

Town of Leeds

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

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, March 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. Invocation
3. Pledge of Allegiance
4. Declaration of Abstentions or Conflicts
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting Minutes of February 22, 2023
 - c. Joint Session Minutes of February 22, 2023
6. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
7. Announcements:
 - a. Easter egg Hunt, Saturday, April 8th 9:00am at the Town Park
 - b. Nominate an outstanding resident to receive the Annual Civic Service Award to be presented at the Easter Community Event.
8. Public Hearings: None
9. Action Items:
 - a. Discussion possible action regarding conceptual plan for a booster pump station facility presented by Water Conservancy District consultants Aaron Anderson, and Randy Johnson
 - b. Action regarding Administrative Code Enforcement
 - c. Action regarding Town of Leeds Consolidated Fee Schedule
10. Discussion Items:
 - a. Red Cliffs Area Sewer Project Overview / PID Discussion applicant being Eugene Gordan, Inc.
11. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
12. Staff Reports:
13. Closed Meeting- A Closed Meeting may be held for any item identified under Utah Code section 52-4-205.
14. 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 March 6, 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, March 8, 2023

Regular Meeting 7 PM

Call to Order/Roll Call: 7:08

ROLL CALL:

	Present	Absent
MAYOR HOSTER: BILL HOSTER	X	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____
COUNCILMEMBER: RON CUNDICK	X	_____
COUNCILMEMBER: STEPHEN WILSON	X	_____
COUNCILMEMBER: KOHL FURLEY	X	_____

Invocation: Councilmember Wilson

Pledge of Allegiance

Declaration of Abstentions or Conflicts: None

Approval of Consent Agenda and Minutes Tonight's Agenda

Councilmember Wilson moved to approve tonight's agenda of March 8, 2023.

Second by Councilmember Stirling.

Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR HOSTER: Bill HOSTER	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	X	_____	_____	_____
COUNCILMEMBER: KOHL FURLEY	X	_____	_____	_____

Town Council Meeting Minutes of February 22, 2023

Councilmember Wilson moved to approve meeting minutes of February 22, 2023.

Seconded by Councilmember Furley. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR HOSTER: Bill HOSTER	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	X	_____	_____	_____
COUNCILMEMBER: KOLE FURLEY	X	_____	_____	_____

Join Session Meeting Minutes of February 22, 2023
 Councilmember Wilson moved to approve meeting minutes of February 22, 2023.
 Seconded by Councilmember Furley. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR HOSTER: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: STEPHEN WILSON	X			
COUNCILMEMBER: KOLE FURLEY	X			

Citizen Comments:

Lynn Potter: Last session, Councilman Cundick asked about the prices for septic in the area as a comparison. So, I thought I would do that workup. I called several different outfits. Typically, for conventional septic system in this area, depending on the complexity, and the PARCC test, it runs from 10 to \$20,000. Okay, and if you can do that yourself, it's a lot cheaper. Okay, it's like a quarter of that price. Typically, if you pay someone else, it's 10 to 20. And that depends on the PARCC test. That is what's going to create your cost because of the size of the Leitchfield. Okay, these are costs for a standard three-bedroom home. I didn't ask for anything bigger or smaller. For an alternative system, I got quotes for 22 to 32k, depending on the complexity of the system. Okay, they don't have as much problem with the PARCC test because the water is cleaner when it comes out. If you can, again, do it yourself and their ally office to let you do it yourself, that cost comes down to about a quarter of what they quoted. If you had to have a pump, with a tank, and you had to pump it up to a mainline. That is everybody on this side of Main Street. They could do that. They could pump into the sewer lateral. If there was a sewer lateral out here, they could pump into a sewer lateral directly. They could have their own pumps, and then it's runs 15,000 to 25,000. Then you also got to have the electrical run out there. So, the truth is, you're probably talking about three to five grand, okay, and that's just for the pump, not counting the sewer laterals and sewer laterals, digging up streets that can be very expensive can be 10 to 15 grand. Now, anybody passed the first line of homes, you're not going to want 100 different lines that are up there. From past the first lines, you're going to have to want to run that all to a central line and have a central pumping station. And I guess that's what this fellow here, is here to talk about the central pumping booster pump station facility because that's what the town would have to have its own pump station because after that first line of homes, everybody would want to run down onto their own lines and then on Main Line, okay, because otherwise you'd have 100 different lines on 100 different pumps and it'd be tearing up the streets and BS. The suggestion about the Conservancy's idea, pay for the extra cost, the difference between an eight inch line and a 12 inch line. Well, in truth, you know, that would probably only

make sense because everybody on that side of Main Street is gravity There may be some problems with Hidden Valley. I don't know if you want to Include them because they're not in the city limits. And in truth the cost difference, it adds up. Tragically, what the town has spent on fighting me and in legal procedures regarding the hillside ordinance, it probably would have paid for it. Okay. That leads into another part that I'd like to talk about real quick.

Mayor Hoster We are about four minutes, Lynn.

Potter: Are we?

Mayor Hoster: Can you wrap really quick?

Potter: I can. Back in October, the town asked to negotiate with us. Okay. And we said, Yes, November and then the Town Council cancelled for some reason. Okay. Recently, there was a dismissal. And we're filing the appeal on that. I hope you guys have hired an appeal lawyer, because that's going to be really expensive, more than what Craig normally is. We just filed what's known as a deck action tonight. Okay, we've been working on this and this cost about 15 Grand. What a deck action is, is it asks a judge to, are these things that the town did, Are they illegal? And what are the town's rights? And what are our rights? And I would like to pull one out in particular, that you don't want to lose? I mean. Really.

Mayor Hoster: Okay, I think, we went over. We've gone over and this probably something that's not applicable during public comment.

Potter: Well, I think it's important, the town knows what you're spending the town's money on. I asked for a three-minute extension. Robert's Rules of Order, I can ask for a three-minute extension.

Mayor Hoster: We can also deny it. That's a conversation, Lynn, that we've gone through with legal, we've also had in closed session in work session. So again, public comments, we try to keep them to about three minutes to respect everybody's time here. More than happy to have the conversation with you, though, at another time.

Potter: You don't mind if I stand up at the end, with my three minutes then?

Mayor Hoster: Sure, that'd be fine.

Potter: Okay, I'll be back.

Ralph Rohr: I'm here with my Geiger counter. Back in 1995 an official survey of the proposed Silver Pointe development site out here concluded that the radium 226

in the in the soil and the gamma exposure rates throughout the site recommended that the entire area within the boundaries be recorded with the County Registry as elevated radioactivity area and exclusive of residential development. Back in 2001 article in the Deseret News details about Utah firms. I think that's development firms are delighted that they can now do voluntary cleanup sites and not have to go with the Superfund site regulations of the federal government. This site has been reviewed several times with official radiation detection, very detailed, and we were talking about Buckeye Reef over here on the opposite side of the freeway. So back in 2014, when I started hearing about that, we're going to try and develop that site again, I took my Geiger counter up there and I also took it around a lot of other areas around here including my own neighborhood. The air the radiation up there is elevated 10 to 15 times the background count for my home in Silver Reef and homes down here. That's well within the cancer causing rate if you live in a place and stay there for a significant period of time. However, that site once again, despite the recommendations that have shot have shown the radiation recommendations that have been made in the past is once again apparently up for residential development, not commercial. Supposedly, this is what is being noised around on among people with authority and I can't say who but supposedly that is an approved done deal now. That to my knowledge is not the case. Furthermore, the remediation has not taken place. I visited the site again, nine years later, just this past week, with my Geiger counter, there is still there's been no covering of anything no doing of anything up on top of that roof, which is where the primary residential development Silver Pointe has been proposed, there is still the same large open pit. And as I descend down into the radiation just keeps climbing. There's been rocks thrown around and fence put around the big Derrick out, there was a call the large frame. And it's very interesting running down through that there are lots of water runs galleys coming on down. And as I stand up on top of the wreath and look down toward Leeds, the water is also running galleys down. And there is an accumulation of water on the ground, on this side of the reef, on that side of the freeway, and many areas of greenery coming up to the freeway, and I think probably the water that is draining off of that area is actually coming under the freeway to homes and places on this side of Main, of course, that would have to be studied. That is just my surmise when I look at that, knowing how water runs downhill, but it could be drained down from up there.

