

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, July 13, 2011, 7:00 p.m.
At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Town Council Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

NOTE: IF YOU WISH TO SPEAK DURING CITIZEN COMMENT, PLEASE SIGN IN WITH THE CLERK/RECORDER BY 6:55 P.M.

BUSINESS SESSION:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Council Members, if any
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from June 22, 2011 Town Council Meeting, and June 29, 2011 Town Council & Planning Commission Work Meeting.
6. Announcements: There will be two Town Council positions opening this year. An election will be held in November. Those wishing to file for the Town Council positions needed to fill out a "Declaration of Candidacy" form at the Town Hall during business hours between July 1, 2011 and July 15, 2011. The Town Hall will be open until the 5:00 p.m. on Friday, July 15, 2011.
7. Citizen Comment: (No action may be taken on a matter raised under this agenda item). *Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item. A spokesperson representing a group to summarize their concerns will be allowed 5 minutes to speak. Repetitious commentary will not be allowed. If you need additional time, please request agenda time with Fran Rex in writing before 1:00 p.m. on the Wednesday one week before the Council meeting.*

REGULAR MEETING:

ACTION ITEMS:

8. Discussion & Possible Approval of sending road projects and road repair items out for bids.
 - a. Corner Curbs: Main Street & Roundy Mountain Road; Main Street & Vista; Vista & Mesa View; Valley & Babylon; Valley & Cherry; Valley & Center; Valley & Mulberry Lane; and Valley & Pecan.
 - b. Paving – Connecting the roads to the above corner curbs; Oak Grove Road turn-around & speed humps. Silver Reef Road (or chip & seal),
 - c. Chip & Seal – West Center Street (& some repair); Valley Road (portion); Valley passed Pecan Lane (or pave)
 - d. Curb & Gutter on Main Street – Northeast end
 - e. Peach Pit Pavilion Driveway and Parking– Gravel or pave or ???
 - f. Road Base on road edges – Silver Reef Road, and other areas in Town.
 - g. Grading – Jackson Ranch Road and other areas in Town.
9. Discussion & Possible Approval of hiring a temporary Contract Planner to review the Grapevine Wash Development; Costs to be billed to Developer.

WORK SESSION:

DISCUSSION ITEMS:

10. Discussion on Administration of Code Enforcement

UPDATES BY STAFF:

11. Leeds Possible Addressing Change
12. Discussion on updating the process for business license renewals.
13. Review and Discussion of the Planning Commission recommended ordinance amendments to correlate with the proposed draft Site Development Plan Ordinance.

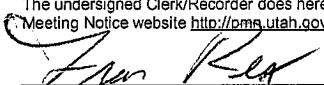
CLOSED MEETING – A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). OR A Closed Meeting may be held for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c).

14. Decision & Possible Approval of hiring a temporary Contract Planner to review the Grapevine Wash Development; Costs to be billed to Developer.

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 the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted July 11, 2011. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pms.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper


Fran Rex, Clerk / Recorder

TOWN OF LEEDS TOWN COUNCIL MEETING

July 13, 2011

MINUTES

BUSINESS SESSION:

1. **Call to Order** – At 7:05 p.m. by Mayor Hyrum Lefler
2. **Pledge of Allegiance** – was led by Keith Sullivan
3. **Roll Call** - Present was Mayor Hyrum Lefler and Council Members Alan Roberts, Angela Rohr and Keith Sullivan with Frank Lojko arriving at 7:15 p.m. Also in attendance was Treasurer Jean Beal taking minutes. Clerk/Recorder Fran Rex was excused
4. **Declaration of Abstentions and Conflicts by Council Members** – None.
5. **A Motion** was made by Alan Roberts with a **second** by Mayor Lefler to **Approve Tonight's Agenda including Minutes from June 22, 2011 Town Council Meeting, and June 29, 2011 Town Council & Planning Commission Work Meeting.** Angela Rohr said she had not read the minutes and would abstain. There were **Three Aye** votes, one abstention, and one absent.
6. **Announcements:** Mayor Lefler stated there would be two Town Council positions opening this year. An election will be held in November. Those wishing to file for the Town Council positions need to fill out a "Declaration of Candidacy" form at the Town Hall during business hours between July 1, 2011 and July 15, 2011. The Town Hall will be open until the 5:00 p.m. on Friday, July 15, 2011.
7. **Citizen Comment** - None

REGULAR MEETING:

ACTION ITEMS:

