

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, May 24, 2017

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, May 24, 2017 at 7:00pm. 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 7:00pm.

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Declaration of Abstentions or Conflicts
4. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting minutes of May 10, 2017.
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
 - a. Declaration of Candidacy for Mayor and Town Council, June 1-7
7. Public Hearings:
 - a. 2017-2018 Tentative Budgets for the General Fund and Capital Improvement Fund
8. Action Items:
 - a. Discussion and possible action regarding Canyon Creek Change Order
9. Discussion Items:
 - a. Silver Reef Museum and other Historic Buildings and the impact on the Community
 - b. Main Street Curb and Gutter update
10. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
11. Staff Reports:
12. Closed Meeting- A Closed Meeting may be held for any item identified under Utah Code section 52-4-205.
13. 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 Clerk/Recorder does hereby certify that the above notice was posted May 18, 2017 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.leedstown.org.**



Kristi Barker, Clerk/Recorder

Town of Leeds

Town Council Meeting for May 24, 2017

1. Call to Order:

Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7:00pm on May 24, 2017 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: ELLIOTT SHELTMAN | x | _____ |
| COUNCILMEMBER: NATE BLAKE | _____ | x |

2. Pledge of Allegiance by Councilmember Cundick.

3. Declaration of Abstentions or Conflicts:

Councilmember Cundick I have conflict. I am the president of the Silver Reef Museum; also my wife is in charge of all of the exhibits.

Mayor Peterson, I similarly have a spouse and son who are involved on the Board of Silver Reef Museum.

4. Approval of Agenda:

Councilmember Cundick moved to approve tonight's agenda and meeting minutes of May 10, 2017. 2nd by Councilmember Sheltman.

Councilmember Rohr, there are several discrepancy's, mostly spelling.

Mayor Peterson if they are spelling, I think you can submit them to Kristi and they can be updated in the final copy that is approved.

Councilmember Rohr, one is a word change on page 3, cost and we can change punctuation.

Mayor Peterson, yes.

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: ELLIOTT SHELTMAN | x | _____ | _____ | _____ |
| COUNCILMEMBER: NATE BLAKE | _____ | _____ | _____ | x |

. Citizen Comments:

Mayor Peterson, given the number of people that are here this evening, I suspect some may have been drawn in by a particular topic and email. It was an email that I did not initially receive, but it was forwarded to me. Elliott would you like to enter it into the record, I just kind of think it would be helpful as people make comment that we are all aware of what is in that particular email.

Councilmember Sheltman, sure.

Mayor Peterson do you want to read it, or would you like me to?

Councilmember Sheltman, go ahead.

Mayor Peterson read the email into the minutes. (See attachment # 1)

Danielle Stirling, indicated she is speaking for Karen and John Markovich who are not able to attend and she agreed to read the attached letter into the minutes. (See attachment #2)

Danielle Stirling, stated she has had quite a few people ask what went through the Planning Commission and she could not recall anything going through; although, she has done some research into the Leeds General Plan to see what Planning Commission and Town Council we are supposed to be doing. Danielle read paragraphs from the General Plan and the Parking Ordinance.

Glenn Zumwalt, indicated he is a volunteer for the museum and it is a very precious asset and it is a Ghost Town. Glenn recommended coming up with a solution and not a barrier.

LoAnne Barnes, stated she moved to Leeds in 2003 and Leeds is the only Town in Washington County that has a CCC Camp, a Tithing House, and a Historical museum. These sites are valuable to Leeds and to do anything to stop these sites would be detrimental to Leeds. LoAnne indicated Elliott's objections are an inconvenience to him and not in the best interest to the Town of Leeds.

Jo Sheltman, indicated what happened to the Wells Fargo Bank and the museum is astronomical and it is wonderful; however, she thinks we are looking at two different things with the Silver Reef Museum and the Cosmopolitan. Now at the Cosmopolitan we are dealing with lecture halls and hundreds of people with a lot of traffic, which is completely different than the Silver Reef Museum, which is a historical site. She walks a lot and does not feel safe anymore because she is stopped continuously by men who ask her things. She has asked the volunteers who handle the parking to tell people not to go past it because it is private residences. She doesn't appreciate having to speak about something negatively when they haven't done anything wrong. Jo indicated there are other neighbors that are concerned about the traffic; however, do not want to show their faces.

