



TOWN OF LEEDS

Planning Commission Meeting

PUBLIC NOTICE

Notice is hereby given that a Public Work Meeting will occur

Wednesday, April 06, 2022, at 6:00 PM

At the Leeds Town Hall 218 North Main Street, Leeds, Utah.

The Leeds Town Council will hold a public work meeting on the above-mentioned date to discuss:

- Assessing the town's general direction
- Assignments of workload
- Review of ordinances to address over the next year

Interested persons may attend the public work meeting to be held in the Leeds Town Hall at 218 North Main Street. Public comments will not be received or discussed during this session.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted March 29, 2022. The public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leadstown.org.

Aseneth Steed
Clerk/Recorder

Town of Leeds

Town Council Meeting for Wednesday, April 6, 2022

Joint Meeting 6:05 PM

Mayor Hoster: We're having a work meeting. It's Wednesday, April 6, and it's 18:05. In attendance, if we could go ahead and just get a roll call to get things started, this is going to be on minutes, and then we'll get the meeting started. We have Mark Rosenthal on Zoom and possibly Danielle will Zoom in if she can.

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
MAYOR: BILL HOSTER	<u>x</u>	<u> </u>
COUNCILMEMBER: DANIELLE STIRLING	<u> </u>	<u>x</u>
COUNCILMEMBER: RON CUNDICK	<u>x</u>	<u> </u>
COUNCILMEMBER: STEPHEN WILSON	<u>x</u>	<u> </u>
COUNCILMEMBER: LORRIE HUNSAKER	<u>x</u>	<u> </u>

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
CHAIRMAN: DANNY SWENSON	<u>x</u>	<u> </u>
COMMISSIONER: ALAN ROBERTS	<u>x</u>	<u> </u>
COMMISSIONER: KEN HADLEY	<u>x</u>	<u> </u>
COMMISSIONER: TOM DARTON	<u> </u>	<u>x</u>
COMMISSIONER: MARK ROSENTHAL	<u>x</u>	<u> </u>

Mayor Hoster: To get things started, guys, the reason I really wanted to get this whole process started was we only kind of get to chat with each other. You know, during meetings, this will give the ability to kind of discuss and dialogue, where we want things to go, what we want to do, what our objectives are, in a setting where we can, have dialogue. That's what I'm hoping we can do tonight. And there's a few things that I think are, you know, probably priority, we had the General Plan that's supposed to be done at the end of May, they have targeted April for us, so that we can review that. Within that general plan. We've expedited efforts to include zoning for the planning area that was in the prior General Plan that includes the 200 acres of the Mills property and beyond, right up to the Toquerville area where they've got their annex plan in. But that's really a lot of importance, as we've seen just lately, with development there. For your information that property has closed, the new property owners are that Eastward Management Group. That's not on the title. But that's, you know, that's the division, same division of people who have bought it. Their efforts, you know, is they've explained to us have been to develop that for revenue. I've had discussions with Mayor

Ellsworth of Toquerville with regard to all of that. It can be on the record. So, his involvement has been as legal counsel representing Eastward Management Group. And he has negated the close of that property, the terms, and conditions of that property. And I met with him last week. And he was on the payroll of Eastward Management, as was another councilman, in helping with facilitating relationships between Toquerville and he's Eastward Management for the development of the ARC Complex. In my dialogue with Keen, it is about a couple of components. The first, we discussed the bypass that is coming through, and they want to see if we want them to include any kind of a connection with Leeds at the cost of Darcy Stewart, the developer, for that complex up there, which I said, I have no idea if that would be something we'd be interested in or not. But if you've got a developer willing to put the infrastructure in right now. Sure, go ahead. It might be out of my lifetime. I don't know. But the second was, is there a way that we can do some sort of an inner local agreement between our towns on this property of the 200 acres that will be developed? My interest in that was kind of piqued a little because there was this effort of an olive branch, so to speak, of saying, well, we're kind of realizing that may not end up in Toquerville, we need that revenue, which we were kind of hoping we were going to get with all the development of this, but now that Leeds is pursuing annexing that can we work something out? And to which I said we want to work something out. We don't want to be adversaries on any of this and, but we certainly don't want it to overrun Leeds. That was the message that I put out there.