8. **Discussion & Possible Approval of sending road projects and road repair items out for bids** – Council Member Frank Lojko was given the floor to report on the following list. He noted that when the bids came back on the projects, the Town Council would then determine which projects the Town could budget for this year, and make their final decision.
 - a. **Corner Curbs: Main Street & Roundy Mountain Road; Main Street & Vista; Vista & Mesa View; Valley & Babylon; Valley & Cherry; Valley & Center; Valley & Mulberry Lane; and Valley & Pecan** – It was noted that some paving would need to be added to connect the road to the corner curbs.
 - b. **Paving: Connecting the roads to the above corner curbs; Oak Grove Road turn-around & speed humps. Silver Reef Road (or chip & seal)** – Lojko noted they may not be able to chip and seal, but need to pave the turn-around because the current road base was not adequate.
 - c. **Chip & Seal: West Center Street (& some repair); Valley Road (portion); and Valley passed Pecan Lane Mulberry (or road base until a future project)** – Only do West Center Street to DeWitt's property due to current litigation. It was noted that the agenda was incorrect listing "Valley passed Pecan Lane", and it was meant to have been Mulberry.
 - d. **Curb & Gutter on Main Street – Northeast end** – Lojko noted that approximately \$16,000.00 was put into an impact fee fund by a homeowner for the homes at the Northeast end of Main Street. He noted a concern regarding the expiration date of using that fund, and thought it was the end of July, 2011. Mayor Lefler and Council Member Alan Roberts both thought it was in 2012. It was decided to add getting a bid on the west side of Main Street as well the east side, in order to know the options for it.
 - e. **Peach Pit Pavilion Driveway and Parking – Gravel or pave or ???** – It was decided to pave this. It was determined that park impact fees could be used for this
 - f. **Road Base on road edges – Silver Reef Road, and other areas in Town** – Lojko noted compacted road base on road edges would prevent road edge breakage and clean up the look of the roads. This would also provide a base for chip and seal later on.
 - g. **Grading – Jackson Ranch Road and other areas in Town** – Mayor Lefler ascertained through Council discussion that the name of the full road is *Red Cliffs Drive*, and *Jackson Ranch Road* breaks off from it as is a private drive. Council Member Keith Sullivan further ascertained that *Memory Lane* was also a private road, and B&C road funds would be obtained to help with the grading of "*Red Cliffs Drive*" up to the curve where it turns into *Memory Lane* and where *Jackson Ranch Road* breaks off.

Lojko noted that during the May 25, 2011 Town Council Meeting the estimated costs were discussed as follows:

- **Chip and seal:** Silver Reef Road in certain sections \$12,000; West Center Street \$4,000; small section on Valley Road near the park \$3,500; south end of Valley \$4,000; Peach PP parking and drive; for Silver Hills Road \$5,000; Canyon Creek Dr. \$5,000;
- **Seal** selected road surfaces \$5,000
- **Paving:** Turn around at Oak Grove \$6,500 with two speed humps (includes survey & paving). Mayor Lefler added he was getting a bid for the surveying of the area surrounding the Oak Grove turn around regarding the property line question.
- **Curb protection and pavement:** at six intersections \$12,000 (engineering, surveys, pavement and concrete)
- **Replace blocks on Main Street \$4,500**—Breakdown of cost: \$ 2,500 labor, 1,000 concrete and blocks & caps, and \$1,000 in decorative gravel. It was decided that gluing on the capstone would be best. Council Member Angela Rohr wondered the plan for lower Main Street near Mulberry where there were no current concrete blocks and the water had no outlet. Lojko said UDOT guaranteed him that a new drainage system and larger drain would be placed. Lojko noted that Worthen park in St. George had trapezoid shaped concrete blocks set opposite of each other to help prevent bicyclist's from going over the sidewalk edge.
- **Reserve and overruns \$10,000**
- **Grand Total \$71,500** (we will carry forward some funds from this year's budget). Mayor Lefler said approximately \$50,000 was carried forward from road funds, and \$20,000 from park funds. It was noted that the amount used may be lower depending upon which projects they decided to do.

Lojko noted that if the same contractor were used for multiple jobs, the costs may be lower. He proposed the Town Council send all the projects out for bid in hopes those bidding might combine some of the projects for a lower bid. **A Motion** was made by Frank Lojko with a **second** by Alan Roberts to **Approve sending out bids for the items mentioned and amended in the action agenda as well as on (staff report) item 8, and the bids will be brought back to the council for their final approval.**

The following roll call vote was taken:

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR HYRUM LEFLER	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER ALAN ROBERTS	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER ANGELA ROHR	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER KEITH SULLIVAN	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER FRANK LOJKO	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

