

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, July 10, 2019

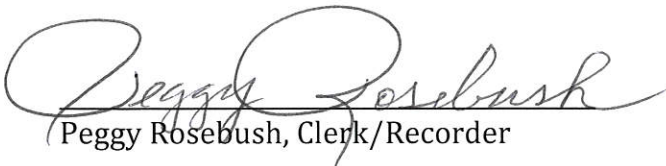
PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, July 10, 2019 at 7:00pm. The Town Council will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

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 June 26, 2019
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
 - a. Washington County Fair, August 7-10, 2019
7. Public Hearing
8. Action Items:
 - a. Discussion and possible action on mister system for Peach Pit Pavillion
 - b. Discussion and possible action on tree pruning and removal bids
9. Discussion Items:
 - a. Capital Improvement Plan
 - b. Short-Term Rentals
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 July 2, 2019 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.



Peggy Rosebush, Clerk/Recorder

Town of Leeds

Town Council Meeting for Wednesday, July 10, 2019

1. Call to Order:

Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7 PM on Wednesday, July 10, 2019, 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 Roberts.

3. Declaration of Abstentions or Conflicts: None

4. Approval of Agenda:

Councilmember Roberts moved to approve tonight's agenda and meeting minutes of June 26, 2019. 2nd by Councilmember Sheltnan. Motion passed in a Roll Call Vote.

Councilmember Sheltnan said I am going to abstain because I was not at the last meeting.

Councilmember Stirling arrived and joined the meeting.

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:

Doris McNally said one of my questions is regarding some of the minutes in the past. The last published minutes are for June 12, I believe. I do not believe the ones after that have been published yet. I travel a lot and do not always get to come to the meetings, but I do like to read the minutes. I have questions about those minutes. The first question is that I noticed that Darryl Lewis had a question about where the budget is listed on the website. I think you responded it is on the website. I tried and cannot find it.

We need to do a better job putting that information on the website. It should even be attached to the notes. That is my first question, comment and recommendation. The second thing is in regards to the section where you were talking about the potential repaving of Silver Reef Road, all the way up. I would like to bring to your attention or ask the question about there seemed to be some discussion about extending or widening the road. I am a member and actually on the Board of the Silver Reef Highlands Homeowners Association which is between Juniper and High Desert Road. I think if there is any discussion about extending the sides on that road, I would like to have a specific discussion with you about that or hear more about that for my membership because it is a problem already where transients are parking on the side of the road and leaving their car overnight or leaving their car running for a period of time. We already have enough noise in the neighborhood, and I would like to bring this to the attention of the Council. And the last one is that there was also a commentary about bed and breakfast and overnights. I will not specifically go into detail, but I currently have a homeowner who is selling their home because of the bed and breakfast activity behind them. It was brought up by another gentleman in the meeting at the time and if Council wants to hear more information, I will connect them to that homeowner, and they can have a separate conversation with them. I do not want to speak on their behalf, but I feel compelled as the Board Association member to bring it to the attention of Council.

Mayor Peterson said thank you. Just to try to respond quickly to some of the things you raised, the budget was passed by a resolution and it is under the resolution section where it had the proposed resolution for the budget. This is where we have posted it in the past, but given there were difficulties, we can certainly look to highlight that better so that people will know where to look for it. With respect to the widening of the road, that will be addressed at the time we are doing the road work. The initial thoughts were to look into areas where there are curves in the road and much narrower. Closer to Main Street would be the area with the most interest with regard to trying to widen it. And it is not a widening of the right-of-way, but rather a widening of the actual paved surface that was brought up. These are just quick answers to the questions that were raised, and we would certainly be interested in input from the other people that you mentioned.

Lynn Potter said sometimes I have tried to get on the website to find things including the budget and I have not been able to get to the budget through the website, but I was able to Google it and get it that way. There have been several things that I have not been able to get to directly through the website. We are wondering if there has been any more progress on the junkyard. Is the lawyer pursuing this any further? He has stopped the last few months.

Mayor Peterson said our attorney is continuing to try to get the final clean-up there. We made them aware of our appreciation for the progress they have made, but they do have more work to do there as well.

