



Agenda

Town of Leeds Town Council
Wednesday, August 14, 2024

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, August 14, 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 July 10, 2024
 - c. Meeting Minutes of July 10, 2024 Work Session
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. Recognition to 4th of July Committee
9. Public Hearing: None
10. Discussion and Possible Action Items:
 - a. Zone Change Application for Silver Cliffs Estates
 - b. Subdivision Preliminary Plan Application for Silver Cliffs Estates
 - c. Revised Regional Water Supply Agreement
 - d. Proposed ORD 2024-04: Loitering and Sleeping in Public Parks After Dark
 - e. Adoption of Southern Utah Regional Trail Standards
11. Staff Reports
12. Citizen Comments: No action may be taken on a matter raised under this agenda item. *(Three minutes per person)*
13. 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 August 12, 2024, at these public places: **Leeds Town Hall, Leeds Post Office**, the **Utah Public Meeting Notice website** at <https://www.utah.gov/pmn/>, and the **Town of Leeds website** at <http://www.leedstown.org>.

Michelle Rutherford, Town Clerk/Recorder

Town of Leeds

Town Council Meeting for Wednesday, August 14, 2024

Regular Meeting 7:00pm

1. Call to Order: 7:05pm

ROLL CALL:	<u>Present</u>	<u>Absent</u>
MAYOR: BILL HOSTER	X	
COUNCILMEMBER: DANIELLE STIRLING (ZOOM)	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
5. Consent Agenda: with the addition of Invocation
 - a. Tonight's Agenda

Motion was made by Councilmember Cundick to Approve Tonight's Agenda, 2nd by Councilmember Stirling.

Motion Carries

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. Meeting Minutes: July 10, 2024

Motion was made by Councilmember Cundick to Approve the Meeting Minutes from July 10, 2024, 2nd by Councilmember Stirling. Motion carries.

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

c. Meeting Minutes: July 10, 2024 Work Session

Motion was made by Councilmember Cundick to Approve the Meeting Minutes from July 10, 2024 Work Session, 2nd by Councilmember Stirling. Motion carries.

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

6. Citizen Comments: None

7. Monthly External Reports:

LDWA: Doris McNally, Today the final line for the LDWA service replacement on Main Street has been laid and finalized. Hopefully no more service interruptions to occur to any of the shareholders there. The only work left is the roughing of the road for asphalt. LDWA Appreciates the town's patience as we near the end of the project.

Mayor Hoster asked if LDWA had given Landmark permission to fill their water trucks. Doris confirmed that Landmark was using the Water Conservancy's water in their water truck and she clarified which fire hydrants belonged to LDWA and which belonged to the Water Conservancy.

HVFSSD: Battalion Chief Matt Butterfield, Last month HVFSSD responded to 571 calls for service, of that 22 were in Leeds Town, 2 fires and 20 medical calls. Fall burn season starts September 15th, will run until November 15th. To obtain a burn permit contact dispatch (435-627-4949) or go to the Hurricane Valley Fire website (www.hvfssd.org/information/page/burn-permit-fire-restrictions)

We will have a 9/11 Memorial Service at Station 41 in Hurricane, the huge flag will be raised at 6:00am, a pancake breakfast at 8:00am, I am unaware of any fee associated with that, Music and Food Trucks throughout the day.

Mayor Hoster: Battalion Chief Matt Butterfield was just made a Battalion Chief. He's been with HVFSSD just a little over a year. He came down to us from West Valley. Congratulations on your promotion Chief.

Sheriff's Office: None

8. Announcements

a. Recognition to 4th of July Committee

Members of the 4th of July Committee were recognized by Mayor Hoster for their efforts: Ken Hadley, Rhonda McLaughlin, Bill Stone, Michelle Rutherford, Kohl Furley, Tracy Comas, Doris McNally, Jeremy Stratman, Ron & Pat Cundick, Brian Hansen, and Robin Snyder

9. Public Hearing: None

10. Discussion and Possible Action Items:

a. Zone Change Application for Silver Cliffs Estates

Scott Messel explained that the Development known as Grapevine Wash Development has applied for a Zone Change as Silver Cliffs Estates. The Public Hearing was August 7th and the Planning Commission unanimously voted to recommend approval of the Zone Change.

