

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, February 8, 2023

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, February 8, 2023, at 7:00 pm. The Town Council will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

Regular Meeting 7:00pm

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Invocation
4. Declaration of Abstentions or Conflicts
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting Minutes of January 25, 2023
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
 - a. Residence interested in participating in Leeds booth at the Washington County Fair can contact Ken Hadley or Rhonda McLaughlin
7. Public Hearings: None
8. Action Items: None
9. Discussion Items:
 - a. Discussion Regarding 2022 Road Maintenance Plans
 - b. 2023 Second Quarter Budget Review
 - c. Unrestricted fund balance transfer
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 7, 2023 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.



Aseneth Steed, Clerk/Recorder

Town of Leeds

Town Council Meeting for Wednesday February 8, 2023

Regular Meeting 7 PM

1.Call to Order/Roll Call: 7:00

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
MAYOR: BILL HOSTER	X	
COUNCILMEMBER: DANIELLE STIRLING		X
COUNCILMEMBER: RON CUNDICK		X
COUNCILMEMBER: STEPHEN WILSON	X	
COUNCILMEMBER: KOHL FURLEY	X	

Pledge of Allegiance

Invocation: Mayor Hoster

Declaration of Abstentions or Conflicts: None

Approval of Consent Agenda and Minutes Tonight's Agenda
 Councilmember Wilson moved to approve tonight's agenda of February 8, 2023.
 Second by Councilmember Furley.
 Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING				X
COUNCILMEMBER: RON CUNDICK				X
COUNCILMEMBER: STEPHEN WILSON	X			
COUNCILMEMBER: KOHL FURLEY	X			

Town Council Meeting Minutes of January 25, 2023

Councilmember Furley moved to approve meeting minutes of January 25, 2023.
 Seconded by Councilmember Wilson. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING				X
COUNCILMEMBER: RON CUNDICK				X
COUNCILMEMBER: STEPHEN WILSON	X			
COUNCILMEMBER: KOHL FURLEY	X			

Citizen Comments:

Bart Tanner: I want to file a complaint on the it's 332 Silver Meadows Road. They are running auto repair business there and they've got constantly vehicles tore apart, the engines, the rear ends everything laying out there is just an absolute eyesore that something needs to be done about this. I mean, this is a second complaint I've done, and it's gotten nowhere I mean it's just ridiculous how bad it is. It's embarrassing when I have company come. The first thing they do is comment about how we live by that and it's horrible. It's almost as bad as my neighbor across the street with all his cars parked there that are just junk that he put there. Just See that we must look at it. Okay, we need to do something about it. And that's really all I've got to say.

Georgia Tanner: I'm also here to lodge a complaint against the property just spoken of if you gentlemen want to go there this evening, there are five 80's series Ford Broncos parked around that house. There's actually an engine laying right by the street. There are various tops, doors, hoods, scattered about that property. You'll see two Conex boxes that contain Ford Bronco parts. This is not a chop shop. I don't even think it's an auto repair place. This guy specializes in Ford Broncos. When they first moved there it was Ford F-150 trucks. And now it's at series Ford Broncos. We launched the first complaint on this home over a year ago when Mr. Peterson was our mayor. And we have lodged this complaint since Mr. Hoster made mayor. At some point in this town, we need to find some sort of ordinance that has some teeth in it that is enforceable to stop this kind of its kind of a decay. There's another home on Silver Meadows Road right before the turn, where you'll see nine vehicles sitting outside the home. And four inside two garages. At some point, again, we have to have an ordinance that has some teeth. And that's all I can say I hope to initiate some sort of discussion with our town board that allows us members to be represented or spoken to, in some manner. In the whole time we've launched this complaint. We've never heard from anyone. That shouldn't happen. We're residents also.

Mayor Hoster: Thank you. I'll go ahead before we continue on with any more citizen complaints, you bring up a great point about the ordinances and I'll address that. So in looking at this property that the issue is that the only thing the town can do is provide a letter. And that's it.

Voices: That is not enough.

Mayor Hoster: Well, I agree, I couldn't agree more. The town has solicited our town attorney to provide ordinance which would allow the existing ordinances to have ramifications and teeth in them. And the process of doing that has been a little bit lengthy. But it does provide us the ability to have stages on civil matters that are escalated into a criminal matter. We've had them presented before Town Council. They're under review right now with our city attorney, and then we're going to be voting on those. But those have to be in place for us to be able to do anything and this isn't the only property in the town that that we have had to exercise this with.