Mayor Peterson said with respect to the website, we will try to make it easier so that it is user friendly. I would certainly encourage people to contact Town Hall or contact me if you are having difficulties. We would like to make it so it is less frustrating and more easily navigated. We will take these comments certainly to heart.

6. Announcements:

Mayor Peterson said he would like to thank those who assisted with the 4th of July. We had a very active day here in and around Town Park. There were 240 people who came out for the breakfast and we concluded with fireworks that went off at 10 PM that evening.

Mayor Peterson said the second announcement is the Washington County Fair will be on Aug 7 – Aug 10, 2019. Traditionally, opening night coincides with one of our Town Council meetings, but the opening night here is going to be the 7th so we actually will not be meeting on that day. It will be on the 14th so we will actually be able to attend if we would all like

Mayor Peterson said another thing that I would like to mention is the question that was raised about the minutes. The minutes officially get posted to the website and to the State site when they get approved. So, tomorrow is when the meeting minutes from June 26 will actually appear on the website.

7. Public Hearing: None

8. Action Items:

a. Discussion and possible action on a mister system for Peach Pitt Pavilion

Mayor Peterson said we have some diagrams here. I was hoping J W McKain would be able to join us, but evidently something has come up so he is not able to be here. I do not know if Council would like to discuss it. I do not think we have enough detail to comfortably say we are going to take action on it, but it probably would be worthwhile to say whether a well-constructed one would be a welcomed addition to the park just to make sure we are not asking for further input only to find out that there would not be a real interest in it. Are there any comments from Council from a discussion standpoint regarding the mister system that is being shown here? I do not know the difference between the colors. I assume it has something to do with the type of piping and where the actual mist heads are. Are there any questions from Council or is this something to put on an August agenda when we have the ability to get an explanation? Is there any interest in having it discussed in August?

Councilmember Roberts said I am not opposed to it. It would depend on the details of the install itself.

Councilmember Stirling said I think I would be more in tune with allowing you to talk to JW. I think as long as he has the specs, I would be fine approving a mister system. It looks like at this point; it does not look like it is rocket science by any means so I would be more inclined to say yes, I approve and just have you speak with him on the logistics of it.

Mayor Peterson said and make sure we have the details that were requested last time about what is there in case it needs or when it needs some maintenance. How do others feel about the idea of going forward with my working out those details and then having it installed so we do not wait another month on it?

Councilmember Sheltman said I would prefer to see exactly what we are doing here. Is there a cost for it?

Councilmember Roberts said I would want to see the detail.

Mayor Peterson said it is being donated. The labor and the materials are being donated.

Councilmember Roberts said I applaud that, but what we need to be cautious of is if it is a system that is going to be problematic then we should not engage in it. This is why I think it is important to see exactly what the details are for the system.

Councilmember Stirling said I did not say we would not. I would think that the Mayor would see that as well and would not waste more time or the summer will be over before we get the mister system up. If it is a bad situation, we are not out any money. I do not think it is something that we should wait the whole summer to go through talking about it if he is going to do it for free anyway.

Councilmember Sheltman said is there a timeline from approval to when it is finished?

Mayor Peterson said he has indicated that he has already lined up all the parts that need to be donated and he is prepared to do the labor. He was prepared to get it done in advance of July 4th if we had just let it go really quick at our June 26 meeting. He said he could have gotten it done in time for July 4th so that would seem to be about a week. If people would like, I could, after reviewing it with him, forward it to Council with the request that if you have concerns about it, you could get back to me, say, within 2 days and that way we would be able to move forward with it and perhaps look at getting it done for the worst part of the summer from a weather standpoint.

Councilmember Sheltman said is this going to be overseen by anybody on our end?

Mayor Peterson said Antonio would certainly coordinate with him because as the diagram indicates, we have a lot of electrical which, Alan, I know you are familiar with, and some of that electrical we have in secure cabinetry to make sure it cannot be toyed with by anybody who just thinks it might be a fun thing to do. I would certainly expect Antonio would be able to make sure it is something consistent with our other type of security that we have on equipment that is down low and accessible.

Councilmember Stirling said I understand that he does this professionally for the Mirage in Vegas.

Mayor Peterson said at this point, is there a motion for a mister system for the Peach Pit Pavilion?