In addition to those components with regard to Toquerville and the development that's going on there, we have a lot of other issues that are that we're faced with. Today, I went to DTAC and met with those guys, you know we've kind of been hit and miss with a little bit. I learned a lot of these places don't do coattails on any of their contracts. St. George has this large volume purchase of chip seal and slurry and, but little Leeds has to go out for their own bid. And in the past, we've kind of gone on to Hurricanes, bids, but their contractors have said, we're not going to do that anymore, because the prices of the product. And I think it kind of puts us in a precarious situation to try and bid those things. As a town, and so you know, I kind of want to start to look at what priorities do we have? And how can I start to navigate with some of the adjoining towns, Toquerville or Ivan's or La Verkin and try to leverage economies of scale to try and get us better pricing for the services that are available? Apparently, in talking with the it was, I think it was La Verkin and St. George both said that they received bids as high as 90 cents a square foot for chip and seal, which is astronomical. We can't afford that. And we've got some roads that are in dire need of repair. Lorrie and I met with the county person, Todd, about the Cemetery Road, and he said that in the past the county had offered or was willing to work with towns of our size, you know, classified towns that we could use their labor, and their equipment, but we would buy the product, and then have, you know, some sort of an it's almost 75% 80% discount on project. So, I've written all the county commissioners and said, you know, can we get together? Can we talk about this? I am waiting to hear back on that. Okay, if we can get that or whatever want us to be able to talk about that, as a group in this work meaning of where's our priorities? What can we put where, with the limited funds that we have and the massive inflation that we've experienced in this administration?

The last item I think we need to discuss is the water company. The LDWA has been a hot topic over the town for the last little while, but it's not going to stay status quo.

We've got a development that's up over here that has talked with the Water Conservancy about being able to tap into them, it is annexed property, Silver Eagle. They've asked if we would consider redrafting or redesigning an amendment to our agreement with the Water Conservancy to allow them access into that. My response has been no. I can't do that as an individual as something that has been brought before the Planning Commission and then the Town Council to decide if we're going to facilitate that. In talking with Ron and, and Zack, over at the water district. There's a lot of moving parts associated with that we're in the LDWA exists because of the municipality that it's franchised with, but it's not. If we allow two within our boundaries, how does that affect the LDWA. If we have to within our boundaries, the only way the water district will function in that capacity is to sell the water directly to the Town of Leeds, who then sells it to the LDWA who then sells it to the homeowner or the business. So, what are we going to do dictate who can do that and who can't? Those things are going to be hot topics for the next 12 months.

Those are the three things that I was seeing as priorities that we should be assessing as a group to determine pathways, priorities, and dialogue. I'm not anticipating any kind of conclusions. But I am anticipating that we can get the dialogue started. And to start to assess where do we put our energies.

The last thing I'll address is that we are incredibly short staffed in being able to facilitate proactive positioning against all of the competition that's basically around us. God bless him. Wayne was fantastic with doing a lot of stuff. That was wonderful, with regard to some aspects. I can't do that. I'm not, I don't, I don't know anybody who really could. You know, Wayne did a good job with what he could, but he was still short staffed with what he what he had, it's put us in, in a position on some regards that we've seen over the last three months, which were reactive to a lot of things that are happening. This ARC thing was happening for two years and none of us knew about it. There are other grants that we've kind of missed, there's some other things that we're finding that were cans that were kicked down the road, because there weren't resources to address those things. And so, we probably need to start to look at those elements and start to assess where do we want to start to monitor things, be proactive, and keep the city in a proactive position versus a reactive position and making sure that we're capitalizing all that we possibly can. Those are, those are the concerns that we have, you know, with delegation, with volunteerism do we adjust our budgets and allow other employees to come on board, I can tell you that the towns around us are doing that. And I can see that, you know, I have no idea how they're funding those things. But I'm sure that you know, we can, we can ask and find out and look at those things, you know, to, to make those changes too. But I do want to make sure that, you know, we're meeting all the all the needs of what our town is looking for. So that's why we're here. That's what I'm hoping to get some answers from you guys. Some dialogue with so wants to go first and kind of start stabbing the pig.

Commissioner Rosenthal: Just looking at it from this perspective, what happens if we choose as a town not to participate, if you will, in the processes occurring around us?

Mayor Hoster: Well, I think I understand your question, Mark. And if we don't participate in the project north of us, my opinion and assessment is that will be negatively impacted

on infrastructure, water, public safety, and traffic and receive zero tax revenue to help support it. Which would paint us into a corner wherein we would have to then succumb to the entity that was running it or some other entity because we can't support ourselves at that point. And we need resources from another municipality.

Councilmember Cundick: I just had a thought about your shipping policy, or whatever it is. And I don't know what this isn't possible. But it seems to me that, that the biggest procure of that would be the county. And it seems to me that we ought to talk to the county and say, wait a minute, when you put these contracts out? Why can't you have a clause in there that allows you to extend it that price to local towns or whatever, as a part of the initial arrangement?

Mayor Hoster: You know, I mentioned that at the DTAC meeting. You're familiar with most favored nation clause, and no one else in the room was, and I also said, you know, what about coat tailing and, and they were like, Yeah, we can't do that to the contractors, because, you know, it's apples versus oranges.

Councilmember Cundick: I don't agree on that. How is that a violation of?

Councilmember Hunsaker: you are still getting the same amount of money.

Mayor Hoster: They said it was a security risk to the vendor. The vendor might have different circumstances.

