

## TOWN OF LEEDS

Minutes of the Town Council Meeting  
August 27, 2003

### 1. CALL TO ORDER:

Mayor Norma Gier called the meeting to order at 7:02 p.m.

### 2. ROLL CALL:

Present was Mayor Norma Gier, Council Members Darrell Nelson and Gloria Parnell. Dave Harbour and Dale Barnes were excused.

### 3. PLEDGE:

Gloria Parnell.

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Gloria Parnell to approve the agenda and minutes of July 23, 2003.  
Seconded by Darrell Nelson. Passed unanimously.

### 5. TABLED ITEMS AT LAST MEETING:

**Ordinance No. 03-07 Leeds Outdoor Light Ordinance.** The Ordinance is still being reviewed. Motion by Darrell Nelson to table Leeds Outdoor Light Ordinance No 03-07. Seconded by Gloria Parnell. Passed unanimously.

### 6. PUBLIC WORKS DIRECTOR GEORGE FRIDELL:

Fridell presented several items of concern and various projects:

1. Repair needed to the Pavilion roof due to mischievous birds.
2. Dead tree hanging over into the park from the neighbors property. Fridell will talk to the neighboring property owner concerning the tree.
3. Fridell asked who is responsible to clean up the weeds along Main Street since it is a State Highway. Fridell said he will purchase Round Up and spray the weeds so there won't be so many next year.
4. Leeds boundary sign by Silver Reef needs to be moved due to the recent annexation of Silver Reef.
5. Fridell suggested several improvement projects. Ground cover by the pavilion and the north side of the Police Station. A picnic area between Town Hall and the garage. Black top or concrete a walk way to the park restroom from the pavilion.
6. Fridell expressed his concerns over the fee for the Pavilion. Fridell thought the church should not be charged to use it. The Council said in all fairness to everyone a fee is charged to anyone who reserves the Pavilion.
7. Approval for the purchase of a weed eater and sign posts. Fridell will check on the price for a weed eater by the next meeting. Motion by Gloria Parnell to approve the purchase of 15 sign posts with an approximate cost between \$160 and \$200. Seconded by Darrell Nelson. Roll call vote. All aye votes. Motion passed unanimously.

### 7. STACEY EATON:

**Update on rock removal operation at Silver Reef Mine.** Stacey Eaton was not

present at this time.

## **8. COUNCIL MEMBER DARRELL NELSON:**

**1. Update and revise the Animal Control Ordinance.** Nelson expressed his concerns about the ordinance allowing 1 large animal for every 20,000 square feet with a Conditional Use Permit. Nelson said he would like to see the Town adopt Washington County's ordinance allowing 1 large animal for every 12,500 square feet. Nelson will write an ordinance amending the current ordinance and submit it to the Planning Commission for their recommendation.

**2. Change meeting schedule for Town Council.** Nelson suggested the Council hold one meeting a month instead of two. When the other two members are present the suggestion will be made again. Attorney Snow suggested if the Council has one meeting a month then they should schedule work meetings during the month to think through the major issues.

### **3. Planning Commission Items.**

**a) Susan Hunter-Home Occupation Business License for fuel delivery service.** The business is for an office only for a fuel delivery service. Nelson said the Planning Commission recommended approval of the license for an office only to be reviewed in 1 year.

**Motion** by Darrell Nelson to approve Susan Hunter's Home Occupation Business license for an office only to be reviewed in 6 months. **Seconded** by Gloria Parnell. **Roll call vote. All aye votes. Motion passed unanimously.**

**b) Silver Reef Highlands submit preliminary plat for approval.** The Planning Commission recommended approval of the plat with a variance request to follow up on the turn-arounds in the cul-de-sac.

The preliminary plat was presented and explained to the Council. Bush & Gudgell Engineering representative Jim Raines explained the plat and the plan for this subdivision and other phases.

