANCE #4-97:**

**MOTION:** Kay Fairbanks made a motion to post a 35 mph sign on North Main Street and move the County's 45 mph sign North to the Town Boundary and to approve the Traffic Ordinance as presented. Charlie Scott seconded the motion and all were in favor.

**6. LOAN RESOLUTION FOR FIRE STATION:**

**MOTION:** Mayor Evans made a motion to approve the Loan Resolution from Rural Development. (See Attached). Joanne Thornton seconded the motion and the following roll call vote was taken:

Mayor Evans: yea  
Kay Fairbanks: yea  
Steve Westhoff: absent

Joanne Thornton: yea  
Charlie Scoot: yea

The vote passed with 4 yea's and one absent.

**7. PATRICK FRANKS, MANAGER / CLERK:**

**Update on Fire Station**

Patrick informed those present that the loan was still about 15 to 30 days from being ready to finalize and that everything that we can do with CDBG is being done at this time.

Update on Justice Court Application

Patrick informed the Council that he and Chief Braman had met with the Judicial Council at a meeting in St. George on March 6, 1997. Their decision was not to decline the Town's application, but to defer it until July 1, 1998. At this time they will review our application according to the new laws affecting justice courts. The Judicial Council also ask that the Town Council get with the County Commission to see if the East Justice Court could be relocated to Leeds when Judge Chester Adams retires.

**8. MELVIN J. EVANS, MAYOR:**

Fire Service District Planning

Mayor Evans explained how the impact fees contribute to a new fire station, then described two scenarios of what type of Fire District we could have.

The first would be one large area and every entity within the area would have one person serving on a board with one vote. This scenario would mean that the Board would assume all assets and liabilities of the current Leeds Fire & Rescue Department.

The second would be two areas with the Town of Leeds being one entity and the surrounding areas another entity. The Town of Leeds would continue to serve as the provider of Fire Service and the Surrounding Entity would then just help pay their costs for the protection and stand-by service they receive.

Impact Fee Planning

This is still up in the air until we decide what type of Fire District to establish.

Annexation

No new developments at this time. The Mayor commented that he felt the Water Board (LDWA) has become more sensitive to the needs of those moving to this area and what services the Town needs to provide to said people.

UDOT Planning Meeting Update

UDOT wants to move the I-15 Northbound off-ramp to Pecan Lane. These plans are in the preliminary stage and we will be informed as they continue to progress. We have in the UDOT minutes a request to look at Leeds situation with off & on ramps in the same place.

**9. JOANNE THORNTON, COUNCIL MEMBER:**

Clean-up Day

Joanne would like the Town to have a Spring Clean-up Day followed by a picnic at the Park. April 26, 1997 has been set as the tentative date and the Council has asked that Pauline call to see when the large dumpsters will be available.

**10. KAY FAIRBANKS, COUNCIL MEMBER:**

Report on LDWA Meeting

Kay had nothing to report at this time.

**11. CHARLIE SCOTT, COUNCIL MEMBER:**  
**Report on Ashcreek Coordinating Council Meeting**

Charlie discussed the Safe Water Drinking Act and the importance of joining with those who have already adopted this Act. There is no grant money available if you haven't adopted this Act.

The idea of having a Water Master when the Town creates a water system was briefly discussed.

**12. STEPHEN WESTHOFF, COUNCIL MEMBER:**

Steve asked to be excused from the meeting.

**13. OTHER BUSINESS:**

Mountain Fuel will be coming this week to see about moving the gas meter from the roadway on East Center Street. Charlie Scott suggested looking and a 50 foot road on East Center because of the problem with Mrs. Delores Dicks swimming pool being located in part of the street right-of-way.

Charlie asked about a letter written by the County Sheriff to the Mayor about Leeds Police Officers going outside the Town Boundaries and writing citations. The Mayor has received a letter and Chief Braman has written back to Sheriff Humphries about the situation and has requested a meeting with the Sheriff, the Mayor and himself.

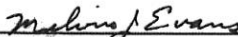
Mayor Evans told the Council that a quit-claim deed is being written for the portion of property that Paul Felt is quit-claiming to the Town. The location of the property is approximately 650 North Main Street.

A Rural-Residential-5 acre Zone is being considered for the Town.

**14. ADJOURNMENT:**

The meeting was adjourned at 10:00 p.m.

**PASSED THIS 26th DAY OF MARCH 1997**

  
\_\_\_\_\_  
Melvin J. Evans, Mayor

attest:   
\_\_\_\_\_  
Patrick J. Franks, Manager / Clerk

LOAN RESOLUTION  
(Public Bodies)

A RESOLUTION OF THE Town Council  
OF THE Town of Leeds  
AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A  
PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS  
Fire Station  
FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE

WHEREAS, it is necessary for the Town of Leeds  
(Public Body)  
(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of  
Ninety-five Thousand and no/100 Dollars (\$95,000.00)

pursuant to the provisions of Chapters 7, 8, 14, Title 11, UCA, 1953; and  
WHEREAS, the Association intends to obtain assistance from the Farmers Home Administration, United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association.

NOW THEREFORE in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form FmHA 400-4, "Assurance Agreement," and Form FmHA 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by FmHA. No free service or use of the facility will be permitted.

- 11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
- 12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
- 13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
- 14. That if the Government requires that a reserve account be established and maintained, disbursements from that account may be used when necessary for payments due on the bond if sufficient funds are not otherwise available. With the prior written approval of the Government, funds may be withdrawn for:
  - (a) Paying the cost of repairing or replacing any damage to the facility caused by catastrophe.
  - (b) Repairing or replacing short-lived assets.
  - (c) Making extensions or improvements to the facility.
 Any time funds are disbursed from the reserve account, additional deposits will be required until the reserve account has reached the required funded level.
- 15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain FmHA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
- 16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
- 17. To accept a grant in an amount not to exceed \$ -0-

under the terms offered by the Government; that the Town Council  
 and Mayor of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was: Yes 4 Nays 0 Absent 1

IN WITNESS WHEREOF, the Town Council of the Town of Leeds

has duly adopted this resolution and caused it to be executed by the officers below in duplicate on this 13<sup>th</sup> day of March, 1997

Town of Leeds

By Melvin J. Evans  
 Title MAYOR

(SEAL)  
 Attest: [Signature]  
 Title Manager/Clerk

RECEIVED  
 TOWN OF LEEDS  
 MARCH 13 1997

CERTIFICATION TO BE EXECUTED AT LOAN CLOSING

I, the undersigned, as Town Clerk of the Town of Leeds  
 hereby certify that the Town Council of such Association is composed of  
5 members, of whom (over) 4, constituting a quorum, were present at a meeting thereof duly called and  
 held on the 12<sup>th</sup> day of March, 19 97; and that the foregoing resolution was adopted at such meeting  
 by the vote shown above. I further certify that as of \_\_\_\_\_  
 the date of closing of the loan from the Farmers Home Administration, said resolution remains in effect and has not been rescinded or  
 amended in any way.

Dated, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
Title \_\_\_\_\_