

# Town of Leeds

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## Town Council Meeting for Wednesday, May 24, 2023

### Regular Meeting 7 PM

Call to Order/Roll Call: 7:00

**ROLL CALL:**

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

Town Planner Scott Messel present

Invocation: Councilmember Cundick

Pledge of Allegiance: Councilmember Stirling

Declaration of Abstentions or Conflicts: None

Approval of May 24, 2023, Agenda

Councilmember Cundick moved to approve tonight's agenda of May 24, 2023. Second by Councilmember Stirling .

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	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
COUNCILMEMBER: DANIELLE STIRLING	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
COUNCILMEMBER: RON CUNDICK	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
COUNCILMEMBER: STEPHEN WILSON	<u>      </u>	<u>      </u>	<u>      </u>	<u>X</u>
COUNCILMEMBER: KOHL FURLEY	<u>      </u>	<u>      </u>	<u>      </u>	<u>X</u>

Town Council Meeting Minutes of April 26, 2023

Councilmember Cundick moved to approve tonight's agenda of April 26, 2023. Second by Councilmember Stirling .

Motion passed in a Roll Call Vote.

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

Councilmember Stirling moved to approve the Work Session meeting minutes of April 26, 2023. Seconded by Councilmember Cundick. Motion passed in a Roll Call Vote.

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

**Citizen Comments:**

Michelle Peot reported during the LDWA board meeting, a matter concerning the ownership of mineral rights for the Silver Pointe Estates was raised. Don Fossen had spoken to the Department of Natural Resources, who informed him that senior mineral rights take precedence over junior development rights. This means that if the uranium mines were to be reopened in the future, they would have the legal right to do so under Utah law. Upon further investigation of public records, it was confirmed that Jerry Glazier's company retained the mineral rights. Michelle felt it is important for the Town to be aware of this information.

Jerry Glazier is the individual who owned 5M Inc., the mining company that acquired all the mines in the area. When the property was transferred, Silver Reef Properties involved Rick Sant, who had a conflict of interest as he was also partnering with Crocker for the development of the adjacent property. Additionally, there may be other investors in Silver Reef Properties, but their identities are not officially listed, apart from Jerry Glazier. She offered to share the quickclaim deed. The only exceptions were given for basement excavations and removal of loose surface rocks for landscaping.

Another resident made a request in the future that the town agenda would not contain acronyms but be expanded in length to provide additional information so that residents can better understand the topics being discussed.

**Announcements:**

a. Election and Dates for Filing a Declaration of Candidacy June 1 through June 7, 2023

It was stated that the filing and declaration period would be from June 1st to June 7th, with the deadline set at 5 o'clock PM on June 7, 2023. There are two open seats available for the Town Council, and interested individuals can obtain the necessary packets from the clerk's office. These packets can be filled out at one's convenience but must be submitted before the 5:00 June 7, 2023 deadline. The council members encouraged anyone with questions to reach out to them for further information about the responsibilities, demands, and rewards of serving on the council.

Public Hearing: None

Action Items:

- a. Resolution 2023-01, Acknowledging Receipt of and Adoption of the Tentative Fiscal Year Budget for the Town of Leeds and Setting the Date for the Public Hearing, June 14, 2023

The first action item discussed was Resolution 2023-01, Acknowledging Receipt of the tentative fiscal year budget for the town of Leeds. It was announced that the public hearing for this matter would be held on June 14th, 2023. The council members were provided with a draft of the fiscal year budget for 2024, and it was noted that a thorough review of the budget would be necessary due to its extensive content.

Mayor Hoster expressed gratitude to Mayor Peterson for his assistance in navigating the budgeting process, as he had provided valuable insights based on his previous experience. It was highlighted that a significant amount of money was allocated for the Main Street project, which was currently under discussion with UDOT to address flood-related issues. The funds earmarked for this project were still intact and had been accruing interest. Due to the high costs during the COVID period, no road projects were undertaken, but prices had since decreased, allowing for potential for the project in the future.

Specific changes and updates were mentioned, including the cemetery project donations and an increase in franchise and price from Dominion. The addition of a code enforcement officer position was also discussed, with estimated weekly hours and hourly rates specified. The council members considered investing in another vehicle for the streets and parks department, allowing the current truck to be repurposed for code enforcement activities.

