

Town of Leeds

Town Council Meeting for Wednesday, September 13, 2023

Regular Meeting 7 PM

1.Call to Order/Roll Call: 7:13

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> </u>	<u>X</u>
COUNCILMEMBER: STEPHEN WILSON	<u>X</u>	<u> </u>
COUNCILMEMBER: KOHL FURLEY	<u> </u>	<u>X</u>

Town Planner Scott Messel present.

Invocation: Mayor Hoster

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 September 13, 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> </u>	<u> </u>	<u> </u>	<u>X</u>
COUNCILMEMBER: STEPHEN WILSON	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: KOHL FURLEY	<u> </u>	<u> </u>	<u> </u>	<u>X</u>

Town Council Meeting Minutes of August 9, 2023

Councilmember Stirling moved to approve meeting minutes of August 9, 2023.
Seconded by Councilmember Wilson. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
MAYOR: Bill HOSTER	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: DANIELLE STIRLING	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

COUNCILMEMBER: RON CUNDICK				X
COUNCILMEMBER: STEPHEN WILSON	X			
COUNCILMEMBER: KOLE FURLEY				X

Joint Work Session Meeting Minutes of July 26, 2023
 Councilmember Wilson moved to approve Joint Work Session meeting minutes of July 26, 2023. Seconded 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: KOLE FURLEY				X

Citizen Comments:

Patrick Collins said he wishes to address the issue of Tumbleweed in the community. Tumbleweed is prevalent not only within town but also in the surrounding areas. Many long-time residents can recall a destructive fire that ignited at the cottonwood trailhead and quickly spread, resulting in the deforestation of the region. Unfortunately, this event allowed the proliferation of Tumbleweed, also known as Russian thistle, a non-native plant that originally arrived from Eurasia in the 1870s, likely through imported grain. It's called Russian thistle due to its Eurasian origins.

This invasive plant appears relatively harmless when green, but as it dries out, it transforms into large, troublesome tumbleweeds that detach and disperse tens of thousands of seeds. Consequently, any excavated land, such as the area in Harrisburg where warehouses now stand, becomes infested with these tumbleweeds.

Collins suggests that the town should consider declaring war on, or at the very least, designating Tumbleweed as a public enemy number one or subject to an extermination order. This action, he believes, would help address the growing issue. Patrick expresses his gratitude for the opportunity to speak on this matter.

Michelle Poet says she appreciates the previous comment and would like to offer a follow-up suggestion. She proposes the idea of organizing a "Town Trail a Day" initiative in collaboration with the conservation area. This initiative would encourage community members to volunteer their time to participate in activities such as Tumbleweed eradication. Michelle points out that the current season is favorable for removing Tumbleweed since it's still green, which might make it more appealing for volunteers to engage in this effort.

Doris McNalley inquired about the progress of roadwork, particularly the movement of trucks involved in chip sealing. She is interested in obtaining information about when the chip sealing work will take place on Silver Valley Road so that this information can be shared on the Facebook page and other platforms. McNalley is concerned about people driving over freshly laid chips, which can lead to damage.

She asks if there is any available information regarding the schedule. She also mentions her intention to contact Ron at the county to see if he has any insights into the matter. She has noticed work commencing on both sides of the road and assumes that their section is one of the final stretches to be completed. McNalley expresses her gratitude for any assistance and information that can be provided on this matter.

Angela Rohr is providing information regarding a recent DTAC (Department of Transportation) meeting. During the meeting, she raised a question to Todd, the county engineer, regarding the timeline for a particular project. Initially, Todd mentioned "next week," but quickly revised his response to "maybe the week after," and eventually settled on "the week after that" as the more definite timeframe.

Rohr explains that the uncertainty in the timeline is due to factors like weather, as rain can significantly slow down the progress of the project. She suggests that the community should anticipate the project's completion by September, considering these variables.

6. Announcements:

- a. September 11, service day and U.S. Flag Retirement Ceremony event update

Mayor Hoster, on the September 11 service day and US flag retirement ceremony event, said he participated in the event and wants to express his deep gratitude and admiration for the town's community spirit.

Ken Hadley organized a flag retirement ceremony that saw significant attendance, and Mayor Hoster commends the outstanding representation of the town. Scouts played a crucial role in retiring approximately 35-40 flags during the ceremony. He notes that Doris and her bloom committee were instrumental in organizing the event, and many community members contributed refreshments, making it a memorable occasion.

Mayor Hoster highlights the significance of September 11 and how it's a day that brings the community together. Volunteers from Casa Tequilana and others assisted in putting up and taking down flags along the street, symbolizing the unity of the community.

He also mentions a cleanup effort that took place along Main Street, around town hall, and in the park, thanking the community for their active participation in making the town more beautiful. Mayor Hoster expresses the council's extreme gratitude and appreciation for all the neighbors who attended the event and contributed to its success.