Councilmember Cundick: There can be things in the contract that would cover any security risks, and he's got that's just somebody doesn't want to address it.

Mayor Hoster: I agree. And that was two different municipalities that were I know this is public record, and then there'll be, you know, available to all but I felt like it was perhaps not as attentive and, I don't want to use a term that could carry a negative connotation, but; I don't think it has been done in the past. So why change it? You know, it was more about tradition.

Councilmember Cundick: I understand that. But I think we're in a situation now with inflation and all things going on the county needs take a look at the entities that do not have the revenue that the county has in some of the other cities have. I think we should pursue at least with them to see what and where are the weak points in this contract that need to be fleshed out, that would solve this problem and still provide the necessary security to the contractors. Whatever else they need on that. It may not go anywhere. But that, to me would be an option. It seems like we are really taken advantage of if we as a little town have to go out and bid by ourselves. Because the security things are the same. Except we're paying all the cost extra cost. They're making double the money office. That's my concern.

Mayor Hoster: Yeah, they kind of chuckled at me when I call and talk to him about it. With the contractors.

Councilmember Cundick: I think that anytime that the county is going out with a big RFP for things that we would also need that if they would advise us and see if there's any way that we could participate in the RFP that goes out. And I think somebody who really wants to solve that could at least improve this process.

Councilmember Hunsaker: I have a question on that because they were saying that the county is its own vendor. It has the chips, it has its own equipment, it has its own people. The reason they're not doing the little towns anymore to the commissioners in the previous administration, there was a big flood at Dammeron Valley, and they were in the middle of a chip seal project. It flooded mud, they cleaned up the mud, but then left and went to Virgin While that dried out. And I guess there was a big, they were yelling at the County, and they were like, took them back and they were yelling, they're like we're not doing this anymore. He said there may be a chance with the new commissioners that we can get that restarted.

Councilmember Cundick: Well, and we recognize there are limitations and that we may have to wait our turn. But if we're willing to do that, and that we're not going to scream at the county, then what did they cut them loose on it?

Mayor Hoster: Well, and I'm pursuing those avenues not in a naive way, I've navigated and negotiated multiple multimillion dollar contracts with municipalities in the past, and I think I can talk to our county commissioners and convince them that this is the wisest thing to do for their voters. But when that comes back, my concern is how do we prioritize what we're going to be able to do? And you know, assessing which, which roads that we need to do these things with, we have access to some RPP money and some CIB money. We're trying to leverage that, should we consider the pricing with doing advanced projects that involve curb and gutter, or is it just chip and seal and those things too?

Councilmember Cundick: Well, I don't know those answers right now, at one time. As far as our roads were doing. We were I don't know if we had a contract with somebody in Toquerville, but we had somebody that was actually doing the work and advising us.

Commissioner Robert: It was Hurricane.

Councilmember Cundick: It was Hurricane? Okay, but we had a schedule when we would go around. And, and I have been apprised of the details of that. But that seems to be working pretty well, at the time.

Commissioner Roberts: I don't know, I don't fault the municipalities from backing away from the smaller town and an entities. The county does have more of a responsibility here in Washington County, and more specifically for those smaller towns that would fall in that range to help them mitigate some of the costs, because they have the resources to do it. The county has the resources to do it. I'm not saying the county pay for this because it needs to be the responsibility of the municipality, but I can't imagine why they wouldn't enter into some type of an agreement.

Councilmember Cundick: If we say well, we're just not ready to do that right now. Okay. We pass on it. If it's there, if we need it, and it fits into our schedule, then we take advantage of it. We're not locking anybody in. If our schedule doesn't quite meet the Counties. But at least if we want to do it, the door should be open to us.

Mayor Hoster: What do you guys' think is the way for us to prioritize the roads

Commissioner Roberts: Let's move that direction because depending on who you're talking to, in town, the prioritization will change. Depending on what street you live on, and the individual you're talking to. That's, a fact. When you talk about being proactive on some curb and gutter, I would steer away from anything that does not complete curb and gutter that has been established here on Main Street. I would not spend any funds in other areas for curb and gutter. Now that's a general statement. If you get a development that comes in, should be discussed through that process. If a development comes in, as they go through that process, here's what the town's going to be requiring. Because we're going to deal with some stormwater issues.

Mayor Hoster: And I hate to see us repeat some of that stuff, you know, dig it back up, whatever that plan comes in to be for the mitigation of the storm drains or the storm water.

Councilmember Cundick: If we're careful with new development, once, once we solve this problem out front, if we redo the engineering, haven't done properly and paid for by developer, we, it should be more minimal than some of the other problems we got ourselves into.

Councilmember Roberts: Well, part of it circles back, that's a Jen Psaki term right there circle back. You can put that on the record.

Mayor Hoster: It sure is.

