



Agenda

Town of Leeds Town Council

Wednesday, July 10, 2024

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, July 10, 2024, at 7:00 PM at the Leeds Town Hall, 218 N. Main Street, Leeds, UT 84746.

If you are interested in participating remotely via Zoom, please contact Town Hall at 435-879-2447 or email the clerk@leedstown.org for Zoom details.

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 June 26, 2024
6. Citizen Comments: No action may be taken on a matter raised under this agenda item. (*Three minutes per person.*)
7. Monthly External Reports: LDWA/HVFSSD/Sheriff's Office
8. Announcements:
 - a. Recap from 4th of July Committee
9. Discussion and Possible Action Items:
 - a. Nigel May – Conditional Use Permit Application for Thornberry Rigs
 - b. SB174 Direction from the Hansen Group
 - 1) Whether you would like to proceed with a two-phase or a combined approach for 1-2 family residential subdivisions.
 - 2) If you prefer to stick with the two-phase approach, please let us know whether you would like to review subdivision improvement plans in preliminary or final phases. Note that the Planning Commission cannot be the land use authority for the final phase. Given this, many municipalities choose to review improvement plans in the preliminary phase.
 - 3) Whether you would like the process we develop to apply only to applications for 1-2 family residential use, or whether you would like all subdivisions in the City to follow the same process. If you prefer having one process for all applications, then we can lengthen the review timeline and allow for more review cycles and/or hearings for applications that are not for 1-2 family residential use. We can also make the Planning Commission or City Council the land use authorities for other applications not covered by SB174/HB476 (commercial, multi-family, industrial, etc.).
 - c. Truth in Taxation for the HVFSSD, public hearing in August
10. Staff Report
11. Citizen Comments: No action may be taken on a matter raised under this agenda item. (*Three minutes per person*)
12. Adjournment

The Town of Leeds will provide reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 435-879-2447 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 on July 8, 2024, at these public places: **Leeds Town Hall, Leeds Post Office**, the **Utah Public Meeting Notice website** at <https://www.utah.gov/pmnl/>, and the **Town of Leeds website** at <http://www.leedstown.org>.

Michelle Rutherford, Town Clerk/Recorder

Town of Leeds

Town Council Meeting for Wednesday, July 10, 2024

Regular Meeting 7:00pm

1. **Call to Order:** 7:05 pm

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:** Councilmember Cundick

3. **Pledge of Allegiance**

4. **Declaration of Abstentions or Conflicts:** None

a. **Consent Agenda: Tonight’s Agenda**

b. **Meeting Minutes:** June 26, 2024

A motion was made by Councilmember Cundick to approve tonight's agenda and Meeting Minutes from June 26, 2024, and 2nd by Councilmember Stirling.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: BRIAN HANSEN	_____	_____	_____	X
COUNCILMEMBER: KOHL FURLEY	X	_____	_____	_____

5. **Citizen Comments:**

Doris McNally: Talking about the big rock in Toquerville. The developer doesn't have the money to remove it right away. This might be a lesson for the Town as we move forward with development. We need to make sure that the roads that these developers are building are safe and that we'll be able to use them. Do we have a Plan B? Just a thought after talking with people in Toquerville and what they are going through.

Rhonda McLaughlin: The last meeting I attended, I mentioned that the construction workers had knocked down the street sign at Roundy Mountain and Main. It was immediately put back up and I really appreciate that. Thank you.

Susan Savage: I know that people will have to request annexation, but I think about high density housing or low income housing. Something popping up in various places, as many developments come in and I just think about that little Valley, it's protected by the hills on each side. I don't know if anyone could speak, property owners to see if they're interested in that. What I do know is that a piece of property down there was purchased for a very high price. You know, a lot of a lot of things to handle cattle. And then when he died and the family sold it, then our neighbors who would love to have bought it. It has all of this equipment all ready to

use. It's a great facility. The real truth really high price on it and everybody said no way that somebody who's not in the cattle business. So people have invested in those will buy them down to and for. And then I just wanted to mention, I don't know you and I talked, I emailed you a little bit about transportation, about the proposed interchange, I just wanted to mention several issues that I see with any consideration of completing exit 23 up here. If that's one of them, is that it doesn't handle Solara's problem. The Solara still has to come through the property. Has expense and the big bridge to cross the Grapevine wash where there's a FEMA major flood zone, and there are several other things. One is that there's been talk over the years just through the past about just adding yourself down on that there, but that doesn't handle people coming home. They still have to come up through to get home and a full interchange would take out the shopping center and would impact homes in the area. But another thing is that is the area where all of the controls are for the specialized irrigation. So that's a big deal. The lines divide off from there to go different places, and that's where the valves and controls are so, it's engineered so that it works, right? That would be a big deal, wouldn't it, to have an interchange come through and interrupt that and that's basically it.