Georgia Tanner: I respect and admire that you're doing something sir. But it's been over a year since our first complaint about this exact property. These exact people. There hasn't been a sale the home. It has not switched hands. This is the same complaint lodged to this board over here. I've been patient I've been respectful and still am Thank you Something's got to be done over a year. And you're telling me what Wayne Peterson told me over a year? That's not? No, that does not right. That doesn't seem timely, professional, or fair. Thank you.

Mayor Hoster: I respect that. And you know, the circumstances that we're faced with is, we can only do what the law allows us to do. We're not an HOA, we can't go over there and fine them. We do have state, county and federal law that dictates what we can and cannot do. The process of being able to put these teeth in place has been my understanding was brought up before the town about five years ago, we have brought that back before the Town Council to try and implement those things. Now, I will tell you that the town acted immediately upon receiving your complaint, and Robin's complaint, the Snyder's complaint, and we've received some other complaints about this specific property. The only things that we're able to do, again, we're able to write them a letter, we have brought them in and explained the entire ordinances to them, specifically, and done all that we can on a civil matter with us. Anything from that point on must be done by you, with the sheriff's office, or through civil court, where you bring a filed complaint against that property owner for violations. Now, those violations must be against you or your personal property. And I can't give you legal guidance on that. But we're trying to avert that and make it so that the town can go in issue citations, and ultimately force this property owner to comply with the ordinances that are set in place to protect all property owners, their neighbors and themselves. And so, I assure you, it's not something we have just shelved for the past year. But it is something that it is a process. And we have been very adamant about trying to get it in place.

Bart Tanner: So how much longer you thinking?

Mayor Hoster: I'm hopeful that and there's some extenuating circumstances with our legal counsel right now. But I'm hopeful that we have it before us for the next Town Council to all look at and vote upon the actions that we've tried to take have come so far come to two points where we have said, we need to modify some of the ordinances so that there's no criminal penalties associated with it, that were objected to by some other council members. But we have brought that all in accordance with all the council members to a point to where we believe I can't predict what the vote will be. But it will be a unanimous vote, and we shouldn't have any problems. But we've had many work meetings that have been completely centered around just this, that had been reviewed by all council members, all of the Planning Commission, and our legal counsel and our town planner, and trying to make all of this so that it does stick, and it's not impeding upon anybody's rights.

Bart Tanner: I know of at least three other people have met with our neighbors.

Mayor Hoster: And they have heard the exact same thing. The only thing we're able to do is, like I said, and we write them the letters every time and we visit with them and tell them, but that is all we're legally able to do until we can get an ordinance

passed, that allows us the teeth to go in and start to implement fines and ramifications for them not complying. And then we have an escalation if they don't comply after those violations have been cited to the property owner, we have an escalation process that's in place, and that's fair. But it is something that's also a cost to the town. And that's something else that the town has had to it was in our newsletter was that our town must absorb now. We have to we have to actually hire an enforcement officer; we now have to hire a hearing officer. And we must have all these processes in place. It's not something we can just turn a switch on. I apologize that it has been here almost that we've been able to start to say we're going to look at all of this and try to get it all in place. We have no resources right now. We don't have full time people to do these things. But we are working with our legal counsel to try and get that and our Town Council to a point where we can fairly do this within the legalities of the law.

Robyn Snyder: My complaint is about the same address. My question is some people think that they're running a chop. Well, when and where it's considered a junkyard? I mean, my uncle owned a junkyard. Junkyards was like a body out there, no motors and stuff. Well, this is what we've got now, over there. Right on my property line, I come out my front yard, It's that whole area right there. That is my front yard. It's really bad to look at that.

Mayor Hoster: That is undeniable. We've provided I think at least six ordinances that are in constant violation right there. Not only with the parking, but with the trailer out in front of their property, with the vehicles that park along the streets, and how many vehicles, they've got. The occupancy of the garage, which is not supposed to be in place, and I think there are several others. And all we can do is bring that to their attention, until we can get the ordinance in place to where we can start to find them.

Snyder: If you don't mind me telling you this, that the word is, is that he's telling people that you told him, it's his property, and he could do whatever he wants too on it.

Mayor Hoster: That's hearsay. And I cannot entertain that. All we can do, I'll rephrase it again, we can only stay compliant within the law and provide them with notification. Once we get a notification of a violation, we look into it, we provide them with the information, and we say, please rectify it within these number of days. But we have no teeth. And that was brought up, you know, substantially as to why we enact it. And it's, it's cost the town 1000s of dollars, just to get our legal counsel to provide this ordinance for us to start to get the teeth in, but we're doing it because we think it has to happen for all property owners.