Councilmember Roberts: It comes to what you were talking about of having appropriate staff. I don't want to get off on that tangent, we want to stay on prioritizing the roads. But this really has an effect. Without the proper staff and continuity so many things slip through the cracks. We truly do get into a reactive mode. As a municipality, you either have to be responsible and step up to the plate and be a municipality or don't. Go back and come under the umbrella of the county. I've made this statement in the past, and people think, this guy just wants the town to go away or, that I'm a nutcase. I don't care what they think. In a nutshell, that's the reality of it. Be professional about it, or just stop playing municipality. With that said, you've got to have the appropriate staff to accomplish the tasks at hand. You cannot expect everything to be done off from volunteerism, I applaud the countless hours that people volunteer in this town for numerous things. But I also understand that you should not be elected or appointed as an official to slavery.

Councilmember Cundick: Too late.

Councilmember Roberts: Individuals want to serve their communities that is commendable, but they're not slaves to that. Where is the balance? You could ask six different people and probably get six different answers on the balance of that. Most of the time, our concentration on roads has been, obviously, we've left main street alone because it is a UDOT right of way. They would love that just give it to the town of Leeds, but they can't. We've concentrated a little bit on the old Highway north of the interchange. We concentrate a lot on the Oak Grove Road. We concentrate a lot on that. I'll give you an example down here at the end of Valley. I can tell you a couple of property owners down there that were told long before I came here. Yeah, we'll get some paving on that road. That is a right of way we dedicated that to the town is still a gravel road. Still a dirt road. I can make argument up on Center Street, there's property owners up there that are saying, look, every time that it really storms hard, we've got a problem here with storm runoff. With the limited resources, you really do have to select. Here's 1234 And five. And here's the reasons that we do it. It has to have some kind of a basis to it, not just an arbitrary reason why we rank it that way.

Councilmember Cundick: I think as part of that, if we had a list of the projects that we felt had merit and had a priority for them. Okay, maybe they don't get to this year, but we get to it next year. Right now, we know that things need to be done around here. But not sure we have a list of projects and the priorities and to get to and we have the money. I don't know.

Commissioner Roberts: To my knowledge, there is not.

Councilmember Cundick: I don't think there is. It seems to me that the way you people would feel more content about that say, okay, we've identified this project that affects you. And this project that affects you, and we put on this list. Okay, so this year, we maybe afford this project, but next year, we will as soon as it gets warmer, we'll get to you. That gives you a mechanism to deal with and it keeps people happier than saying, well, you never even talked about you talked about 10 years ago, we have nothing more.

Mayor Hoster: If we list out the projects, and within those projects is road chip and seal, and then the priority of those roads that get a category depending on the source of the funding. How should that be developed and then presented and then ranked?

Councilmember Cundick: The Planning Commission is the closest to what's going on?

Commissioner Roberts: I'm going to say that. What mayor's referring to here, that's an administrative decision. It is the council and the mayor collectively, that feels that administrative.

Councilmember Cundick: I agree with that decision, but I think get the gathering of information and identifying projects. Well, that's going to be a hard thing for the council to undertake,

Mayor Hoster: I think it would be something that we could get feedback from Antonio.

Commissioner Roberts: I think you need to get feedback from your public works. Very much so.

Councilmember Hunsaker: Well, since we have a majority of us here, can we do like the five things that we think and then take it to Tony? I think you're looking for advice on it. There was a list and there was a schedule that the roads were rotating on. I personally do not know where that is.

Councilmember Cundick: I know there was with the roads. But these are the things you're talking. I don't know if they were on that schedule.

Mayor Hoster: What I'm going to do is, and by the way, email is going to be key in communication. So, I'm going to ask Aseneth to send out a list. Just so that we don't use up our time here I know Stephen's got to leave early, I am going to send out a list of the roads. And also ask you for projects that you see as priorities that you can talk to your neighbors, your friends, your let's get them in. And then let's have another work meeting.

Commissioner Roberts: You are talking road projects? Right now, we're simply talking roads.

Commissioner Roberts: You are talking road projects? Right now, we're simply talking roads.

Councilmember Wilson: We do not want to get too broad.

Mayor Hoster: So, let's talk about the roads on these projects. And then we'll move into the other projects that are outside of our normal scope.

Councilmember Cundick: Can we talk about water in general? Do you want to talk more on this first? I give you my two cents worth.

Mayor Hoster: Absolutely.