Susan Savage, stated there are never 100's of people at the museum, or 130 cars. The Cosmopolitan holds 80 people and often come two people per car. Susan lived on HWY 91 and it was pretty traumatic when her home got torn down for the Freeway, a lot of things changed and a lot of big homes went in. When she gets up to go irrigate in the mornings, there are people speeding and they are not from the museum, they are people from the area. People come not because of advertising or signs; they have come because often they are Archaeologist, Geologists and miners, who are touring the area. For an example, she had people from Germany come in and ask where is Yant Flat and Susan did not know. She asked them how they knew about Yant Flat, they said the internet. If the museum in the past had the board and volunteers that it has now, we would still have the tall walls with the arched doorways, so they are just trying to preserve what is left.

Leo Lyman, stated he has spent 2/3 of his life promoting local history. He took a walk up the hill on Oak Grove Monday and had people from 10 different states stop and ask him questions. Also within the last year people have ask about Yant Flat and none of this has anything to do with the museum, it is just an increase of interest in the area. He is proud of the museum and is a little appalled that two members of this board scoffed at Silver Reef being a Ghost Town. Susan mentioned what it looked like 30 years ago, there was a lot more that has been torn down. The museum is doing more to protect that then any City or County.

Pat Cundick, stated she wanted to comment on what keeps the Museum going. There are about 20 people here who devote hours, and hours, to the museum. To her, the impact of the Museum has been the community rallying together in support, bringing artifacts and family history. She understands the concern with the Cosmopolitan and it is something they can work with. Once a month, generally, there is an event there because the museum is too small. She thinks the impact on the Town economically, historically, and in Town feeling, is something she is very proud of and wanted to say thank you to the people.

Susan Savage, indicated there are 232 museums in Utah and 43% are rural. The Smithsonian program that is offered is geared towards small communities. That figures out to 99.6 rural museums in Utah. The Silver Reef Museum is one of six chosen to host the Smithsonian. Nobody likes people trespassing on their property; however, the museum cannot post no trespassing signs on other peoples' property. She gave many examples of her experience with trespassing on her property.

Dannielle Stirling, she agreed with Susan on trespassing and thinks the museum is a good thing; however, why hasn't any of this come to the Planning Commission and read an Ordinance and discussed it.

6. Announcements:

Mayor Peterson announced the following events:

- a. Declaration of Candidacy for Mayor and Town Council, June 1-7.
- b. Emergency Preparedness Fair on June 24th.

7. Public Hearings:

- a. 2017-2018 Tentative Budgets for the General Fund and Capital Improvement Fund.

Mayor Peterson asked for a motion to open the Public Hearing on the 2017-2018 tentative budgets for the General Fund and Capital Improvement Fund.

Councilmember Rohr, I so move that we open the Public Hearing on the 2017-2018 tentative budgets. 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: ELLIOTT SHELTMAN | x | | | |
| COUNCILMEMBER: NATE BLAKE | | | | x |

No public comment.

Mayor Peterson asked for a motion to close the Public Hearing on the 2017-2018 tentative budgets for the General Fund and Capital Improvement Fund.

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: ELLIOTT SHELTMAN | x | | | |
| COUNCILMEMBER: NATE BLAKE | | | | x |

8. Action Items:

- a. Discussion and possible action regarding Canyon Creek Change Order
Mayor Peterson indicated there is no update.

9. Discussion Items:

- a. Silver Reef Museum and other Historic Buildings and the impact on the Community.
Councilmember Sheltman, discussed the museum and had the following questions for the museum board. Have they ever had discussion on traffic, parking, width of roads, complaints and the National Archives Event coming up. Elliott indicated one of the questions he had was, what is the property, and how is it governed. A comment was made that it is a Special Service District covered by the County and it doesn't appear to be so. He has the original annexation from 2003 and it indicates the undeveloped property will come in as R-1-20. The developed property will come in with the zone that was assigned by Washington County prior to annexation. The Cosmopolitan was brought over as a restaurant; therefore, it is a non-conforming use and you cannot have a restaurant, or gift shop, on a residential lot, and you can't have a museum on a commercial lot. He read a paragraph out of the non-conforming Ordinance and continued to discuss it.
Councilmember Cundick, Elliott I think in your email you said you had a solution.
Councilmember Sheltman, responded he was going to do it in staff reports but could do it now.
Councilmember Rohr, indicated the Land Use Ordinance has a chapter set assigned for historical, but it is blank. She requested that the Land Use book be overhauled by Planning Commission; however, it has not been completed yet. She continued to discuss it.
Councilmember Sheltman, indicated his idea is there are several empty commercial structures over here that have not been put to good use for a long time and would be a perfect location for a museum set up. The problem with Silver Reef is the roads. He continued to discuss it.
Councilmember Cundick, indicated he does not agree with all of the things Elliott has said.
Events at the museum are held once a month and there are 75 to 80 people by reservation and

the parking lot behind the museum is being expanded. He discussed the museum's funding and gave a history of the museum. He indicated if Elliott wants to pursue his concerns about whether we are in violations in Ordinance, if we are in violation, we will bring it into compliance; however, he doesn't think they are in violation. Some of County regulations supersede Town regulations. Councilmember Cundick continued to discuss it and recommended updating Ordinances to deal with historical properties. Town Council continued to discuss it.

b. Main Street Curb and Gutter update

Mayor Peterson, Rod Mills from Ensign and Councilmember Sheltman discussed the curb and gutter.