Further details were shared regarding engineering services, anticipating projects along Oak Grove, and reviewing proposed developments in the town.

The Council considered adding a code enforcement officer and a new vehicle for streets and parks. The budget includes an estimate for the code enforcement officer's wages, and the council discusses the need to separate this item in the budget.

Mayor Hoster said they anticipate better clarification on the Main Street project after discussions with UDOT and expect cost savings on water line and catch drains as the material prices are slowly recovering from the pandemic. They also mention an increase in engineering services to accommodate anticipated projects along Valley and Main Street.

Mayor Hoster said he expected more clarity from UDOT after Friday's meeting, the council anticipated utilizing the abandoned water line for catch drains to mitigate flooding and potentially save costs.

The budget proposal will be open for public hearing on June 14th, 2023, providing the council and the public with an opportunity to suggest amendments. A brief discussion about liquor license permits ensued, with the understanding that they were renewed annually and incurred a total of \$400 per license in 2023.

The council members were encouraged to review the budget thoroughly, and any amendments or recommendations could be addressed before the public hearing.

Councilmember Cundick made a motion to accept the Tentative Fiscal Year Budgets for the Town of Leeds and set a Public Hearing for June 14, 2023. Councilmember Stirling seconded the motion

Motion passed in a Roll Call Vote.

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
MAYOR: BILL HOSTER	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	_____	_____	_____	X
COUNCILMEMBER: KOHL FURLEY	_____	_____	_____	X

a. Resolution 2023-02, Restricting Access to ACE Complaint Records

The next action item is Resolution 2023-02, which restricts access to ACE (Administrative Code Enforcement) complaint records. The resolution aims to maintain transparency and openness while protecting the privacy and confidentiality of individuals involved in making a code enforcement complaint. The council reviews and approves the resolution.

Councilmember Cundick made a motion to approve Resolution 203-02, restricting access to the Administrative Code Enforcement complaint records. Councilmember Stirling seconded the motion

Motion passed in a Roll Call Vote.

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
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MAYOR: BILL HOSTER	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	_____	_____	_____	X
COUNCILMEMBER: KOHL FURLEY	_____	_____	_____	X

b. Discussion possible action regarding Designation of Restricted Area for Fireworks

Mayor Hoster said the next action item is to discuss and possibly act regarding the designation of a restricted area for fireworks. We have been informed that a private citizen, Mr. Brian Hanson, has offered his property for hosting fireworks on the Fourth of July. We need to confirm the date with Mr. Brian. I don't have his address for the record. It is located at the corner of Vista and Main. We will obtain the proper address for documentation purposes.

Scott Messel said there is not a designated address to the vacant lot because there is no house, but the address is 480 North Main for the property owners home not the vacant.

The discussion focused on the designation of the restricted area for fireworks. It would be beneficial to have Councilman Furley involved. Last year, we did not have fireworks due to the drought, but this year, conditions may allow us to proceed. However, the final decision depends on the fire department and the air authority, as they have jurisdiction over fireworks. Assuming both entities approve, and the necessary resources are available, we will conduct the fireworks in this area. Please note that there will be noise, clutter, and parking associated with the event. The council should consider these aspects. The decision to approve the designation will not be made tonight. We can discuss it before making a motion.

Councilmember Cundick said it has been a couple of years since we had fireworks. Unfortunately, the town no longer owns a suitable space, and neighboring spaces are also not available. Fireworks are a positive addition if we prioritize safety with the fire department's involvement. I am in favor of authorizing it if the weather and all concerned parties, including the fire department, permit it.

Mayor Hoster said it could be a commendable year if all the necessary factors align. There are some concerns regarding weeds on the property, but the fire department should be able to address that and ensure it does not pose a fire hazard. As long as the government assesses and provides a recommendation, that should be sufficient. Let's use the corner of Main and Vista instead. It appears that parking might be an issue there, but the nearby strip mall could serve as a parking area, allowing people to view the fireworks from there. We can also inquire about using the big parking area nearby. That's a good idea.