Snyder: I know we had that meeting, you told them, and nothing's been done. Just to let you know.

Mayor Hoster: Thank you. In that meeting, I don't know if you know this, but the town wasn't required to have a meeting and bring them all in for discussion, But we did it to try and exercise more pressure into trying to do the right thing. It obviously hasn't worked. We're kind of handcuffed a little bit. I apologize. I understand the frustration. I sympathize with the situation, I really do. And I don't doubt the rest of the Town Council sympathizers the same. You're welcome to speak as well. But I've kind of consumed this because I've had to spearhead all of the legalities

for us to be able to bring those ordinances into place to effectively pursue remedy of the situations.

Bart Tanner: So, if we have to hire an officer to do an ordinance officer or whatever, I mean, that's what you have to do, right? To get this resolved and have ordinances, he can do something about.

Mayor Hoster: Absolutely, we I agree with you. And I think you'll find the rest of the city council does too.

Tanner: That's been part of our taxes. With all the people who live here would be a very small amount. In reality, it's not like it will take a fulltime officer.

Mayor Hoster: We hope not. Any other comments counsel?

Councilmember Furley: Not that I can think of. You said that this isn't a new homeowner? This is somebody that's been around for a while.

Tanner: The ones that were there before him were really bad. That was horrible. And Wayne finally got some people to go clean up. And they were attorneys and they had their file cabinets and all their paperwork and junk and I mean, it was horrendous and they went over there with a group of the whole bunch of people but then these people come in and they're every bit as bad if not worse.

Councilmember Furley: I assume that this probably continues on to some later hours of the night.

Tanner: I have not had a noise disturbance or something of that nature. If they're on task, they stay on task and complete it and shut it down.

Councilmember Wilson: I'm familiar with the situation. I haven't driven past for a while to see but I know the people. I know them fairly well and the previous people I knew fairly well do so I'm aware of that situation. Just because I do happen to know them fairly well. On their side, I'm not saying it's okay to be strung out and the cause a mess. Don't get me wrong by what I'm saying here, but I do know that they are helping their kids learn how to switch engines out and its valuable things that are learning, they just need to do in a way that's not going to impede on neighbors They need to find a better way to do it, probably. They are not running a chop shop, I guess what I'm saying they're just working on their own vehicles and repairing them. I'll go by and look at it too. Because I haven't been gone down that street for a while.

Tanner: How about work out of a storage unit somewhere? Those are not their own vehicles. I differ with you. There are five Ford Broncos in various states.

Mayor Hoster: We'll be adding those pictures to the collection. But we have almost a year's worth of evidence of violations now with just that property.

Voice: I have pictures. I'd be glad to share with you.

Mayor Hoster: Absolutely your welcome too. I can tell you that. Once we implement an ordinance, we're not able to go retro, which means we're not able to go say you broke the ordinance before this was done. But we will, you know, be able to say, according to the way this works. Now, here's your violation. You have this many days to resolve this.

Tanner: It is an escalating situation, and it gets worse as time goes by. It's not going to get better if somebody doesn't intervene.

Mayor Hoster: Thank you for your comments. Are there any other public comments before we move on?

Announcements:

- a. Residence interested in participating in Leeds booth at the Washington County Fair can contact Ken Hadley or Rhonda McLaughlin

Rhonda McLaughlin: Ken Hadley has put up a flyer at the post office, he had gotten absolutely zero responses on it. So, at the Planning Commission last week, I volunteered to put something up on Leeds family fun. I've gotten maybe a couple of comments on some ideas. But my understanding is if we move forward with this, it would be a 10 by 10 booth at the fair that we would have to go in and provide whatever we put in there. I don't know if it's a booth that we have to have somebody constantly there. So is it being your understanding, it would be just we'd come in and we'd set up a booth and it would just be we wouldn't have to have somebody there constantly.

Mayor Hoster: Let me read you Commissioner Ivie's email from Washington City.

Is the goal of the county fair to have every city represented fair with a display that represents your city's attributes historical uniqueness, or some other defining characteristic that identifies you from other cities in the county. Traditionally, each city is provided or created a quote seed picture for the Washington County Fair, however, any kind of displays welcome.

