

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, September 25, 2013

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, September 25, 2013 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 BY 7:45 P.M.

Closed Meeting 6:00 PM

Closed meeting may be held for the discussion of litigation; as allowed by the Utah State Law 52-4-205(1)(c).

Regular Meeting 7:00 p.m.

1. Roll Call
2. Pledge of Allegiance
3. Declaration of Abstentions or Conflicts
4. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting minutes of September 11, 2013
5. Announcements:
 - a. Expense of \$500.00 for repair on termite damage to Town Hall.
 - b. 2013 Utah Code books received, cost of books was \$380.00.
 - c. New Town Logo.
6. Public Hearings:
 - a. Stirling Agriculture Protection Area.
7. Action Items:
 - a. Stirling Agriculture Protection Area.
 - b. Discussion and possible action on Land Use Ordinance 2008-04, Chapter 17 Commercial District.
 - c. Road Work.
 - d. Resolution 2013-07, Cancelling Nov 5, 2013 Election.
8. Discussion Items:
9. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person. Five minutes per spokesperson per group.)
10. Staff Reports

Closed Meeting- A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of and 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).

11. 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 9-24-2013 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.leadstown.org.



Kristi Barker, Deputy Clerk/Recorder

Town of Leeds

Town Council Meeting for September 25, 2013

1. Call to order:

Angela Rohr, Mayor called to order the regular meeting of the Leeds Town Council at 7:11pm on September 25, 2013, at Leeds Town Hall, 218 N Main.

2. Roll Call:

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
MAYOR: ANGELA ROHR	x	_____
COUNCILMAN: FRANK LOJKO	x	_____
COUNCILMAN: WAYNE PETERSON	x	_____
COUNCILMAN: JOE ALLEN	x	_____
COUNCILMAN: NATE BLAKE	x	_____

3. Pledge of Allegiance by Joe Allen.

4. Declaration of Abstentions or Conflicts: None.

5. Approval of Agenda:

Wayne Peterson moved to approve tonight's agenda and meeting minutes of September 11, 2013. 2nd by Joe Allen. All voted "Aye". Motion Passed.

6. Announcements:

- a. Expense of \$500.00 for repair of termite damage to Town Hall.
Angela Rohr discussed repairs of Town Hall front porch due to termite damage.
Joe Allen asked if we have treated the deck with termite repellent and if we could have the whole building checked.
Angela indicated Antonio had sprayed the deck but will look into a pest control company to inspect the rest of the building.
- b. 2013 Utah Code books received, cost of books was \$380.00.
Angela indicated the 2013 Utah State Code books were available in the Town office.
- c. New Town Logo.
Angela Rohr presented the new Town Logo. She indicated the Town went back to the original colors and look of the old Logo. The Town also needed to update the logo to have a Vector file for our new website.
- d. Angela announced there will be a Pearl Harbor expo on December 7th at the Veterans Home. On October 4th in the Salt Lake City Archive building there is an electronic records management class from 9:00am to 4:30pm.
- e. Grant training in Hurricane on November 14th & 15th. The cost is \$425.00.
- f. Angela indicated that Ian Crowe asked for a copy of Silver Point Estates plat map. Angela asked Council if anyone knew why he would be asking for that. Joe Allen indicated he would have to contact the developer to get a copy and it is not the Town's decision to say if he can have that information.

7. Public Hearings:

- a. Stirling Agriculture Protection Area.
Wayne Peterson moved to open the Public Hearing on the Stirling Agriculture Protection Area. 2nd by Frank Lojko. All voted "Aye". Motion Passed.

Danielle Stirling discussed the Agriculture Protection area and why the Stirlings were seeking it.

Joe Allen moved to close the public hearing on the Stirling Agriculture Protection Area. 2nd by Nate Blake. All voted "Aye". Motion Passed.

8. Action Items:

a. Stirling Agriculture Protection Area.

Joe Allen made a motion to approve the Stirling Agriculture Protection Area. 2nd by Nate Blake. All voted "Aye". Motion Passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: ANGELA ROHR	x			
COUNCILMAN: FRANK LOJKO	x			
COUNCILMAN: WAYNE PETERSON	x			
COUNCILMAN: JOE ALLEN	x			
COUNCILMAN: NATE BLAKE	x			

b. Discussion and possible action on Land Use Ordinance 2008-04, Chapter 17 Commercial District amendments.

Council Members discussed the following amendments to Chapter 17 Commercial District.