Michelle Peot: I'm going to repeat myself since a lot of folks weren't here at the meeting when I stated this, and I am sympathetic to the need for low to moderate income housing here, but as written, the short term rental / ADU ordinance kind of goes beyond in terms of what I think would be a reasonable definition for an accessory dwelling unit in that the size that's allowed is larger than my house and potentially larger than the primary on that property and other cities like Salt Lake have put restrictions on you know the size in comparison to the primary house and or maximum occupancy and those might be things that we ought to consider so that we don't end up with little mini housing developments.

Mayor Hoster: Good input. Thank you.

6. Monthly External Reports:

HVFSSD: Kohl Furley: We obviously know it's a very dry season. Our wildland crew has deployed on their 4th fire. This time it's going to be up towards the price area they're on the disposition for any lightning strikes etc., again so on our 31 they're going for two weeks at a time. This time they've asked for the entire crew, so I think they're anticipating quite the activity of that way. On the structure side, we are still status quo with the same stations, open staffing is running as normal. We are a little bit low on staffing, but we're holding short due to budgetary constraints. We are moving forward with plans for truth in taxation, which the mayor is going to touch on briefly, but we would love to answer any questions that you may have and we want to be as transparent as possible. We want everybody to fully understand what it is we're trying to do, not what we're doing now kind of thing. We're here for you. We want you to understand our needs and I highly encourage that if there's any difficulty with understanding what the fire department does, we have a ride-along program that's exceptional. You can come ride along for the day and get the feel for how things work and just how busy we really are so. I appreciate the time.

LDWA: Doris McNally: Culinary water companies in the state of Utah have to submit a consumer confidence report. We submitted ours and once again passed with flying colors. That information is on the back of the invoices that we've received this past month and if people go to the website, there is very good, lengthy information that helps to understand the report.

Mayor Hoster: Thank you. And it looks like we have Mark here who does an amazing job for us too. So thank you.

Sheriff's Office: Mayor Hoster reported for the Sheriff, who was unable to attend. The Town has contributed to the New Drug Task Force. The Sheriff's Department has seen an increase in trafficking on I-15. They are using high tech devices to detect the drugs going up and down the Interstate.

7. Announcements:

a. Update from 4th of July Committee

Kohl Furley gave the update for the 4th of July Committee.

Best turnout in years. The Bloom Committee, members of Town Council, and Citizen Volunteers did a tremendous amount of work and it came out great. The raffle brought in \$553.00. Pancake

breakfast was great, we had enough food for everyone. Rex Ballou set up the Flyover and that was spectacular. Anyone that has any suggestions for future events, please let us know. Mayor Hoster thanked Kohl for all of his work on the event. He was impressed with the attendance at the Parade and feels we should keep it on Valley Rd in future years. We were mentioned in many papers for the Flyover and the flag in the park was just amazing.

8. **Public Hearing:** None

9. **Discussion and Possible Action Items:**

a. Nigel May – Conditional Use Permit Application for Thornberry Rigs

Mayor Hoster has a concern about the noise the business might create. He asked if the neighbors had any complaints. Councilmember Stirling expressed her opinion that the noise would not be an issue for the neighbors, Town Hall being one of them.

Councilmember Stirling made a Motion to approve the Conditional Use Permit for Thornberry Rigs, 2nd by Councilmember Furley.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: BRIAN HANSEN				X
COUNCILMEMBER: KOHL FURLEY	X			

b. SB174 Direction from the Hansen Group

1) Whether you would like to proceed with a two-phase or a combined approach for 1-2 family residential subdivisions.

Scott Messel gave his recommendation for a two-phase approach for 1-2 residential subdivisions.

A Motion was made by Councilmember Cundick, 2nd by Councilmember Furley.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: BRIAN HANSEN				X
COUNCILMEMBER: KOHL FURLEY	X			

2) If you prefer to stick with the two-phase approach, please let us know whether you would like to review subdivision improvement plans in preliminary or final phases. Note that the Planning Commission cannot be the land use authority for the final phase. Given this, many municipalities choose to review improvement plans in the preliminary phase.