10. Citizen Comments:

Jo Sheltman, what's the plan regarding parking, traffic, things like that? Is it going to go back to the Planning Commission?

Pat Hank, indicated he lives on Silver Reef Drive and has no complaints, especially with the visitors, they go the speed limit. He does volunteer at the museum, but has no problems with visitors to the neighborhood.

Gary Tanner, stated he lives on Silver Reef Drive since 1994 and was one of the workers who did the restoration on the Wells Fargo Building. It is true that some of the events on the weekends have been a little cumbersome, but has never had a problem with traffic.

Mayor Peterson indicated we did receive letters from Robert and Zan Breskin and Jerry and Fawn Anderson and they will be attached to the minutes (Attachment #3 and #4).

11. Staff Reports:

Councilmember Rohr, with the Pilkey nuisance site, at this point are we going to address that. Mayor Peterson, as was mentioned at our prior meeting that is the topic that our Town Attorney and Prosecutor are working on modifying our ordinance. Town Council discussed it further.

12. Closed Meeting:

13. Adjournment:

Councilmember Cundick adjourned the meeting.

Time: 9:11pm.

APPROVED ON THIS 21 DAY OF June, 2017

Wayne Peterson

Mayor, Wayne Peterson

ATTEST:

Kristi Barker

Kristi Barker, Clerk/Recorder

Attachment # 1

kristi Barker

From: mayor@leedstown.org
Sent: Wednesday, May 24, 2017 9:02 AM
To: Clerk; Treasurer
Subject: Fwd: MAY 24, 2007 TC MTG AGENDA item: Silver Reef Ghost Town, Museum, Advertising Promotions: High tourism traffic impact on roads & community
Attachments: Part 1.txt; HTML Message.htm

Subject: MAY 24, 2007 TC MTG AGENDA item: Silver Reef Ghost Town, Museum, Advertising Promotions: High tourism traffic impact on roads & community
To:

Neighbors,

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First off, despite what was inferred at our last Council meeting, it has never been my intention to write Emails in order to get angry crowds of people to show up at Town Council meetings.Â I write them to share information with you. When I find a situation going on in our Town that I believe to be of concern or importance to our community I write an Email. Evidently, considering the turnouts that have resulted from those Emails many of you think some of these items are worthy of your attention too.

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There is an Agenda item coming up for the Town Council meeting at 7:00pm this Wednesday, May 24th. We are going to be discussing the Silver Reef Museum and the impact it is having on our community.

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Years ago the Wells Fargo building in Silver Reef was reconstructed. It endured various uses until being used by a local artisan as a venue to sell both his and his associates works of art. Among these items being sold were photos, sculptures, jewelry, cards and wall art. There were some artifacts from our past history here locally located in one half of the building but there weren't very many and most were unmarked and stored on shelves, and the use of the structure appearing to be primarily a gift shop. At least that was my observation when I first visited the location in 1992.Â When my wife and I moved here in 2003, I found the Wells Fargo building to be pretty much the same as I remembered it from earlier visits.

Â
The impact on the residents of Silver Reef from the Wells Fargo was negligible.Â It was open a few days per week and there were never more than 1 or 2 cars parked in front of the location. Next-door was the Cosmopolitan Restaurant. The building had been reconstructed years earlier and used as a restaurant, with different entities running it, for pretty much it's entire life.Â Again, there were no obvious troubling neighborhood issues with this facility.Â It was only opened nights on certain days of the week, and other than a few cars parked in front of the building at night one would hardly notice it was there.

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About 8 years ago in October 2009, the Cosmopolitan Restaurant ceased to exist as a restaurant and the Wells Fargo continued as it had always been.Â About 3 years ago, a group of individuals took the location on and decided on a new direction for the area.

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That was the beginning of the Silver Reef Museum. About 1 year ago the buildings became the Silver Reef Museum/Cosmopolitan.Â That is when the directional Museum signs were put up around Town along with a more detailed website, Yelp page, Face Book page and an increased advertising budget along with all the other things that a business now does to increase customer traffic and revenue streams.

