

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, September 13, 2017

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, September 13, 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 August 23, 2017.
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. Washington County Mutual Aid Agreement
9. Discussion Items:
 - a. Follow up on Main Street storm water
 - b. Discussion on possible survey questions for use in public opinion survey for the General Plan
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 9-7, 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 September 13, 2017

1. Call to Order:

Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7:00pm on September 13, 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: None.

4. Approval of Agenda:

Councilmember Cundick moved to approve tonight's agenda and meeting minutes of August 23, 2017. 2nd by Councilmember Sheltnan. 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

5. Citizen Comments:

Darryl Lewis, some of you were in attendance at the recent LWC public meeting regarding its proposed agreement with Trout Unlimited. As those of you who attended know, this proposed agreement involves an ultra-high volume well in close proximity to an LDWA well. This well would draw 25 times the amount of water that is drawn by our local water department. The water would be used to refill the Leeds Creek and would empty into Quail Creek Reservoir. I personally view this as a direct threat to the water supply to our Town as well as every Leeds citizen who receives their water from LDWA. I believe the Town Council is and has been elected to serve the needs and desires of the citizens of Leeds, and while I know that protecting our water supplies primarily is the responsibility of the LDWA, I believe the Town Council has an obligation to assist in the protection of the quality of life of the citizens of Leeds. I am wondering out loud what the position is of you Mayor, and of Council as a whole regarding this issue. Please understand that I am not asking about your personal feelings, or those of the Councilmembers, but rather the position of the

Mayor and Council as the governing body of our Town regarding the water supply threat to our Town. I hope that you will take a moment to address his issue and let us know how you feel. Mayor Peterson, I would be happy to respond, I was in attendance at the meeting. It struck me that the plan and the way it was being presented seemed very inconsistent with the situation regarding potentially unsatisfiable water rights in this particular water shed. It is my understanding that it is not moving forward, but those understandings can suddenly shift. As a result, I would look to follow up with the State, who seem to have a view from some of the representations that were made that it would be acceptable to do this kind of shift of water, and I would personally be interested if the rest of Council would like to make it a joint letter from the Town Council, indicating our concerns that it is something that would be a threat to our water supply and does not seem to be somebody with a water right looking to make use of the water, but rather a mechanism for somebody who doesn't have a water right to make use of a portion of the water that may very well be oversubscribed.

Councilmember Rohr, I would like to have a joint letter that we all have input into. To me, it sounded like a water grab and one that would benefit only a limited number of people and would be a danger to our Town. There are certain things that could happen as a result of their letting what they say is a three mile stretch between the current diversions of LWC and where it reaches Quail Creek. If that were to be wetted, and an endangered species fish, which is already present in our creek down below, were to be in that now dry waterway, it might mean that the Feds could step in with their navigable water rights that they are now extending into dry washes and force us to use our precious water to keep it wet for the endangered species. So I think it is a very real danger for our drinking water supply.

Councilmember Cundick I would support a joint letter to explain.

Councilmember Sheltman, yes definitely.

Mayor Peterson, ok I will work to have that ready for the next meeting and like you suggested Ange, it should be reviewed by everybody, and then once we are comfortable with it, I think signed by everybody in order to make it clear that it is the Town's position on it.

6. Announcements:

- a. Mayor Peterson announced the Smithsonian exhibit will start this Saturday. The Sheriff's department has been notified in case of extraordinarily large amount of vehicles and people within Leeds.

7. Public Hearings: None.

8. Action Items:

- a. Washington County Mutual Aid Agreement

Mayor Peterson discussed the Washington County Mutual Aid Agreement. The agreement calls for the sharing of resources when there is an incident and the first period of that particular response is handled financially by the responding entity.

Mayor Peterson asked for a motion to approve the Washington County Mutual Aid Agreement. Councilmember Cundick, I so move. 2nd by Mayor Peterson.

Town Council and Gary Kuhlman discussed the agreement. There is no liability to the Town for participating in the agreement and it does not obligate the Town to provide any aid during an event. The current agreement has been in place for 10 years; however, needed to be updated because some entities were added to it.

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

9. Discussion Items:

- a. Follow up on Main Street storm water

Mayor Peterson indicated he was informed earlier this week that there was a need to move the item two weeks from now. Town Council discussed the possibility of using quick dam water curb to control the water flow on Main Street.

- b. Discussion on possible survey questions for use in public opinion survey for the General Plan
Town Council discussed the survey questions for the General Plan. There will be a joint work session with Planning Commission and Town Council at the next meeting at 5:30pm to finalize the survey.

10. Citizen Comments:

JW McKain indicated they are just wrapping up the CERT training class and discussed with Council communication devices to use in case of an emergency.

Gary Kuhlmann introduced Matt Miller who will be working with him on Town matters. Matt Miller gave his work background.

11. Staff Reports:

Councilmember Rohr, stated the road work project will not be done until next spring because Hurricane City wants to do their crack fill first, which has to be done in the winter.

Councilmember Rohr asked Gary Kuhlman when the Nuisance Ordinance would be done and asked him for a draft copy.

Gary Kuhlmann responded that he had thought it would be done the first of August and will send her a copy of the draft.

Councilmember Sheltman, asked Mayor Peterson what we have done to prepare for the Smithsonian event.

Mayor Peterson, discussed it and indicated we have got cones with signs that say no parking and no outlet. The Museum has people scheduled to help with parking and they have arranged for shuttles if there is an overflow of cars that can be parked by Main Street. The Sheriff's department has also been notified.

Councilmember Sheltman, so if we have situations come up, we can respond quickly.

Mayor Peterson responded, yes.