Councilmember Cundick: First of all, I've done a lot with the water right since I've been over there checking them out, and many of them are under court decree dedicated for this town, period. They're not for anybody else. They're for Leeds. I've reviewed some of the legislative ordinances that were done earlier and the existing ordinance on water was done at a time when there was a lot of controversy about who should do what and so forth. It needs to be rewritten, but here's my thinking on the water. We still have water designated, we meaning for the LDWA, still has water designated for the lands that are subdivided where there is a plat that's been recorded and so forth, because that water was required to come in at that time. Then we had an amendment to our LDWA

bylaws that said, okay, we're going to hold enough water for some of these onesies and twosies and Threesies around, where it's not realistic for people to go out and bring in water as it is for a subdivider. But we're close, that when you count all add up, we're close to max on it. We can only get so much out of that sprang, we only get so much out of the pumps, and so forth. And right now, when we're in the summer, for example, any new development we have is going to have to come through pumping out of the wells, as opposed to gravity from the spring, that's expensive. Well pumps only last so long, and the costs going to go up. So, I thought I had to consider is number one, I think if you have a split authority to provide the water, you're going to have problems. I think you need to have one authority to provide the water and I think that should be LDWA frankly, but do they have to supply all the water from the current spring and the current wells? Well, we have really good water right now, for those of us are here that if we had some big subdivisions, and try to supply them from the same source, we're going to have problems. So after having met with the county director on that. I understand they're willing to provide water wholesale, to do a town. If the town is the water authority, and if LDWA is the water provider, then if we need more water, the town can get it from the conservancy. They don't need to mix it with what we have right now. I talked to Mark, and I said How feasible is it? Let's suppose we put a big subdivision up there a big subdivision down there how feasible is it to keep the water we get it from the conservancies different separate from LDWA water? That's not a problem, you can do that because you'd have to put in new lines for the new development anyway. The main thing is getting the conservancy to agree to let you do that. But if we can do that, then we can keep what we've got for the town, because we can handle that with the good water resource we have right now with some tinkering. And then if we get some more subdivisions in, okay if we only have one provider the town can buy the water form Conservancy. They can sell it to the LDWA who can then use it and handle the growth without messing with the standard and the quality of the water we're getting now from our own Springs and wells. Just a thought. But it seems to me that that's an easier way to handle it under one umbrella than trying to have somebody run to the county and say, well, LDWA doesn't do this, then we're going to go to the Conservancy.

Commissioner Roberts: You see Ron, the town of Leeds had an interlocal agreement with the conservancy. Locked that down just like that. It was the only agreement of all municipalities under the jurisdiction of the district that modified it to protect the private water company that existed here. And still would allow for a secondary water.

Councilmember Cundick: Okay, I didn't have that understanding.

Commissioner Roberts: But we, we and as a town, I will take full responsibility, because I was the one that did not stay on top of that and renew that local agreement. I don't know whether you could get the district to agree, and I would want to probably modify that agreement slightly, but still in the relative overall scope of it. Keep it.

Councilmember Cundick: Conceptually, though, we have the single authority to distribute the water?

Mayor Hoster: I thought we were still under that agreement.

Commissioner Roberts: That agreement is not enforced. It is not a current agreement.

[Email April 11, 2022

Mayor,

During the April 6 joint work meeting, we had some discussion concerning the Town, LDWA, and (WCWCD) the water conservancy. I referred to a water agreement that was entered into between the water conservancy and the Town. I stated that the agreement was not renewed. That statement is incorrect. I was remembering a local agreement with Ash Creek Special Service District that was not renewed. Attached is a copy of the Culinary Water Agreement with WCWCD. The terms are described in Specific Terms item #26 and #27.

Aseneth, I would like to have this correction shown in the minutes as they are prepared.

Thanks,
Alan Roberts]

Mayor Hoster: Okay.

Councilmember Cundick: I thought it was a longer agreement.

Mayor Hoster: I thought it stayed in place until one of the parties cancelled, but I could be wrong.

Commissioner Roberts: Look at the date on it. It needs to be renewed every so often.

Councilmember Cundick: Oh, well. Okay, that's something to look at. But I really think that our relationship with the conservancy right now is such that we could probably get an agreement because they don't want to take as far as I can. until, like they're not interested in taking over out water system.

Commissioner Roberts: Correct. And they weren't at the time that this agreement was established. It's unfortunate that there's people in the Leeds area

Councilmember Cundick: They are paranoid.

Commissioner Roberts: that put fear into other people, by making statements about another entity wanting to obtain Leeds water. You can't undo that, no matter how hard you try. You've just got to try and get people to listen to the facts that are there and reason with them. Look, here's a better way of doing this. It would be fine. That water source came from other places.

Councilmember Cundick: If we don't recognize that we needed another source for the water, we're going to end up in a big mess, because we're going to have to have another source.

Councilmember Wilson: We will be limiting ourselves.

Commissioner Roberts: The source is there. I can tell you from the Conservancy, the source is always there. Because they are tasked by the state of Utah as a district that says you're going to provide water to what you have jurisdiction over. That means if there was something catastrophic, that happened to LDWA's water source they have to provide water to us. It isn't free, that's what people need to understand. It's not free, you're going to pay for that water. But that waters there. But unfortunately, a number of people have gone down that road of what you mentioned about the two sources, we don't want them, you know, mixed. For the process of development that comes in that is larger than these one, two, and three lots that you're talking about, needs to look at that. So, I don't have heartburn, when those developers come in, and they have a Will Serve letter from two different water companies. I don't have issue with that at all. Because the burden is going to be upon that developer to make sure that infrastructure comes in. But you're not going to get water from the conservancy. Without this municipality agreeing to be a wholesaler and pay for them.