Â
The customer traffic and revenue streams did increase.Â Per the Mayor's newsletter last month the Museum brought in 6,020 people last year. For a bit of perspective the area of Silver Reef Drive that those over 6,000+ customers landed in has just over 40 people in residence.Â I have been told that the first

budget for this new Museum group was about \$15,000.00. This past year it's over \$50,000.00. The Silver Reef Museum website that used to get a few hundred hits a month now gets thousands. What was 3 events per year have now morphed into multiple events per month. Last month saw 3 major events, which included authors speaking and selling books while bringing hundreds of people into our area. I lost count after noting over 130 vehicles and a tour bus at one single lecture last month.

This new activity affects not just the Silver Reef area but also all of Leeds. The Silver Reef Museum advertising brings people and traffic onto our roads. In many cases roads that are already under-designed (both in terms of traffic safety and traffic flow/patterns) for the normal traffic that they must endure from local residents. This situation has now become even worse since we became the home to a nationally advertised tourist attraction and the extra traffic it now brings into our community. I believe that is why many residents downtown have expressed concern with the increase in traffic and road damage noticed over the last year in their neighborhoods.

I have also talked to people in the Old Silver Reef area who have complained about the tourists walking on their property or turning around in their driveways and the near misses they have encountered with out of state vehicles being driven by sightseeing individuals driving on the wrong side of the road on the narrow blind hills and corners we have to contend with in this area.

Several of these individuals have told me that they have notified both members on the Museum Board and/or Museum staff about their concerns without receiving any clear response in regards to a solution. One individual expressed concern about traffic mitigation was told by a staffer "the Museum is going to put Leeds on the map".

The area of the Rice Bank, Wells Fargo and the Cosmopolitan sit on is a little over 11 acres. If you read the Facebook and Yelp comments you will soon notice that many people making comments feel letdown because there isn't really any "Ghost-town" as is advertised. Which may explain why there are plans to place more structures on that property. A cement pad has been poured across from the Cosmo to support a building that will be transported from Washington-St George area in the near future. Evidently there is another building nearby that may also soon be moved to the Museum site.

This recent increase in the number of structures on site may also be because of an event which the Museum will be hosting this fall.

The Way We Worked is an exhibition created by the National Archives that will be hitting our small community on September 16th and continuing until November 4th. This is going on, at various times of the year, all over the Country and is being presented in collaboration with the Smithsonian Institution. It will last for about 6 weeks and the Silver Reef Museum will be directly involved. Washington County will have different venues contributing to the event with each entity promoting the other hosts in Washington County at their sites. Evidently, some entity makes projections on the things going on within the County to share with the Chamber of Commerce types and the number I have heard for tourist attendance is around 25,000 people. Which may be why someone working at the museum told my wife that they were expecting well over 5,000 people to come to Leeds and their museum during this 6-week event.

The reason I wanted this item on the Agenda is because I believe several of our Town ordinances have been compromised in relation to the Museum complex, as it now exists. I will share my reasons for this belief along with the particular ordinances in play concerning the Museum this Wednesday night. I also wish to offer a possible alternative I feel could provide a workable compromise and may allow the Museum Board to host the National Archives event in Leeds without incurring any further violations of Town laws.

Hope to see you at this Wednesday's meeting,
Elliott Sheltman

Attachment #2

May 24, 2017

Because of previous commitments, John & I are unable to attend tonight's meeting. Our absence in no way lessens our growing concerns about our community. Danielle Stirling has agreed to read our comments under tonight's Meeting Agenda Discussion Item 9a, 'Silver Reef Museum and other Historic Buildings and the impact on the Community.' We request they be included with tonight's minutes for permanent record.

For more than 10 years, we've lived full-time in the Silver Reef area. We purchased this home because of the magnificent beauty of the Historic Silver Reef area. The quaintness of the Wells Fargo local artwork and gift shop, fine dining at the Cosmopolitan Restaurant, and enjoying the outdoor serenity of the area added to the appeal of living away from the noise and traffic of a busy town.

Silver Reef Estates includes private residences, parcels, and a County-owned parcel that annexed into Leeds municipality in 2003. At that time, the existing uses of the homes, properties, and structures were grand-fathered as stated in Leeds Town Annexation Ordinance #2003-09.

In 2013, the Wells Fargo building began operating as the Silver Reef Museum. The museum made significant strides to collect and exhibit artifacts of the Silver Reef area. A few local events held each year were fun for Leeds community, and provided an opportunity for town residents to meet one another and make new friends.

