

Town of Leeds

Town Council Meeting Wednesday, March 27, 2024

Regular Meeting 7 PM

1. Call To Order/Roll Call: 7:06pm

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
MAYOR: BILL HOSTER	X	
COUNCILMEMBER: DANIELLE STIRLING		X
COUNCILMEMBER: RON CUNDICK	X	
COUNCILMEMBER: BRIAN HANSEN	X	
COUNCILMEMBER: KOHL FURLEY	X	
TOWN PLANNER: SCOTT MESSEL	X	

2. Invocation: Councilman Cundick
3. Pledge Of Allegiance
4. Declaration Of Abstentions Or Conflicts: None
5. Consent Agenda:

- a. Tonight's Agenda of March 27, 2024

Councilmember Furley moved to approve tonight's agenda Second by Councilmember Hansen.
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: BRIAN HANSEN	X			
COUNCILMEMBER: KOHL FURLEY	X			

- b. Meeting Minutes of February 28, 2024, Regular Session

Councilmember Furley moved to approve tonight's agenda Second 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: BRIAN HANSEN	X			
COUNCILMEMBER: KOHL FURLEY	X			

Mayor Hoster: I know there's discussion of trying to get sewer associated with y'all and Councilwoman Sterling had asked for a I think a quarterly update, is probably why you're here. Is there anything relevant to that?

Devin Anderson: So we've got a permit issued and approved from the state for a shared septic system that's been designed for the development. It's been designed, engineered, and that's part of why we're back in with the city engineers just because of that change.

Councilmember Hansen: When might you be starting? Well, I guess that's hard to know, huh?

Devin Anderson: I'd love to tell you an answer that I believed in, but I'm thinking 3 months, but I've been saying that for the last year. So, but maybe this time I'll be right.

7. Monthly External Reports:

LDWA:

Doris McNally for the LDWA: With Landmark doing the construction here, periodically they may need to request the LDWA to shut down the water for a while. We've required them to give us 48 hours notice. One of the things we've done is we've created a e-mail system within the LDWA, but we are still missing emails for people. So, if there's any way that you can get the word out to, please make sure your records are updated, your phone numbers and your emails. We'll make sure that the townspeople are aware of anything that might happen.

Councilmember Furley: Can that be done online or does it need to be done in person?

Doris McNally: If you can just call into the office or send us an email.

(LDWA 435-879-0278 email: LDWAcorp@infowest.com)

HVFSSD:

Mayor Hoster announced that HVFSSD has a new division chief, our very own Councilman Kohl Furley. He's been promoted from Battalion Chief to Division Chief.

Chief Kohl Furley for Hurricane Valley Fire, Special Service District: We're just moving along. We are still running our staffing as initially assigned. We just finished a really large event at Sand Hollow and it's just looking like we're going to be busier than ever this year with more events than we originally expected from last year. I think it goes up almost 15% every single year. So we're just maintaining our level of staffing. We're still trying to find an alternative means of funding to help us grow with the population as well as the tourism that's coming in. I know that mayor Hoster and the chief of the organization are working hard on getting that solidified.

Sheriff's Office:

Sheriff Nick Brooksby: I appreciate coming to small town meetings. I pulled stats for the last year for the town of Leeds, who were at 581 calls for service. That seems to be creeping up a little bit every year. We just broke ground on the new jail expansion, we're adding 64 more beds to the facility. Just a note, in 1998 we build a 450 bed facility for \$10.5 million, to add 64 beds is \$23 million. So inflation is real. We always want to know about any problems areas in the community. If you ever have any concerns about houses or traffic, never hesitate to reach out and let us know, and we'll send our focus group deputies to handle those problems. We have four deputies, that's their primary assignment is just taking care of problem areas. Instead of responding to calls for service all day, they're focusing on the proactive side of it. We had about 30 canine handlers at our facility today doing recertification. They have to do a state certification. We had people from Nevada, Arizona, and Utah, a really big event. So we had a bunch of dogs around the facility today. So Any questions for me?

Mayor Hoster: We've had a couple of concerns with regard to the sanctuary assessment of the state and some of the challenges that you face with the ICE contracts. It's a very big legal conundrum for law enforcement with regard to the federal government on what they can and can't do and the cost is enormous. To try and comply with what they want, and so we have to kind of let illegals go, after 72 hours is that right?

Sheriff Nick Brooksby: 48 currently so I'll give you a little bit of history. So we have been housing ICE inmates for long periods of time for over 25 years with the new administration, everything changed. The rules got more intense. So they have ICE and then you have two non governmental entities that add ice

10. **Action Items:**

a. Appointment of new Clerk

Mayor Hoster: We have the appointment of a new clerk. Our prior clerk did provide a resignation after some great service to our community. I understand she's possibly moving on to another area, and if you get a chance to say thanks to her, she's been really amazing. She's done so much single handedly and ran this phenomenally, so I just can't give her enough thanks. It is my recommendation to appoint Michelle Rutherford as our new clerk.