Mayor Hoster: About four minutes.

Rohr: My concern is that if this has been rumored around that this is a done deal. It is not so. Furthermore, when they go to excavating, there's going to be a lot of dirt and everything else in the air containing this elevated radiation count that surface contamination will drift homes down here, up there everywhere, it will not be limited to the site. And if they pump water with fire hoses, it's going to run it down to wherever the water runs to. So I think that citizens need to be aware. And any monies go to committees or whatever. Speak your mind because this is a long-term contamination. The other thing you need to know about this voluntary

cleanup are many things but I haven't got the time but all they have to do is covered up with six inches of soil. Well How deep are footings on a house? And how are you going to tell the child that he can't dig a hole or dig out in the dirt or run around out there? They fenced off the mine opening, so they won't get in there. But there's when they do roads? How do they get rid of the contaminated radiation material? Well, they got three choices, they can cut it off. That's expensive.

Ralph, I got to cut it off. We are at five minutes.

Rohr: There, they can bury it, or they can put it in the road. So, every time you dig up the road, you're going to be picking up radioactive material. So, I would say that citizens you need to be alert in the meetings and speak your mind. Thank you.

Councilmember Furley: What are the readings that you're getting? Are they in milligrams?

Rohr: Milligrams, Yes. That is 10 to 12 times what the background is. There's got plenty of documentation by professional engineers have gone up with a quad and un-metered on the ground and all of that area as high radiation. That's what was recommended no residential.

Craig Hall: Mayor. This is Craig. Can I interrupt for a second? For those in attendance, I would direct you to the Department of Environmental Quality under D E R, put in the terms Silver Pointe. There's a whole electronic file on this on that particular website. The last entry when I looked about 10 days ago, was a site management plan. I would encourage everybody to go and look at that. So, you go to DEQ, Utah Department of Environmental Quality DERR put in silverpointe. And if you have questions, the site manager is David Bird I think that information would be very helpful for all of you. That's all I have, Mayor.

Mayor Hoster: Thank you, counsel.

Rohr: That's where I got a lot of my information problem.

Mark Cain: Hi. I'm a Washington County resident and frequent visitor here in Leeds. And I'm going to piggyback on this gentleman's comments. To just so happens I have a background in medicine and longtime work with a government agency and I made measurements today. So, I have fresh measurements of my Geiger Mueller counter is calibrated in that area on the ridge and the rocks themselves across the street over by the recycling center, you have 150 counts per minute, which is I use milli sieverts. So that's about a 10th of a chest X ray an hour. If you're sitting on the rocks, that's probably from the dust coming across and getting in the little nooks and crannies. Of course, we've had rain and snow. So, during the summertime, I expect much higher readings along the, the edge of the highway here on this side of the fence. up on the ridge today in the pool area where it was excavated, I had an 1100 counts a minute, which is about 1.1

millisieverts, that's a chest X ray an hour. So it's hot, it's been hot, it's been hot for the last couple of years that I've been looking up there. And even with the snow, compacting it, that's without playing with the soil, I did see probably your footprints, and you were walking in a chest X ray, an hour. Wipe your feet. My concern, folks is that the airborne particles that you can't control with all the kids that have been out there playing and that's why I started looking all the dust during the summer, they're breathing that in, and that's going to get down into the deep parts of the lung. I don't know if it's public information. But I understand the gentleman that did the remediation, the tractor operator died of lung cancer, which goes along with what I would expect from anyone living in that area. Frankly, honestly, I have no skin in the game. But who would buy a house at a Superfund site, particularly when all your playground around there is hot as a firecracker. I've talked to her region eight, EPA about this because I'm concerned just coming through and recreating here, that nobody knows about it. I mean, even folks that bought houses up here, it wasn't disclosed that that was a Superfund site at one time. So, the area that was mitigated is, is a little bit about background, but well within reasonable levels. The air is around thirty-four counts, which is normal, just about everywhere. That's, okay. So the street and the area that they did mitigate is covered. But once you get out of there, all of the rocks, all of the soil, all of the dust is blowing across the freeway over into this side. So I suspect, if we surveyed the homes here, you'd be well above background levels on the dust. So just to let you know, he's correct.

Mayor Hoster: Okay. Thank you very much.

Martha Ham: I live in Silver Reef. I want to thank you for that many downwinder presentation. So, I'm going to talk about something else. I want to thank you for your service. I don't think there's a one of you here on this council that is in it for anything but to serve and I appreciate that. You have a really big challenge before you because all of this growth is starting to happen at once. And I know you're going to figure it out. But you need our help with bringing up some issues. And this is an issue I want to bring up. And that is that we are keeping in step with improving our infrastructure as we're having all this residential growth or potentially this residential growth, and specifically to run and Bill our side of the interstate and I live in Silver Reef. We have one exit out. Now I have two four-wheel drive vehicles. I will get my tail out of there. If there's a chemical spill, and that could happen. I think we all realize that we're right here on I-15 We have a chemical spill, we have a fire and we block off our Silver Reef road or we have a wildfire that just really consumes and moves really fast. We know that can happen. And at this point is we're adding more homes I asked you to really be thinking about the risk to our community. We don't want to be a Paradise, California, or East Palestine, Ohio. But we've got the makings, the possibilities for that. And it's important for us to keep in mind, I'm counting on you. Thank you.

Susan Savage: I want to echo what Mark has said about your service, and hopefully needing our help. My experience over the years with agencies is that they're

looking, they're taking a satellite view. Like the Conservancy District or other agencies, they have big projects spread over a big area, Ash Creek, service district, and so on. And so, it's incumbent upon us to do the detailed work. So I have kind of a little property here, but just following up on some statements that have been made in recent meetings. And then as a little background, the Washington County Water Conservancy district's population projections come from the Kim Gardner Institute study at University of Utah. And that's based on private property that's owned in this area. And that private property comes from I believe it was 1862, when the government acquired the western part of the country, and incentivize people to come and settle here with homesteading agreements, if they lived on the land, they'd get 160 acres. So, there's a lot of private property around here. And at the time, they weren't thinking about putting houses in for water. So that's what that's based on. It seems like maybe most people don't understand what is meant when people say, we're doing a development and we will bring water, which sounds like they're going to bring water. That's the opposite of what it means. What it means is the state grants, water rights. And so when people say we have a water right in this area, and we're going to bring it into the Leeds area, what they're saying is, we had a right to pump it out over here, we're going to discontinue that, and instead start pumping that amount of water out of your area. So all water rights that are moved into our area are not adding to it there's subtracting our groundwater. It was stated, I think, in the Planning Commission meeting that the Cottam Wells have been maxed out. And I just want to say that would give an incorrect impression that the Cottam Wells it was stated that the Cottam Wells have a lot of water, that the district can't use any more water because they've maxed out their water rights and that's the key thing. That does not keep them from buying additional water rights and applying to have them into the Cottam Wells and therefore pumping more out that I'm looking at you Bill, I hope no one's offended that I'm not looking along the line, it's just easier for me to keep my thoughts straight.

