

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, February 14, 2018

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, February 14, 2018 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 January 24, 2018
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
 - a. Dumpster Days February 16-18th
7. Public Hearings:
8. Action Items:
 - a. Approval of RAP Tax funding from Washington County Utah for \$6500.00
 - b. Discussion and possible action on the BLM Easement for utilities for Silver Pointe Estates
 - c. Discussion and possible action on \$20,000 CLG Grant Application
 - d. Appointment interim of Treasurer
 - e. Resolution 2018-02 Appointment to the Washington County Special Service District NO. 1
 - f. Discussion and possible action regarding approval of Main Street curb and gutter agreement with UDOT
9. Discussion Items:
 - a. Sesquicentennial celebration
 - b. Nuisance Ordinance 2017-03
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 February 8 2018 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, Clerk/Recorder

Town of Leeds

Town Council Meeting for February 14, 2018

1. Call to Order:

Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7:00pm on February 14, 2018 at Leeds Town Hall, 218 N Main.

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
MAYOR: WAYNE PETERSON	x	_____
COUNCILMEMBER: ALAN ROBERTS	x	_____
COUNCILMEMBER: DANIELLE STIRLING	x	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	x	_____
COUNCILMEMBER: NATE BLAKE	_____	x

2. Pledge of Allegiance by Councilmember Sheltman.

3. Declaration of Abstentions or Conflicts: None.

4. Approval of Agenda:

Mayor Peterson indicated under item 8d, "of" was taken off the agenda.

Councilmember Roberts moved to approve tonight's agenda and meeting minutes of January 24, 2018 with the noted adjustment. 2nd by Councilmember Sheltman. 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: ALAN ROBERTS	x	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	x	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	_____	_____	_____	x

5. Citizen Comments: None.

6. Announcements:

Mayor Peterson announced the following

- a. Dumpster Days February 16-18th

7. Public Hearings: None

8. Action Items:

- a. Approval of RAP Tax funding from Washington County Utah for \$6500.00

Mayor Peterson indicated this application was applied for 2018 funding. The next step in the process is to approve the \$6500.00. This is not a matching grant and it would be used on the CCC Camp.

Councilmember Roberts asked for clarification on what RAP stands for.

Mayor Peterson, Recreation, Arts and Parks.
 Councilmember Sheltman asked if we get bids on the project.
 Mayor Peterson replied we got bid a couple of years ago.
 Councilmember Sheltman, what if we come up short?
 Mayor Peterson, we can do less windows and doors.
 Town Council discussed it further.

Councilmember Roberts made a motion to approve the receipt of \$6500.00 from the RAP Tax money. 2nd by Mayor Peterson. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: ALAN ROBERTS	x	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	x	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	_____	_____	_____	x

- b. Discussion and possible action on the BLM Easement for utilities for Silver Pointe Estates
 Rick Sant indicated Ray Crosby has not responded in the last two weeks; therefore, there is no new news on that. Elliott and I have been emailing over the last few weeks and LDWA has told us they would accept the easement as it was first proposed, to go up Crosby's property and SITLA. Is that correct Elliott?
 Councilmember Sheltman, yes, we don't have a preference. What I mean by that is our concern is that you get the loop in place.
 Rick Sant, indicated that poses a problem because we need a water line loop. Crosby hasn't responded and this started about two years ago; therefore, he is asking if the town would apply for the utility line easement through BLM. Rick talked to the BLM and they indicated the 15 foot BLM easement would not open the door for a roadway; the town would have to apply for another easement that would be 65 feet wide for a road.
 Councilmember Sheltman, you were told there were contingencies from the school trust on the original agreement.
 Rick Sant, replied yes, they indicated they will have to examine the property and write up a report on it.
 Councilmember Sheltman asked about what contact has been made with Crosby.
 Mayor Peterson responded Crosby wanted to think about it and propose an alternate route. There has been a very large number of contacts made after that trying to get him to propose what the alternative route would be. He has not responded with one at this point.
 Town Council and Rick continued to discuss it.
 Councilmember Sheltman expressed concern that if this easement gets approved, it might be easier to get a future road easement and it is a terrible spot for a future road.
- Mayor Peterson I would like to propose a motion, if somebody wants to make it, to approve the BLM Easement for utilities for Silver Pointe Estates making sure that our minutes highlight that the Council does not consider it an appropriate location for a future road. So that anybody looking at the record for this particular utility easement would know that there was no intent for it from this Council for it to be considered approved from a roadway standpoint.
 Councilmember Roberts, I have a hard time with all of that language Mayor, because the