Councilmember Stirling made a motion to allow the Mayor to facilitate the information and specs regarding the mister system that J W McCain has voluntarily donated, and if further discussion is needed, the Mayor will email Council. 2nd by Councilmember Sheltman with the addition that a Town representative or someone put in place would oversee the process.

Mayor Peterson said Councilmember Stirling, are you comfortable with the amendment to your motion? We will do it a little informally and not have to amend the motion.

Councilmember Stirling said yes.

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 tree pruning and removal bids

Mayor Peterson said what I have distributed to Council just before the meeting here are 2 photos that I took earlier today. As part of the Tree City USA grant that we received which we were able to match a portion of with donated volunteer hours, we did a tree inventory for the Town of Leeds. It was done in conjunction with a representative from the Division of Natural Resources who is an Urban Forester, and that was Daniel Allen. This particular row of Siberian Elms has been problematic in that it requires annual pruning in order to try to keep it. In the photo that we have, and probably the people in this room are familiar with it, as you get down towards the south end of the Town, heading south, for those who have high vehicles or RV's, they have to drive down the middle of the road to avoid hitting the tops of their vehicles on the trees that are extended out and pretty much across the south bound lane of Main Street. What was also the case, it was identified that one of the trees is in serious risk of splitting and coming down. That is the other picture that we have here. It shows that about half the distance from the point where this tree Y's, down to the ground, there is rotting and complete deterioration between those two. While the Urban Forester indicated they are always reluctant to immediately recommend tree removal, and there are certain types of cables that can sometimes be put in place, he feels this one has progressed to a point where the cables would be futile and would only slightly delay the tree's demise and recommended that the tree be slated for actual removal. For the others, it is felt that with pruning the little bit of dead branch on it, but with removal of some of the lower branches, they will become stronger trees as a result of not having the weight pulling them in the direction of the roadway and will give us many years of future shade in that area without the trees needing to come down. This is part of a grant where if we agree to do the work, we will be reimbursed for 50% of the cost of it. It is something that we did get an extension on because right in the middle of when this work needed to be done to meet the initial deadline, we had UDOT on Main Street doing the whole project and it did not seem like a great time to be trying to take down the one tree and prune if that is what we decided to do. Antonio has worked to get bids. He was able to get 2 bids at this point in time. Evidently, business is good in the tree care business right now because getting people to come out and supply bids has been very challenging. There is actually a third bid, but they are unable to handle the removal of the tree. For the pruning of the trees, we have 3 bids for the pruning and 2 bids for the tree removal. Zion Arborist is showing a bid of \$7,440 to prune and remove with \$3,000 for the removal and \$4,440 for the pruning. Rose Tree Care is the one who is unable to remove the tree, but offered to prune them for \$1,500. And Southern Utah Tree Service originally bid \$1,800 for the pruning and \$5,000 for the removal, but they then updated that to say \$5,555 for both the pruning and removal. All of these bids involve the wood not being hauled off, but we already have a neighbor volunteering who has said whatever wood is generated that they would be happy to take if we were so desiring and that would save us money. These are the bids. I wish they could all be identical, but in this environment, we were not able to get exact bids that were identical. I put this forth now for discussion by Council. If we do not take action soon, I do not believe we will be able to extend the grant so we will be faced with the idea of having to pay for it completely by ourselves instead of the 50%. Is there anybody on Council who would like to lead off the discussion regarding these bids and the tree situation?

Councilmember Roberts said the trees in that area are problematic. We have actually had some branches come down and block portions of Main Street. And they really move that sidewalk around a lot which becomes a problem for anyone using the sidewalk.

Mayor Peterson said would you recommend that we actually do this type of work on them?

Councilmember Roberts said yes. And the tree that is the most sketchy needs to be removed.

Mayor Peterson said are there any other comments from Council?

Councilmember Stirling said I agree the tree needs to come down. We need to go ahead and do this. Has anyone ever done any business with any of these companies or individuals?

Mayor Peterson said the individual we used previously when we needed the tree taken down in the parking lot at Town Hall has retired.

Councilmember Sheltman said so the high bid is \$7,440?

Mayor Peterson said correct.

Councilmember Sheltman said and the other one for \$6,800 is now \$5,555?

Mayor Peterson said yes, and we would be paying half of that so roughly \$2,800.

Mayor Peterson said is there a motion at this time with regard to the bids before us for regarding the trees on Main Street?