It was also stated that the Ash Creek Reservoir pipeline is about halfway installed. That's from the, what's called the leaky old reservoir Zach calls it at the top of the Black Ridge and then bring water down for Toker. And I want to emphasize that the district's application to the state to be able to do that has not been approved. And I called the state engineer to see if they have an update on the status of that and they don't. So that's still the pipelines being put in, but they don't have the permission to bring the water down. A number of us protested that. And the reason that we did the Ash Creek that the Toka reservoir, which was called Anderson junction reservoir, has been on the table for decades. A couple of weeks ago, we were in a talk about it in a meeting in Ivins. Zach mentioned that they were going to do these new projects. They're popping water down the drain drainage off of the mountain there and closing that in pipelines and bringing this pipeline up. And the reason we protested is that there's no baseline. The reservoir there was created by the freeway in 1960. There's no baseline on what our aquifers were like before that that was long before any of the wells in the area and before the Cottam Wells. We don't know where our aquifers where the water's coming from to feed those aquifers. And so, once

that's eliminated from that, those seepage areas, we don't know what's happening, what's going to happen and to any of the Wales including the Cottam Wells, and there are a lot of people dependent on them now, so that's why we protested that is my time. Okay.

Rick Holloway: Good evening, Mayor, Town Council, my name is Rick Holloway. I am begrudgingly you're like a lot of us trying to represent not only myself but seven other concerned citizens. So, I want to get this right. We wish to lend our support for your efforts to enact an enforceable long overdue policy for town codes, leads. It's incumbent upon our local government to not only have the authority but the ability to enforce specific guidelines, as they relate to the preservation of property values, as well as the health, safety, and welfare of our community. It is important that this past prevent situations that are currently arising pitting neighbor against neighbor, resulting in confrontations that will continue possibly escalate. By moving forward with this policy you will be covering in a proactive manner rather than continually reacting to citizen complaints. Thank you.

Mayor Hoster: Thank you very much. When Have a seat, Lynn. There is another public comment for you to go on.

Announcements:

a. Easter Egg Hunt, Saturday, April 8th 9: 00am at the Town Park
First announcement is the Easter egg hunt Saturday, April the eighth at 9am. This will be at the town park, last year had a great turnout, we are still looking for some volunteers to assist with this. With this event, I think it's a great opportunity for the entire town to participate together.

b. Nominate an outstanding resident to receive the Annual Civic Service Award to be presented at the Easter community Event.
The next announcement is well, let's see if I'm going to have you help me with this one. But this is to nominate an outstanding resident to receive the annual civic service award to be presented at the Easter community events. So can you give us some a little more on that.

Clerk: This is the award discussed regarding acknowledging an outstanding citizen. And the applications are here in the corner. We're encouraging residents to take this opportunity to give a shout out for positivity. And as the ones that go the extra mile, Kohl can suggest regarding that. The applications and nominations are here in this corner and online. You can turn them in to the office or put him in a Dropbox. The bloom committee will choose who to present that award to this year. It will be an annual event.

Councilmember Cundick: Is there a deadline for the for the nominations?

Clerk: No, all through the year anytime. They can be nominated, to be acknowledged.

Mayor Hoster: It is a great opportunity for us to recognize people in the community. They're really trying hard for the beautification.

Public Hearing: None

Action Items:

- a. Discussion possible action regarding conceptual plan for a booster pump station facility presented by Water Conservancy District consultants Aaron Anderson and Randy Johnson

Mayor Hoster: Considering the fact that the consultants are not available to present this information, I'll add some context to this. It was presented to the Planning Commission and elevated to Town Council but without any presentation, we can review this for discussion or, or action so we'll go ahead and table this.

Councilmember Cundick made amotion to table the action item. Councilmen Stirling Secoded the Motion. Motion passed in a roll call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR HOSTER: BILL HOSTER	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	X	_____	_____	_____
COUNCILMEMBER: KOLE FURLEY	X	_____	_____	_____

- b. Discussion possible action regarding Administrative Code Enforcement

Mayor Hoster: Next Action item is action regarding Administrative Code enforcement. We do have our legal counsel online, Craig Hall. He is going to help us with understanding all of the components of the ACE program, the Administrative Code Enforcement.

Craig Hall: Thank you very much, Mayor. It is a pleasure to be with you tonight. About three months ago, we did an in-person session on Administrative Code Enforcement Program. This is the nuts and bolts of a process by which this that he can go through an orderly process to enforce the various ordinance of the city regarding junk vehicles, debris, trash, other types of situation, weeds, abandoned cars, and other ordinances as the city council deems appropriate. It sets of formal process by which you can notify, if there's no response, then we'll move on to the next process where a notice of violation would be issued. That allows the property owner opportunity to contest that notice of violation and to go through that process. And there's also a process to appeal a judgment from an administrative law judge your area in an officer that the city could engage in also is authority for the city, if you so desire, a process after all efforts by the city to mediate property voluntary compliance by the property owner, In certain cases, it

gives the city the authority to remediate the property was in violation to city efforts. It allows the city recoup expenses and remediating of problems through a collection process, which can end up eventually being a lien on the property to be paid during the property tax season in November. It sets up a very formal, very logical process. The city has adopted many standards that the new expect the citizens to live up to regarding debris, trash, vandalism, inoperable vehicles, and that type of nature. This, this type of process has been adopted in many communities throughout the state of Utah. And it's been found to be very effective in giving, generally speaking voluntary compliance on behalf of the property owner, once they understand that compliance is expected. It does not have to be a heavy handed process. It can be very user friendly, but it does have the ability to require compliance at the end of the process. This in conjunction. The next item on the agenda is the administrative fees and it sets up the amount of possible fee or finding to be assessed for noncompliance with the various standards the City Council has adopted. That's a brief explanation. It's been a couple of hours a few months ago, and I know the city council and Planning Commission have reviewed it. And we've answered many questions. Will there be need for modifications in the future probably as we work through the process, but this is a good beginning to start the process. As the individual indicated in his comments during public comment, truly spoken. I think the citizens expect the city to help keep the city beautiful. I've learned that people in the town of Leeds certainly love their community. I'll be happy to answer any questions.

Mayor Hoster: Thank You Craig. What we have is before us the ordinance for Administrative Code Enforcement. for the purposes of disclosure, I'll go ahead and read the code enforcement as it stands in the ordinance that we've been presented with tonight, and then allow Town Council to direct any questions towards Craig. And if there are any other questions, we can proceed with that this is a very serious matter for the town. It's been prefaced by our Town Council, and our legal counsel. This has been a long process for everyone to go through and make sure that we're doing everything appropriately. So please pay close attention to this ordinance.

Mayor read the draft Ordinance 2023-02, Administrative Code Enforcement.

Mayor Hoster: Those forms are just right back here, Frank.