8. Public Hearings:

- a. Ordinance No. 2023-03, Amending Chapter 21, Section 14, Related To Vacating, Altering Or Amending A Subdivision Plat/Map

Mayor Hoster raises the question whether to send this ordinance to the Planning Commission for further review.

Councilmember Stirling motions to send Ordinance 2023-03, Amending Chapter 21, Section 14, Related To Vacating, Altering Or Amending A Subdivision Plat/Map back to the Planning Commission for their assessment and farther review. Councilmember Wilson is second. 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: KOLE FURLEY	_____	_____	_____	X

9. Action Items:

a. Action regarding Ordinance No 2023-03, Amending Chapter 21, Section 14,

Mayor Hoster said the first action item involves Ordinance 2023-03, which amends chapter 21, section 14, concerning the vacating, altering, or amending of a subdivision plat or map. This item has already been moved and sent to the Planning Commission for their review per the vote regarding the public hearing.

b. Discussion and possible action regarding Resolution 2023-02 to withdraw from the election for Town Council portion of the election ballot.

Mayor Hoster, The following action item concerns the discussion and potential action regarding resolution 2023-02, which involves the withdrawal from the election for the town council portion of the election ballot. There are two open spots for the town council in the upcoming election, previously held by Councilmember Wilson and Councilmember Farley. Councilman Farley and citizen Jody McGregor have submitted their candidacies for these seats, and no other applicants have applied. Therefore, there is no need for an election, and withdrawing from it is a formality.

Councilmember Stirling motioned to approve the withdrawal from the 2023 Town of Leeds Election due to candidates un-opposed, and Councilmember Wilson seconded. 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: KOLE FURLEY	_____	_____	_____	X

c. Proclamation for Constitution Week

Mayor Hoster clarified the action item related to Constitution Month not just a week, which is observed during the month of September. He mentions that local leaders,

including himself, will be recognizing this proclamation and participating in a Constitution reading event that will be broadcast live via the County Commission building. The link for this event has been posted on Facebook.

Mayor Hoster emphasizes the importance of understanding what the Constitution means, stating that it goes beyond being just a piece of paper. He notes that the Constitution plays a vital role in shaping every decision made in the country, and the Bill of Rights is frequently subject to challenges. He mentions an example where the Second Amendment was recently challenged in New Mexico by the governor, but some sheriffs stood up to defend constitutional rights.

Mayor Hoster encourages people to take a moment to review the Constitution, acknowledging that it might be a bit dense and complex but that there are resources, such as YouTube videos, to help individuals better understand what the Constitution says, means, and does. He underscores the significance of not only knowing the Constitution but also understanding its interpretations and its role in shaping the nation.

10. Discussion Items:

a. Discussion regarding proposed Pump Station facility, Aaron Anderson of Bowen Collins

Aaron Anderson from Bowen Collins and Associates Consulting Engineers provides an update on the proposed pump station facility. He mentions that this presentation is to share progress and address previous feedback from the council and residents. This presentation is not an action item but a follow up.

Anderson explains that the pump station is part of a larger water supply and delivery infrastructure project, which involves conveying water from the Quail Creek Water Treatment Plant to the Anderson Junction tank. The pump station serves as an intermediate point for pumping the water before it continues its journey.

He shows a conceptual site plan that includes a flow control barrelhouse, storage tank, and the pump station building. He emphasizes that efforts have been made to minimize the visual impact of the site, especially concerning the storage tank, which has been positioned to reduce visibility.

Council members express concerns about noise from the pumps and the potential for equipment to be stored on-site. Aaron explains that measures will be taken to mitigate noise, such as enclosing the pumps within a building and potentially using noise-dampening materials. Regarding equipment storage, it is clarified that the site is not intended for long-term equipment storage.

Ralph Rohr played a recording of the sound near the water station at Gunlock Reservoir. There's a discussion about visiting similar facilities to gauge noise levels, and Aaron mentions some locations to consider.

Randy Johnson from the Washington County Water Conservancy District says that is a more robust system and does not reflect the sound this station will make. He confirms that equipment storage won't be long-term and suggests that they could provide a commitment that equipment won't be parked there for extended periods.

Finally, the council requests that architectural drawings and renderings be supplied as part of the conditional use application to ensure accurate depictions of the structures

and their sizes. Aaron and Randy agree to work on providing such renderings and detailed plans to meet the town's requirements and recommendations.

The discussion concludes with an understanding that the project will continue to be refined to address concerns and meet the town's needs.

11. Citizen Comments:

Doris McNally, a member of the council, provided an update during a meeting regarding a community project in the Highlands HOA area. In February, residents of the Highlands HOA identified a group of trees on the west side of Sillery Road that had died due to changes in the irrigation system. Around 20 to 30 cottonwood trees were affected by this issue.