Councilmember Stirling moved to approve using Southern Utah Tree Service for doing the pruning and the removal at a cost not to exceed \$5,555. 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

9. Discussion Items:

a. Capital Improvement Plan

Mayor Peterson said I mentioned this at the end of our last meeting. We do have some excess accumulated funds that we need to transfer from our general fund to a capital improvement fund per State regulation, and what I have included is the one-page Capital Improvement Plan that we used to start our actual fund 3 years ago. It was an estimate for the cost for doing the work along Main Street and was a project that covered \$201,000 as the estimated cost. We have completed the vast majority of this work that would be covered by those types of funds. The area we have not yet completed, there are some homeowner obligations that have been put on deposit with the Town so it would not necessarily be heavily funded by this type of thing. The other 2 items that I know have come up in the past would be the actual acquisition of additional cemetery land and also the acquisition of additional park land which we could allocate money towards in a Capital Improvement Plan. The idea behind the Capital Improvement Plan is that the State does require that you identify by projects that total at least the amount of money that you are thinking of setting aside in the Capital Improvement Plan. They want to know that there is something that you would be looking to do with this money. You are

allowed to update the Capital Improvement Plan so when we do it, we are not taking action on it tonight, this is discussion with possible action at a future meeting. What we would be doing is trying to list items we currently see that might be utilizing this money. I would also suggest repairs to Town Hall. We have a roof that we have been deferring while we try to get a final word from the State Historic Preservation Office regarding perhaps future status as a historic landmark. If that is the case, we would probably change how we would go about making repairs to things like the roof and how we could go about getting funding for them as well. Those are the 3 areas that I can think of and I just wanted to find out if Council has some others. I think it would be very reasonable to include \$100,000 towards cemetery, \$200,000 towards park and then I would suggest we could put \$50,000 towards Town Hall repairs, not that they all have to be done immediately, but just recognizing these types of things that may be needed over time.

Councilmember Sheltman said how much for the cemetery?

Mayor Peterson said \$100,000 for cemetery. We could say more if we thought that was an appropriate thing.

Councilmember Sheltman said are you talking about land purchase?

Mayor Peterson said land purchase, yes. It cannot be used for things like maintenance such as paying Antonio his wages or water bills or anything like that. It has to be an actual capital improvement.

Mayor Peterson said again, it is not action tonight. If people disagree with that please let me know or if you have some other ideas, you can certainly come forward at other points as well.

Mayor Peterson said if there is nothing further to add this evening, I would ask that people please let me know and also members of the public if you know of things please bring them up so we can discuss them at a future point before we actually go about adopting an update to this Capital Improvement Plan. After we do an update to the Capital Improvement Plan, we will reopen the budget for that in order to transfer some money into it that is accumulating from previous years. The roof that I mentioned was in our budget last year, but we did not end up spending it. But from a State standpoint, you are not able to just continue to carry it that way. You are allowed to move it into this type of fund, and it would seem to be the better thing for us to do with regard to that. If there is nothing further, I would suggest that we move on to Discussion Item 9b.

b. Short-Term Rentals


Mayor Peterson said we discussed this a month ago at the first meeting in June and we agreed that we would bring it back on the agenda here this evening, our July 10th meeting. We were starting to agree at that meeting a month ago that we should start with Chapter 30. There were some edits that had been proposed and people were going to give thought to additional edits that they believed would be appropriate to the actual language there. Is there anything that the Councilmembers would like to raise this evening relative to this draft on short-term rentals? Chapter 30, as it is currently known, obviously it will become a different numbering if we adopt it into the Town of Leeds at a future date.

Councilmember Stirling said after reviewing this versus what I brought up the last time we spoke about this, most of that is included in this version as well. I do not think I will change anything. I think it has been done quite extensively. I do not have anything else to add at this point.

Mayor Peterson said one alternative that I would suggest that we might want to address, and I'm not sure this would be something that would pass muster, but we could certainly ask our attorney about it, but as we discussed, we want to try to have a direction to give to our attorney as opposed to going back and forth repeatedly to try to do it in as economical way as possible, is whether or not we would permit somebody who has it as a second home to do the short-term rental. If they are not declaring it, how do you know if it is a second home or not. I would suggest the Assessor's office where you declare it as your primary residence. In Utah, you get the 45% , I believe it is, relief on your assessed value. Would we want it to be people who are not considering this their primary home to be actually renting them? This is the one additional thought that I thought we might want to incorporate.