The Cosmopolitan Restaurant closed its doors in Oct 2009 and remained unused for several years. In 2014, the kitchen was completely removed from the Cosmopolitan Restaurant, and Washington County began use of the building for various activities and events, including private wedding parties.

Today, 3-1/2 years later, the historic museum has morphed into a business venture that is advertised through social media and news publications, including promotion of the "Silver Reef Ghost Town". Ads are readily found online through social media, news publications, and tourist posts of comments and photos. Many of the current events are outside the parameters of the original Historic Silver Reef venue; funding is provided through new 'RAP' taxes collected for the County's Recreation, Arts, and Parks.

Out-of-state tourism in our small neighborhood continues to rise. Vehicles seeking the well advertised Ghost Town meander through the small neighborhood, exploring areas (trespassing) on private residential property, & stop in the middle of the narrow roads blocking local traffic.

The traffic and illegal parking pose issues and concerns for the safety of those visiting & residing here. Importantly, Silver Reef Drive does not have a secondary outlet and there is only way way in and out of old Silver Reef if there were an emergency of any kind.

It is common for locals to be flagged down by tourists seeking directions to the Ghost Town. When told "this is this Ghost Town", they express their irritation realizing they 'came all this way' and there is no Ghost Town. It's no surprise to hear residents say they no longer feel safe walking alone in what was once our peaceful quiet neighborhood and it is very unsettling to be approached by strangers.

We have expressed concerns regarding the increasing traffic and parking issues that are a result from the highly successful promotion and advertising and attendance of events and activities supported by Washington County and held in our residential neighborhood of the old Silver Reef.

On at least 2 occasions, there have been unexpected mid-morning gunfire from re-enactments of gunslinger shoot-outs in our Residential neighborhood. While it no-doubt is fun for those in attendance, blank bullets sound the same as live bullets. Doesn't Leeds have a restriction prohibiting public discharge of handguns and firearms in residential zones?

There are a myriad of Leeds ordinances that, if followed, could have prevented these problems that now adversely impact Leeds. Far too many to list tonight. None of them have been followed nor have they been enforced by the Town. Why?

Could be some believe that County-owned property is exempt from municipal laws of Leeds, and the County is not part of the town. If that were true, then how is it they are served culinary water from LDWA, when LDWA is bound by law to serve water to properties that are only located within Leeds municipality?

It seems the County's goal is monetary gain at any costs, rather than preservation and respect of the area.

We love the history of our town and surrounding area. There is however, a fine line where common-sense intelligent planning gives way to exploitation for the sake of monetary gain.

What is the real goal here?

Karen & John Markovich,
Residents of Silver Reef

Attachment # 3

May 15, 2017

Dear City Council Members,

We are writing in regards to the growth in the Silver Reef Museum's attendance and programs. We live on Wells Fargo Drive and are very pleased that the Museum has attracted the attention of people wishing to explore this area's history and geology. The Museum, as we see it, creates a liveliness on our street. We see people walking around engrossed in the beauty of the setting and enthusiastic about learning about silver mining and its history. School kids are having a field day being out for the day.

This growth presents some challenges for neighbors. On our street larger vehicles proceed down the street ignoring the sign indicating that it is a dead end and is a private rather than historical area. Some of them have trouble turning around, and one at least has hit a brick wall and grabbed some tree branches.

As Museum attendance increases more planning will be needed regarding parking. However, on most of the days it is open (currently 4) parking is not an issue and the Museum is closed on Sunday.

On some event days with high attendance, traffic and parking may be an issue. It would be beneficial for both the Museum and the city to have a plan in place for these days. The plan needs to address how vehicles can safely park and pedestrians safely walk on those occasions.

Thank you,

Robert and Zan Breskin

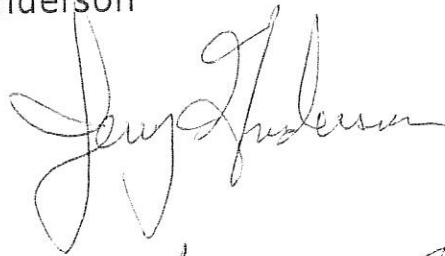
Attachment #4

5/20/17

Dear Mayor Peterson,

Fawn and I just learned that some people here in Silver Reef are against having the Wells Fargo attract more people. The building was here long before most of the people were. Fawn and I both agree that you cannot stop the people from enjoying this beautiful place. We are closer to the Wells Fargo than anyone else and we are not bothered at all.

Jerry and Fawn Anderson

A handwritten signature in cursive script, appearing to read "Jerry Anderson".A handwritten signature in cursive script, appearing to read "Fawn Anderson".