Working collaboratively with Captain Steve Harris, a mitigation plan was developed to address the situation. Steve Harris presented a 10-page document outlining the trees that needed removal in the area. Initially, the plan was declined by the fire department, but after further discussion with Chris Anderson, modifications were made. The revised plan focused on treating the overgrowth without any shrubbery.

Starting on Labor Day, a week-long effort was made to clear the affected trees and mitigate the potential fire hazard they posed. Doris McNally expressed her appreciation for Steve Harris's efforts in coordinating and executing this project. She also acknowledged Councilman Furley for providing guidance on how to work with the fire department. The cleanup project was considered crucial due to the fire hazard posed by the dead trees, and Doris McNally wanted to update the council on this positive community initiative.

Alan Cohn inquired about the status of the Silver Pointe project and whether the ordinance to vacate was connected to it. Mayor Hoster clarified that the ordinance to vacate was unrelated to Silver Pointe.

Mayor Hoster explained that the town had sent a letter to the Silver Pointe project developers, notifying them that the town's interpretation was that their development agreement had expired. As a result, Mayor Hoster conveyed that a new development agreement needed to be pursued for the project to move forward. This letter served as an official communication regarding the town's stance on the project.

Michelle Peot shared two important points. She mentioned that annual inspections of the Mill repository should have been conducted to ensure that the fencing and soil cover remain intact. Currently, these inspections are not being carried out, but there is an alternative suggested by the responsible party. If anyone notices any compromises to the fence or soil cover, they should contact the Town or phone number of the responsible party on the sign. Michelle implied that it might be beneficial to make the citizens aware, especially those who walk their dogs in the area. Michelle also addressed a development issue concerning the 200 acres that the Wrights previously owned or invested in. She mentioned that a new shell company called "RE Developers," associated with the Smart Five group, has emerged, and is exploring opportunities for annexation. Michelle suggested that the town might want to invite Doug Toller, a representative of this group, to provide a presentation to gain a better understanding of their intentions and plans. She

noted that there were audio issues during the presentation he had given at the Toquerville meeting, and as a result, no recording is available for that portion of the presentation.

Mayor Hoster mentioned that there have been conversations with Doug and Aaron regarding the development issue involving the 200 acres. The challenge at hand is that the Wrights are currently unwilling to annex with the town due to an ongoing litigation matter between the two parties. Additionally, they are exploring options with Toquerville and the county. Mayor Hoster expressed the town's interest in having them annex but acknowledged the difficulties, especially considering their approximately one hundred fifty feet from the Leeds boundary would create an island.

Scott Messel, the Town Planner, confirmed that the area in question is very close to becoming an island, suggesting that annexation could be challenging due to its proximity to the town.

Michelle Peot commented on the water availability and capacity issues, implying that these factors might influence the development's feasibility. Peot expressed her appreciation for Aaron's cooperation and understanding in the previous matter. She mentioned the presence of signage indicating contaminated soil would be beneficial and if someone from the School and Institutional Trust Lands Administration (SITLA) were to conduct an official inspection or assessment related to the soil contamination issue would be best.

12. Staff Reports:

Mayor Hoster provided several updates and discussed a proposed Foliage Ordinance. Mayor Hoster discussed the issue of trees and foliage obstructing vehicle and pedestrian traffic. He explained that an ordinance addressing this problem has been drafted and might require a public hearing for approval. He highlighted that they prefer not to resort to such measures but are left with no choice due to safety concerns.

Mayor Hoster addressed the challenges related to fire department funding. HB 392, which would have allowed voters to choose between a sales tax or property tax for funding, will not proceed to the general election due to opposition from the Mayor of Hurricane. This decision has left the county commissioners exploring alternative solutions.

The town's truck is in poor condition, and Mayor Hoster sought input on options for its replacement. They considered leasing a new vehicle or purchasing a reasonably priced used one. The budget currently has six thousand dollars allocated for this purpose.

Mayor Hoster praised a citizen named Keith Lester, a retired contractor, who volunteered to replace plumbing in the park restrooms. This involved not just replacing fixtures but also addressing mold and damage to the sheet rock. Keith's efforts were highly appreciated.

Mayor Hoster raised the idea of adding a pickleball court adjacent to the existing basketball court in the park. There was mention of a community effort to secure funding for this project through a grant from AT&T. However, the status of the grant application was uncertain. Mayor Hoster suggested considering resurfacing the concrete, installing a fence, and providing a net for pickleball. Concerns were raised about noise and lighting.

13. Closed Meeting- None

14. Adjournment: 8:17

Approved this fourth Day of October 2023.

Bill Hoster, Mayor

ATTEST:

Aseneth Steed, Clerk/Recorder