Raines indicated the following: Stubbed in roads are common because of the phasing. Temporary turn-arounds are proposed. The road going into the BLM property will be closed so no damage will be done to that property. They will install a new water tank with an 8" line for higher pressure. The tank will be part of the LDWA system. They will have low density and low impact landscaping to preserve water. The mine on the property will be secured. The roadway will be 55' with 28' of asphalt and a 4' shoulder base. A deferral agreement will be signed concerning the curb and gutter. The wash in the Open Space will take care of drainage and the 100 year flood. If the canal is eventually piped, by Leeds Irrigation Company, Silver Reef Highlands will still maintain the vegetation. The infrastructure for two means of ingress/egress will be provided.

Attorney Heath Snow expressed concern about the ingress/egress. He stated the Town will need assurance from School Trust Lands that the roads will be looped through their property. Documentation from SITLA will be required. Don Leavitt from School Trust Lands stated when SITLA develops property they always set the road circulation for transportation and will work with Leeds ordinances to see that this is done. Leavitt stated that they are on board with Silver Reef Highlands plan.

The Council liked the concept of the plan. Mayor Gier said she is a little apprehensive subject to legal counsel review. There is to be no excavation until the Town is satisfied.

**Motion** by Darrell Nelson to approve the preliminary plat subject to the following conditions:

1. LDWA written formal approval.
2. Signed deferral for curb and gutter.
3. BLM right of way be granted for the water tank.
4. Written consent on the plat from SITLA to provide for circulation of stubbed roads.
5. Subject to Leeds legal counsel review of compliance with the conditions.
6. The roads on the plat be widened to 55' instead of the 50' as indicated on the plat, with a 28' paved travel surface. \* (See Note)

**Seconded** by Gloria Parnell. **Roll call vote. All aye votes. Motion passed unanimously.**

c) **Etienne St. Laurent-Request approval for a retaining wall with a fence on top.** The Planning Commission recommended approval of the wall and fence plan, as proposed, as long as the grading from the sidewalk covers 2/3 of retaining wall.

Since the Planning Commission meeting the St. Laurents have withdrawn their request stating they don't need the Town's approval.

d) **Gary Simonson-Request a Home Occupation Business License for trash dumpster business.** The Planning Commission recommended approval of the home occupation business for an office and storage of the truck. To be reviewed in 6 months. No trash dumpsters to be stored on the property. The Council agreed with the Planning Commission that an office is fine but no dumpsters are to be stored on the property. Attorney Snow said they should have a Conditional Use Permit for the large trash truck if it is stored on the property. Residents have also observed company trucks, trailers, and equipment for an electrical business on the property. **Motion** by Darrell Nelson to deny the business license request. Simonson needs to remove the dumpsters on the property as soon as possible. Come in to compliance with the Town ordinances concerning "both" businesses. He needs a Conditional Use Permit to store the truck. **Seconded** by Gloria Parnell. **Passed unanimously.**

e) **Mike Kelley-Conditional Use Permit for horses.** This item was tabled.

f) **Alberta Pace-Request approval of grading permit. (This was a different application from the road that was red tagged earlier)** This item was referred to engineering that night. Engineering did grant a permit to Alberta for this driveway.

g) **Fire Chief Steve Lewis-International Fire Code Adoption.** This item was tabled at the Planning Commission meeting. The Council questioned the reasoning behind the item being tabled since the State of Utah and the Leeds Fire District have already adopted it. Nelson will express these concerns at the next Planning Commission meeting.

## 9. MAYOR NORMA GIER:

**Discussion on workshops, training sessions, and increasing building permit fees.** The Council members will choose which workshop and training sessions they will attend. Research will be done to determine the increase in building permit fees.

## 10. COUNCIL MEMBER GLORIA PARNELL:

**Approval to re-stripe Silver Reef Road.** Parnell said the bid to restripe the road

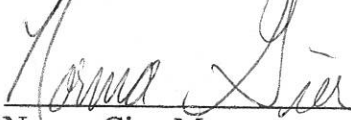
is approximately \$988.00. Motion by Darrell Nelson to approve the expenditure of \$988.00 to restripe Silver Reef Road. Seconded by Gloria Parnell. Roll call vote. All aye votes. Motion passed unanimously.


\* Note. Before the meeting closed the Council realized an oversight in the conditions placed on Silver Reef Highlands preliminary plat approval. Motion by Darrell Nelson to reopen item number 8-3-b and add an additional condition that the roads on the plat be widened to 55' with a 28' paved travel surface. Seconded by Gloria Parnell. Motion passed unanimously.