Yes, it is a ten by ten. If they're creating a seed display, they'd like it transported by the Thursday prior, on April 6, but no one needs to constantly be present for it.

Rhonda McLaughlin: Okay, I was just wondering, because if we put, if we provide some, like historical things on display, whether they were going to be, they'd be protected at the fair so that no one would harm them. Or I don't know if we need to physically build, you know, like a display booth where we put pictures on there. I mean, I have no experience in this at all. And I don't know if the city puts has, like a budget we'd want to spend on it. I mean, I have really lost on it, because nobody's really reached out to either guy, Ken's not here. So, I haven't touched base with him. But the other thing is Ron said the fair also reached out to him with a museum about a booth. So, I don't know if they'll have two. The museum is a big part of this town. Yeah, that it should probably be a combined booth. But I don't he's not here.

Mayor Hoster: I don't know what his feelings were on that. He's up in Salt Lake tonight. But it seems to me like something. Let me talk to Ron, and let's make it one booth and see if we can just do it about the museum and get it coordinated. That work?

Rhonda McLaughlin: Yeah. And what I would like to see with the ideas is, I know a lot of people in town probably have a lot of great ideas, maybe picking a time that maybe we could have posed that to come down here, and kind of just doing a roundtable and everyone throws in their ideas. And then from there. So, I think I think that would kind of get us started in the right direction. Because I think I think it would be great if we had a booth at the fair.

Mayor Hoster: If you want to pick a date on that, we'll make sure that everything is open here. And then I'll contact Ron and have him reach out to you as well.

McLaughlin: Okay. I'll get together with Ken and see what works for him. And then we'll pick a date and see if we can get some people down here. And on the Leeds Family Fun. There's been some comments. So, there's already some ideas thrown over home. So, and I think if we combine it with the museum, I think we can get something done too. So

Mayor Hoster: I agree. Thank you for doing that. Really appreciate it.

McLaughlin: Okay. You're welcome. Really appreciate it.

Public Hearing: None

Action Items: None

Discussion Items:

a. Discussion Regarding 2022 Road Maintenance Plans

Mayor Hoster: There was a road maintenance plan that was created for 2015 to 2022. It was a plan that was hired out by a third-party consultant to identify which roads should be serviced when and that plan has since expired. And so, the discussion item counsel is for us to identify if we want to hire another consultant if we want to do it ourselves. And or have any other ideas, but this plan has since expired.

Councilmember Furley: Maybe what does it cost to have a consulting firm do that for us?

Mayor Hoster: I don't know what they paid last time. We'd have to go back and look at the 2015 budget and see what that cost was.

Councilmember Furley: Just to confirm that consulting firm is just going to give us a report. And then we would still be hiring for seeking bids to do the work.

Mayor Hoster: Yes, this just identifies when we should do what.

b. 2023 Second Quarter Budget Review

Mayor Hoster: We have here the 2023 second quarter budget review. Nothing has changed on this council. This is just a matter for your discussion. If you have any questions or items on here that are of concern for you. If you'd like, we'll take some time and review it. Keep in mind, we're on a fiscal budget not A and not A calendar. And so, we're pretty much coming up on the six-month mark. And so, when you see these 50 percenters on the side, that's pretty standard there. We've gone through almost all our water expenses saying what their celebration expenses.

Councilmember Wilson: What would have caused that water expense to be already expended? Are we just low on it? Because I don't know water went up?

Mayor Hoster: What's interesting is it's the cemetery. So, I wonder if I know again, Tony was looking at the water had been off there. And he was going to replace the valve system so that we could have water or not.

Aseneth Steed: I can speak to that. There was a leak in July. That was the catalyst for the justification to purchase Flume apparatus for all three water meters. That expense will not reflect in next year's budget.

Mayor Hoster: Fuel, obviously 25% higher than it should be right now. That one's a little concerning. The audit did exceed what it should have. Do you have any thoughts on that you can share with this?

Aseneth Steed: Inflation on the fuel. Last year's audit was later in the year. Payment of the expense reflected in this fiscal effecting the budget.

Mayor Hoster: We are at ninety-eight percent of our legal budget. That was addressed in a work meeting with the litigation or is the closed meeting actually on the litigation dialogue with our firm.

Councilmember Furley: So, on this page five or six, down there on highways and streets there's a 4401 highway and street wages. And then just below that there's a 4601 for Public Works wages are those both Antonio?

Mayor Hoster: Yes, combination of the two lines. Dumpsters 120%. So significant they're out of line. All the others look in alignment overall on the total we are it only 15% of the complete spin on the budget for the today.