Councilmember Cundick: Yeah, well, I, do have an issue with having two Will Serve letters. I think that it pits one going against the other. And there are a number of issues.

Councilmember Wilson: If we are maxed out on the LDWA, does it really do that with a bigger development because we could not serve them anyway.

Councilmember Cundick: What I'm saying here is that LDWA becomes the provider period, for Leeds. Okay, within the boundaries. Not necessarily the source of all the water because it does not have the water to do it.

Councilmember Cundick: What I'm saying here is that LDWA becomes the provider period, for Leeds. Okay, within the boundaries. Not necessarily the source of all the water because it does not have the water to do it. So as long as long as it's funneled through LDW a then you got single management and single approval, then you can't have somebody say, well, if you don't approve this, and I'll go over here.

Councilmember Wilson: you are saying that LDWA would manage the conservancy water?

Mayor Hoster: They would manage the billing.

Councilmember Cundick: They are not getting anything, but water and they decide who gets it.

Mayor Hoster: Is that right Ron? LDWA manages the billing and collecting, and they are buying it through the water Conservatory?

Commissioner Roberts: They are buying it from the town. It has to work that way because we bought it from the Conservancy.

Councilmember Cundick: The Conservancy has to sell it to town. It can't sell to private companies, which is LDWA. But LDWA is a quasi-municipal organization, and then it can both get it from the town and then retail it. Anyway, that that can be fixed. We can work that out in the draft ordinance and look at it discuss it further. But I think that's an approach I'd like to consider.

Mayor Hoster: I think that's some good discussion there. And we'll continue on with that. Let me mention the last one. And I kind of think this is going to be one that you know, as we've talked about these other components, going through our ordinances, and realizing we have expired contracts, realizing that we have ordinances that might be outdated, but we're also looking at the new General Plan and these things. We've got a real problem wherein we have ordinances that are basically as valuable as the piece of paper that they're written on. That's about it. We've got situations that have no teeth, if we want to enforce an ordinance That negatively impacts their neighbor. If an ordinance isn't being enforced and the town has no recourse to do anything on it, the only time we have teeth is before the issuance of a building permit or the issuance of any kind of activity, wherein we can dictate. Well, we need basically a quick pro quo. But before that we don't, we don't have any teeth. I'll point out that we've had some citizens step up and really try to clean up their properties and, and adhere to the ordinances as of late, but we've got some who have just been in complete disregard, and we received the phone calls daily and there's nothing we can do about it. After I review those ordinances, what our legal standpoint is and everything. Why, or what should we be doing as, as The Head for this town to address that? Should we do nothing? Should we start to reassess? I don't want to say, you know, you put criminal stipulations on ordinances or civil ordinances. But we can, we can start to impose different components that are associated with legalities that can put even liens on their property that still reside within the Civil Code. And so that's where I'm curious of what has been discussed before, what do we want to do in the future? Or do we want to do anything?

Mayor Hoster: I think that's some good discussion there. And we'll continue on with that. Let me mention the last one. And I kind of think this is going to be one that you know, as we've talked about these other components, going through our ordinances, and realizing we have expired contracts, realizing that we have ordinances that might be outdated, but we're also looking at the new General Plan and these things. We've got a real problem wherein we have ordinances that are basically as valuable as the piece of paper that they're written on. That's about it. We've got situations that have no teeth, if we want to enforce an ordinance That negatively impacts their neighbor. If an ordinance isn't being enforced and the town has no recourse to do anything on it, the only time we have teeth is before the issuance of a building permit or the issuance of any kind of activity, wherein we can dictate. Well, we need basically a quick pro quo. But before that we don't, we don't have any teeth. I'll point out that we've had some citizens step up and really try to clean up their properties and, and adhere to the ordinances as of late, but we've got some who have just been in complete disregard, and we received the phone

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Councilmember Wilson: Well, Mayor, I do have to go. So, I'll just say quick, my little blurb on that. It's an interesting topic, because you've got a lot of situations where one person sees this as this is a violation and other person has recognized it as a violation. I had to read the ordinances and see how clear they are, but you're right. We don't have any way to enforce an ordinance. It's almost like what's the point. We ought to look at and decide whether we want to enforce it, or whether we don't want to have it. It come to getting more paid help. I don't know how you do it other ways?

Mayor Hoster: Well, it's a matter of I mean, we can have ordinances in place, and we can write them a letter, and we can send the sheriffs there. But the reality is, there's no teeth in our ordinances to provide penalty to the violation.

Councilmember Cundick: But why can't our legal counsel say, here's what you need to put the teeth into it, then let us vote?

