

## PUBLIC NOTICE

### TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on

**Wednesday, August 24, 2011, 7:00 p.m.**

At Leeds Town Hall, 218 North Main Street

**Public is welcome to attend**

### AGENDA - amended

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 August 10, 2011 Town Council Meeting
6. Financial Reports for July, 2011
7. Announcements: CCC Legacy Gathering in St George Sept 23 & 24. Visit to Leeds 24<sup>th</sup>
8. 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:**

9. Discussion & Possible Approval of the amended Development Agreement between the Town of Leeds and Silver Eagle Estates (formerly Arroyo Regal).
10. Discussion & Possible Approval of amending Sign Ordinance to add Temporary Signs for Town supported events,
11. Discussion of Possible Approval of Resolution 2011-04 Creating an official defined addressing grid, uniformity in street signage, and change addresses not currently in conformance.
12. Discussion & Possible Approval of Expenditure for Silver Reef interpretive signs and other historical preservation projects which will be reimbursed through a grant.
13. Discussion & Possible Approval of Expenditure on wood chips for Leeds Town Park.

#### **WORK SESSION:**

##### **DISCUSSION ITEMS:**

14. Discussion regarding liability insurance for temporary Contract Planner.

##### **UPDATES BY STAFF:**

**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).

15. 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 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 August 23, 2011. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website [www.leedstown.org](http://www.leedstown.org), and Spectrum Newspaper

  
Fran Rex, Clerk / Recorder

# TOWN OF LEEDS TOWN COUNCIL MEETING

August 24, 2011,

## MINUTES

### BUSINESS SESSION:

1. **Call to Order** – At 7:02 pm by Mayor Lefler
2. **Pledge of Allegiance** - was led by Angela Rohr
3. **Roll Call** - Present was Mayor Hyrum Lefler and Council Members Alan Roberts and Angela Rohr. Also in attendance were Town Attorney Heath Snow, Silver Eagle Representative Kurt Allen, Clerk/Recorder Fran Rex and Treasurer Jean Beal. Council Members Keith Sullivan and Frank Lojko were excused.
4. **Declaration of Abstentions and Conflicts by Council Members** – None.
5. **Consent Agenda: a. Tonight's Agenda and b. Minutes of Meetings from August 10, 2011 Town Council Meeting.** A Motion was made by Alan Roberts with a second by Angela Rohr to **Approve Tonight's Agenda.** An Aye vote was **Unanimous.**
6. **Declaration of Abstentions and Conflicts by Council Members** – None
7. **Financial Reports for July, 2011** – The council reviewed the July, 2011 report.
8. **Announcements:** Historical Committee Member LoAnne Barnes announced that the Nation CCC Legacy Conference would be held from September 22<sup>nd</sup> to the 24<sup>th</sup> in St. George, and a CCC Camp bus tour will visit the Leeds CCC Camp on September 23<sup>rd</sup> between 10:30 a.m. and 11:30 a.m. She said all citizens are welcome to attend. She noted that citizens would also be welcomed to attend any and all of the conference scheduled events, and to see the Town website for information. Mayor Lefler stated there would be two Town Council positions opening this year. An election will be held in November. He listed those who filed a "Declaration of Candidacy" as: Joe Allen, Peter Aurigemma, and Nate Blake. Lefler also stated there were two (2) Planning Commission positions open and one (1) Board of Appeal position open. Those wishing to fill those positions could file a "letter of intent" with the clerk/recorder during regular business hours, mail it, or email to [Leedstownhall@beyondbb.com](mailto:Leedstownhall@beyondbb.com).

**LDWA Water problems:** Leeds Domestic Waterusers Association (LDWA) President Ben Gordon reported that last Saturday, the pump in the LDWA well stopped working. He said the motor looked as if it was struck by lightning and the pump was worn. He said they planned to replace them both and it should be "up and running by the weekend." Gordon said LDWA had requested citizens to conserve water. He said due to the water conservation and the use of water from the Leeds Irrigation company the pink and green tanks were currently full and they were keeping up with water needs until the pump could be repaired. He noted LDWA could get water from Washington County Water Conservancy District (WCWCD) if the situation got worse.

Clerk/Recorder also informed of recent burglary attempts in the Corral Canyon area, with one person knocking on the front door while another goes to the back door.

9. **Citizen Comment** - None

### REGULAR MEETING:

#### ACTION ITEMS:

10. **Discussion & Possible Approval of the amended Development Agreement between the Town of Leeds and Silver Eagle Estates (formerly Arroyo Regal)** – Mayor Lefler stated the outstanding balance had been paid in full, so the Town Council was asked review an amendment to the development agreement. Lefler stated the changes made were a name change due to a new owner, and the reduction of lots by ten (10) to leave more open space. Attorney Heath Snow added that the first discussion included the desire to have a public park. Lefler asked Silver Eagle Representative Kurt Allen for his recollection. Allen said the new owner's desire was to have public streets and a public park, but wondered if technical issues did not allow such. Clerk/Recorder stated the Planning Commission