Paul Morris, representing Grapevine Development, has been involved in the project for 16 years and has been involved in it since its annexed into Leeds. The project was initially planned to develop in the unincorporated county or Toquerville but was later annexed into Leeds and vested in the Vision Dixie Plan. The property owners were considering higher density, which led to a zoning agreement with mixed-use and multi-family residential units.

Morris worked with one of the property owners and Mike Wagstaff, who put all the land under contract. They decided to have a more unified approach and started meetings with town planning staff and others. The mayor asked them to find a commercial use that would be compatible with the town. They found an excellent group, Iconic Resort Hotels, who were looking at several areas around the area but concluded that this was a great location.

The team decided to lower the density down to 761 single family dwellings and add a hotel. They were prepared to go with the old map but thought that the town asked for something commercial. They liked this plan and were

not worried about duplexes or short-term rentals. In CC&R, they will prohibit short-term rentals.

The Hotel brings a revenue source and amenity for the town, reducing the impact on the town. Paul Morris gave a PowerPoint presentation with the planning commission, and he wants to turn it over to engineer Bob Hermanson, who has extensive experience in projects throughout the valley. Steve Lasky, representing the Iconic Resort Hotel, will also discuss the project.

Bob Hermanson spoke about the changes to the zoning they are requesting. All of the Multi-family lots have been removed and have been replaced with Single-family residential no less than .25 acre lots. He feels that this is a much cleaner, simpler design. By adding the Commercial there's about a 25% reduction in density overall. They are working with Ash Creek Sewer, there will be a couple of lift stations throughout the project, it will be sent East through Firelite. Water will be provided by the WCWCD. We were able to get a Tee put in at the Babylon Rd / Old Hwy 91 Intersection, so we will be continuing this down and building a water tank in Phase One. The road going through to Toquerville is our second access, not an emergency access. There was a question in Planning Commission regarding that road. It will be a full-blown public road that goes through Firelite (Toquerville Bypass).

Mayor Hoster asked about zoning for a school or fire station.

Bob Hermanson said that if a school or services were determined to be necessary, they would take the place of a few lots, and the number of houses would be reduced. The Fire Department determines where the need is and they decide where they need to be placed. A school can come into any zone. Once it is decided where it needs to be an amended plat would be drawn up and presented. The plan includes several small parks as well as a very large park with Pickleball courts, and a community center. The parks are spread out throughout the development, so the residents have their own local pocket parks.

Councilmember Cundick expressed his concern about the number of parks available to the residents.

Mayor Hoster asked Scott and Bob to discuss some of the BLM access.

Bob Hermanson explained that they have two applications into the BLM for full access.

Councilmember Stirling asked about the width of Babylon Rd

Bob Hermanson assured her that the roads are all full 50 or 66 foot right-a-ways

Paul Morris explained that they are dealing with the State, the County, Toquerville, and Leeds in determining what the standards are for each section of these roads. He assured the Council that each will be to standard based on who owns the road.

Bob Hermanson explained that they are working through the right-a-way issue right now. The road at one end is 60 feet wide and at the end is 100 feet. Once they know what the county standard is, they can work with the residents on each side to make sure they have the proper right-a-way.

Mayor Hoster asked Bob to confirm that the Toquerville Bypass is the secondary access and there are no plans to have access from the south at all. He confirmed.

The mayor also asked Paul Morris to address the possibility of the Hotel not going in and what happens then?

Paul Morris explained that the Planning Commission had the same concerns, and the developers also want some assurances. The Planning Commission put in a reversion clause to their recommendation that if the Hotel Group does not submit their Site Plan and Conditional Use Permit Application within 6 months, the zoning will revert back to the original zones for that 35 acres so the developers can move forward with building homes on those 35 acres. This reversion clause is a desire for all involved. He would like to have the Hotel Group speak to the Council.

Councilmember Cundick has concerns about the traffic issues.

Mayor Hoster explained that there have been several discussions with the developers in regard to the traffic concerns and the possibility of a new interchange to alleviate the stress on Main Street.