**11. ADJOURNMENT:**

The meeting adjourned at 9:55 p.m.

**APPROVED AND SIGNED THIS 10TH DAY OF SEPTEMBER 2003**

  
\_\_\_\_\_  
Norma Gier, Mayor

  
\_\_\_\_\_  
attest. Joy Stevens, Clerk/Recorder

## PUBLIC NOTICE

### TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a meeting on: Wednesday September 10, 2003 at the Leeds Town Hall, at 218 North Main Street at 7:00 p.m. Public is welcome to attend.

### AGENDA

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes of August 27, 2003.
5. Items tabled at the last Town Council meeting.
  1. Ordinance No. 03-07 Leeds Outdoor Light Ordinance.
6. Jared Westhoff request waiver of application fee for a variance.
7. Mayor Norma Gier  
Consider raising building permit fees.
8. Council Member Darrell Nelson
  1. Change meeting schedule for Town Council to one meeting a month.
  2. Request funds for improvements to the Historical Cemeteries
  3. Planning Commission Items:
    - A. Dan Hammond-South Leeds Business Center request to have business offices instead of the motel.
    - B. Tabled items:
      - a) Mike Kelley requested a Conditional Use Permit for 2 horses.
      - b) Fire Chief Steve Lewis-International Fire Code Adoption.
9. CLOSED MEETING (Motion to close and re-open the Council meeting)
10. Council Member Dave Harbour  
Present the Leeds Town Map with current annexations indicated  
Update on the questionnaire responses
11. Adjournment

In compliance with the Americans with Disabilities Act, 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 Town Hall at 879-2447 at least 48 hours in advance.

#### Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted in three public places within Leeds Town limits on this 9<sup>th</sup> day of September, 2003. These public places being 1) Leeds Town Hall; 2) Leeds Post Office; 3) Norma's Country Kitchen & Things.

  
Joy Stevens, Clerk/Recorder

# TOWN OF LEEDS

Minutes of the Town Council Meeting  
September 10, 2003

## 1. CALL TO ORDER:

Mayor Norma Gier called the meeting to order at 7:00 p.m.

## 2. ROLL CALL:

Present was Mayor Norma Gier, Council Members Darrell Nelson, Gloria Parnell, Dave Harbour and Dale Barnes.

## 3. PLEDGE:

Dave Harbour.

## 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Gloria Parnell to approve the agenda and minutes of August 27, 2003.

Seconded by Dale Barnes. **4 aye votes. 1 abstention. Motion passed.**

## 5. ITEMS TABLED AT THE LAST TOWN COUNCIL MEETING:

1. **Ordinance No. 93-07 Leeds Outdoor Light Ordinance.** Council Member Darrell Nelson said the ordinance has not been completed. Motion by Darrell Nelson to table. Seconded by Dale Barnes. **Passed unanimously.**

## 6. JARED WESTHOFF:

**Request waiver of application fee for a variance.** Westhoff asked the council to waive the variance fee for a lot he owns on Main Street. Westhoff said the lot has been there for at least 30 years and is wider than some of the adjacent properties. The lot is 66' wide and the required frontage is 75'. Attorney Heath Snow explained that the lot would be a legal non-conforming use if it had a dwelling on it. Since there has never been a dwelling on the lot, and it doesn't comply with the 75' frontage requirement, Westhoff will need a variance from the Board of Adjustments. The Council members felt they could not waive the fee since it takes money to notice and they did not want to set a precedence of waiving fees. Motion by Dave Harbour to deny the waiver of the fee for a variance. Seconded by Gloria Parnell. **Passed unanimously.**

## 7. MAYOR NORMA GIER:

**Consider raising building permit fees.** The Mayor asked the Council to review other communities building permit fees and determine if Leeds needs to raise their fees. Since the State of Utah adopted the International Building Code it is now up to the municipality what they charge for building permits. The Council will work on this further in a work session.