application is for a 15 foot utility easement application for the BLM and I think that is how the motion, if I make a motion, that is how it is going to be stated. I am not going to sit here and have subjective conversation on what should, could, be there. I can tell you that the existing road is a 45 foot right-of-way that goes up through there, not that much is paved, but that is what the right-of-way is that goes up through there, so if the Town was to look at a roadway through there, it doesn't matter what Council that it is, the Council is going to look at the conditions at that time and make a decision.

Councilmember Roberts made a motion to approve the BLM Easement for utilities, a 15 foot easement for utilities for Silver Pointe Estates.

Mayor Peterson, I would just highlight that I want the minutes to include that a utility easement does not suggest that a road easement has been reviewed, as far as the motion that has been made.

2nd by Mayor Peterson. Motion Failed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: ALAN ROBERTS	x	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	_____	x	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	_____	x	_____	_____
COUNCILMEMBER: NATE BLAKE	_____	_____	_____	x

Councilmember Roberts indicated he thought the Town Council needs to give the applicant the reason why we would not approve that. Any applicant deserves that courtesy of why something wasn't approved.

Mayor Peterson, it is not an obligation for somebody to explain their vote, but would either of the nays like to explain for the record, or not.

Councilmember Shelton responded I believe I already have.

Councilmember Stirling had no comment.

Rick Sant, you have put us in a very difficult position, you have required that we have a looped water line and you are talking away basically all the options. You have denied us to condemn the Crosby property for an easement and you have now denied us to go the other direction. You have really put us in a very difficult position. I am really disappointed in the Council; I thought you were better than that

c. Discussion and possible action on \$20,000 CLG Grant Application

Mayor Peterson discussed the grant.

Councilmember Stirling, asked if the administration goes directly to our staff.

Mayor Peterson responded the administration goes to staff hours that are spent and further explained it.

Councilmember Shelton asked if the CCC Camp was under our control and if Wells Fargo is the County.

Mayor Peterson, correct.

Mayor Peterson asked for a motion to approve The CLG Grant application in the amount of \$20,000 dollars for the 2018-2019 grant application cycle.

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

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: ALAN ROBERTS	x	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	x	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	_____	_____	_____	x

d. Appointment of interim Treasurer

Mayor Peterson indicated Ralph Reid has gone back to work full-time at another place. Ron Cundick was asked if he would be put in on an interim basis for Treasurer.

Mayor Peterson asked for a motion to approve Ron Cundick as interim treasurer for the Town of Leeds.

Councilmember Sheltman, so move. 2nd by Councilmember Roberts. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: ALAN ROBERTS	x	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	x	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	_____	_____	_____	x

e. Resolution 2018-02 Appointment to the Washington County Special Service District NO. 1

Mayor Peterson I talked to Nate Blake and he was not interested in attending any meetings and that is why this is on the agenda. Is there anyone else who would be interested in the position? Angela Rohr indicated she was interested in the position.

Mayor Peterson, replied I read a letter and it indicated elected officials and if nobody wants to do it, the position would have to be advertised.

Councilmember Roberts indicated he would do it.

Mayor Peterson asked for a motion to approve Resolution 2018-02 appointing Alan Roberts as Leeds representative for the Washington County Special Services District No.

Councilmember Stirling I so move. 2nd by Councilmember Sheltman. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: ALAN ROBERTS	x	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	x	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	_____	_____	_____	x

- f. Discussion and possible action regarding approval of Main Street curb and gutter agreement with UDOT

Town Council discussed the agreement.

Josh Nowell from Ensign discussed the drawings for the project with Town Council.

Councilmember Sheltman indicated concern about if this will create more water runoff that could create more flooding problems.

Mayor Peterson and Councilmember Sheltman discussed past flooding.

Councilmember Stirling indicated she would like to see more than what she has right now and was concerned about home owners losing 10 feet of their yard.

Josh Nowell replied they are not losing 10 feet of their yard; they are losing 10 feet of dirt that is out there right now; however, a few homes have part of their fence line.....