Paul Morris explained that main access for the Hotel would be through Toquerville, not Leeds. This would be their Zions National Park location and are excited about having that direct access. They also anticipate that people working in Cedar City would be moving into these homes, trying to get away from the snow. So the traffic flow is anticipated to be more North than South through Main Street. They are interested in getting the new Interchange. The Mayor has been very active in communicating with UDOT and getting a roadmap to making the Interchange a reality. Grapevine Development is its own Special Service District. The District will be paying for its own roads, water system, and sewer system, as well as its own parks. When the individual owners purchase their lots and begin to build they will be paying the Parks Impact Fees that can be used on Leeds Parks outside of the District. When the District issues its Bond, depending on what Leeds decides to do with the water, we're agreeing to put in writing that we will contribute towards that, out of our bond, \$50,000 to \$100,000 specifically for the interchange to start the work that we need to do.

Mayor Hoster would like The Council to hear from the Iconic Group. He feels it is necessary to add a reversion clause that if the proposed hotel resort group has not applied for site plan and conditional use approval on the 35-acre commercial zone within six months, that the 35-acre commercial zone designation reverts back to the original underlying Residential Zone designation.

Steve Lasky: The hotel is described as a disbursed hotel. You have a main amenity gatehouse where people would check in. You'll find your restaurant and your spa and other amenities for the hotel. There are approximately 100 individual cabins or casitas, somewhere in the neighborhood of 600 and 900 square feet, depending on which one they are. They are disbursed throughout the property, all single level, so that they aren't seen by everyone else and the guests don't see their neighbors either. They follow the natural contour and natural environment. This is an upscale property. The room nightly rates would be from \$500-\$700/night. Occupancy study in this market is around 70%. The amenities include a full-service spa, pool, and a medium size event space designed for weddings and corporate retreats. The amenities would be open to the public. No animals or horse trails are in the plans. He showed photos of the conceptual layout and views from the property.

Paul Morris spoke to the possible tax revenue for the town. With a nightly room rate of \$525 at 70% occupancy, the sales tax and TRT would be approximately \$200,000 in additional annual revenue to the Town, that does not include the sales tax from the restaurant. There is also the additional Property Tax revenue for the homes.

Councilmember Stirling asked about where the hotel would be located on the property. Scott shared his screen on ZOOM so that she could see the map. She asked another question about Babylon Road, and who requires it to be an 80 ft road? She suggests that prioritizing right of way is crucial to avoid transportation issues in Leeds, as the highest allowed amount may not be feasible.

Mayor Hoster answered her question: We already have their zoning for far more and we're reducing the zoning capacity and allowing that one section to have transient commercial which is not an in and out.

Paul Morris responded: That's exactly right. So, we're vested in the 1000 and we could come in with the subdivision as is and not ask for a zone change at all. And we would by right be able to go through the subdivision process. We're reducing it down and we're not sidestepping this. The challenge is, is that you (the Town) don't maintain the road, it's a County Road. And so we've talked to the county and they don't necessarily see it as an 80 foot right away. No more than they can tell you what your streets are supposed to be, you can't tell them what their streets are. We're working with UDOT, the County, Toquerville, and we're working with Leeds street standards and we're going to meet them all. We won't get final plan approval from you, if we don't meet at your joint utility committee. Scott and your engineers will tell us review our plans and make sure we meet all your standards before we get final approval. Starting in January, the process of final platting subdivisions will changed, with town councils no longer able to vote. We like working with you and are willing to go through the current process for final plat and to keep our relationship strong.

Councilmember Cundick expressed his concern of voting on a significant action with two Councilmembers absent, and he'd like to have the entire Council here to way in and the burden should not be on only those present.

Mayor Hoster reassured him that the circumstances couldn't be better for the Town's interest. They have reduced the total number of homes they are already vested for, and the developers are on a time schedule. They submitted their complete application in a timely manner, and we have the obligation to move forward and not hold up the opportunity the developers have right now.

Councilmember Stirling expressed her concerns about the 80 foot right-a-way that the Development does not currently own. It would be irresponsible of us to approve something that they don't have the rights to. She also has concerns about the Flag Lots in the Preliminary Plat.

Mayor Hoster explained that Babylon Road is not the subject of the Zone Change and we will discuss that in the next discussion. The Flag Lots have been discussed in length and we don't have an Ordinance Prohibiting them, we just don't want them, but they are prepared to discuss that in the next Discussion Item.

Scott Messel explained that there was concern in Planning Commission as well, and we came to an understanding with the developers that they will remove the Flag Lots before Final Plat is submitted. He also gave clarification that the Zone Change Application and Preliminary Plat Application were two separate matters and we have the opportunity to discuss and vote on that issue after we handle the Zone Change.

