

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, June 24, 2015

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, June 24, 2015 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.

Regular Meeting 7:00 p.m.

1. Roll Call
2. Pledge of Allegiance
3. Declaration of Abstentions or Conflicts
4. Consent Agenda:
 - a. Tonights Agenda
 - b. Meeting minutes of June 10, 2015
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
 - a. Wild West Days, September 11th & 12th, 2015
7. Public Hearings:
 - a. Resolution 2015-04, Establish a Long-Range Capital Improvement Plan
 - b. Resolution 2015-05, Open and Amend the 2014-2015 Budget
 - c. Resolution 2015-06, Open and Amend the 2015-2016 Budget
8. Action Items:
 - a. Planning Commission Member Appointments, John Poast, July 1, 2015 – June 30, 2019 and Elliott Sheltman, July 1, 2015 – June 30, 2020
 - b. Resolution 2015-04, Establish a Long-Range Capital Improvement Plan
 - c. Resolution 2015-05, Open and Amend the 2014-2015 Budget
 - d. Resolution 2015-06, Open and Amend the 2015-2016 Budget
 - e. Discussion and possible action regarding adoption of Ordinance 2015-03, Land Use Ordinance, Chapter 7, Conditional Uses
 - f. Discussion and possible action regarding adoption of Ordinance 2015-04, Land Use Ordinance, Chapter 17, Commercial District
 - g. Discussion and possible action regarding adoption of Ordinance 2015-05, Land Use Ordinance, Chapter 26. Site Development Plans
9. Discussion Items:
 - a. Leeds Area Special Service District update
 - b. Don Fawson, Leeds Monument Sign lighting and nuisance weeds
 - c. Open Public Meeting Act training
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 an 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).

Town of Leeds

Town Council Meeting for June 24, 2015

1. Call to Order:

Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7:03pm on June 24, 2015, at Leeds Town Hall, 218 N Main.

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

2. Pledge of Allegiance by Councilmember Rohr.

Councilmember Allen arrived at 7:04pm.

3. Declaration of Abstentions or Conflicts: None.

4. Approval of Agenda:

Councilmember Allen moved to approve tonight's agenda and meeting minutes of June 10, 2015. 2nd by Councilmember Cundick. 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	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: ANGELA ROHR	x	_____	_____	_____
COUNCILMEMBER: JOE ALLEN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	_____	_____	_____	x

5. Citizen Comments: None.

6. Announcements:

a. Wild West Days, September 11th & 12th, 2015

Mayor Peterson, Wild West Days planning is starting to take place on Thursday mornings at 10:00am, everyone is welcome to attend and help with the planning.

Mayor Peterson, BBQ's in the park are continuing on the last Friday of the month at 6:00pm.

Public Hearings:

a. Resolution 2015-04, Establish a Long-Range Capital Improvement Plan

Mayor Peterson asked for a motion to open the public hearing on Resolution 2015-04, establish a Long-Range Capital Improvement Plan.

Councilmember Rohr, 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

Mayor Peterson, requirements for a Town in the State of Utah is to not have an accumulated surplus that exceeds 75% of your defined revenue for a year. That is not your total revenue, but specific category's that are included within that calculation. The Town has accumulated more than that amount of money and at this point we did receive a notification from the State encouraging us to make sure we address this. One of the things that can happen is if you just leave the accumulated balance without setting up a Long-Range Capital Improvement Plan is the State can adjust your tax revenue. With that in mind, we are looking at establishing a Long-Range Capital Improvement Plan. The items within the plan are allowed to change over time and the money that is allocated to the plan can be allocated back into the General Fund. The one thing you cannot do is convert Class B&C Road Funds. If they are Class B&C Road Funds, you cannot convert them to anything else other than addressing issues related to B&C roads in Town. Basically for us, if it is not Main Street, it is a B&C road within our Town. Main Street is owned by the State of Utah; therefore, does not qualify for B&C road funds. The State takes care of the road itself; however, they do not provide the curb & gutter or the sidewalks. They have been very helpful to get the curb & gutter that we have at this point in time and we would continue to look at utilizing matching fund grants that may be permissible for that type of project. The current Long-Range Capital Improvement Plan is something that we asked Ensign Engineering to come up with an estimate of what it would cost to complete the rest of the Main Street curb & gutter on both sides and a sidewalk on the East side of Town. They have done that and the actual Capital Improvement Plan at this point that is being proposed would include just that particular project. As I have said, we can add to the plan, or we can delete. At some of the earlier meetings, we did consider some of the parks projects; however, those are covered by our park impact fees and we did not want to overlap what was covered by our impact fees within the Long-Term Capital Plan.