Scott Messel gave his recommendation that the Preliminary drawings would be approved by Planning Commission and then a Subdivision/Development Review Committee (SDRC) would approve the Final Plat.

A Motion was made by Councilmember Cundick, 2nd by Councilmember Furley

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			

COUNCILMEMBER: BRIAN HANSEN			X
COUNCILMEMBER: KOHL FURLEY	X		

3) Whether you would like the process we develop to apply only to applications for 1-2 family residential use, or whether you would like all subdivisions in the City to follow the same process. If you prefer having one process for all applications, then we can lengthen the review timeline and allow for more review cycles and/or hearings for applications that are not for 1-2 family residential use. We can also make the Planning Commission or City Council the land use authorities for other applications not covered by SB174/HB476 (commercial, multi-family, industrial, etc.). Scott Messel gave the recommendation that we have two separate processes. 1-2 Family Residential would be the two phases and any application not covered by SB174/HB476 would stay the same as currently processed.

A Motion was made by Councilmember Cundick, 2nd by Councilmember Stirling

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: BRIAN HANSEN				X
COUNCILMEMBER: KOHL FURLEY	X			

Direction will be given through Scott Messel to the Hansen Group.

c. Truth in Taxation for the HVFSSD, public hearing in August

Mayor Hoster explained that the Fire Department is not asking for the increase in Taxes, the Board is. The board is requesting funds to ensure the fire department's safety and community care. An 89% tax increase proposal was initially considered absurd, but a proposal for a sales tax was approved unanimously. However, this law would be taxation without representation for certain areas, as the county had to approve it, potentially affecting areas serviced by different providers.

The board proposed a .33% increase in property taxes, a .33% increase of the current .0001% of property taxes. Unfortunately, this would put a burden on property owners within the service district, not on visitors. Instead, they aimed to focus on the sales tax, which would be reversed if the sales tax increases are passed. This would reduce the tax on property and ensure that the burden is not placed on property owners. The board believes this approach will be prioritized in the next legislative session.

The board is hesitant to reduce property taxes, as they are crucial for maintaining the fire services. They encourage everyone to participate in the August public hearing, which will be posted and approved by the state Treasurer's office. The public hearing will not conflict with another, and the Treasurer's office will provide an update on the date. The Mayor was asked why they don't use Impact Fees? He responded, the Fire Department is short \$2.2 million and that is all employees. Impact Fees cannot legally be used for employees. There's a nationwide shortage on paramedics right now. If we don't pay our paramedics competitively, they will leave and we will not get them back. That would be detrimental to our health and safety.

10. Staff Reports:

Councilmember Stirling: I am so excited about what has been going on with the cemetery. I want to thank Doris McNally, Mark Osmer, Brett Comas, and John Z for the unbelievable dedication to this. She recommends going by the cemetery to see the progress. I spoke with Matt Rhodes with UDOT this week. Cemetery Rd belongs to UDOT and they are giving it to the Town of Leeds, which will help tremendously with additional

parking. The process of transferring it over to the Town is almost complete. Once that is finalized, we can begin water mitigation and leveling of the parking lot. We will have diagonal parking spaces. Mark Osmer has put countless hours of donated time in spreading the dirt we got for free. We are still on track for the columbariums. Mark and Doris have not charged the town at all for all the work they have done. Brett Comas has worked for years opening and closing graves without a raise. John Z has been incredibly generous and helpful. I am looking forward to next couple of weeks, and for starting the rock wall which will make it much easier to get into the cemetery as well.

Mayor Hoster: First, I'd like to introduce and welcome our new Residential Building Inspector, Melodie Hayes. She took over when Dennis Mertlich retired and we are very happy to have her.

Melodie Hayes: I'm excited to be here. I work fulltime for Washington City. I have known Dennis for half my life and I am grateful for the opportunity. Everyone has been very accommodating and Michelle does a great job. Thank you.

Grapevine Wash – The new property owners have their bonding now and are looking to turn some dirt. I have had several meetings with the developers and UDOT. The Town has given zero commitment, but there have been lawsuits in the past. I do anticipate the Planning Commission will be receiving a Subdivision Application in their next session. I invite people to come. It's easy to be misguided through Social Media and the past. The developers will be here to answer questions. Our relationship with them as a town is not frictional at all. They need us and they have expressed a sincere concern about working with the Town. Things have changed since their last application 7 years ago. They are a completely different group. They have a plan to put a horizontal hotel out there and that would be an enormous amount of tax revenue for the Town.