Mayor Hoster: He has.

Commissioner Roberts: we have discussed that we have not voted on it as a Town Council previously, but we've had discussion on it. I'm going to look at it from a different perspective. I suppose most of what you're talking about falls under nuisance items. We're not talking about items where you have some teeth of licensing or something for a business, because that's much easier to govern, because of the way that it's structured. Here's requirements that you have to meet. Most of these you're talking about are nuisances. As a general statement, and you'll have a hard time swaying me off from this. I'm not saying I couldn't be convinced. As a general statement, government needs to be less restrictive on individuals' property rights. If there is an issue with health, safety, and welfare to either that property individuals that are on that property, adjacent properties, and you can prove that I would say that is a valid reason for a municipality or government to get involved.

Stephen Wilson excused himself.

Commissioner Roberts: I'd love to talk about that right here at this point in time. Yeah, property value.

Mayor Hoster: That surfaced with the animal ordinance circumstance. We had people who were like, well, before I bought my property, this didn't exist, and now we're

changing that. Will that negatively impact my property value, and that's where I do believe that outside of health and safety for the government's role on private property, wherein we have existing ordinances that are intended to retain the lifestyle and the property value of all individuals who are within the boundaries of those ordinances were constructed. How do we assess that? Do we say, well, they kind of matter or they don't? Or? Or do we say no we need to hold one level for all or what are your thoughts?

Commissioner Roberts: If you're going to police it, then you've got to police everyone equally.

Mayor Hoster: Absolutely. No, there cannot be favoritism or inconsistencies. It does definitely have to be across the board. But right now, across the board means we have we have nothing right now. And do we want to keep that? Or do we want fix that?

Commissioner Roberts: Here's another statement I'll make before I answer your question. I can go to most, most properties in this town, I can find a violation. Even individuals who have contacted you about their neighbor's violation of whatever gets their attention. I could find a violation on most. That is the approach that I had taken with a number of individuals who approached me as a government official. Okay, you've got a problem with what somebody's doing down there. Firstly, let's go to your property and assess whether you're complying with all ordinances. Most of these individuals think I'm a jerk when I say that. People need to be cautious about the hypocrisy of pointing out someone else's fault. And not acknowledging or noticing that they may be out of compliance on something. Now, with that said, it comes back to if you have ordinances, you have them for a reason. And the reason is to manage things more in a, I was can you use the word controlling, I don't want to use that. Manage things better for the people that live in the municipality. With that public good, freedom. But what are you doing, people aren't complying? I know how they deal with it on roadways, they employ a lot of officers. And do you know what, not everybody that speeding or braking, some type of violation gets pulled over. Some people do and the ones that get pulled over that somebody was going faster than them. It's, hey, that guy was going faster than I was when I pulled you over. Right? I'm dealing with you right now; you were out of compliance on whatever this is. I'm saying as a municipality, we go down that road, then it needs to be equally across the board. And I'd be cautious about how rigid, this is my opinion, I'd be cautious about how rigid I would want to go down that path. Because I didn't move into a gated community to be restricted, like that. Similar to people that are making a statement to you, well, I didn't move into a community to allow whatever this ordinance that you're wanting to amend or change, though, that wasn't the way it was when I first moved here.

Mayor Hoster: We've got about seven minutes left. So, given that context, we need to decide of do we enforce ordinances? Or do we scrap them? Because to have them just sit there is kind of silly. And it just gives people you know, a point replaced a point to say, well, this isn't in compliance with that. But that doesn't even matter. And I think your point is well taken, Alan, on consistency, and I think that in and of itself is an entire system of judicial system. If we're going to have ordinances which are typically

nuisance, and sometimes some have larger consequences than others, some are often minor fixes, some are major issues, and some do have a negative impact on their neighbor's property value, and health and safety. As a board I want us to give very serious consideration to that subject matter because we have to address it as a town and identify it's not necessarily the ledges, HOA, gated community, but it is also a town where we've got kids who walked by someone's yard and you know, are terrified they're going to get eaten, versus someone who's got a two vehicles that are leaking battery acid and other things into the ground. So, you know, these are these are things that I think, you know, hit the full spectrum of, you know, the ordinances that we have in place. We have to address how we're going to deal with it. Do we want to enforce them? Or don't we? And if we do, we need a judicial system that does that.

Councilmember Cundick: The problem I see is if neighbors have problems with neighbors, which is usually where most of this starts. If their only resort is to file a lawsuit, that's not going to work. I mean, it's expensive, and it usually doesn't work unless it's really bitter. They need somebody they can turn to get relief, to avoid a lot of chaos. I mean, if they can't turn to the town, for some relief, or some help, where do they turn, because you can't just let things linger on forever and not have any solution for them. People are entitled to have some system they can rely on it may not be heavier, might be light, but it needs to be a system they can rely on, and it needs to be consistent, and it needs to be enforced. It might be a light touch, might be heavy touch. I like the lighter, the better. But I do like touch. I think if I've got a problem, and we have an ordinance, I should be able to go to the town and say, please enforce this ordinance and have confidence that something will happen or don't have the ordinance.

