

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, November 12, 2014

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will, after a brief public opening hold a **CLOSED MEETING** on Wednesday, November 12, 2014 at 6:00pm and a **PUBLIC MEETING** on Wednesday, November 12, 2014 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.

Closed Meeting 6:00 PM

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).

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 22, 2014.
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
7. Public Hearings:
8. Action Items:
 - a. Ordinance 2014-02 regarding the 2015 Town Meeting Schedule.
 - b. Discussion and possible action regarding Goran, LLC change order number 001 for the Main Street Curb and Gutter for waterline relocation.
 - c. Discussion and possible action regarding State of Utah Department of Transportation (UDOT) additional funding for installation of curb and gutter.
9. Discussion Items:
10. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
11. 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).
12. 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 November 10, 2014 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 12, 2014

1. Call to order:

Mayor Peterson called to order the "Closed" meeting of the Leeds Town Council at 6:04pm on November 12, 2014 at Leeds Town Hall, 218 North Main.

2. Roll Call:

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
MAYOR: WAYNE PETERSON	<u>x</u>	<u> </u>
COUNCILMEMBER: RON CUNDICK	<u>x</u>	<u> </u>
COUNCILMEMBER: ANGELA ROHR	<u>x</u>	<u> </u>
COUNCILMEMBER: JOE ALLEN	<u>x</u>	<u> </u>
COUNCILMEMBER: NATE BLAKE	<u>x</u>	<u> </u>

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

4. Adjournment:

Mayor Peterson adjourned the meeting with the intent of reconvening the Public meeting after a motion by Councilmember Rohr and 2nd by Councilmember Allen. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
MAYOR: WAYNE PETERSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: RON CUNDICK	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: ANGELA ROHR	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: JOE ALLEN	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: NATE BLAKE	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

Time: 6:58pm.

APPROVED ON THIS 10 DAY OF December, 2014



Mayor Wayne Peterson

ATTEST:



Kristi Barker, Deputy Clerk/Recorder

Town of Leeds

Town Council Meeting November 12, 2014

1. Call to order:

Mayor Peterson called to order the regular meeting of the Leeds Town Council at 6:03pm on November 12, 2014, 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 Councilmember Cundick, with a 2nd by Councilmember Blake. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: ANGELA ROHR	x	_____	_____	_____
COUNCILMEMBER: JOE ALLEN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	x	_____	_____	_____

The closed meeting began at 6:04pm and went until 6:58pm. The public meeting reconvened at 7:00pm.

2. Roll Call:

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
MAYOR: WAYNE PETERSON	x	_____
COUNCILMEMBER: RON CUNDICK	x	_____
COUNCILMEMBER: ANGELA ROHR	x	_____
COUNCILMEMBER: JOE ALLEN	x	_____
COUNCILMEMBER: NATE BLAKE	_____	x

3. Pledge of Allegiance by Councilmember Rohr.

4. Declaration of Abstentions or Conflicts:

Councilmember Cundick, I may have a conflict, I am on the LDWA board.

Mayor Peterson, is that related to item 8B.

Councilmember Cundick, yes.

Mayor Peterson, there is one thing I would like to highlight so when we get to it, it is understood. In Utah, the obligation of somebody on a public body is to declare if they have a conflict and their decision to abstain or not is one they can make at that point. The Law requires you to disclose it and then it's your personal judgment to determine whether or not you should abstain at that point.

5. Approval of Agenda:

Councilmember Allen moved to approve tonight's agenda and meeting minutes of October 22, 2014. 2nd by Councilmember Cundick. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: ANGELA ROHR	x	_____	_____	_____
COUNCILMEMBER: JOE ALLEN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	_____	_____	_____	x

6. Citizen Comments: None

7. Announcements:

Mayor Peterson indicated there will not be a meeting on November 26th due to the Thanksgiving Holiday.

8. Public Hearings: None.

9. Action Items:

a. Ordinance 2014-02 regarding the 2015 Town Meeting Schedule.

Mayor Peterson, it is a requirement that prior to the start of the new calendar year we set a meeting schedule for the Town. This schedule includes both the Town Council meeting which we are required to have a minimum of one meeting per month and also our Planning Commission meetings. One thing I would highlight is the tradition of only holding one meeting in November and December. He indicated what dates they would be held on to Councilmembers.