Beardsley: I wholeheartedly support the ACE program and hope that the community understands the importance of keeping it clean. Let's clean it up, and you try to do what we can to fix it. Thank you.

Mayor Hoster: Yes, Come up. Please keep it pertinent to so topic.

Lynn Potter: So, I've been involved with a lot of these in the past, okay. Things like these ordinances come before towns, okay. And it's easy to be arbitrary and capricious in their enforcement?

Mayor Hoster: No.

Potter: Yes, it is. Okay, because there has to be an allowance for mitigation. Okay.

Mayor Hoster: That was described by our counsel.

Potter: if there is a six-foot fence and it's in their backyard, okay. All of these things need to be taken into consideration. If it's a six-foot fence and it's in their backyard and you can't see it well then. Because if you've ever seen this town from a satellite picture, then there's a lot of other people that have abandoned equipment, or just unused equipment in their backyards. Okay. So how do you define it? Okay, as being a nuisance. And you really do have to define it. Otherwise, it's arbitrary and capricious. Now. My property because it's a flag lot. A whole lot is the backyard. Now. Are they going to allow for mitigation? A six-foot fence? I mean, I'd love to put up a barn. But we're at legal differences right now. So, what mitigating circumstances are they going to allow In this ordinance? Are you just going to pick on anyone that has a tractor in their backyard that hasn't started in a few years? All these things need to be answered. I mean, I have a shipping container in the yard. There's, you look at satellite photos. And there's a lot of people that have shipping containers in their yards. Are you going to go ask every one of those people?

Mayor Hoster: I appreciate your comments. I'll address them and then legal counsel, you're welcome to join in subsequent but what we have here is the ordinances for the Town of Leeds. And so how we would address each one of those is in accordance with how the ordinances are drafted, and adopted by the Town Council, which is representative of the people of Leeds. And anything that is outside of this would be biased and capricious, without a doubt, but therefore, is a process for an ordinance officer to make the assessment that a violation has occurred. And we also have an appeal process with a hearing officer. And so, all of those components allow for the fairness, of judgment to occur evenly. And now if that hearing officer is just picking on an individuals or the enforcement officer is doing that in the hearing officers able to make that assessment. Those accommodations can be addressed at that point. But the ability to remain fair is by following the ordinances that have been adopted by the Town Council who represents the people of the town. And so, I hope that's I hope that's a sufficient answer. Craig, if you have anything to add to that, please take the time.

Craig Hall: I think we need to be practical. If things have been there for a while, we need to set up a program for people to come in to compliance. But if people are bringing a new debris, new timbers, large tires, onto their property that can be considered material for landfill in recent origin. People want to be understandable but that is not acceptable, and they need to take care of the issue. There are so many issues in that community that we're going to have to approach with kindness, understanding some people might be able to take care of the issue. Without help some people might need help. We just need to be practical in the application. This is not to be something to be applied in a draconian manner. That's not what we do. We ought to be a town of empathy and understanding and work through the problems.

That's good context as well. Counsel, do you have any other comments or questions for legal counsel? So, as it stands, we're in the position to take action on this ACE program. As we've been encouraged to consider carefully all of the components of this. I'll ask Town Council for a motion to adopt ordinance 2023-02, Administrative Code enforcement for the town of Leeds.

Councilmember Cundick: I'd like to make just a few comments. Some of you here may not agree with what we're doing. We've been wrestling with this as a Town Council for many years, and we have a lot of people who are unhappy with things the way they're going in town because of the lack of enforcement. This is not a perfect solution. And there isn't, there's not a perfect solution. But we must move forward, we need to tackle these issues and do our best to make this a better place to live. We will need to be patient and reasonable. All these things, which we'll find out as we start to enforce this. I just want to say that we need to go forward, we need to go forward. If you as members of the town, see things that need to be addressed, if we pass this ordinance, then you need to tell us so we can work on it. We want to be proud of this town. We want to be proud of our neighborhood, and our yards. That's not prideful in a bad sense. We want a happy place to live. This is a step forward. And it's a living document we can amend it is when you do if you find out that we've overstepped our bounds in some areas that we need to make corrections, we can do that. But we need to get forward. It's this thing has been in place for six or eight years that I'm aware of. And nothing has happened because there's always something you don't like about it. And there will be but let us move forward on this.

Councilmember Wilson: I just want to say I appreciate Craig Hall's comment about we need to address this with kindness and helping one another. I don't think we want to turn this into a barrage and now everybody's going to their neighbor's house saying you got this problem, you got that problem and creating a nightmare. I don't think that's the intent of this. But I think it's important, we keep that in mind that we're doing this to help everybody. No matter your current state of your property. We want to help everybody keep pace with a prettier, nicer community to live in.

Mayor Hoster: I'll follow up on that, that I think the reason we've actually had to come to this point is that we've had some who we've been able to ask to make a pivot in in violations against health and safety and also aesthetics, and they accommodate, no problem. But, we have had some who just ignore it entirely. And we are here to represent all citizens of Leeds, all property owners, including their neighbors. We had to come to this point. As our counsel is provided, this isn't to try and go out and find violations is to try and help those who need some help, but those who are not willing to sustain acceptable standards in the community that there are ramifications associated with it.

Councilmember Stirling motioned to adopt Ordinance 2023-02, Administrative Code Enforcement for the Town of Leeds with the correction to spelling in the paragraph six. Councilmember Furley Seconded the Motion. Motion passed in a Roll Call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR HOSTER: Bill HOSTER	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	X	_____	_____	_____
COUNCILMEMBER: KOLE FURLEY	X	_____	_____	_____

c. Action regarding Town of Leeds Consolidated Fee Schedule

Mayor Hoster: Council, we'll move on to the fee schedule associated with this ordinance. We have before us several examples provided by neighboring towns of what the fee schedules can be considering the area. We have got Hurricane, Toquerville, La Verkin and Ivins fee schedules behind Leeds Fee Schedule. Mayor Hoster: It is my understanding, Craig, once these are in place that any modification of them requires a public hearing, is that correct?

Craig Hall: I would suggest Yes. And I would suggest we do that in conjunction with the adopting the annual budget in May and June. That's usually the time when most cities review their fee structure and a revenue streams or reduced revenue stream. So between now and when the budget needs to be adopted, we probably got to take a look at all of the fees and to see what our experiences and the application as a fee structure that we've got the ACE program, so they can be fluid.

Mayor Hoster: It's a your recommendation to the council that we review these but that adoption is in June, during the budget season in conjunction with a public hearing?

Craig Hall Yes, I think the best. Aseneth and I had a discussion this afternoon and discussion with the associate in my office, Hyrum. We believe that the fee structure for March April, May and June is adequate as it sits now. There are some provisions presently in your ordinance for fines and fees. I think that will cover us as we move forward. And the next 90 days. I think that's appropriate at this point.

Mayor Hoster: Craig, it's my understanding that upon a issuance of a violation that the property owner has a period of time to rectify the problem, or, or plead a hardship. And then sequentially if the remedy isn't addressed, then we can address a fee. And but if they're trying to just simply pay the fee and keep the nuisance in place, there are remedies to address that.

Craig Hall: Yes.

Clerk: Question from Zoom, Who would be the compliance officer?

Craig Hall: I think that would be you. (laughter)

Councilmember Cundick: That is not the issue right now. It is the fee.

Mayor Hoster: We haven't hired a compiler hired a compliance officer to help us with this.