Mayor Hoster: Exactly. Okay. We got five minutes left, and I'm going to hit on the last little thing. So, we have been given notice that a well serve letter has been issued for sewer going south of the town at the Westoff property. That's probably going to occur within the next three years. We also know that the 200 acres to the north of us are in contractual discussions with Ash Creek. Knowing that from the north and the south sewers, basically coming through the town of Leeds, I talked with Zach about how that'll affect any existing properties that are close to what the sewer line might be, and the state laws about being able to hook up or mandatory hookup and grandfathering. All of those things are in discussion. One of the other concerns that was brought up is the spirit of Leeds has been this rural, sparse location. We've been able to retain that, as Danielle had mentioned that a Town Council that I think was misinterpreted by some wherein we had the Hansen Allen Luce study that mandated the nine-acre separation from septic tanks. Which is going to be going away if the sewer system comes in. This probably isn't during my administration entirely, but what I do see is that if we don't have appropriate zoning conditions, affecting the way the zoning is going to be conducted, then we do end up with dense population. We do end up with, you coined a phrase that I thought was really good, whatever your zone it plans on the limit of that zoning to occur. And so, as we start to work as a Town Council and as a Planning Commission, I want us to be able to look at the current zoning, and also the future zoning of areas that we're planning to annex in and how we want to facilitate those in favor of the property

owners of today and tomorrow. We've got about two minutes before we end this. Are there any discussion points, you want to kick up before we close?

Councilmember Cundick: Well, is the appropriate vehicle right now to put that into our general plan?

Mayor Hoster: It's a living document within the General Plan.

Commissioner Roberts: We have a component on our existing General Plan that does speak of sewer. It's a 30,000-foot level at the time that that General Plan was put together and has not been modified since then. I want to just throw out it's more of a statement than a question. Is sewer a bad thing? Is sewer coming through Leeds a bad thing?

Mayor Hoster: No, I don't think that it's a bad thing. I think that the development that can ensue is the threat that the town is concerned about. The spirit that is been Leeds and will that become a dense population as a result of this sewer coming in? That's the part where I think we have to navigate and manage through zoning. I don't think it's a bad thing, but what can ensue from it could be abused.

Councilmember Hunsaker: Wasn't it stated with the sewers, that in order for that to come through every residence would have to be part of it.

Commissioner Roberts: No. See, that's misinformation that gets pasted out there.

Councilmember Hunsaker. I want to clarify it.

Commissioner Roberts: That actually can be modified to an extent by the town itself.

Mayor Hoster: We're working with the district in dialogue with regard to that.

Councilmember Cundick: We need another meeting.

Mayor Hoster: I think we've kind of hit those topic. Points. Is there anything else that you guys would like to add to the next work meeting? Before we close?

Councilmember Cundick: I would like to suggest we try to identify the respective ordinances that we either need or need to update or change so that we can prioritize those and start working on them.

Mayor Hoster: Okay. Anything else?

Commissioner Hadley: Is there any revenue coming from that 200 acres?

Mayor Hoster: Right now? Well, there would be in the future if it were annexed in years away.

Commissioner Roberts: keep in mind, this is still a potential because that has not been annexed into anything yet. It still is in the County. I'm supposing here, I know we need to finish up for Planning Commission Meeting. I'm supposing that because they're trying to pull in a big chunk of public lands that needs to be resolved before the annexation because that's how you pull those up public lands in with that annexation. It has to be the property owner that pulls out in. It cannot be the municipality.

Mayor Hoster: Right or adjoining property owners.

Commissioner Roberts: Adjoining property owners or the one with the majority of the size that can cause others to be annexed in.

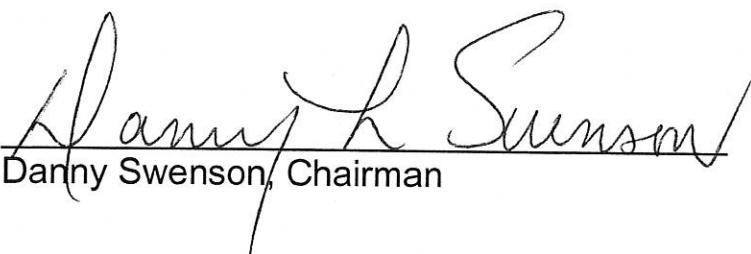
You are going to send out the list for the roads and stuff, right?

13. Adjournment 7:02

Approved this Eleven Day of May, 2022.




Bill Hoster, Mayor



Danny Swenson, Chairman

ATTEST:



Aseneth Steed, Town Clerk/Recorder