- 17.3.3 Automobile Impound Yard, provided that such yard does not exceed 10,000 sq ft, and that the yard is fully enclosed by a sight-obscuring 6' (or higher if required by the Town Council) fence or wall, (also note special requirements in Section 17.4 and 17.10 of this chapter).
- 17.4.4 Site Plan: Must meet the requirements of the Commercial Site Development Plan Chapter 26 (Chapter 26).
- 17.4.5 Landscape Standards: Leeds Town encourages water-wise landscaping (xeriscaping) and the following landscape requirement is intended to promote town beautification and water conservation. The minimum landscape requirement consists of a landscape strip outside of the street right-of-way along the front of the property. The landscape strip shall have an average width of 10', but no less than 6' at the narrowest point. The driveway area may be excluded from the landscape area calculation for the purpose of determining the minimum required landscape area. The Town Council may approve an alternate landscape location if the applicant can demonstrate that the front of the property is not feasible to be landscaped. Also, along Main Street the Town Council may allow up to one-half of the landscape area to be located within the street right-of-way, provided that written permission for such is obtained from the Utah Dept of Transportation (UDOT).
 - 17.4.5.1 At least one-half (50%) of the required landscape area shall be covered with live foliage consisting of shrubs, trees, or ground cover. Landscape areas shall be provided with a permanent automatic irrigation system. The landscape area and irrigation systems shall be maintained in good condition.
 - 17.4.5.2 The landscape requirement applies to all new development within the commercial zone, and the remodeling or expansion of existing development where there is an increase in the building's floor area by 50% or more.

- 17.4.5.3 Landscape definition: Any combination of living plants, such as trees, shrubs, flowers, grass, or other plants that are generally not considered to be weeds or noxious plants, along with non-vegetative ground cover such as rock or stone.
- 17.10.1 Where commercial development abuts residential property the commercial property developer shall provide a 6' tall solid masonry wall along the property line separating the commercial and residential properties. Within a front setback area along a public street the Town Council may require a wall of up to 4 feet in height.

Council members agreed that 17.3.3 Automobile Impound Yard would not fit into Leeds Commercial District and would like it removed from the amendments. All other amendments will be considered at a future meeting.

Joe Allen moved to not approve the proposed amendments to Land Use Ordinance 2008-04, Chapter 17 Commercial District. 2nd by Nate Blake. All voted "Aye". Motion Passed.

Land Use Ordinance 2008-04, Chapter 17
Commercial District amendments: were Passed Rejected x Tabled

c. Road Work.

Frank Lojko presented the following list of items for road work repair. He asked Council members to prioritize them.

Chip and seal Projects:

- \$12,000 Silver Reef Road in certain sections
- \$4,000 West Center Street
- \$3,500 small section on Valley Road near the park
- \$4,000 south end of Valley
- \$4,000 for the Peach PP parking and drive
- \$5,000 for Silver Hills Road
- \$5,000 for Canyon Creek Dr.
- Seal selected road surfaces \$5,000
- Turn around at Oak Grove \$6500 with two speed humps.
- 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.
- Grand Total \$75,500 (we will carry forward some funds from this year's budget).
- Reserve and overruns \$10,000.

Joe Allen discussed road work being done on Mulberry and Valley by the Carnell's. The Town owns a roadway on Mulberry that is adjacent to the RV Park on the north side and the Sullivan's have a field on the south side. The Town was notified that the Carnell's want to gain access to their property behind their RV Park. The Carnell's have a right-of-way that extends beyond where the public roadway ends that goes back to their property. The challenge is the Sullivan's have been farming that property for years even though the Town has a designated road there. The Carnell's brought in a scraper in and cleared out the road to gain access to their property. His question to the Council is what liability does the Town have when a citizen is improving a public roadway.

Nate Blake had the same situation on Cherry Lane, however it was his expense to bring utilities up that road to his home. He did not think the Town should take on the expense of the improvement for a property owner when they are developing the parcel.

Frank Lojko indicated the only thing the Town is obligated to do is turn it into the state for a little bit of credit for the gravel.

Joe Allen discussed the issue with the Town's attorney. He responded that the owner should not be doing any road improvements unless the Town is supervising it and it was the Town's prerogative to do it. He suggested a cease and desist order telling the property owner they need to come and work with the Town on the project.

Council Members discussed other projects off the list of proposed road improvements.

Joe Allen asked how the Town would pay for the road projects. Frank indicated from B&C road funds.

