

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, November 13, 2013

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, November 13, 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 for litigation; as allowed by 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 October 23, 2013
5. Announcements:
6. Public Hearings:
 - a. Ordinance 2013-03 Tree City
7. Action Items:
 - a. Ordinance 2013-03 Tree City
 - b. Doug Wilson - Washington County Water Conservancy District, Sand Hollow regional line to add to capital facility's plan.
 - c. Confirmation of Appointee Elliott Sheltman as a Planning Commission Alternate.
 - d. Discussion and possible action regarding UDOT proposal for Main Street.
8. Discussion Items:
 - a. Drainage Issues.
 - b. Report on Silver Pointe Estates Remediation.
 - c. Scope of Work for Road Repair.
 - d. Implementation of Ordinance 2008-01, Culinary Water Authority.
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 11-12-2013 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 CLOSED Meeting Minutes

November 13, 2013

Call to order:

Angela Rohr, Mayor called to order the closed meeting of the Leeds Town Council at 6:02pm on November 13, 2013 at Leeds Town Hall, 218 North Main.

1. 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	_____

Frank Lojko arrived at 6:06pm

- a. Purpose of the closed meeting was to discuss impending litigation and related matters as allowed by Utah state Law 52-4-205(1)(c)

2. Adjournment:

Angela Rohr, Mayor adjourned the meeting with the intent of reconvening to the Public meeting after a motion by Frank Lojko and 2nd by Nate Blake. All voted "Aye". Motion Passed.
Time 6:57pm.

APPROVED ON THIS 11 DAY OF December, 2013



Angela Rohr, Mayor

ATTEST:



Kristi Barker, Deputy Clerk/Recorder

Town of Leeds

Town Council Meeting Notes for November 13, 2013

1. Call to order:

Angela Rohr, Mayor called to order the regular meeting of the Leeds Town Council at 6:02pm on November 13, 2013, at Leeds Town Hall, 218 N Main.

A motion to close the public meeting and move into a "Closed" meeting to discuss litigation; as allowed by Utah state Law 52-4-205(1)(c) was made by Wayne Peterson, with a 2nd by Nate Blake. All voted "Aye". Motion passed.

The closed meeting began at 6:02pm and went until 6:57pm. The public meeting reconvened at 7:03pm.

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 with item 8c Scope of Work for Road Repairs moved under Announcements and approving meeting minutes of October 23, 2013. 2nd by Joe Allen. All voted "Aye". Motion Passed.

6. Announcements:

a. Scope of Work for Road Repair.

Nate Blake and Frank Lojko gave an update on the road repairs and discussed the scope of work with Council.

Ron Cundick asked Council if the speed humps were going to be very aggressive.

Nate Blake indicated that they were not and they met State Standards. Frank indicated they are speed humps not speed bumps, which are less aggressive.

Nate Blake Left the Meeting at 7:16pm.

b. Angela thanked the Princess Pageant Royalty for putting the flags out on Veterans Day.

7. Discussion Item:

8. Public Hearings:

Joe Allen moved to open the public hearing on Ordinance 2013-03 Tree City. 2nd by Wayne Peterson. All voted "Aye". Motion Passed.

a. Ordinance 2013-03 Tree City

Joe Allen presented the Ordinance. Wayne Peterson thanked Joe for his work on the Ordinance and indicated that the Ordinance only applies to trees that are on public property.

Angela discussed there is a fee associated with becoming a Tree City however work on trees by town staff and volunteer work could be counted against the fee. The fee is \$2.00 per capita which calculated to \$1650.00 dollars.

Manuel Goy asked where the tree was going to be planted.

Angela indicated that we only have to plant one tree and it had already been planted in the Town Park.

Ron Cundick asked if it was a onetime fee and what were the benefits of becoming a Tree City.

Wayne indicated it was an annual fee and it makes the Town eligible to receive grant money that will also help with the costs associated with removing and replacing dying trees.

Wayne Peterson moved to close the Public Hearing on Ordinance 2013-03 Tree City. 2nd by Joe Allen. All voted "Aye". Motion Passed.

9. Action Items:

a. Ordinance 2013-03 Tree City

Joe Allen moved to approve Ordinance 2013-03 Tree City. 2nd by Wayne Peterson. 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. Doug Wilson - Washington County Water Conservancy District, Sand Hollow regional line to add to capital facility's plan.

Doug Wilson indicated the Town joined the Washington County Water Conservancy in July of 2009 along with most of the Municipalities in Washington County. The agreement is that Washington County can wholesale water directly to municipalities and help set up infrastructure. To amend the capital facility plan requires an affirmative vote of the governing authorities of a majority of the municipality customers. Doug discussed the pipeline and tank they were looking at adding that would affect the plan and who it would service, Hurricane, St George and Washington City. The project is funded by impact fees for new development.

Frank Lojko asked Doug how much it would raise impact fees for developers and homeowners and asked what the current impact fees are. Doug indicated he did not have that exact figure of how much it would increase impact fees, however he thought the current impact fees were around \$6,000. Frank told Doug he did not like to vote on an item when he does not have all the information. Doug discussed the project further with council members.

Wayne Peterson asked Doug what their time table was on seeking approval from Council. Doug indicated by the first of next year.

Angela asked if someone is building in Leeds and using LDWA water, are they going to be charged the \$6,000 impact fee.

Doug indicated no, it only impacts customers that would be using Leeds water supplied by the Conservancy District. Leeds would run their own water company and the agreement we signed was to get the Conservancy District to help us with the infra-structure and design and to basically be Leeds water department until Leeds could establish their own employees. They do not sell water directly to developers, they sell to Towns at a wholesale cost then the Town could provide water for new development. Leeds could then charge an impact fee to customers for the infra-structure work that needed to be done.