Councilmember Roberts said from my viewpoint, primary residence only. Make sure they are here. They may not be here physically, but this is their residence.

Mayor Peterson said my thinking is they are much more committed to the community if they view this as primary. Not that we do not have people with secondary residences who are very involved and very supportive of the community, but there could be instances where people have very limited time that they spend here, but maintain ownership of a secondary residence. I believe the Assessor calls it a non-primary residence.

Mayor Peterson said anything further from others? 

Councilmember Sheltman said I have a question on the actual number of guests that can stay. If you look at 30.2.3b, it says 4 guests and 10 occupants, including the owner and their family.

Mayor Peterson said the reasoning behind that was if we are going to limit it to 4 guests, there is also a fire code with regard to if it is a non-pure residential property, if it is a rental property, if it goes beyond 10, you need to have sprinklers is my understanding. As a result, this is why that additional cap was put in there just to make sure we do not have people get into a situation that would not be properly addressing the sprinkler portion of the fire code.

Mayor Peterson said have we reached a point where it would make sense, and perhaps be economical, to turn this over to our attorney and ask him to draft it into a format that would be consistent with Leeds Land Use Ordinance and allow us to discuss that at a future meeting? Ultimately, because it is part of the land use area, I believe we will need to schedule a Public Hearing and that should be done at the Planning Commission level as a starting point. But I think we want to make sure, in order to not spend a lot of time and money on revisions, to try to do the discussion before we actually begin that process. Would it be appropriate for me to take this to the Town Attorney and ask him to bring it into a format that would be appropriate for the Town of Leeds for further consideration?

Councilmember Roberts said yes.

Councilmember Sheltman said as far as enforcement requirements, are we going to have it listed as part of the ordinance since we do not have anything like this in the Town and never have?

Mayor Peterson said I think we need to come up with some language that describes how we intend to enforce it. I know this has been a major concern of yours that we have something stated as to how we would go about enforcing it. I know it is very important to have that. As we have learned with other

ordinances, our prosecutor needs to review this as well, and make sure that when we talk about enforcement, they could successfully prosecute against that and not be challenged in any way. So, yes, I do think we need to spell it out and pay particular attention to it and make sure it is something that would stand the test of any challenge on a court basis from our prosecutor's standpoint as well as our attorney.

Councilmember Sheltman said another question. Are we going to call it short-term rentals in the ordinance or will we call it something else?

Councilmember Roberts said no.

Mayor Peterson said I believe what we are doing here is calling it residential hosting facility, and under the short-term rental section, we declare they are not permitted and that there is a prohibition for the leasing of them on a short-term.

Councilmember Roberts said that is what we discussed.

Councilmember Sheltman said so owner occupied and all that will be clearly written.

Mayor Peterson said clearly written so it would only be residential hosting facilities or if we come up with a different term.

Councilmember Sheltman said is that a legal term? One of my questions for the attorney, is there a legal term that we should use?

Councilmember Stirling said does it have to go to Planning Commission? Elliott, the portion that you want to make sure everybody has in way of how we facilitate if something goes wrong, does that go to Planning Commission as well? Or is it just Town Council?

Mayor Peterson said the entire ordinance would go to the Planning Commission for recommendation to the Town Council, but the action is actually, as with all the others, taken by Town Council. I am not suggesting that we send it on its way at this point. I am suggesting that we have our attorney draw it up and send it back to us to go over and make sure it is complete enough and then the Planning Commission can do their work on it and bring it back to us for final action and follow that path.

Councilmember Stirling said the enforcement part of it as well?

Councilmember Roberts said enforcement will be a part of it.

Mayor Peterson said I believe it needs to be in order for it to be effective. I do not think it needs to be from a legal standpoint. For effectiveness, I believe it needs to be.

Mayor Peterson said is there anything further?