## 8. TOWN COUNCIL MEMBER DARRELL NELSON:

1. **Change the meeting schedule for Town Council to one meeting a month.** The Council discussed having one meeting a month and perhaps one work session a month. All members liked the idea and also suggested putting a notice, concerning the change, in with the next trash bill. Motion by Darrell Nelson that at the beginning of year 2004 change the meeting

schedule to 1 meeting per month on the last Wednesday of the month, and all agenda items need to be turned in at least 21 days prior to the date of the meeting. **Seconded** by Dave Harbour.

**Passed unanimously.**

**2. Request funds for improvements to the Historical Cemeteries.** Darrell Nelson said he has received a request to purchase plots in the Protestant Cemetery. Nelson said the Town has more property at the cemetery than what is in the fenced area. There is about 60' more outside the fenced area. Nelson would like to do some grading and extend the fences to the property lines. The Catholic and Protestant Cemeteries were quit claimed to the Town by the County October 22, 1997. Nelson said he will work on getting a grant for the project.

**3. Planning Commission items.**

**A. Dan Hammond-South Leeds Business Center request to have business offices instead of the motel.** The Planning Commission recommended approval of the offices conditioned upon septic approval. Unit # 8 will be used for the on-site manager and another unit to be used for a temporary construction worker to be reviewed in 6 months. Hammond told the Council now he isn't sure he wants to change the motel into business offices. The Council advised Hammond if he isn't going to proceed with changing the motel to business offices he will need a Conditional Use Permit for the motel in order to have the on-site manager and a temporary construction worker in the motel units. Hammond will need to go back to the Planning Commission for a Conditional Use Permit.

**B. Tabled items:**

**a) Mike Kelley requested a Conditional Use Permit for 2 horses.** The Planning Commission tabled this item again. Nelson said he would like to see Leeds Town adopt the County's Animal Control Ordinance concerning large animals. Mayor Gier asked Nelson and Harbour to work on amending the Animal Control Ordinance.

**b) Fire Chief Steve Lewis-International Fire Code Adoption.** The Council discussed the fact that the State of Utah and Leeds Area Special Service District have already adopted the International Fire Code. They felt this would be a good code for the Town to also adopt. This will be on the next agenda to be adopted by resolution.

**9. CLOSED METING:**

**Motion** by Dave Harbour to enter into the Executive Session to discuss pending litigation. **Seconded** by Gloria Parnell. **Passed unanimously.**

**10. COUNCIL MEMBER DAVE HARBOUR:**

Dave Harbour informed the Council he has a problem with Silver Reef Highlands preliminary plat the Council accepted at the last meeting. Harbour said if the property is zoned R-R-2 you can't get 27 lots on 40 acres. Harbour was also concerned about the possible future development of the Open Space Zone down the middle of the project. When the preliminary plat was approved it indicated the property is over 49 acres. Silver Reef Highlands representatives said, at the last meeting, that they acquired another 10 acres from SITLA in order to meet the zoning requirement. They also said the Open Space Zone will never be developed. It will remain the natural landscape it now has and will be owned and maintained by the homeowners

association. Attorney Snow said Leeds can require a deed restriction to insure compliance with the Open Space Zone and never be developed. Snow said Leeds Town can always withdraw the approval until these concerns are addressed. Snow said he will look into these concerns.

**Present the Leeds Town map with current annexations indicated.** Harbour said the Town now has the map indicating Leeds general area. He will continue working on the map concerning zoning.


Harbour presented a letter from the State of Utah, Department of Public Safety, Division of Emergency Services and Homeland Security. The letter designated Leeds as not having any special flood hazard areas and rescinded their flood hazard boundary map giving them a No Special Flood Hazard Area designation. This means that flood insurance is still available in Leeds, and they are still a participating community in good standing in the National Flood Insurance Program.

**Update on the questionnaire responses.** Harbour updated the Council on the results of the survey after hearing from 61 residents. Responses varied with the different areas of the community. The survey will be helpful as the Planning Commission and Town Council continue to work on updating the General Plan.

#### **11. ADJOURNMENT:**

The meeting adjourned at 10:07 p.m.

**APPROVED AND SIGNED THIS 24<sup>H</sup> DAY OF SEPTEMBER 2003**

  
**Norma Gier, Mayor**



**attest: Joy Stevens, Clerk/Recorder**