Councilmember Stirling asked if any of the home owners have been talked to about this. She would like to be proactive and homeowners should know before and not after.

Josh Nowell, replied that is why costs have been added into it to restore their property. If there is a fence, there will be one after.

Councilmember Roberts stated the State right-of-way does not change in width, it will just establish where it is and there is going to be some encroachments that some people may have issues with, but individuals that live along there have not been happy with runoff that has been created through their property, or channeled water through their property.

Councilmember Sheltman replied he is not thinking about the flooding with those people, but the ones down the hill.

Councilmember Roberts replied, it will add some water coming down Main Street, not sure how you mitigate that. The water that comes down Main Street will go into their yards; I would rather have it in the road. If you are talking about some kind of drainage for Main Street, you are starting at the wrong end.

Councilmember Roberts discussed how the draining use to be run and that some still exists but the water does not go through it now for whatever reason.

Town Council continued to discuss it.

Councilmember Roberts made a motion to approve the Local Agreement with UDOT on phase 2 for curb and gutter on Main Street curb. 2nd by Mayor Peterson.

Councilmember Sheltman indicated, we can move this down the road but he is not comfortable with it yet. He would like to have the engineering cost on it as of right now and drawings. He can approve it to keep the process going, but wants more information on this for the future.

Motion failed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: ALAN ROBERTS	x	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	_____	x	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	_____	x	_____	_____
COUNCILMEMBER: NATE BLAKE	_____	_____	_____	x

Town Council discussed it and asked Josh for more information before next meeting where it could be voted on again.

9. Discussion Items:

- a. Sesquicentennial celebration
Town Council discussed the sesquicentennial celebration.
 - b. Nuisance Ordinance 2017-03
Councilmember Roberts and the Mayor discussed the amendments they recommended to the Ordinance.
Town Council discussed the Nuisance Ordinance.
Ron Cundick discussed the amendments that he had made to the Ordinance.
The redlined draft Ordinance will be placed on the website and on the agenda in two weeks.
-

10. Citizen Comments:

Cynthia Neubauer, indicated about a month ago, she went to a meeting where the owner of Silver Pointe Estates wanted to put in a road that connects to Silver Reef Road. She expressed concern about the traffic flow and increase of traffic.

Mayor Peterson, replied that it was discussed earlier at the meeting and it was only for a utility easement and it did not pass.

Cynthia Neubauer, recommended higher signage for a crosswalk for the area by Silver Reef Museum.

Darryl Lewis, indicated on the 24th city council meeting he made some comments on the Nuisance Ordinance that were ambiguous. He was told Ron Cundick was working on it and it would be posted. I printed it and it was the same as it was on the 24th. He complimented the mayor at the last meeting on the statement that it has to be non-arguable, not open to someone's opinion, and there is some verbiage in here that has no meaning. He continued to discuss it.

Darryl Lewis expressed concern about the lack of engineering on the Main Street Curb and Gutter project and complimented those who voted against it tonight.

11. Staff Reports:

Mayor Peterson gave an update from the meeting he attended for WCSW.

Mayor Peterson, indicated the manager of Ash Creek indicated there have been many inquiries about the solid waste agreement with septic tanks within Leeds. He is recommending there be a meeting for those who are interested in solid waste for their activities here in Leeds. The Mayor just wanted to inform Council of it and he is planning on attending the meeting and report back to Council of what interest might be there.

Mayor Peterson discussed the RFP for legal services that the Town advertised for. His recommendation is to do a work meeting where they can be interviewed.

Town Council discussed it. There will be a work meeting scheduled February 28th at 6:00pm.

Mayor Peterson, the telephone in Town Hall needs to be replaced. For two to eight hundred there are corporate phones that would allow conference phones. He asked Councilmembers to let him know.

Councilmember Stirling asked Mayor Peterson what meeting he is attending that will discuss waste water.

Mayor Peterson replied it is with Ash Creek.

Councilmember Stirling asked if she could attend as well.

12. Closed Meeting:

13. Adjournment:

Mayor Peterson adjourned the meeting.

Time: 9:05pm.

APPROVED ON THIS 28th DAY OF February, 2018



Mayor, Wayne Peterson

ATTEST:



Kristi Barker, Clerk/Recorder