Councilmember Sheltman, Silver Reef Road is getting a bit of damage on it and asked Councilmembers if anyone thought it would be a good idea to photo document it before the

event so if there is any problems, so we can go to someone and say “this is because of your event”.

Mayor Peterson replied it is a public road and unless you have an Ordinance that says parking is prohibited, we can't just put up a sign and make it a no parking zone.

Councilmember Sheltman, not parking, I am thinking of wear and tear on the road. I talked to the County about this and basically said “if you wear out the road, we are a small Town, limited budget, is there some way we can come back to you and say, hey there is a problem with the road”. I didn't get a no on that. There is some damage on it right now with the increase of traffic. I was just wondering before the event, you are talking a long period of time. You are probably going to have a lot of school buses because I am reading a lot about kids. Would it be beneficial to photograph that part of Silver Reef Road and put it on file and go back and photograph it after the event and if we see damage, go to the County and say “look, this is your event”

Gary Kuhlman, if you wanted to you could, I think your odds of them forking out any money are slim to none. Now if it is excess use but normal wear and tear you can't go after people for that. Councilmember Sheltman, I think it would depend on the amount of traffic they get, let's say it is a successful event and they get thousands of people up there, would that be helpful if we had the photographs of it?

Gary Kuhlmann, if you wanted to make the claim to the County, it would be helpful to have the photos.

Councilmember Sheltman, I like the idea, if you drive it a lot, there is quite a bit of wear recently, some pretty big areas.

Councilmember Rohr, as I recall, there is a permit needed for more than 10 cars that would be parking on the street.

Councilmember Sheltman, that is true, there is an ordinance on it. And my understanding on this is, are there any permits that have gone through the Town? The changes on the property, or any permitting for the event?

Mayor Peterson, they spoke with me about the signage and trying to get people directed in the proper way. As I read through the sign ordinance, the Town is able to put in wayfinding signs. Wayfinding signs are generally the brown and white, or the blue and white signs that we have. But I would be willing to stretch it that if they are worried about people getting lost, or making the proper turns, as long as the signs go up the day of the event, not before, and come down the evening, without any overnight type of signage being there, I would view that as a positive and when they asked do we need a permit for that, I don't see anywhere where it fits where it would be a permitted sign where the Town would actually do it in this case. You have an example over your left shoulder of something they brought in of the kind of thing they would put in to point people in the right direction.

Councilmember Sheltman, that would probably be a good idea, but what I mean is actual permitting for the event. Is there any permitting at all?

Kristi Barker, there isn't one, tell me of a permit that anyone has ever pulled for an event.

Councilmember Sheltman, and no permits for adding on the property nothing?

Kristi Barker, we have nothing. I looked and there has never been one pulled.

Councilmember Sheltman just for the record, the County believes that property is theirs to do with what they want. That is a response that I got from a County Commissioner. That concerns me greatly because we have no control over that property if that's your stance. As a matter of fact, my request for any information showing what they were doing is legal was met with nothing more than a threat of a lawsuit. So I want to put this on the record, I have serious concerns that 18 acres, not just 11 because another was breached with a structure, that is 18

acres in a neighborhood up there that the owners of that, the County, can do whatever they want to do. As a person on this commission, I think that is a serious issue that we need to look after, legally perhaps, because looking at the annexation agreements; I don't look at it that way. Like I said, when someone tells me we are going to sue you if you ask these questions, that tells me I am hitting a nerve and I am not getting any response, but I think the County commissioner should get one, or an attorney.

Gary Kuhlmann, is that the County commissioner who said that?

Councilmember Sheltman yes.

Councilmember Rohr, yesterday I saw a new sign for Leeds Trailer Park. I assume it is lit; I didn't drive by it at night. When we did the sign ordinance several years ago, that sign was considered an illegal sign, but it was grandfathered in because it was already there. This one is a new one; it looks like the whole thing is new, the base and everything.

Mayor Peterson, is it lit? I haven't seen it at night. I have not been there to know. If it is lit, I will send a letter asking them to contact the Town regarding that sign. Because my understanding was repairs are permitted to a non-conforming use, but replacement, there is a limitation on it. Councilmember Rohr, this one, everything looks new and the distance from the street is against our current sign ordinance.

Councilmember Sheltman, I didn't know you were going to bring that up, but since you did, the thing about a small Town is you find our really quick when something is going on. That is the good thing about living in a small Town and it is like the worst thing living in a small Town. It has been replaced and I looked it up and we got 22.3.11.2, No sign shall be located where it may block a driver's view entering a street. No portion of any sign shall be placed closer to the public right-of-way than eight (8) feet. That is inches from the public right-of-way. So I would say, yes it is probably in violation of the ordinance.

Mayor Peterson indicated he will get a letter out.

Mayor Peterson, indicated there was a Board of Education invitation to join them for lunch. Ron and I went yesterday and met with them. Their main focus was making sure the Town of Leeds was being heard and if any issues were being raised. The Mayor continued to discuss it.

Mayor Peterson, the Town has generally had a Meet the Candidates night. He recommended the date be the third week of October and preferred to do it after the ballots are mailed out.

Councilmember Sheltman indicated he prefers to do it before the ballots go out.

Town Council continued to discuss what dates would work. It was decided October 12th or the 18th. Kristi Barker will email the Candidates to see what night works best for everyone.

Councilmember Rohr, stated that Washington County will replace damaged trash cans.

12. Closed Meeting:

13. Adjournment:

Councilmember Cundick adjourned the meeting.

Time: 8:14pm.

APPROVED ON THIS 27th DAY OF September, 2017

Wayne Peterson

Mayor, Wayne Peterson

ATTEST:

Kristi Barker

Kristi Barker, Clerk/Recorder