10. Citizen Comments:

Alan Cohn said I would like to reiterate some things said at way too many meetings. In allowing these, they are a business and you should be considerate of the fact of zoning. In other words, if it is a

residential zoning, the business should not be allowed. As far as enforcement, if this is going to be more work for the Town and all, tax them. It is a business, pass an occupancy tax. Every state and every county charge a pretty significant occupancy tax on top of room charges and all. There is no reason for the Town not getting some money back on this if they are going through all the trouble. A lot of the Town's time has been spent on this. And I think this could help with the enforcement. The Town should be able to get something from this.

Doris McNally said regarding the owner inhabited short-term rental, have you considered something about pets? You might want to include that because if any activity that happens because of the pets that are taken in by these people, if they injure any other pet in the neighborhood or if they injure a person, there could be liability so you might want to include that in your discussion with the lawyers.

Councilmember Sheltman said just to comment on that, we talked about this a little bit. If you look at these, there is usually homeowner's insurance required for protection. This is probably a question for the attorney. Can we pass this off on a homeowner based on the fact that they have to show proof of insurance to cover pretty much anything that can come up?

Mayor Peterson said I will ask our attorney about it.

Ron Cundick said what chance will the public get to comment on this? Will you wait for the final hearing or will they get a crack at it early on because if you spend all the time running this through your attorney, something could then come up that you had not planned on. I am just curious about when we get a shot at it.

Mayor Peterson said I would envision that we bring it forward with the language of Town Council. We always encourage and allow public input. It is not an official Public Hearing. The official Public Hearing would be set by the Planning Commission, but I would be in favor of making sure we were putting forward a document to our Planning Commission that had as much public input as we could.

Councilmember Roberts said like any other document that is being drafted, there are many phases of that drafting process. You understand that. At the same point that we would present it to the Planning Commission, after it comes back from our legal staff, it should be out there for the public to see at that time so they have sufficient time to read the document before a Public Hearing.

Ron Cundick said I assumed this would happen, but it has been lingering for a long time and I just wanted to make sure.

Lynn Potter said are you saying it is not on the website? Because I have searched for it.

Mayor Peterson said this has not been put on the website at this point as we are going around with this draft. We will get it to a point when it will be.

Councilmember Roberts said a lot of citizens think as documents are drafted every little bit should be put out there for them. I can tell you from past experience that it can create a lot of misinformation from the public. Until you get that draft to the point of bringing it up to a Public Hearing, it is still a draft. And, truly, it is still a draft when it comes to a Public Hearing, but, hopefully, most things have been resolved. What I will tell the public is if you want to be involved from Point A to Point Z on any drafts on anything

in the Town, get up here and serve. That is how you do it. That is how you are involved from Point A to Point Z.

Mayor Peterson said the other thing that I would add to it is when the minutes are approved and uploaded to the State website, they do include everything in our packets. People do have the ability to see that through the packet. We have not historically put it on the Town website for the confusion where you end-up with a room full of people, we have literally had a half dozen drafts of this document, and the comments are not towards the draft that you are currently working off of, but one that was resolved a couple of iterations ago. The actual information is available if you go to the State website once we have uploaded the minutes which generally happen the day after they are approved.

Doris McNally said, once again, regarding the number of cars parked at each facility, since the document is not available, I was hoping you would consider that. Also, you would consider sound ordinances from all the cars. There are a lot of cars now that have mufflers that are out of balance and it does become a problem especially when vacationers are coming home late in the evening and their cars are quite noisy. I think that was what the question was earlier. If we were able to see or know more about the document, we might offer constructive input early on to Council.

Councilmember Sheltman said if I can comment on a couple of those issues. Considering where this could go, if laws are not properly enforced or the laws that we end-up making, I think you guys should be way involved in this. And I think it should be transparent which is the attitude of everybody up here. It is a serious issue. I think that there are forms we should have in place, things that they need to fill out, fees, what we are going to charge and enforcement as I said before. Personally, as I said on record, I do not like this and would not vote for it, but the majority is probably going to vote for it so I feel I should be involved as far as trying to draft stuff up to make enforcement as effective as possible. I think everyone here thinks you should have a real input on this, and as we move along, we will do that. It may not be as a Public Meeting where you get to read it for 10 minutes before it is voted on. I think everybody up here agrees on that, too.