Scott Messel: It is setup as anyone presenting the cities, whether staff or elected official.

Craig Hall: We are on a nine-month pregnancy program at this point, let's get the baby birthed then go from there.

Councilmember Cundick made amotion to adopt the fee schedule. Councilmember Stirling seconded. Motion passed in a roll call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR HOSTER: Bill HOSTER	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	X	_____	_____	_____
COUNCILMEMBER: KOLE FURLEY	X	_____	_____	_____

Discussion Items:

- a. Red Cliffs Area Sewer Project overview / PID Discussion applicant being Eugene Gordan, Inc.

Mayor Hoster: We'll move on to the discussion item of Red Cliffs area sewer project overview. Public improvement district discussion, applicant being Eugene Gordan Inc. This discussion item was added to the agenda, although we did have a pretty full docket, and we asked that the discussion be limited to a 10- or 15-minute discussion. We do have, I guess, some presentation by Jared. Is there anybody else that you also have with you? This for the record.

Jared Westhoff: Benji Becker is online. He's with Piper Sandler. I appreciate Mayor and Council being here tonight. And I'll get to my summary quick so we have more time with Mr. Becker. The Red Cliffs Leeds area sewer project. summary this is this is intended to briefly explain the Red Cliffs leads to sewer project. The issue is there's certain real property within the Red Cliffs and Leeds area that is without access to sewer connection absent of septic. The lack of sewer access currently is adding to pollutants in the ground as the ground is being used as a filter from septic systems. There is a need for sanitary sewer. Landowners in the area desire to pool the resources in a joint effort to privately fund sewer line extension and accompanying lift station across three distinct geographic regions known as areas tend to provide each landowner who chooses to participate access to the sewer line via a specific number of residential sewer connections commonly known individually as equivalent residential connections are ERCs. That would basically

be the project. The ERCs required for each residential dwelling as approved by state and local standards. The project's sole purpose is to complete a sewer line extension for the state and Ash Creek SSD standards and to contribute the line and lift station to Ash Creek special service district. It is not intended to and will not generate income for the participants rather the members will contribute capital sufficient to cover the cost of the expenses related to their portion of the project. The landowners will be part of a public improvement district (that's subject to town negotiation and approval) for their share of the project expenses. Upon completion of the project the sewer line and lift station will be dedicated or granted to Ash Creek Special Service District in return for a finite predetermined number of ERCs. No state funds are being used as part of the project therefore there is no requirement to participate for any landowner, and I will add homeowner. We are not looking. When state funds are used, there's typically a requirement for anybody within three hundred feet as a mandatory connection. So we are avoiding that by not using state funds. Understanding the concept of the three areas is important. The area south of Leeds Town boundary on the attached map is the county area. Roughly from the freeway exit South, is county jurisdiction. The area shown on the map in proximity to the proposed sewer line route is the Leeds area. That is basically coming through Leeds to where the North freeways interchanges and going under the freeway and to beginning areas of Silver Reef. It is kind of right there by the old Mills home if everybody's familiar with that. The area northeast of town, North interchange and I-15 where the grapevine wash area is will be the third. Currently, the county area has an approved project for a small lift station and four-inch force main. After the initial approval for the county area project some of the landowners in the Leeds area and I'll add subsequent some of the Leeds landowners and the Grapevine Wash area have asked to be included. This inclusion gives the project an opportunity to size infrastructure for more of a community systems rather than just one project or two projects. We have paused the county area improvements to work on the community system that would include properties in Leeds. The idea being, if landowners want to participate; we upsize the line for future uses. This makes sense to us as the work and effort to put in an eight inch sewer line is not that much more work or financially greater to put in a greater sewer so long as the landowner that wants to participate are paying their share of the cost. Some landowners are ready to contribute equity to fund their share of the cost others are not. In order to put in a community project with future capacities available, a PID may make sense to fund the Leeds area improvements, and another for PID for Grapevine Wash area improvements. As stated above, landowners will receive specific predetermined number of ERCs. ERC s will be allocated to each respective property based on the cost and expenses, capital contributions or PID participation by each landowner. What basically this means is we have projects up and down, we're ready to go on, we have been for quite a few years, we had several property owners up here asked us to stop timeout. We don't want to put a duplicate line if you're already putting in a four inch force main, can we please look at upgrading that to a six or an eight inch and include our capacities? So, we stopped. We've been working on this for quite a few years to figure out the best routes and way to go. We've reviewed the three different sewer studies that have been done for Leeds in the past. And we've followed line routing from those different studies, I believe those studies have cost those who've paid for him and in the range of \$80,000. So, there's good, good data for us to base this off of. We've actually already

engaged an engineering firm and started doing line work and the UDOT Right Of Ways through some of the projects to define where the best suited lines would go. As we're doing that, doesn't make sense to us to put in for a single project or a couple projects. The idea here being, there are landowners that may want to participate. Nobody is being asked or forced to participate in any of that. In order to functionally make that possible to do this upsizing for more of a community project, We'd like to approach the city about employing a PID, which is a public improvement district. A PID, done correctly, can be a great asset but done incorrectly can be detrimental. We're aware of that and so we've got Benji Becker on Zoom. I would hope that Benji could give us a little bit of background about how he sees this PID happening. I know we have limited time. Are there any questions about the overview or the scope before we jump to Benji?

Mayor Hoster: I have a couple questions and if it's okay, I'd like to go first. In your summary, Thank you for providing that, your presentation I understand the sewer line after being funded by the PID will be contributed or donated to Ash Creek. Is that in any consideration? Or is that just a straight donation for the body politic?

Jared Westhoff: Straight donation with the consideration of proportionate connections availability to that property.

Mayor Hoster: Okay. And then you've got here, a summary that some landowner, some landowners are ready to contribute equity to fund their share of the costs. Others are not. And I'd ask that we get some clarification from your, your PID advisor on that, with regard to how that would affect the PID, because it seems convoluted if there are some property owners that are donating equity and others that are financing it. Then it's being referenced that there's more than one PID. In your summary here is Grapevine Wash a separate PID from this project?

Jared Westhoff: Yes, Because the county area in the Leeds area, don't need the Grapevine Wash area so there'll be a tear, where everybody pays for the capacity that they need, but not being forced to pay for Grapevine's capacity. The county area doesn't need the Leeds area, so it's not going to pay for the Leeds area capacity; but as that sewer flows downhill, everywhere, that everybody's using capacity, just engineer that and use those numbers, and everybody will pay their respective share.

Mayor Hoster: Is that a recommendation by the financial institutions or from the contributing landowners?

Westhoff: That's basically the contributing landowners?

Mayor Hoster: Will there be any commercial associated with this, or is it all ERCs?

Westhoff: The ERCs will allow that to flex towards the equivalent in a commercial unit for a resident?

Mayor Hoster: I'm not sure I understand that.

Westhoff: Say a gas station is the equivalent ERC of two homes. It would take up to ERCs.

Mayor Hoster: Is there any commercial that's been anticipated with the landowners who are planning to contribute in this? So, for example, the Grapevine Wash your development, I think Silver Pointe was the development. And I think there's one more that also is currently zoned residential, but do you know of any others that are anticipating commercial? I know grapevine Washington has a few they're anticipating. I think they're on their own zoom, if they want them to answer that, too. But are you familiar with any?

Westhoff: In the county area, one of our pieces is commercial.

Mayor Hoster: Do you know what the size of that is?