Sending out bids for road projects was Approved x Rejected Tabled

9. **Discussion & Possible Approval of hiring a temporary Contract Planner to review the Grapevine Wash Development; Costs to be billed to Developer** – Mayor Lefler clarified that the intent was not to hire an ongoing employee, but to contract a “part time temporary planner” to professionally review the Grapevine Wash (GVW) Development Plan. He noted the contract planner may be contracted for other issues if needed. He added his opinion that the Town needed someone professional and not a volunteer on this one issue because it was a big issue. The Council discussed the possibility of hiring a temporary contract planner to review the Grapevine Wash Development. Mayor Lefler stated the Town had received three resumes. One resume was from an independent contractor, and two were from the Five County Association of Governments (Five County). He referred the Council to a contract agreement example Five County is in the process of signing with another municipality, and noted Leeds could do something similar. He said a professional and well experienced planner would more expensive, and a less experienced but competent planner, on a per hour basis, would be less expensive. Mayor Lefler asked for comment. Council Members Angie Rohr stated she thought Grapevine Wash was a big project and supported using professional oversight with a contracted planner. Council Member Frank Lojko also supported the idea. Council Member Keith Sullivan noted the big difference between \$50.00 an hour and \$10.00 an hour, and wondered if the developers should have input on the decision since the cost would be passed onto them. Lefler said Grapevine Wash Representative Drake Howell requested the Town get someone with competency and a reasonable fee. Lefler stated because this was “contracted” work and it did not require an official bid process, nor the hiring of someone as an employee, that it did not require a big approval process. Council Member Alan Roberts noted the GVW project was a long term project and thought the Council should consider getting

someone that would provide continuity in looking over the documents and contracts. Lefler noted the continuity could be with an individual or an institution. Lojko asked Mr. Howell which of the following scenarios he thought would work best: (A) for the Town to have interested parties meet with the Mayor and Mr. Howell so the costs would stay within budget, or (B) have the council decide, or (C) some other scenario. Mr. Howell stated GVW would prefer to have input with the decision since they would be "footing the bill." He noted their interest was due to keeping costs lower, but also wanted to have confidence in the person presenting their application. Lojko added the scenario of having an independent contractor working on one area of the project, and having Five County work on another more technical area, explaining that work needing experience would take less time from a professional; therefore the cost would equalize, but the time could be lessened. He asked Howell his preference. Mr. Howell responded that GVW would prefer to work with one individual, but would be willing to discuss it depending on the applicant. Rohr agreed that professionals can "ask the hard questions" and have the background to know specific things to look at. She also noted the resume received from the independent contractor showed good background, but may require a "learning curve. However, she added that much of the preparation work needing to be done did not require a "master's degree." Lefler invited applicant Melody Hayes to comment. Ms. Hayes stated she did not have planner experience, but she had performed much code and zoning work. She noted the Leeds Building Inspector Dennis Mertlich had recommended her. She felt confident due to the fact code enforcement, building inspections, conditional use permits, and all of her experience went hand in hand with planning. Among other things, she said she would be committed to see the project through. Lefler also asked Planning Commission Member Doug Erdmann to comment. He said keeping in budget was important, and did not know the time difference in which Five County could accomplish the project. Stating that GVW could potentially take decades to build out and knowing the fee schedule stated *"any professional services are billed to the applicant"*, Mr. Howell voiced his worry about the development having to continually pay professional services each time they brought in an application throughout the duration of the project. He hoped there would not be an "open ended check" idea, but felt GVW would only agree to something with a term and a budget limit. Roberts clarified his use of "long term" stating the GVW project would not be "jump started" within the next six to nine months as a small subdivision may be. He noted professional services needed to be paid by the applicant only to the point the development is somewhat established and ordinary staff could handle the continued basic process. He agreed that having a development pay for each individual application throughout the process for normal staff duties would be overwhelming. However, he also noted that getting the planning process well established for the GVW project could be lengthy. Lojko asked Mr. Howell to identify some of the things that needed to be accomplished first, so the Council could better identify which person would be best for those tasks. Mr. Howell referred to the development agreement and the additional information required in exhibit "J" of the agreement. He said GVW's application included those eighteen items. He said the contract planner should be able to review that information and give suggestions. He also noted that item "K" of the agreement detailed the approval process. Howell thought this initial zoning approval process could be completed in a six to nine month period of time. He also recognized the project would continue on from there. He recommended that a planner be contracted to deal with the specific scope of work to review their application, and walk it through the approval process outlined in the development agreement. When asked if Howell would prefer the Town contract a less expensive independent planner with back up from the Five County for more complicated work, Mr. Howell stated he would rather work with only one competent person. Ms. Hayes also agreed working with one person was best. Sullivan asked if Howell would like to meet with the applicants and the Mayor, to which Howell said he recognized it was the Town's decision and did not want to overstep his bounds nor be misinterpreted; however he would welcome the opportunity for input since they would be paying the bill. He did not want it to be perceived that GVW was hiring their own judge. Lojko recommended the Mayor meet with a planning committee and Mr. Howell and make the decision then report to the Town Council.