wondered if the change could be made from private to public, and if many changes could be made to the agreement. Lefler noted the Planning Commission questioned if "they" could make changes not stated in the development, however, he stated, the Town Council could make an amendment to the development agreement, to which Attorney Snow agreed. Snow informed that if the Town Council approved the development agreement amendment, the development agreement could now remove references to a gated community which would allow a public park and public streets. Snow said the current revision could be revised to replace verbiage from "private" to "public" and other small changes to reflect this. Mayor Lefler asked that once those changes were made, if there were any other problems with the agreement, to which Snow noted the map needed to be current, showing the split between the two densities and the elimination of the ten lots. He said the current amendment contained the right applicant, the right name, the current owners, and a few other small changes to correct the number of lots. He said he would also add the above discussed additions of public roads and park. It was decided to not make pen and ink changes that night, but to have the attorney make the changes and bring it back for Town Council possible approval.

**11. Discussion & Possible Approval of amending Sign Ordinance to add Temporary Signs for Town supported events** – Mayor Lefler explained that the Cultural and Beautification Committee would like to advertise for cultural events in an economical manner which has led to the desire to make signs which may be placed in front of the Town Hall and in other public places in the days or weeks prior to the Town Festival and other events in the future such as Open Houses and Public Hearings. The Town did not wish to break its own sign ordinance. Lefler read the following proposed verbiage which was discussed and revised during last Town Council meeting, to be added to "the category of signs not requiring approval." **"22.2.1.12 Town-Supported Public Events - Temporary signs or banners notifying individuals of public events supported by the Town. Such signs and banners shall not be placed on private property unless written permission is obtained from the property owner, and shall not be displayed for more than thirty (30) days for any single event."** Lefler noted he had changed the twenty-one (21) day period to thirty (30) days. **A Motion** was made by Mayor Lefler with a **second** by Alan Roberts to Approve Ordinance 2011-01 Amending certain provisions of the Leeds Town Land Use Ordinance 2008-04 relating to the signs category adding "temporary signs for town supported public events" to the list of signs not requiring town official(s) approval. Council Member Angela Rohr noted the ordinance did not reflect the desired change from "sponsored" to "supported" in a few places. Mayor Lefler and Alan Roberts accepted a friendly amendment. An **Aye** vote was **Unanimous**. **A Re-Motion** was made by Mayor Lefler with a **second** by Alan Roberts to Approve Ordinance 2011-01 Amending certain provisions of the Leeds Town Land Use Ordinance 2008-04 relating to the signs category adding "temporary signs for town supported public events" to the list of signs not requiring town official(s) approval, to change "sponsored" to "supported" in a few places, and to change the twenty-one (21) day display limit to thirty (days). An **Aye** vote was **Unanimous**.

**12. Discussion of Possible Approval of Resolution 2011-04 Creating an official defined addressing grid, uniformity in street signage, and change addresses not currently in conformance** – Mayor Lefler stated that the Town and the Leeds Area Special Service District (LASSD) had been recently discussing and investigating this topic for over one and a half years. He noted that the Town had also recently held two public hearings. Lefler informed that after the last public hearing, Fire Chief Steve Lewis and Town Council Member Angela Rohr had met to go over the proposed address change list with "a fine tooth comb." Rohr stated they met for several hours to make a decision that was reasonable instead of just adhering to what the instruments advised. She said they took to heart Dave Harbour's comment to look at the "human aspects" such as people having to change addresses and people trying to find addresses. She said the new list showed the following recommendations. 1) cul-de-sacs had no possible new development, so their addresses were not changed; 2) just changing some "East" addresses to "West" on the west side of the freeway (this would eliminate a lot of confusion); and 3) changed "court" to "drive". She noted that these recommendations significantly reduced the number of people affected by nine. Rohr said they recommended the following addresses be changed: 1) 445 N Silver Reef Road to 375 W Silver Reef Road (with the suggestion a new address plaque be made to cover the engraved rock address); 2) The Main Street address changes (730,750,800,& 850 N Main St) would need to be made at some time to conform with the new grid, so they thought it was best to do it now .(it was noted that the distance from 850 N to 900 N was .37 miles, instead of a ½ block. This would make all future addressing in this gap difficult); and 3) 510 E Silver Shadows Dr. Although this was currently the only house on the street, there was potential for a future addition to the road. Mayor Lefler stated the Town had done all it could to mitigate the issue for its residents. Discussion was had regarding an effective date. It was

decided that January 1, 2012 was best. **A Motion** was made by Angela Rohr with a **second** by Alan Roberts to **Accept Resolution 2011-04 Creating an official defined addressing grid, uniformity in street signage, and change addresses not currently in conformance, including Exhibit A and the addition of the effective date being January 1, 2012.** 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>          </u>	<u>          </u>	<u>          </u>	<u>      x  </u>
COUNCIL MEMBER FRANK LOJKO	<u>          </u>	<u>          </u>	<u>          </u>	<u>      x  </u>

Resolution 2011-04 Official addressing grid & address changes was Approved   x   Rejected            TABLED           

Mayor Lefler thanked Fire Chief Steve Lewis for his input and work on this item, and noted if affected the Fire Department the most since they were helping people.