Councilmember Furley made a motion to appoint Michelle Rutherford, a second by Councilmember Hansen.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING				X
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: BRIAN HANSEN	X			
COUNCILMEMBER: KOHL FURLEY	X			

b. Cemetery Ordinance

Doris McNally presented to Council, giving an update on her work as Sexton. Handout is attached.

- 1) Current ordinance was adopted on January 14, 2013. Rate schedule was put in place in 2016. The current ordinance has 29 sections. Recommendation is to clean it up, reorganize it and make it easier to read.
- 2) Old ordinance had definition and jobs we no longer have. I have pulled those that we do have out and added them to the definitions section
- 3) The new ordinance will define who is a resident of the Town of Leeds for pricing, so there is no confusion. A resident will be anyone who resides in the tax district for the Town of Leeds.
- 4) Definitions for plots, to be more encompassing of both cremation and also a casket.
- 5) Openings/Closings to be done by the Town for liability purposes
- 6) Code of Conduct for the cemeteries
- 7) Comparison of pricing. I am looking into what other cities and towns are doing in the way of pricing
- 8) Formal definition of markers. I would like to work with Planning Committee for this section
- 9) The section for decorations will remain the same, just reorganized in the ordinance
- 10) Regarding the property that John Z is deeding over to the Town, there were some problems with the paperwork. It is being redone and there are Quit Claim Deeds that need to be signed by the mayor and John Z.
- 11) I have been working with Kenworthy Monuments to get prices on Columbariums and designs that fit within our cemetery
- 12) Directory for the Protestant Cemetery is complete
- 13) A gate has been donated from the LDWA to close off the opening to the Protestant Cemetery from ATVs causing damage. Excess pipe was donated by Washington County Water Conservancy and Mark secured donations of gravel to repair the roads leading into the cemetery.
I am asking for an action to accept the donation from the LDWA of a gate and labor to install the gate at the Protestant Cemetery.

Councilmember Furley made a motion to accept a slightly used gate for the cemetery. A second was given by Councilmember Cundick.

Councilmember Cundick: Can you give us some copies of some of these that you recommend? It would be easier for us if we could review something concrete and look ahead. Otherwise, we're just talking about it and it never happens.

Mayor Hoster: Well, I think it's good to determine if we want to move on to the next step. As another discussion point, Scott can help us with, is you know how that gets granted. Is it something that goes before Planning Commission? At a level, if it's over an acre of excavation, could that be a step that, well now this requires this kind of authority. Or is it just a permit that's granted at the clerk's desk after an exchange of a fee. So, maybe you can give us some insight on that? As you're doing your research, to help us with that.

Scott Messel: I think that's one of the good things coming from SB 174, is they are really trying to push for jurisdictions to have things written out more clearly. So the layperson or anyone coming in can understand what's being asked of them.

Councilmember Furley: No surprises. With the excavation permit, does that also include dust abatement?

Scott Messel: It can be tied in and if we end up with conditional uses, it can be part of mediating the detrimental effects of the excavation.

Mayor Hoster: There's also been concerns that we've had to pull you out on and Sunrise on, which is flood zones, and modifying those flood zones that can compromise other properties. That would hopefully be a component of assessing this too.

Councilmember Furley: Something else that we can include in this... the fire district has a blasting permit, because of all the rocks that we do have. I think if we get it included with every permit, a copy of what's expected as far as our blasting. So that there's no surprises with that.

Scott Messel: Something we'll need to include on the checklist is the contact information for the Fire District to get a blasting permit and have communication.

- b. **Budget Review** (Motion was made and seconded to change the Agenda item from Amendment to Review)

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: BILL HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING				X
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: BRIAN HANSEN	X			
COUNCILMEMBER: KOHL FURLEY	X			

Mayor Hoster: Prior to Council meeting, we did have a work session on the budget, identifying the different method we're going to execute in 2025 on facilitating the budget. If there are any questions you have or any discussion you'd like to have at this time about the budget, we can address those at this time. No action will be taken.

No Comments.

- c. **Town zoning project assignments**

Mayor Hoster: Without resurfacing all of the issues associated with SB 174, but it was determined that we do want to address areas that have not been developed first, and then dissect the areas of town that currently have development. If either of those change, we will have a Public Hearing associated with it. We do have until December to complete these, but is there any other discussion we'd like to have about this?

Councilmember Cundick: I'd just like to have a draft which lays out the various sections so we can kind of proportion them and decide to have assigned. Can we have that by the next meeting?

Mayor Hoster: It would be in all areas that are undeveloped right now within the Town of Leeds, which would include Silver Point, Grapevine Wash, Silver Eagle, and the civil land. We also need definitions, which Scott is working on for us.

What I do want to say is that the most important thing I found with all of the people that work for this town is that they cared, and Aseneth definitely did care. When spending time here at town hall, as I did for eight years, I do realize there's a little bit of a bias that people who come in aren't happy. Sometimes they are, and they were welcome as well. But when the unhappy people came in, I thought Aseneth did a very good job of giving them the idea that there was an empathetic ear there. And I just want to get on the record and my personal appreciation, and I hope the appreciation of many other people in this room and this town for the job that Aseneth did as the town clerk/recorder.