WORK SESSION:

DISCUSSION ITEMS:

10. **Discussion on Administration of Code Enforcement** – Mayor Lefler voiced his concern regarding the fair implementation of code enforcement. He noted that as a volunteer Mayor, and only having a small amount of time to look for code violations, he could not assure his implementation would be fair. He suggested the Town first send out letters, then follow up as needed. He noted that just the day to day Town procedures kept current staff very busy, and wondered how to add the enforcement onto them. In response to the dog licenses, Council Member Frank Lojko suggested a letter be sent to all those who did not renew their license, and ask them to renew it if they still owned the dog. He said the Town has been fairly consistent with dog licenses, so it could go ahead and fine those who are not licensed. He suggested the letter state that the majority of people have gotten a dog license; invite them to get

licenses for their dog(s) if they still have them; and inform them of the fine if they do not. The collection of fines was discussed. Lojko also said he thought some other codes have not been consistently implemented, so the council should discuss that more thoroughly at another time. Allen Roberts said informing residents of the code and the penalties was the first step to enforcing codes. Then enforce the code and fines. He thought it should occur one code at a time, because trying to enforce all at once was overwhelming. Keith Sullivan asked how the Town planned to enforce the code and/or fine. Roberts noted that the Mayor was the Town enforcement. Sullivan said staff could send the first letter informing of the violation, if not complied with a second letter imposing a fine, then, if not resolved, perhaps place a lien on the home. Melody Hayes, who is an applicant for the contract planner discussed in agenda item nine, and who has also been a code enforcer for almost twenty years, noted there are always obstinate individuals who will take it all the way to court. But, "it is what it is." Rohr reiterated her suggestion from a prior meeting of contract a code enforcer from out of town "as needed" for the few instances enforcement is needed. She agreed that compliance with dog licensing has been established, and the Town should go through the steps of enforcement. She noted there were unlicensed kennels as well. Treasurer Jean Beal and Mayor Lefler added a kennel also needs a business license and an unconditional use permit. Suggestions were made for Mayor Lefler to send out a notice regarding compliance with dog licenses with the ordinances in the next newsletter to inform citizens. Then continue to spotlight different ordinances to inform of compliance. Then, if non compliance, follow the process of sending a letter, and then enforcement.

UPDATES BY STAFF:

- 11. Leeds Possible Addressing Change** – Mayor Lefler stated Clerk/Recorder Fran Rex had called several agencies in several states to ascertain the cost of changing an address on professional licensing. He reported that Fran found there were no costs associated with changing an address. He wondered if the fear of great cost was a "knee jerk" reaction. He noted there may be some cost to some individual licenses, but none found by staff so far. He asked Angie Rohr to find out specifics from those worried about the costs. Lefler stated government immunity act states the Town would not be responsible if an accident happens due to an addressing issue. If the Town does change the addresses, it needs to notify the property owner of the change. He said the Town was not legally bound to help citizens pay for the cost of an address change, but it would be good for public relations. There was discussion about having a public hearing on the issue.
- 12. Discussion on updating the process for business license renewals** – Mayor stated the current practice for business licenses was to have Fire Chief Lewis sign off for a fire inspection. He noted this was not mandated by ordinance and only a courtesy to the Fire Department. The Town and Chief Lewis are now proposing to have a check box on the residential business license renewal form for applicants to check if their fire protection has remained the same. Chief Lewis will then do random checks throughout the year. Lefler also noted that Chief Lewis will continue to do an inspection for first time applicants and commercial businesses.
- 13. Review and Discussion of the Planning Commission recommended ordinance amendments to correlate with the proposed draft Site Development Plan Ordinance** – Mayor Lefler stated there would be no discussion on this topic tonight, but just wanted to give the Council a "heads up" and time to review some Planning Commission recommended ordinance amendments. He said the coming proposed Site Development Plan Ordinance would affect other ordinances, and the handout was a list of the ordinances, and the proposed changes. It was noted that areas crossed out from existing ordinances have been added with more clarity to the new proposed ordinance. Lefler also informed that the draft Site Development Plan Ordinance would include the addition of signature blocks for the water provider and the Leeds Area Special Service District (LASSD).

14. Adjournment - by Keith Sullivan at 8:55 p.m.

APPROVED ON THIS 10th DAY OF August, 2011



Mayor Hyrum Lefler

Attest:


Clerk/Recorder Francene Rex