13. **Discussion & Possible Approval of Expenditure for Silver Reef interpretive signs and other historical preservation projects which will be reimbursed through a grant-** Mayor Lefler acknowledged the following list of volunteers for this project: Jay Ellingford, Jack Gunn, Mike Sandston, Peter Aurigemma, Mike Empey, Jerry Anderson, John Markovich, Dale Barnes, LoAnne Barnes, and Martha Hamm. Lefler gave time to Historical Committee Member LoAnne Barnes to explain the item. Ms. Barnes said the committee had applied for a CLG Grant. She explained that the CLG Grant for 2010/2011 was a matching grant through the Utah State History Office which allows for the Town of Leeds to be matched for up to \$6,000.00 for the development, production and installation of historical and interpretive signs at the Wells Fargo Silver Reef Historical Monument. Ms. Barnes said the committee had obtained the following three grants the past year to be used for the 50% match: \$3,000.00 from the Utah Geological Association; \$2,000.00 from the Wells Fargo Silver Reef Historical Monument; and \$1,000.00 from the Washington County historical Society. She said in the end, the project would cost the Town nothing; however, the invoices need to be paid, and the paperwork turned in to the CLG before August 31, 2011, in order to receive the grant. The grant would reimburse the Town. She asked the Town Council to approve an expenditure of \$5,987.52 from the general fund to be reimbursed by the grant, and \$5,141.48 from the Historical Preservation Account. Mayor Lefler reiterated all the funds would be reimbursed. A few questions were asked of the council and answered by Barnes. **A Motion** was made by Mayor Lefler with a **second** by Angela Rohr to **Make an expenditure** totaling **\$11,943.71. \$5,141.48** from the **Historical Preservation Account** and **\$5,987.52** from the **General Fund** for the **Interpretive Signs in Silver Reef until the Utah State Historical Office reimburses the Town.** 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>          </u>	<u>          </u>	<u>          </u>	<u>      x  </u>
COUNCIL MEMBER FRANK LOJKO	<u>          </u>	<u>          </u>	<u>          </u>	<u>      x  </u>

Expenditure for Silver Reef interpretive signs to be reimbursed through a grant was Approved   x   Rejected            TABLED           

**COST TO THE TOWN \$11,943.71**  
**\$5,987.52** from the **GENERAL FUND** To Be **REIMBURSED** by a **CLG GRANT**  
**\$5,141.48** from the **Historical Preservation Account** from prior grants and donations

14. **Discussion & Possible Approval of Expenditure on wood chips for Leeds Town Park –** Town Council Member Angela Rohr noted that Public Works Director George Fridell had been told by the last

inspector that the Town Park could be closed down if the Town did not replenish the wood chips in the playground. Rohr advised the Town get the chips before this year's Wild West Days Town Festival. She wondered if a "ceiling amount" could be approved in order to take care of it as soon as possible. There was discussion on the funds needed. It was ascertained there were still too many variables to the cost. Rohr said she would get with Dave Barnes to work out the costs and report during the next meeting.

**WORK SESSION:**

**DISCUSSION ITEMS:**

**15. Discussion regarding liability insurance for temporary Contract Planner** – Mayor Lefler recapped that the Town had hired a temporary contract planner to aid the Town with the Grapevine Wash Development, and that he would be paid for by the developer. He then gave Town Attorney Heath Snow time to explain the question proposed. Attorney Snow informed that the current contract included a clause requiring the "contractor to maintain liability insurance covering any liabilities resulting or arising from the performance or failure of Contractor to perform any activities undertaken pursuant to the agreement." Snow said the contracted planner Bob Nicholson asked the requirement be stricken since he would not be making decisions for the Town and the Town has a government Immunity. It was noted if the contract planner had to obtain the insurance, he would need to ask a higher rate from the Town. The Council discussed the issue and decided to drop the requirement since Bob would not be making decisions for the Town, the Town has a government Immunity, and it is not required by ordinance or State Code.


**UPDATES BY STAFF**


Council Member Angela Rohr said she noticed the Walton's Plaza was up for sale, so the Town could not relocate the recycling "binnies" to the Walton Plaza and they would need to remain at the Town Park for now.

**16. CLOSED MEETING** – At 8:24 p.m., a **Motion** was made by Mayor Lefler, with a **second** by Alan Roberts to **Open An Executive Closed Meeting for the discussion of pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c).** An **Aye** vote was **Unanimous**. At 8:59 p.m., a **Motion** was made by Mayor Lefler, with a **second** by Alan Roberts to **Close the Executive Closed Meeting**. An **Aye** vote was **Unanimous**.

**17. Adjournment** - by Angela Rohr at **8:59 p.m.**

APPROVED ON THIS 14 DAY OF September, 2011

  
\_\_\_\_\_  
Mayor Hyrum Lefler

Attest:  
  
\_\_\_\_\_  
Clerk/Recorder Francene Rex