Westhoff: I don't. We're just going to do an ERC cap to it and if we run short, we'll build smaller if we have access, then we're use that. I would assume some of the other landowners would have some commercial. Our process here is we're trying to figure out what we're engineering. Do we just stick with what we have or is there somewhat of a nod to say, yeah, we'd be interested to get into the details. The devil is always in the details. We don't want to spend the money to get into the details unless we had this discussion with you to say, Yes, we would prefer you run towards a community size system, or if it is a No. That's fine, we'll just do our smaller system, and then be done.

Mayor Hoster: James, do you have anything else that you want to contribute to that?

James Monson: It was really tough to hear from this side.

Mayor Hoster: I am sorry. So do you have commercial that's intended for your PID?

Monson: Really, at this point, we don't have any set plans. We have a general zoning that's been approved in the area, but we don't have some time right now for what the mix will look like for commercial versus residential.

Mayor Hoster: Okay, thank you for that. Before I guess we get to Benji, Council, do you have any other questions?

Councilmember Stirling: How are the ERC is decided, is it based on current zoning current developers' agreement? Or the hopes of zoning?

Westhoff: Yeah. Depending on where the landowners at with their property, they'll need to make a judgment call based off their current zoning, their hopefuls zoning. It's really up to them to take the risk and decide how many ERCs that they want to contribute towards. We'll leave it up to them to figure that out. So because some of us have zoning and the

exact number of units and some don't, so they're, they're just going to have to take an educated guess.

Councilmember Stirling: Are those ERC's available to sell If they don't get their zoning?

Westhoff: Ash Creek does not want to be tracking units moving all over the place so Ash Creek is asking that we define them to either a specific property or specific owner so that they're not creating a market or units are moving.

Councilmember Stirling: That's my question.

Mayor Hoster: Good question.

Councilmember Wilson: I want to make sure I understand your three different areas of the Leeds area. So, let's say we do join in, from what I understood, those that want to can connect, those that don't; don't have to. My question with that is, and you answered it, but I want to make sure as Leeds would only pay for the portion they're using, they wouldn't be paying the other two PID percentage increases on their taxes. It could only be whatever portion Leeds actually did?

Westhoff: Leeds would be flowing through the county area. So, there's a portion that they would pay in the county area for whatever connections they had here, for because that capacity in that line is so big, and they take up 20% of the capacity, they'll pay for 20% of that capacity.

Wilson: Split up amongst all those that are actually have an ERC?

Westhoff: Yeah. So there'll be an overarching PID agreement between the three areas that will then function and make sure that that's all administrative correctly. One item that I didn't put in the right up; I do intend to anywhere where the line comes in front of, to add the capacity for any home there, that at any points in their septic fails, whatever, that there would be capacity that they could purchase. When they when they purchase that it would just go to pay down the PID bond. So, we could move through. So we're not forcing anybody on we're not saying we want anybody on but as a community system, what we are saying is that, as a group, we're willing to, because the main point of the line is going to come up Valley so if there's any frontage there that touches we would count any existing on the ERCs so we know The capacity is there.

Councilmember Furley: I would love to see the three different engineering studies that show that as the most optimal way to run that line. Because, I'm looking at your map that you gave me during the Planning Commission's work session and through my limited experience with installing utilities and working for utility companies, especially a gravity flow or feed system like sewer, I don't understand taking hard right 90 degree or left 90 turns. Jogging this whole thing around almost looks like we're setting ourselves up for something else in the future off of Valley Road, instead of just going straight down Main

Street. I don't understand how that's more beneficial because you've already started coming down Main Street to a degree.

Westhoff: Let me address that. This map is showing all public right of ways. As we get into this, it could be the south end actually ends up going through the fields because that might be a better location. So, we're showing where this sewer can flow through public streets because our intention is just to get an encroachment permit when we do this, but as we're working with the landowners to refine the engineering this line would adjust somewhat. The reason why we're staying out of Utah right of way as much as possible because we UDOT ask us too and Valley Road is lower in elevation and so we're staying there. I will look for those studies. Two of them were done when I was on a Town Council back in 2004. I will have to do some digging but let me see what I can find. I remember quite well because the city did one. A group of landowners did another, and I believe that Conservancy District did the other so all start tracking those down.

Councilmember Furley: Okay, because if the town of Leeds does not want to participate to me it makes more sense to continue down Main street then is the Sullivans want to they can accumulate their sewer in a point of their property and pump it out to you guys on the Main Street. I'm just trying to look at it from all avenues Plus, I'm not going to lie, I'm a little concerned about what that's going to smell like with a pump station down off of Valley and Mulberry. I think just all in general, anybody that drives through Washington City off of the field road, that heads down towards Washington damn road, there's a point in that road just right off the telegraph within I think three blocks that every single time no matter what day or night doesn't matter, you're going to have those smells. And I understand that's part of it. But by having the system take these hard 90 degree turns, are we not going to have flow restrictions? Are we not going to have stagnation of where that's not able to flow? Because well, these developments aren't going to happen overnight, we're not going to have these high flows. So, what's going to happen with that in the sense of making sure that we don't have to deal with that smell every single day. That is why I'm having a hard time understanding why we can't come down Main Street.

Westhoff: To your point of worry about pump stations. We only intend for a pump station to be on the very South End.

Mayor Hoster: This is this is what we have before us, for those of you that are given me the, what's he talking eye. I so we just we scanned it really quick and sent it over to Scott if

you want to take a look at that. I'm just going to move the meeting forward a little bit. So, again, none of this has been approved. This is dialogue at this point. And the request to be on Town Council was for discussion of the PID there is the purpose of the PID would be for this but none of this has been approved by the town's engineering and none of this has been approved by the Town Council or Planning Commission. It's all just dialogue at this point. If we can move forward with the discussion of the PID with Mr. Becker.

Voice: Benji let me know that he lost connection with me a couple minutes ago has been trying to get back in, so I don't know if the Secretary of clerk let him back in?

Councilmember Stirling: Jared is a PID not state funds?

Councilmember Stirling: Okay.

Westhoff: So, while we're waiting for, I can Benj. I will point out a couple things. When a city approves of public improvements.

Mayor Hoster: We don't have anybody else on here, whoever was just announcing that.

Westhoff: Did Josh all off too?

Mayor Hoster: Josh, can you hear us?

Josh Wagstaff: I can hear you.

Westhoff: When a public improvement district is approve, the city or the body politic approves it. And there's two things that set. They set the maximum dollar amount for the project. And they set the mill levy there. So when a PID is approved, basically, a landowner comes in and says, I'm not writing a check today for my improvements, but I'm willing to allow a mill levy to be placed on my tax. Similar like to when we get our property tax invoice: the town has a mill levy, the school district has a mill levy, the Conservancy District has a mill levy, Hurricane Valley Fire has a mill levy. In the PID a landowner would voluntarily say I'm not in a spot where I want to write a check today but I want to help fund the sewer project. I want my land to be able to have access to sewer so they contribute their land to that. On a PID. I don't know why the state law has allowed them to go up to 15 mills, that's way too high. We ran the numbers on this several times and we went over it again today. And I think we're going to be three or less Okay, and no event can we see being higher than four. We can see one of the area's actually having a mill levy as low as one. The further you are away from the lift station to the south, the more expensive it is and so those three different PIDs will have multiple tiers based off their cost and the number of units that they're reserving because of the length of the line. That's our way of solving this to be able to create a more like a community system.