Councilmember Stirling pointed out there may be more parking available along Main Street than near Babylon Mill next to the park therefore parking should not be a major concern. Mayor Hoster observed that It seems like everything is pointing towards authorizing this designation and asked for a motion from the council, pending authorization from the critical fire district authorities, to proceed with the fireworks.

Councilmember Cundick moved to authorize the designation of the restricted area for fireworks at the corner of Vista and Main contingent on the fire District authority’s approval. Councilmember Stirling seconded the motion.

Motion passed in a Roll Call Vote.

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
MAYOR: BILL HOSTER	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	_____	_____	_____	X
COUNCILMEMBER: KOHL FURLEY	_____	_____	_____	X

c. Resolution 2023-03, Modify Oak Grove Road Speed Limit to 25 mph.

Mayor Hoster said the last action item is Resolution 2023, which suggests modifying the speed limit on Oak Grove Road to 25 miles per hour. Here's some background information: A few months ago, during a Department of Transportation conference, some Leeds residents requested a trail along Oak Grove Silver Reef Road, from I-15 to the Dixie National Forest entrance. The Metropolitan Planning Organization (MPO) received these recommendations and contacted me for further discussion. We examined the traffic count and noticed that there is a legally blind citizen who walks on the road for exercise. Since there are no sidewalks or pathways on the sides of the road, this information was forwarded to the MPO. Additionally, Oak Grove Road is a narrow two-lane road where pedestrians and cyclists are at risk, especially when two cars pass each other or during dawn and dusk. The MPO shared these concerns with me and questioned the current speed limit in that area. The speed limit was previously changed to 20 miles per hour by the former mayor, Petersen, as stated in the Town of Leeds Ordinance 20 1901. However, beyond the Dixie National Forest entrance, the speed limit remains at 35. Considering the safety risks mentioned in the application for a trail and the presence of driveways accessing the road, it makes sense to reduce the speed limit from 35 to 25. This modification would be made to the Town of Leeds Ordinance 2019-01, Traffic specifically addressing the speed limit on Silver Reef Road from Main Street to the point where it forks with Oak Grove Road. After discussing with our town planner, Scott Messel, we

confirmed that the town has the authority to change the speed limit since it owns the road. If you drive under the underpass and head up Oak Grove Road, the speed limit would be 25 miles per hour. The concern raised about limited visibility with the terrain beyond the Y-intersection is valid, but there are only a couple of houses in that area, and once you pass the big curve, the road straightens out, providing better visibility. However, I was informed by the Chairman of the Planning Commission that some individuals tend to speed in that area, reaching speeds of 45 to 50 miles per hour. This behavior is particularly observed by residents who have driveways along that road.

Councilmember Stirling said my argument against reducing the speed limit to 25 mph is that the current limit of 35 is not effectively enforced, and people continue to speed without consequences. She suggested that the Town focus on enforcing the existing 35 mph speed limit before considering a further reduction.

Mayor Hoster said the concerns raised by the MPO and residents about the safety of pedestrians and cyclists on the road are valid, especially since there are no dedicated bike paths or walkways. While driving on the road, it was noted that the two speed bumps are within the 20-mph zone. However, going at 25 mph felt slow, and it was observed that the majority of drivers were comfortable driving at 35 mph. There haven't been any reported incidents of people getting hit on that road, but the MPO and residents have raised concerns about safety. The Council deliberated on the issue and ultimately voted to deny the proposal to change the speed limit from 35 to 25 mph.

Some Council members expressed the need for increased enforcement of the existing 35 mph speed limit and suggested exploring alternative safe routes for pedestrians and cyclists. They highlighted examples of bike paths in other areas that are not subject to a 25-mph speed limit and emphasized the importance of separating bike paths from the main road. The Council acknowledged the ongoing efforts to establish a bike path and agreed that the proposal could be revisited if new information becomes available or if conditions change.

- a. Councilmember Stirling made a motion to deny Resolution 2023-03, Modify Oak Grove Road Speed Limit to 25 mph on the premise that lack of enforcement for the current regulation.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
<b>MAYOR: BILL HOSTER</b>	X	_____	_____	_____
<b>COUNCILMEMBER: DANIELE STIRLING</b>	X	_____	_____	_____
<b>COUNCILMEMBER: RON CUNDICK</b>	X	_____	_____	_____
<b>COUNCILMEMBER: STEPHEN WILSON</b>	_____	_____	_____	X

10. Discussion Items:

- a. Discussion regarding compliance for SLFRF/ARPA funds spending.