Joe Allen moved to approve expenditures from the emailed list of road repairs dated September 25, 2013 from Frank Lojko to the Town Clerk with funds coming out of the B&C road fund in the amount of \$75,500 for road repair. 2nd by Wayne Peterson. All voted "Aye". Motion passed in a roll call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: ANGELA ROHR	x			
COUNCILMAN: FRANK LOJKO	x			
COUNCILMAN: WAYNE PETERSON	x			
COUNCILMAN: JOE ALLEN	x			
COUNCILMAN: NATE BLAKE	x			

- d. Resolution 2013-07, Cancelling Nov 5, 2013 Election.

Angela Rohr discussed the Resolution. The Town candidates are running unopposed therefore we do not need an Election. This Resolution is to cancel the Election. The Washington County School District bond will be taken care of by the County.

Frank Lojko made a motion to approve the Resolution 2013-07. 2nd by Joe Allen. All voted "Aye". Motion Passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: ANGELA ROHR	x			
COUNCILMAN: FRANK LOJKO	x			
COUNCILMAN: WAYNE PETERSON	x			
COUNCILMAN: JOE ALLEN	x			
COUNCILMAN: NATE BLAKE	x			

9. Discussion Items:

- a. Sunrise Engineer gave two different proposals for Engineering service for Silver Point Estates.

Nate Blake discussed with the council the process of developing a new subdivision and the inspections that are needed. He recommended to Council that they only use Sunrise Engineering for inspections which the developer would call in 24-hours in advance not for full time Engineering service.

Council members discussed the different proposals from Sunrise Engineer. The Council decided to use Sunrise for inspection only and not for full time engineering.

10. Citizen Comments:

- a. Terry Danielson asked Nate Blake if he knew anything about Route 9 sewer system that will be put in for Silver Point Estates. He was concerned about if there was going to be a sewer system with an open pond and the smell.

Nate indicated that it will not be put in until phase 3 of the project and it will be underground, but vented, so it would not contain all smells.

- b. Terry Danielson thinks the Town is doing a lousy job about asking what the citizens want. He signed up to have the Town email him the Agendas and Information, however he has not receiving anything. The Agendas are not being advertised in the paper either. He stated with the technology we have today, he knows that the people the Town had before could have sent the information overnight. Another example he gave is during the budget meeting, the Town did not even offer a budget handout with the information about the budget on it. Those are the type of issues the Towns need to know.

Angela Rohr asked Kristi Barker how many citizens signed up to have the email sent directly to them.

Kristi Barker replied 4 and that she sent out an email to the four citizens that signed up stating that we were in the process of implementing a new website. Kristi then responded to Terry and told him there is a link on the Town's website to the State Website that will send any notices directly to him,

Terry responded that that is not very simple and he sent an email to the Mayor and she never received it.

Kristi asked Terry what he would like to see in the new website design so he could be more informed and make it easier for him.

Mr. Danielson indicated that he would like to be able to get the Agendas off the website and know what's going on with the subdivision if we are still in a lawsuit.

Angela told Terry that the Town decided not to send emails to citizens direct because of the poor response.

Terry would like to see a bigger font on the Agendas that are posted at the Post Office.

Sheryl Lee said not everyone gets a trash bill to get information out. She could distribute information out at the post office if needed.

Angela asked Sheryl to send Kristi the email for the Spectrum so we could look into posting the meeting in it.

Frank Lojko suggested we could run a big banner across the road that way nobody has an excuse not to come to the meetings.

11. Staff Reports: None

- a. Angela indicated we are still waiting for the final format for the Grapevine Wash Agreement.
- b. Frank Lojko would like to dedicate a week for a Town cleanup. He would like council members to be assigned a few streets to drive around so we can send out letters.
- c. Angela Rohr discussed that the Mayors walk will be on October 12th 2013 beginning at Town hall. She thinks it would be a good date for Arbor Day as well. Joe Allen indicated that one of the requirements for Arbor Day is to have a ceremony. We could plant a tree after the Mayor's walk. Council discussed what type of tree to plant.

12. Adjournment:

Joe Allen moved to adjourn the meeting. 2nd by Nate Blake. All voted "Aye". Motion Passed.

Time: 8:57pm.

APPROVED ON THIS 9th DAY OF October, 2013

Angela Rohr

Angela Rohr, Mayor

ATTEST:

Kristi Barker

Kristi Barker, Deputy Clerk/Recorder