Mayor Hoster: We are not able to get him on. Did you have something else?

Councilmember Stirling: I do. I did quite an extensive amount of research on this PID, and I only have one problem with it. Each home is appraised as if the total infrastructure is included. So, after the home was sold, the developers paid the total price of that infrastructure and its price included in the appraisal. What I don't understand is that for the next 30 years, each individual homeowner pays a levy for the PID, which is the infrastructure. So in a sense, the developer gets paid the appraised amount of a home, including that infrastructure, that now whoever buys that house, the first or the second owner, the third owner for thirty years, will be paying what the developer already got in the original price. I don't think that's fair, because I have looked at every single municipality. I've looked at every single document of the PID. And I don't understand why

the appraised value of these homes in a PID are not assessed less because the infrastructure should not be included in that. Does that make sense?

Westhoff: Yeah. So basically, we're putting in public infrastructure. And in a lot of cities, the city will step up and bond for the infrastructure. And when they bond for that infrastructure, they'll add an Impact fee schedule. The impact fee is paid, and it'll go back to pay back the bond. In this case, we're not expecting Leeds or the county to step up and bond and take that financial risk. We're saying we are willing to add our property to that. And yes, we will sell homes, will sell whatever we sell as we work through it and as we're developing that, instead of the city, taking that risk on our properties, taking that on, and this is public infrastructure. We're taking it on, say, at a tax-free bond rate, and let's just say, six, or 7%. That's a new world that used to be three or four. As opposed to us doing it as a developer, where we're looking for a return of 12 to 17%, it's actually quite a bit cheaper to do it this way. It makes public infrastructure possible, where otherwise would it be like we're not going to over build the system, when we don't need it? We're fine with a four-inch force main and we're fine with a little lift station. We're good. But if we're going to upsize to do future row, the public improvement district gives us an avenue to do it, where the landowner is taking on the risk and not the town. Because we're not asking the town to go get a state loan. We're not asking the town to bond and ultimately it is not as cheap as the state loan because the state loan might come with a 50% grant but we don't want to force other people to hook up. So, we're looking for a public improvement district. And because that's cost beneficial. It allows us to do a community system and it allows us to sell the home for less not sell the home for more money.

Councilmember Stirling: But in Utah, it hasn't been shown that they sell the same house for less in a PID that they sell it for across the street. And I did talk to Annette Billings from Hurricane and she expressed her concern about PIDs is because of the fact that you're going to have two homes that are exactly the same appraised across the street from each other wasn't a PID one's not. So, the one that's in a PID will be assessed extra, every single year. And she gave me an example of a couple that had bought a home up in I guess, Utah County. And they weren't told that they were in a PID. And they were in the home for two months and realize that their tax rate was \$250 a month more than the home across the street. So they were in it for two months and decided that they couldn't afford it and sold it. My problem with the PID that I'm looking into the future is that we're setting up these the developments for failure. Because in a sense if you have people that may or may not know about the PID and their tax rate I can increase. The mayor of Hurricane did say that there is a way that any development or developer in a PID or board of the PID can come to the Town Council, or whichever governing board is embodied there under, they can request a higher level, they can ask for higher Levy. So if you look at it, we're talking about developments and developments, I'm looking back at 2007 and 2008. In Arizona, there were whole developments that were completely empty, because people couldn't afford them. So if you look at this, and go into the future, and you have an entire development of PID, that have a tax rate, or a tax levy of, let's say, your 3%. And let's say that we have all of the home prices, they just in the last two years that shot up from 400,000. And now they're 700,000, that rate is going to affect that development, inadvertently when they can't afford that levy or they can't afford their, their amount that

they owe in taxes. So the PID problem is that they're appraised at the same price, the developer gets that same price. And it's put on the backs of whoever is in that PID. And I understand what you're saying that it is public infrastructure, but there was how there was public infrastructure that had to be paid for by the other developer that's not in a PID?

Mayor Hoster: I think those are great questions that we could probably go into some more depth with more time. I don't think we have really a whole lot of time to dig too deep into this. I do. Counsel, do you feel like another work session would be appropriate with these developers to understand further of what their contents our intent is with this PID because the comments that Councilwoman Stirling is surfaced are very valid. Also the requirements of the community with regard to the infrastructure or not consistent. And so there's, there's, I think a lot of moving parts that I really want to give respect to the, to the time of the of the meeting. And so, counsel, it's up to you. But I'd like to propose that if you if you feel like that would be beneficial, a Work Session.

Cundick: I think it's premature to get more work sessions until we have something more concrete in front of us.

Westhoff: We can produce more detail. To get into that detail, kind of happy to do it. To sum up from what you raised there, Danielle, I will expand further. Once a public improvement district has enough funds coming in, they don't last 30 years, if they pay off quicker, they do pay off quicker, that we're talking about an average of \$3,000. So we're not talking about a huge sum of money that's going to be tacked on to people's property taxes at some insurmountable rate, we're not talking about building all the water tanks, all the all the parks, all the brown talking about doing all that we're talking about this pioneering piece of this piece of sewer, and a way to get landowners that don't have enough money to write a check today, but want access to sewer a way to do it. That's it. I understand that some PIDs are like, monstrous, and they get so big that it becomes unaffordable. This is not that. This is plus or minus 3,000, depending on what area you're in cost for the PID. I agree, we don't have enough detail to really sink our teeth in. So let us we just wanted to start the discussion. Get a little bit of a nod. And now do we go get the more detail or do we just build our little thing? And so, I'm going to take from this that there is not a positive not one way or the other.

Mayor Hoster: we need more detail. There's a lot of questions on behalf of the council that we are receiving from also there are constituents. So we'd like to vocalize those questions that we have received from our constituents with you and be able to respond to that back. And so we'll go ahead and set something up to do that.

Steve Laski: I just wanted to make sure that we're not getting left that we're such a small component of this with our 14 lots. We don't really fall into one into one end or the other. If it would works out, we fall closer into the PIDs, it's going through the town, the Grapevine wash. I do not want to get left out. That's all.

Mayor Hoster: We'll go ahead and close the discussion and move forward with citizen comments and any citizen comments. If you haven't already before, after, please list your

name on the yellow pad over there, approach the podium, please state your first and last name. And please keep comments to about three minutes.

Susan Savage: We didn't talk about the pumping station. But I just had this thought that I'd shared with a couple of people that maybe it would be nice for our town to think about an industrial area. And the area this south of for the pumping stations proposed, which is the pumping station and being what you see directly as was explained in the Planning Commission means you come off the freeway in come to that south sign. South of that it's a dry area that we found that was the bank was breached in an area that's been cleared. That's not in the city limits right now. But maybe it could be made available, and it would be oversight and out of sound. The homes around there would be seen from the northbound lane and from the from the frontage. Anyway, that was a thought that I had. And then concerning the sewer, I also shared this with a couple of people that you know, we've heard a lot that we're contaminating the lake, we're starting to contaminate the lake and our septic systems seeping down there. And I just like to say well, I think that that's actually a non-issue for a long, long time knowing that the farther something runs underground it is a filter. That word was mentioned. But if you think about Leeds homes being from two to four miles away from the from the reservoir and think of who else contributes to the reservoir is that there is a treatment plant down there, which I thought was to help clean up water. This was just a statement that I went this past year the Quail Lake has had 324,179 visitors.

Mayor Hoster: Not one of them peed in that lake. Not one.