Don Fawson, what is the cost that they are estimating?

Mayor Peterson, the cost that is being estimated for this project is \$417,000 to complete curb & gutter and sidewalk up to Silver Reef Road from Vista, where it currently ends.

Don Fawson, and that is something that the State will participate in?

Mayor Peterson, they will participate in it, we do not envision ever having to spend the full amount. In the most recent segment that we did, the State covered about 80% of the cost and we covered about 20%.

Don Fawson, are you over in your B&C road funds, is that what you're concerned about?

Mayor Peterson, we are not concerned about the B&C road funds. We recently completed a road analysis that we had a consultant do for us. It indicates we have significant needs in regards to some patch work and some sealing that would extend the life of the roads. We also

have some roads that need some extensive work; so going forward, our plan is to develop a long-range road plan with a prioritized list.

Don Fawson, how does the public get input on the priorities on that?

Mayor Peterson, at any point when we offer public comment, you are certainly welcome to contribute to that discussion. If you would like, we could make available a copy of the plan that was provided to us in terms of the cost. It does not prioritize, but it does have the cost involved and the type of work that is being recommended.

Councilmember Rohr, if we add to the listing of what the Capital Facility Plan covers do we have to have another Public Hearing?

Gary Kuhlmann the Town Attorney, if you are going to amend the plan itself, than you probably should have one.

Mayor Peterson and Councilmember Rohr discussed adding land acquisitions to the plan.

Mayor Peterson asked for a motion to close the public hearing on Resolution 2015-04, establish a Long-Range Capital Improvement Plan.

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

ROLL CALL VOTE:

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

b. Resolution 2015-05, Open and Amend the 2014-2015 Budget

Mayor Peterson asked for a motion to open the public hearing on Resolution 2015-05, open and amend the 2014-2015 Budget.

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

ROLL CALL VOTE:

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

Mayor Peterson, this Resolution is addressing the budget that we have for this year. What we are required to do and why we are opening it right now is to transfer money from the general fund to the Long-Range Capital Improvement Plan if approved by Council when we get to the action items. This is a single item adjustment and it will be moving \$100,000. from our accumulated Surplus into our Long-Range Capital Improvement Plan.

Mayor Peterson asked for a motion to close the public hearing on Resolution 2015-05, open and amend the 2014-2015 Budget.

Councilmember Rohr, 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

c. Resolution 2015-06, Open and Amend the 2015-2016 Budget

Mayor Peterson asked for a motion to open the public hearing on Resolution 2015-06, open and amend the 2015-2016 Budget.

Councilmember Allen, I so move. 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

Mayor Peterson, the public hearing on Resolution 2015-06 is on the budget that begins on July 1 of this year. We received some estimates from the County in regards to our expected property taxes that we would be receiving. We are also projecting our general sales and use taxes and there was a slight adjustment between those two. The total amount for the budget is not changing; however, the revised 2015-2016 budget shows the general property taxes that are projected by the County Assessor's Office is \$54,638. Unless we use the exact number that they provide, we would need to go through a fairly extensive process to explain why it is that we would not be using the County's number. The reason we are looking to hold this public hearing is to amend the budget to show the proper property taxes reflected.

Mayor Peterson asked for a motion to close the public hearing on Resolution 2015-06, open and amend the 2015-2016 Budget.

Councilmember Allen, I so move. 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

8. Action Items:

- a. Planning Commission Member Appointments, John Poast, July 1, 2015 – June 30, 2019 and Elliott Sheltman, July 1, 2015 – June 30, 2020

Mayor Peterson, we have two situations on the Planning Commission. One a partial term and

the other is one member up for reappointment. Reed Braithwaite stepped down and we need to appoint somebody to that term that runs from July 1, 2015 to June 30, 2019. What I am proposing is John Poast for Reed Braithwaite's term and then to reappoint Elliott Sheltman.

Councilmember Rohr made a motion to approve the appointment of Planning Commission members John Poast, whose term will expire on June 30, 2019 and reappoint Elliott Sheltman to a 5 year term ending June 30, 2020. 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

b. Resolution 2015-04, Establish a Long-Range Capital Improvement Plan

Mayor Peterson asked for a motion to approve Resolution 2015-04. Councilmember Allen I so move. 2nd by Councilmember Cundick.

Councilmember Rohr, will we have a work session to work on this plan or are we just accepting it?

Mayor Peterson, we are accepting the item within it, no money is being approved to be expended. This is to establish the plan with a project to which we would be able to allocate money from the 2014-2015 Budget.