Mayor Peterson asked for a motion to approve Ordinance 2014-02 regarding the 2015 Town Meeting Schedule.

Councilmember Cundick, I so move. 2nd by Councilmember Allen. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: ANGELA ROHR	x	_____	_____	_____
COUNCILMEMBER: JOE ALLEN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	_____	_____	_____	x

b. Discussion and possible action regarding Goran, LLC change order number 001 for the Main Street Curb and Gutter for waterline relocation.

Mayor Peterson indicated there are two change orders from Goran, LLC. The first change order was driven by the fact that a portion of the LDWA's water main that follows Main Street was actually following the precise curb line where it was hoped to install the curb. It is at a depth that certainly would not have allowed the curb to safely go over. What LDWA presented was to move the pipe to where a fire hydrant currently exists all the way up to the end of where we are doing the work. It was also agreed that an 8 inch pipe be used instead of a 6 inch pipe.

LDWA agreed to supply the labor for the installation of the waterline and the bedding that would go underneath the waterline. The Town agreed to handle the additional costs of trenching for them to be able to put the bedding in and the pipe, we will be backfilling the trench as well when it's done. In the end the water main will be at a minimum distance of 30 inches under the asphalt which is what was recommended. The end result is that we will have an increase of the overall cost to the Town of \$4700.00 which brings the original cost of the project from \$64,192.50 to \$68,892.50. Additionally, UDOT had come back and wanted to see a change in the asphalt from 3 ½ inches to 6 inches which would cost an additional \$11,016.00. If you bring together those two additional costs to the Town, it totals out to be \$15,716.00. Mayor Peterson then went back to UDOT and made them aware of the fact that we we're accruing these overages as a result of the water line being located where it was. They came back to him and indicated they would be willing to modify the \$50,000.00 they had originally allocated to a total of \$61,600.00 give or take a little, they are still finalizing it. This would substantially cover these additional costs that the Town is going to accrue. Not completely, but a fair portion of it, with the Town providing some moneys toward it and the LDWA's relocation taking place with them providing some of the labor as well as some of the equipment that will be going into the water main. What we need to do tonight is approve change order 001. Change order 002 didn't come until after we had posted our agenda, 24 hours prior to the meeting as is the requirement. The Mayor and Councilmembers discussed the change orders further and decided to hold a Special Meeting on Monday the 17th for change order 002.

Mayor Peterson asked for a motion to approve Goran, LLC change order number 001 for the Main Street Curb and Gutter for waterline relocation Councilmember Allen, I so move. 2nd by Councilmember Rohr. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x			
COUNCILMEMBER: RON CUNDICK			x	
COUNCILMEMBER: ANGELA ROHR	x			
COUNCILMEMBER: JOE ALLEN	x			
COUNCILMEMBER: NATE BLAKE				x

- c. Discussion and possible action regarding State of Utah Department of Transportation (UDOT) additional funding for installation of curb and gutter. Mayor Peterson, we have not received the final paperwork for UDOT yet.

10. Discussion Items: None.

Mayor Peterson, one of the items that has been brought up is the possibility of burning weeds in the Town Right of Way. We have had a citizen volunteer to help do the work if the Fire Department is there. Is this something the Town is comfortable with doing? Mayor Peterson discussed it further. Councilmember Rohr, the Fire Department has done this numerous times in the past. There is an advantage from burning the weeds, it kills the seeds.

11. Citizen Comments: None

12. Staff Reports:

Councilmembers discussed the Concept Plan for improvements to the Silver Reef Park and planting trees there for Arbor Day.

Dale Barnes indicated if you are going to buy any playground equipment the fall is the best time to buy it.

Mayor Peterson, on the Main Street Curb and Gutter, we have been going over the estimate in engineering costs; however, we do have the money in the budget.

Councilmember Rohr, there is a solid waste management meeting next week and asked if any Councilmember had input on curbside recycling. Councilmembers discussed the different options.

Elliott Sheltman discussed his experience with mandatory recycling and he is not in favor of it.

13. Adjournment:

Councilmember Cundick moved to adjourn the meeting.

Time: 7:34pm.

APPROVED ON THIS 10 DAY OF December, 2014



Mayor, Wayne Peterson

ATTEST:



Kristi Barker, Deputy Clerk/Recorder