We have expressed our concerns about the roads with UDOT and access to our businesses. The road to Harrisburg is a concern we brought up to UDOT. They have since opened that road back up. If it has been reclosed, it is to pressure test the lines before repaving. We will check into that because we certainly do not want to negatively impact our businesses. As for Main Street, we were told the end of June, beginning of July, it's probably going to be closer to the end of July at this point.

Michelle Peot asked the Mayor why Grapevine Wash is going through NEPA, since that usually applies to federal land. He answered that it was for anything having to do with Interstate 15.

11. Citizen Comments:

Susan Savage: when you talked at the last Council meeting about Grapevine Wash and a possible interchange. Can they go ahead without an Interchange? You mentioned that there was discussion of the two groups paying for the interchange that they're going to need to do that. So the way to get that is for the two sides to work together. Mayor Hoster explained that the Interchange would need to be funded by the developers and if a bridge was needed, UDOT would probably pay for that.

Susan Savage: And would you anticipate that there will be where? Mayor Hoster asked if they could speak after the meeting. So, can Grapevine Wash go ahead with their development without the help from other side of the freeway?

Mayor Hoster: They can. They did a traffic study that they're supposed to be sending over to me and their lead attorney has advised does accommodate for what they are doing. In fact, it's lower than what they had already been approved from the prior traffic study. I didn't agree with it and so I'm asking him to provide that information to me, but they could possibly do it and keep all the construction and traffic going up and down Main St.

Susan Savage: So what would be their incentive for participating in the funding of the interchange?

Mayor Hoster: It significantly increases the value of their operation to be able to have on and off right there, and also to include some of the area that's along that frontage road for commercial. And so that would significantly improve the value of all of that property for both parties. Now, Solara will have to have a secondary access. So they don't have the option now, Grapevine does. And they're also looking at trying to run a line up through the Toquerville bypass for their secondary, which was required. The traffic count they had, I highly suspect it's off, and I don't agree with it. I want to look at it deeper, but for what they thought they could get away with just running everything up and down Main St.

Susan Savage: So they would have an advantage with an interchange, but they wouldn't need it.

Mayor Hoster: That's my assumption right now, yeah.

Susan Savage: So, Solara actually would be left alone to fund the Interchange?

Mayor Hoster: I think it's kind of complicated because it's like each of these developments kind of did their traffic study in a silo. But when you look at all of them together, it's systematically creating an overburden. They are both bonded or striving for their bonds. Solara would like to start selling and they have to have that ingress and egress before they can get any permitting from the County. They have expressed interest in either annexing with Leeds or with Toquerville after all of that's done. Which is, you know, another discussion, but my understanding is that this interchange is going to be essential for them. Otherwise, they're going to be moving it up through BLM ground and then running it through Silver Reef.

Susan Savage: So do the developers who are funding it get to decide where the Interchange goes?

Mayor Hoster: Yes and no. They do want to provide the most economical way of where that will be placed, but there are Federal Organization involved as well. They want the interchanges so many miles apart, and they have regulations that would need to be followed. I would like to show you the drawings they sent me today and get your thoughts.

Councilmember Furley asked the Mayor about Grapevine's second egress and he explained that they would be tying into the Toquerville Bypass going through Firelite. There was additional concern that there is extensive work that needs to be done with the rock slide situation. For the ability for people to live there, the work needs to be done, but the infrastructure can start without it being complete.

Susan Savage: So I guess this is obvious from what I'm saying and I'll put it on the record, if they get to decide where to put it and they're looking for the lowest cost, they'll use exit 23 and that will tremendously impact Leeds. That will impact the irrigation company.

Mayor Hoster: I want to be cautious, but I will say that they want to take out Exit 23 and build a new Interchange about a mile and a half north. Nothing is definitive, but they have requirements about how far away the frontage road is from the freeway. Nothing has been designed yet. They want to go closer to the Wash. I was just apprised of the plans and I'd like to go over it with you so that you're fully aware of what is happening. I work for you and for the people of Leeds and I want to make sure you are taken care of.

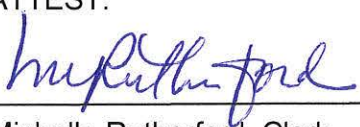
12. Adjournment: 8:16 pm

Approved this 14th Day of August, 2024.



Bill Hoster, Mayor

ATTEST:



Michelle Rutherford, Clerk