Councilmember Rohr, my question is, how do we carry out the establishment of this plan?

Mayor Peterson, Town Council would need to take action because of the amount of money that is involved before moving forward with any money being spent on this.

Councilmember Rohr ok, so there is not going to be an actual plan then?

Mayor Peterson, the plan is the curb & gutter project with the sidewalks that has a cost estimate by Ensign Engineering. The exact figure on that is \$417,000.

Councilmember Rohr, so it is just a simple plan.

Mayor Peterson, correct.

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. Resolution 2015-05, Open and Amend the 2014-2015 Budget

Mayor Peterson asked for a motion to approve Resolution 2015-05.

Councilmember Rohr, 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

d. Resolution 2015-06, Open and Amend the 2015-2016 Budget

Mayor Peterson asked for a motion to approve Resolution 2015-06. Councilmember Cundick, 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

e. Discussion and possible action regarding adoption of Ordinance 2015-03, Land Use Ordinance, Chapter 7, Conditional Uses

Mayor Peterson, this chapter was reviewed by the Planning Commission at their June meeting and by the Town Council at our meeting two weeks ago, June 10th and is now up for potential action.

Councilmember Allen, are there any changes from what we reviewed at our last meeting? Mayor Peterson, there were some language changes that was requested; however, I do not believe that was in Chapter 7. So the first one that we are looking at, Chapter 7 does not have any changes; however, I did go through and look for any punctuation or spelling type of issues and there were a few.

Mayor Peterson asked for a motion to approve 2015-03, Land Use Ordinance, Chapter 7, Conditional Uses as amended. Councilmember Allen, I so move. 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

f. Discussion and possible action regarding adoption of Ordinance 2015-04, Land Use Ordinance, Chapter 17, Commercial District

Mayor Peterson, the second chapter that was discussed by Planning Commission and Town Council was Chapter 17, Commercial District. This particular section does have some additional updates. We discussed putting in some language in regards to the fencing.

Councilmember Allen, that is under section 17.10.1.

Mayor Peterson, this language was provided by Bob Nicholson the Town Planner; he went through and tried to reflect what we had spoken about, in regards to elevation changes.

Mayor Peterson asked for a motion to approve Ordinance 2015-04, Chapter 17, Commercial District of the Land Use Ordinance.

Councilmember Allen, I so move. 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

- g. Discussion and possible action regarding adoption of Ordinance 2015-05, Land Use Ordinance, Chapter 26, Site Development Plans

Mayor Peterson, the third chapter that was impacted by the Planning Commission is the Site Development Plans. This one had some more extensive changes that we discussed at the last meeting.

Town Council discussed the amendments.

Mayor Peterson asked for a motion to approve Ordinance 2015-05, Land Use Ordinance, Chapter 26, amended as the Site Development Plans

Councilmember Cundick, 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

9. Discussion Items:

- a. Leeds Area Special Service District update

Don Fawson, the President of the Board for the Leeds Area Special Service District indicated the Hurricane Valley Fire District and the Leeds Area Special Service District are looking at merging by the end of the year.

Don Fawson discussed it further with Town Council.

- b. Don Fawson, Leeds Monument Sign lighting and nuisance weeds

Don Fawson addressed Town Council with the following concerns:

1. On the I-15 off ramp, there is a lack of signage as you come to the stop sign and the alignment of the paint on the road. Don recommended UDOT restripe the line into a double lane and add a directional sign.
2. The lack of lighting on the Leeds Monument Sign. Don suggested putting in a street light above the sign.
3. Thistle weeds are a concern in Leeds. Don indicated you can pull them out by the root or spray for them in February.

Town Council discussed the issues and will look at putting in a solar light for the Monument Sign, contact the County to have the weeds sprayed in February and contact UDOT about putting in a directional sign.

c. Open Public Meeting Act training

Mayor Peterson read and discussed the Open and Public Meetings Act, Title 52, Chapter 4, Utah Code.

10. Citizen Comments:

Susan Savage discussed concerns she had about weeds with Town Council.

Councilmember Rohr discussed recycling.

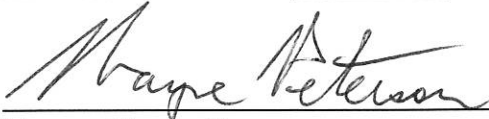
11. Staff Reports:

12. Adjournment:

Councilmember Cundick adjourned the meeting.

Time: 8:16pm.

APPROVED ON THIS 8th DAY OF July, 2015



Mayor, Wayne Peterson

ATTEST:



Kristi Barker, Deputy Clerk/Recorder