Mayor Hoster: Well said. Yeah. Thank you very much. She'll be here, tomorrow is going to be her last day. So, if you have a chance to come in and say any thanks to her, that'd be awesome. We have a little thing planned for her as.

Sarah Reynolds: I had a question about the construction. I don't know if you've addressed it already, but I live off of Red Cliffs Road and there's a block and there's no work being done there. I wondered if we could move it like 30 feet. So all of the Red Cliffs residents don't have to go through the roadblock. I mean, there's nothing being done. And then the second thing is I wonder if you can move the other one by the mailbox up 30 feet as well, because then people don't have to wait to go to the mailbox. It's such an inconvenience for like 10 feet.

Mayor Hoster: I couldn't agree more, so I'll let me address those. So that is not us. That has nothing to do with the Town of Leeds. He is calling me daily. The lead manager over at Landmark. That is a UDOT road and UDOT has contracted with them to perform all of this. I was very upset about the absence of a light and just kind of guess and see if you can get through over there. We were talking over the weekend. Thank God no one was hurt. This is going to be horrible for the rest of the town, up until July, is what they're estimating. We give them our recommendations and they do listen, but we have zero affect on any of this. Thank you for your comments.

Sarah Reynolds: One other thing, with the Princess platform, I think it would be really awesome if there were suggestions and ideas that the princesses could use to better the community. They're not always going to be able to. I know my family schedule is busy until May, but after that, I think it'd be fun for the girls to have scholarship opportunities to write about if there are projects they can work on.

Lisa Hepburn: In consideration of the excavation permit. If we could have at excavation permit for regular flat ground excavating and an excavating hillside permit. To keep people from digging into the hillside and exceeding that 30% grade rule, so that there's other people that don't acquire damages on the downside. At that point, maybe put it up for discussion. Have somebody take a look at it if it's going to cause problems, then maybe don't allow the permit. It's pretty simple.

Mayor Hoster: She brings up a great point and I think it's something that we do have existing and we have our Chairman of the Planning Commission here, so it's kind of good. We do have a Hillside Ordinance, put into place in 2015. However, any subdivision that was in place before 1999 is exempt. We had a situation just recently where the engineer in one paragraph said there was a violation and then in the next paragraph said he had gone back to the county records and because it was platted in 1986 or 88, it was exempt. It was actually platted. It wasn't nebulous. This is what is happening next door to Mrs. Hepworth. We are going to have to give some consideration to the regard that, yes, they are exempt from this ordinance, but how do we make sure collateral damage does not occur?

Lisa Hepworth: For all people and the citizens of Leeds, not just myself.

Mayor Hoster: No, no, no. I mean, where we've got that gap, where the ordinance allows them to impact of 30% grade without our approval. Now, how do we put that into the ordinance to make sure that we're not violating our own law and still make sure that there's the protections that the law

to take priority over that, I can tell you I got yelled at so many times in an emergency room situation. Where, someone is sitting there for four hours because they cut their thumb and I've taken in the chest pain patient or respiratory patient and all these people who came in after them, but they needed the attention right away. That's kind of how we have to work as a town council and trying to serve you. I promise you every situation gets addressed when we receive it. We just have to look at when we can fix it. We did have an ordinance officer who actually left because he couldn't take all the complaints and the complaining of why isn't this done for me right now, right now, right now? So we're trying to find somebody else who can fit in for that. We don't have a lot of money to try and pay them to take that, but I just want you to know that you know, we are exercising triage as we try to field these complaints and resolve issues with the resources that we have.

Councilmember Furley: Yes, for the Bloom Committee, I just want to remind everybody that we're going to be having our Easter celebration this Saturday at 9:00 at the park just to the South of the town office. We look forward to seeing everybody and we are going to have a great time. We are looking for some volunteers. Last year we had quite a few people show up are a few children. We love to see it, but we try to break it up into age groups and what ended up happening is that the kids rushed the field, and some kids didn't get some of the eggs and some felt left out. Some of the parents were upset, so if we could get some people that would want to help out to just make sure that we're keeping a good handle on who's allowed to go for the Easter egg hunt at the certain times that we announced that would be great. And again, we look forward to seeing you all there. So the other report I have on, I don't have anything else on the roads right now, but I will for the next town council.

Mayor Hoster: You know one other component you reminded me of that I'll add. I've had just the worst time trying to deal with UDOT and Main St. We thought we were going to resolve the problem and mitigate some of the flooding with this 14 inch line out there. They came back and said no. So I'm exercising our legal with their legal now and trying to say who's going to fix this situation for all the residents along Main St. Another priority, I promise you, that is consuming me because I'm dealing with attorneys now and that's very fickle. So nonetheless, they have insisted we abandon that 14 inch line. That's not going to be an option that the town can exercise any longer. They're going to just ground it and fill it up. We've got to find some other way to resolve this. I promise you, I am on it like white on rice. So we're going to get to it, but I don't know how fast it's going to happen, but we're definitely pushing hard.

14. **Adjournment:** 8:40pm

Approved this 10th Day of April, 2024.



Bill Hoster, Mayor

ATTEST:



Michelle Rutherford, Clerk/Recorder