Susan Savage: Not one, or their dogs. Right? That's to say nothing of millions of birds. Birds are very messy, and fish and all of that. In the 1980s when the Lake first was filled, there have been almost 3 million people there and none of them have peed in the lake as you say. With all of that contamination, it's hard for me to think that Leeds is contributing to the crisis. They would have to have our DNA and they don't have mine.

Mayor Hoster: Thank you Susan.

Larry Bruley: As a builder and developer this is going to sound strange, but I know how unscrupulous they can be. And as a as someone who lives on the other side of the freeway here, one of my big concerns would be as sewer moves up, what happens to the ordinances that are protecting the acreage right now? So we'd have to start amending those to allow these developers, especially on the civil land and other lands up there, it's open, that they can come in and put in, you know, 200 townhomes, or maximum density 10,000 square foot lots and stuff like that. I'm not sure where this benefits anybody other than developers. And I don't really know anybody who is who's on board to say, well, except for maybe people who have ordered houses and failing septic systems that are going to jump on board to say, hey, we just can't wait to get a sewer coming through here. I don't hear it. I don't see it. But I could also I could comment briefly on, so I didn't hear that last call for comments on the ACE. Can I just make a brief comment? I would suggest having not elected official and not somebody who lives in town because this will be the most hated person in this the place. All the places I've ever lived this is not the best person.

Councilmember Cundick: you're not volunteering?

Bruley: We talked about this. No, not today. Anyways, thank you very much.

Councilmember Stirling: Thank you.

Westhoff: I just want to follow up with one of the citizens comments on that land that she densified as a potentially good spot for industrial is being planned for industrial. It's actually being planned for flex space, which could go retail industrial, could be for a shop. But kind of a nice front with a garage back door. We're pretty excited for that point.

Mayor Hoster: When I spoke with Washington Water Conservancy, they mentioned they had spoken with you as well as Tom, about the location of that pump house. So, if you had any plans with looking at that as an alternative with them?

Westhoff: No, we had already planned out the site and a lot of money on engineering. So we actually referred them to property owners and sounds like they are both in there, but we're not in those details.

Tracy Comas: I just want to reiterate what Kohl was saying. I live on Valley Road. I also deal with sewer every single day. And I'm telling you, it does smell, especially if there's a low flow. So, if you don't have a few 100 homes on that line, I'm going to get that smell every single day. Please look at what they're wearing, why they would put it down Valley Road. In our sewer lift stations, I can't tell you how many 10s of 1000s of dollars of dioxide we put in to try and stop that smell off coral Canyon lift station, on Sandy Hills lift station. It still smells because of low flow in some spots. And if you have a belly in any line. It's going to sit there and it's going to smell. So please keep that in consideration.

Mayor Hoster: Susan, can you slip up after Lynn. Is that Okay? Thank you.

Lynn Potter: I want to finish what I was talking about earlier. We currently filed a Dec Action today with the Town of Leeds in the Fifth Circuit Court, okay, and I am sure will also be filing the appeal with the state. This is not going away. I would like to try to convince the town to stop spending money on this because it doesn't make any sense. Because in June of 2021, when we had a site plan before the town, asking for a site, the town assigned us another site that we didn't ask for. They voted on that site and then approved that site. Okay, well in the town ordinances and you're talking about the importance of following ordinances; that's a breaking of the town ordinances. The town can't do that. And that's a really bad idea. If you start allowing towns to take any site plan that you approve that you bring in and they say you can't live there, I want you to look over here and then approve it. This is a constitutional taking of rights. And this is why you're going to lose this. You are going to lose this in the court, and this is why you don't want a win it either because this sets a precedent that every town will say okay, well we don't like where he's going to build his house. We're going to have him build it over here because it blocks my view, or something like that. What happened in that meeting, broke a handful of ordinances. Get a second opinion, get a third opinion. Stop wasting the town's money. Spend it on something else. We'll eventually win this. I'm here trying to bring truth to power. Okay? I've always been truthful with you guys. And I may be disliked. You may not like my yard. But what is one person's trash is another person's treasure. The old

tires and the railroad ties that are there on the property right now are a friend of mines and their assets to him. This is all going to end up in court regarding enforcement of everything. Sorry.

Mayor Hoster: Thank you. Susan?

Susan Savage: Never mind.

Mayor Hoster: Okay. Any other public comments? Okay, closing citizen comments, we'll go ahead and begin with staff reports beginning on my left, please.

Staff Reports:

Councilmember Furley: Alright, Aseneth approached me to be the board chair for Beautification Leeds Outreach committee. BLOOM. I agreed to help take that community committee on to help develop it. We are currently looking for people to submit an application to volunteer for BLOOM. This is something that will help plan for current events such as the Easter egg hunt and Easter festival that will have at the park. As well as parades, festivities, things of that nature. For instance, I got an email today and saying that there's a possibility for a banner to acknowledge our veterans, service members. And so things of that nature, we're looking to build a good group of people to get the community's involvement to make this a positive experience so that we can enjoy these events, and bring the community closer. I think it's a good idea. Watch the bulletin board at the post office, you'll see those listings of those titles and what we need. As well as those titles there's need for good old fashioned elbow grease, people that can shovel people that can move things, whatever is needed to be done. But I really think that anybody and everybody that wants to help out, it would be a huge asset. And I think it could help make our events great and fun and memorable.

Also, I'm not part of the roads and streets. But I offered at the last Council meeting to take some of that off of your plate, Mayor. I spoke with Tracy Comas with Washington City Public Works and got a hold with a got hold of Andy. I don't remember Andy's last name. But Andy was wonderful. He provided a lot of information about resurfacing some of our roads that are needed. So I placed a call into a couple of companies that he recommended to give us bids for crack seal. And then also a not a top coat, what am I trying to say a security slurry or chip seal. So what those individuals do show up, they'll give us a bid, and then present that to us in a bid form. And then we can kind of decipher what we want to do. Andy offered his expertise to look through those bids and provide us with His knowledge or advice as far as what's maybe not needed so that we can save money and put that in other places that are needed. So I'll get those to you as soon as I get them.

Mayor Hoster: Thank you very much, Steven.

Councilmember Wilson: I have nothing.

Councilmember Cundick: I am nothing.

Councilmember Stirling: I have none.

Mayor Hoster: Okay. I'll make a report on the Hurricane Valley Fire Service District. Last board meeting, we were able to identify that our house bill that was set in place for moving from property taxes to a sales tax to fund the fire department was successful in the legislature. It will have to go before vote. So, it'll be on the ballot here pretty soon. I'm hopeful that everyone embraces that after looking at all of the numbers, it's a significant decrease for each household to have. The fire and EMS services that we need moves that burden more toward the transient population of people who are coming to visit in southern Utah. So again, I think it's a great move and I'm hopeful that we'll have a successful vote and then we have more proponents who are sharing that same sentiment. We also were able to successfully move the motion forward with a 48/96-hour shift for those personnel. Most of the fire department personnel had contacted the board and asked to have that consideration made we are doing an additional survey to confirm all of the suspicions that this is exactly what they want, but that should take place sometime in the next 60 to 90 days. So that's all I really have about, about my staff report.

Closed Meeting: None

Adjournment: 8:59 pm

Approved this twenty-second Day of March 2023.



Bill Hoster, Mayor

ATTEST:



Aseneth Steed, Clerk/Recorder