Mayor Hoster said the first discussion is about compliance with the SLFRF (State and Local Fiscal Recovery Funds) and ARPA (American Rescue Plan Act) funds. These acronyms can be confusing, but I can explain them. SLFRF refers to the State and Local Fiscal Recovery Funds, which are provided to address COVID-19 related needs and support community recovery efforts. ARPA stands for the American Rescue Plan Act, which is the same as ARPA. These funds are received to combat the effects of COVID-19 and must be reported to the federal government. The amount we received is \$103,320, and it needs to be spent based on the guidelines provided by the federal government. We have various options for using these funds, but they should be related to COVID-19. One suggestion is to use the funds for renovating the Town Hall to accommodate the new normal of Zoom meetings and digital record-keeping. Other possibilities include improving audiovisual equipment for better presentations, enhancing access to the clerk's office, upgrading HVAC systems for health and safety, building pickleball courts, improving internet services, supporting community food programs, senior services, job training, small business revitalization, and health and wellness initiatives. We have until December 2024 to decide how to allocate the funds and until 2026 to spend them. If we choose not to spend the funds, we can return them to the federal government. The SLFRF and ARPA funds are essentially the same, and both have the same timeline. It's important to consider the long-term impact and involve residents in decision-making

- b. Updating Ordinance 2009-21, Consolidated Fee Schedule

Moving on to another topic, we need to update Ordinance 2009-21, the Consolidated Fee Schedule. The purpose is to potentially increase fees to cover the costs of implementing a code enforcement officer and related activities. Councilmember Stirling said, We should study fees from other communities like St. George to get an idea of the range. Our planner can help with this, and it would be helpful to review the fee schedules of other nearby towns.

Councilmember Stirling said I want to mention that we should consider including fees for handling GRAMA requests (Government Records Access Management Act), as they have caused a significant administrative burden. These requests have increased statewide, and it's important to compensate for the time spent fulfilling them. .

- c. Peach Days scheduled for August 31, 2023, Leeds Seed Display

Mayor Hoster said Lastly, we need to discuss Peach Days, scheduled for August 31, 2023, and the need to include the LEEDS seed display. I think the main point of discussion here is that we need someone from Bloom to take the lead on this project. If they decide to proceed with it, coordinating the efforts would require someone to oversee the process. The dimensions we're looking at are four feet by eight feet, which is quite large. It would involve a significant



amount of seeds and time. Personally, I attended the county fair and saw some beautiful examples of such projects. However, our challenge lies in finding volunteers who are available and willing to help, as people are often occupied with other commitments. Our capacity to undertake this project is quite limited. I suggest consulting with BLOOM (Bloom refers to the Beautification of Leeds Outreach Committee) to gauge their interest in taking it on. If they are willing, we can proceed with their assistance. It's not a matter of voting, but rather relying on their involvement. If they decline, it will be nearly impossible for us to carry out the project on our own. So, let's postpone a decision until we've consulted with them and gathered their thoughts. Bloom refers to the Beautification of Leeds outreach committee.

#### Planning Commission appointments

Mayor Hoster said Ken Hadley's term ends on June 30, 2023. An alternate replaced Jennifer Luft, leaving a vacancy for an alternate position. Additionally, Bill McLaughlin and Miranda Nessen have expressed limited time commitments. So, we have some open positions to consider. However, I suggest waiting for a recommendation from Danny, as he mentioned speaking with some individuals. I haven't received an update on those conversations yet. Unless any council members have specific recommendations for planning commission appointments, we can discuss it privately. For those in the audience, is anyone interested in joining the planning commission? That concludes the discussion on planning commission appointments.

#### Citizen Comments:

Michelle Peot suggested using the ARPA funds to digitize all the town records.