Councilmember Wilson: Looking at it, overall, we're still in really good shape.

c. Unrestricted fund balance transfer

Mayor Hoster: The clerk was trying to explain to me the unrestricted fund balance transfer, I kind of understood it. But I don't think well enough to explain it to council. And so, I'll ask, if you'll kind of just share with us there was, there was an audit that was done, the auditor came back and said we needed to facilitate this unrestricted transfer fund process.

Aseneth Steed: This is an annual transfer facilitated by the audit. The auditor gives us a number each year of the amount of funds that are to be are moved. It is regarding Capital Improvement, to become compliant with state statute that regulates we maintain around a 75% balance of the General Fund.

The unrestricted fund balance transfer is addressed as an agenda discussion item for compliance.

Councilmember Wilson: That's already taken place then?

Aseneth Steed: It is being addressed tonight. The mayor makes the transfer as per the finding from the annual audit.

Citizen Comments:

Rhonda McLaughlin: I wanted to address a couple of things off Main Street. So, we're the were the post offices and you come around from Silver Reef and the highway there is a stop sign before you would turn on to Main Street. We live on the street right across from Roundy Mountain. We frequently walk over to get our mail. I don't notice a lot of people adhere to the stop sign when they come around. I mean, I'll look one way, I'll look another way, I'll look that way three times. I've started across the street after I've looked, and I've had to run across the street because people come around past that stop sign going from Silver Reef Road. When you come off the highway so I don't know if there's something else, we can put on it. I mean, I've seen, years ago, a stop signs in Duck Creek, that said Stop, This means you. I don't know if that would make people do it, or if you just or maybe it needs to be moved because it's not in the right place.

Mayor Hoster: I think it gets convenient. And we probably just need to let our Sheriff's Office Go to pay attention there. And then once they start seeing that action, they'll start paying attention to the traffic sign. Yeah, but I know you're talking about.

Rhonda McLaughlin: Okay. And then on the on the south end of town where you come in, in the welcome sign, when does that road actually becomes maintained by Leeds?

Mayor Hoster: Not at all. It's a Yeah, it's all owned by UDOT.

McLaughlin: Okay, so coming into so coming into town, and now coming down the frontage road, because now the frontage road goes all the way through, so we get a lot.

Mayor Hoster: So, it's right at that freeway exit all the way up. And that is the line for Leeds is just right past that.

McLaughlin: Okay, because we get a lot more traffic coming down the frontage road now than it goes through. And a lot of cars do not get 35 miles an hour. This week, I saw a truck barreling down, especially when the roads were icy. And there was a car coming off the highway that didn't even see them coming. And I don't know how they didn't get hit. But they survived it. So, I don't know if there's any if that if it if it's not maintained by us, there's nothing we could probably do to put up any more signs or slow down there. So, thank you.

Mayor Hoster: We will let the sheriff's department know about that one too. They do monitor that.

Troi Hoster: Yesterday, I went to the Transportation Expo, and I just got a couple of maps. One of them is for transportation plans for the area. And it's like the whole county area.

And then one is a trail map plan. It goes all the way to 2050. So, I just brought some extras to put in the town hall. So, if anyone wants to look at those.

Mayor Hoster: Thank you!

Snyder: I have a question about the noise at night like when neighbor had a bulldozer going like at 10:30, 11 o'clock, I go to bed with the chickens and get up with the chicken. And I mean it was the most horrible noise I ever heard in my mind. It's like bedrooms on the backside of you know, here's your property. And is there a noise ordinance or anything that when it comes to that, I mean it was a big old bulldozer too.

Mayor Hoster: Yes, we do have that after 10 o'clock. There can't be any noise exceeding a certain decibel past their property line but that would be something to call the Sheriff's Office on.

Bill McLaughlin, I also went to the transportation Expo, and it'd be somewhat of interest 20 years from now that one of their planned but not funded projects is to go from all the way north all the way through Babylon Mills Road. They're going to tie it into the 17 and possibly another road. It's just now they're 30-year plan? I think it was listed, but it showed it 20 years. I don't know I forgot to bring papers. I thought it was interesting. An alternative was on the backside of Quail. That's been discarded.

Staff Reports: None

Councilmember Furley motioned to adjourn.

Adjournment: 7:48pm

Approved this twenty-second Day of February 2022.



Bill Hoster, Mayor

ATTEST:



Aseneth Steed, Clerk/Recorder