Kohl Furley with the Fire District said we are currently at 1790 calls for service. The 4th of July was a very eventful evening. We managed to break our long-standing record of calls that evening. We had 23 calls in our service district. We did have a few calls on illegal fireworks. It looks like the Hurricane Valley Fire District in Washington will staff Station 46 at Coral Canyon and looking at a possible date of August 1st for opening that facility.

Mayor Peterson said I would like to reiterate, and you can correct me, the legal dates for discharging fireworks will be July 23-25 for Pioneer Day and after that it is wait until New Year's. Also, if you want to discharge them on a private basis, you have to do it in a public place, which is the basketball court in our Town Park if you are in the boundaries of Leeds. If people see it elsewhere, please contact the non-emergency dispatch number for the Washington County Sheriff's office. They are aware of where people are supposed to be discharging them and will send someone over to make sure they educate those people. The non-emergency dispatch number is 435-634-5730.

Kohl Furley said another number you can try is 435-627-4949. What you stated is correct. They give you 1 day in front of the holiday and 1 day after the holiday to set off fireworks. Another thing is we do have the ability to bring in fireworks from other states. The way the Utah State Fire Marshal set it up is that Wal-Mart and other places selling fireworks including the stands outside of the grocery stores, they are selling a firework that is suitable to be lit off in the basketball court. If you go to an area an hour south of

here and buy fireworks, those can go very far up in the air and can become out of control very easily. Be cautious of what you are setting off.

Kohl Furley and Doris McNally discussed fire preventiveness classes and different types of fire extinguishers. You can call the Fire District and request a safety inspection of your home. This inspection is free of charge. You can call our office 435-635-9562 and the office hours are 7 AM to 6 PM Monday thru Thursday, closed Friday, Saturday and Sunday.

Mayor Peterson said is there anything further from the public?

11. Staff Reports:

Councilmember Sheltman said I do have a question. I missed the last meeting, but noticed in the meeting minutes that Councilmember Stirling asked the question about Silver Reef Road, possibly getting some funding from the County based on percentage of wear and tear from the museum facility.

Mayor Peterson said it was also mentioned with regard to the National Forest Service for the amount that goes up towards Oak Grove into the forest. What we agreed was when doing the work and the beginning of the actual scope of work, we will contact both the County and the Forest Service and see if we can get them involved in the process, financially as well.

Councilmember Sheltman said is this something we want to do sooner than later just to make sure? We have already approved the budget, but that could free-up some money for repairs on other roads if we had upfront approval on that.

Councilmember Stirling said from what I understand, the budget was not officially only for Silver Reef Road. Do we have a timeline on Silver Reef Road?

Mayor Peterson said my expectation was that is it going to be the early part of next year that we would actually do the work, but we need to do the planning in advance of that.

Councilmember Sheltman said getting cash from either one of these entities will take a while.

Mayor Peterson said I think we should, as a Town, start speaking out here in the autumn in advance of expecting to do the work when the season begins next year. I am tired of trying to beat the cold weather with regard to much of the work that gets done. If we could queue it up for the start of the season, I think that would be beneficial to us as opposed to always wondering if it is going to be too cold to finish the job appropriately.

Councilmember Roberts gave a report on Washington County Solid Waste and explained why they have officially accepted Rocky Mountain Recycling's force majeure.

Mayor Peterson said he was notified by our attorney yesterday that we will be seeing a need in the near future to adopt a policy for private use of public property. The State Legislature determined that every municipality must have such a policy in place, and we will need to do so as a municipality. I read through it quickly before the meeting this evening and I will be sharing it with Council so you can see it. It needs to be updated to be specific for us. It is a template that has been put together as something that is viewed covering all the necessary bases. I will tell you that I am very curious to find out what community had

people thinking it was a good idea to use public property in the ways that it is now going to be prohibited. I do not see it as an issue in the Town of Leeds because I have not observed where members of our employee base or members of our Council or members of our Planning Commission have thought that the Town's resources were for their personal use. But evidently, somewhere in the State there was a problem and, therefore, we must all adopt resolutions to make sure that we are making it clear that it will not be permitted in our municipality. This will be on a very near-term future agenda here.

12. Closed Meeting: None

13. Adjournment:

Meeting was adjourned at 8:04 PM.

APPROVED ON THIS 28th DAY OF August, 2019



Mayor, Wayne Peterson

ATTEST:



Peggy Rosebush, Clerk/Recorder