Councilmember Stirling said I wanted to echo what Michelle mentioned earlier about utilizing ARPA funding to digitize documents. It's challenging to find certain town or LDWA documents, and some minutes are not easily searchable due to indexing issues. Perhaps we could hire summer students who are tech-savvy to assist with the digitization process. Offering internships where they gain experience while helping with the project would be beneficial. It may be worth considering involving an IT person or someone with coding skills to improve the website structure, perhaps using WordPress with customized CSS. Many students are currently on summer break and could be available for this. We should explore creating a dedicated document library rather than having everything on the main website. This would provide better organization and accessibility.

Mayor Hoster said regarding the website platform, we have not made any decisions yet. We are simply considering how the ARPA funds could be utilized for this purpose. We will gather more information from the individual who built the current site

and evaluate if we want to continue with WordPress or transition to a different platform like Civics Plus. The goal is to have a more efficient archive website with improved search capabilities.  
starting from my right.

#### Staff Reports:

Councilmember Stirling gave her staff report. She said , I have been collaborating with Aseneth on the Administrative Code Enforcement process. She has done an incredible job creating the draft, and I've been cross-referencing the ordinances to ensure that each violation is included in the warning and notice of violation. However, it will take a couple more weeks

Councilmember Cundick reported on the water authority ordinance. That was previously tabled. I recently met with some members of the LCWA who expressed concerns and shared their vision for the future plans of LDWA. The main issue at hand is whether LDWA will be able to expand its capabilities to meet the growing water needs of the town and/or if they will need to obtain water from the Conservancy.

He said It is evident that our town is nearing its limit in terms of available water resources. Any additional water we require must be pumped from the ground since we lack a gravity-fed reservoir. The cost of pumping water is quite high, and with each new house requiring water, the strain on pumps increases, leading to higher costs for everyone involved. This cost burden needs to be taken into consideration.

The proposed ordinance suggests that if LDWA needs to expand to secure more water, they could obtain it from the Conservancy as a municipal designated water purveyor. This would eliminate the need for pumping additional water from the ground and provide a secondary, more sustainable water source. LDWA is currently exploring this possibility, and until we have a better understanding of how it aligns with their plans, it would be premature to proceed with the ordinance. We need a coordinated effort between all parties involved to ensure its success.

It is crucial for LDWA to be able to meet the growing water demands of the town. If they are unable to do so, alternative solutions may need to be pursued, which could place the town in a challenging situation. We remain hopeful that a positive outcome will be reached as LDWA continues to work towards addressing these concerns.

Mayor Hoster said I would like to express my gratitude to both Ron and Danielle, council members who have shown exceptional dedication and volunteered their time for crucial matters in our town. Their remarkable efforts deserve public recognition, and I sincerely thank them for their contributions. Now, moving on to my staff reports, I would like to address a few important items.

Firstly, I want to mention the recent significant fentanyl bust on I-15. This event has prompted discussions with law enforcement and will lead to a meeting involving all the mayors. Unfortunately, I won't be able to attend, and Councilmember Cundick will be representing me. This meeting will focus on addressing gang activity in Washington County and will involve the participation of mayors, county commissioners, the sheriff's office, and discussions related to House Bill 392.

I am pleased to report that progress is being made regarding EMS funding through House Bill 392. Nearly all fire service providers have submitted resolutions to the county commissioners, proposing a ballot initiative for up to a 1% tax increase. I recently spent several hours with the interim fire chief, carefully examining tax records for the entire county. We analyzed current tax rates and compared them to potential sales tax revenue. Although the calculations were complex, our findings indicated that if we were to implement the full 1% tax increase, the impact on residents would be relatively minimal. We hope this proposal receives voter approval, as it will significantly benefit our fire and EMS services without burdening property taxes. This would also allow tourists to contribute to these services. It is highly likely that this initiative will appear on the ballot.

Regarding the speed limit action item, the assessment of the trail for Silver Reef and up Oak Grove is currently underway. Two organizations are involved in evaluating potential funding sources for this project. Our engineering partners have provided valuable feedback, highlighting the existence of easements that can accommodate a separate trail for pedestrians and cyclists, ensuring their safety. We are awaiting the results of this evaluation and the availability of funding opportunities through various applications.

Closed Meeting: None

Adjournment: 8:28

Approved this Fourteenth Day of June 2022.

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Bill Hoster, Mayor

ATTEST:

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Aseneth Steed, Clerk/Recorder