Joe Allen indicated he has no objection because it virtually has no impact on Leeds. If the municipalities that this mostly impacts have already voted in favor of the project, he sees no reason to postpone voting.

Joe Allen moved to approve the Washington County District regional line.

Wayne Peterson moved to postpone a vote until the December 11 meeting once Council has a Capital Facility Plan to study. Frank indicated it looks very careless for the Council to vote on something like this without all the information that is needed to reach a decision.

Doug further discussed other projects and thanked Council Members for their time.

Washington County Water Conservancy Regional Line Passed _____ Rejected _____ Tabled x

c. Confirmation of Appointee Elliott Sheltman as a Planning Commission Alternate.

Joe Allen moved conformation of Elliott Sheltman to Planning Commission as an Alternate. 2nd by Frank Lojko. Wayne asked Elliott if he saw any conflict with him being affiliated with LDWA. Elliott indicated he did not see any issues where it is just more of a recommendation board. All voted "Aye". Motion Passed.

d. Discussion and possible action regarding UDOT proposal for Main Street

Frank Lojko gave an update of some of the problems that Main Street is having and what UDOT has proposed. UDOT is willing to fund up to \$60,000 dollars toward putting curb and gutter on the West side of Main Street, however Council will have to agree to set some road funds in reserve for mitigation between the curb and the highway. UDOT is also working on some of the town's drains that have been covered and causing problems. They have an easement over the drains and will be contacting homeowners that are in violation of obstructing the drains. The Town will have to seek grant money for the East Side. Council Members discussed other proposed UDOT projects.

10. Discussion Items:

a. Drainage Issues.

Council members discussed areas of the Town that will need to be addressed.

b. Report on Silver Pointe Estates Remediation.

Rick Sant the developer of Silver Pointe Estates and David Bird with the Utah Division of Environmental Response and Remediation discussed how the project was proceeding and some of the safety regulations that are in place. They pull out soil samples of different areas and send them to a lab for testing to make sure the soil is clean.

Wayne asked Rick to discuss the dust monitors on the jobsite.

Rick indicated there are 4 airborne monitors on the jobsite that pick up dust in the air. They monitor the dust by certain particles per thousand in the air and if they indicate over the allowed limits it triggers the monitors and sends a response to his phone. He indicated it has never gone off since the job started.

David discussed the project and some of the areas where they are working. Angela went to the jobsite the other day because she noticed some dust, however David indicated it was in an area that had already been cleaned. He indicated anyone who would like to come to the site that has any questions is welcome. Rick discussed the project further and the type of material they have found on the site.

Manuel Goy asked how deep the contaminated soil went down.

Rick indicated it depended on the area. Some went down as far as 6 to 8 feet and in other areas it was only 18 inches deep.

Betty McKnight and Manuel Goy asked several questions.

1. What is the contactors and David's work schedule?
2. There are homes to the north, was there any clean up there?

3. Will there be a 2nd access and when will it have to be implemented?
4. Will the property clean up budget be available?
5. Was the property purchased from the BLM?

Rick expanded that the Contractors work whatever schedule they wanted. David Bird is on site Tuesday thru Thursday. He does not have to be there all the time. There was some Clean up that was done North of Rick's project that the US EPA did years ago and that there will be a second access to the site during the second phase. The cleanup budget will not be disclosed and the property was not purchased from the BLM - it was private property.

Wayne Peterson asked what protective gear the workers have to wear?

They wear personal air monitors with an alarm and are in a closed cab as well. David indicated there are different tiers of concentrations that are acceptable for different situations. Residential has stricter guidelines than for an Industrial site. The soil they have found on the site would be okay for an industrial situation and would not need to be cleaned up, however where homes are being built on the site it has to be cleaned up. You could hike in the area and it would be perfectly safe.

Manuel Goy asked if you could see the contamination.

David indicated no, they have to use equipment to detect it.

Elliott Sheltman asked if some areas were worse than others and if this will affect the value of real estate and if it would be recorded as a cleanup site.

Rick showed the areas on the map with the most contamination and will disclose the cleanup to buyers and the cleanup report is available through the State as a public document.

Rick discussed with Council members the sewer system that would be installed.

c. Implementation of Ordinance 2008-01, Culinary Water Authority.

Wayne Peterson read the Ordinance and asked for input from the Council. He suggested we come up with a solution to the Ordinance and it be put on a future agenda as an action item.

Elliott Sheltman indicated that LDWA has been discussing it on their end and they would like to be able to let us know where they are capable of providing water service.

Joe Allen indicated the Town should be looking at Angel Springs as they would be able to provide water to the Town.

LDWA will attend the Tuesday Staff meeting to discuss what documentation from the Town they will need to be able to provide water for new development.

11. Citizen Comments:

Joe Allen discussed with Council the zone change that is being presented to the Planning Commission.

Betty McKnight asked if citizens could object to the zone change.

Joe indicated yes, there will have to be a Public Hearing and neighbors to the property being changed will have to be notified.

12. Staff Reports:

Wayne Peterson indicated there is a copy of the 2012-2013 actual vs. budget revenue and expenses on the website.

There will be a rate increase on citizens' trash bills starting January 1, 2014.

13. Adjournment:

Frank Lojko moved to adjourn the meeting.

Time: 9:18pm.

APPROVED ON THIS 11 DAY OF December, 2013

Angela Rohr

Angela Rohr, Mayor

ATTEST:

Kristi Barker

Kristi Barker, Deputy Clerk/Recorder