Motion was made by Councilmember Cundick to Approve the Zone Change Application for Silver Cliffs Estates pending Legal Council approval of the reversion verbiage. 2nd by Councilmember Stirling. Motion Carries.

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
	_____	_____	_____	_____

Mayor Hoster asked Town Council if we could move Agenda Item 10c up on the Agenda so they aren't held here any longer than necessary.

A Motion was made by Councilmember Cundick to modify the Agenda to move Item 10c up for discussion immediately, 2nd by Councilmember Stirling. Motion Carries.

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
	_____	_____	_____	_____

10c. Revised Regional Water Supply Agreement

Mayor Hoster welcomed Zach Renstrom from the Washington County Water Conservancy District. He stated that he has read through the Agreement, and he identified several questions he'd like to pose to Council. The first being the past fees the Town would owe according to one of the sections in the Agreement. Past due fees associated with

residents' reimbursement obligation section 621, which identifies interest rates and so forth for not paying any fees associated with people who've been receiving the services. But we have not had anybody receiving these services in the Town of Leeds. These have all been provided by the LDWA, so for us to identify a pathway forward, it would require us signing this agreement with the Washington Water Conservancy as one of multiple towns to receive the services of the Washington Water Conservancy for areas that cannot be serviced by LDWA. That is something that the Town is obligated to provide, and so we have had multiple discussions with Washington Water Conservancy over the past two years of how this would work with the Town, work with the other developers who are associated here. Tonight, at our work session, we had a very productive conversation with the Washington Water Conservancy identifying that the Town intends to work with them and provide perhaps some economies of scale in managing all of the infrastructure, maintenance and billing and all of these other components that are associated with it. Now, one of the biggest differences associated with this revision is the Hansen, Allen & Luce Study, which the Town already participates in. Basically, it says you can't install Septic that hasn't been grandfathered within nine acres of another septic system. So, we already participate in that, and I think it was by default. He then opened the discussion and asked Zach Renstrom to come to the podium to address any questions from the Council.

Zach Renstrom: I think it would be great to have Leeds onboard. It puts you in with the with the other cities and discussing all the water policies that will go on the district and gives; you know, the mayor and the city manager a position on the AC board and also on our tax board. There are still a couple more steps, we need to sign a final agreement to come in to clarify any issues and also it does go to the ACC Board and then it goes to the final board. But, in individually talking with them, they all seem very positive about Leeds coming on.

Mayor Hoster: I personally see it as the only way for us to service the property owners who rightfully should be accessing these services within the Town of Leeds. I see I don't see any alternative to it. We've had lengthy discussions with LDWA that has only a certain capacity of service they can provide without compromising their existing services. So, it's my recommendation that we petition to sign this agreement conditional upon the approval of the committees that you mentioned, and that we're able to move forward with that depending upon the scheduling of those committees, receive it back, then execute.

Motion was made by Councilmember Cundick for Zach Renstrom, on our behalf, to plea to the ACC and The Water Board that Leeds be allowed to participate in the Revised Regional Water Supply Agreement. Upon their approval, we'll execute the document. 2ns was made by Councilmember Stirling. Motion Carries.

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

10b. Subdivision Preliminary Plan Application for Silver Cliffs Estates

This involves the access, and the plans that have been submitted by the Developers

Bob Hermandson, from Bush & Gudgeon was using a Plat Map and a laser pointer on the projection screen to describe the locations of roads. A 66 foot right away that bisects through the center of the property that's actually a master plan roadway that someday there'll be another road that will run through here and also connect to this road. This 66 foot road again, this is what the mayor was mentioning earlier, it's not clearly defined, in my opinion, in the code whether or not you can front a 66 foot right-a-way with the lots. So, erring on the side of caution, trying to be conservative, this layout is showing no lots are fronting this 66 foot right-a-way. However, what ended up happening? There were certain areas where I ended up with Flag Lots, which are not allowed as well, right? And so, after lengthy discussion with the Planning Commission, we will work diligently to eliminate all of the Flag Lots, with the intent that in some scenarios, (that is Scott would be reviewing with me as I presented it) there may be some lots that do front to the 66 foot right-a-way where they're safe and there's plenty of right-a-way or room between intersections and things. Also, it's important to note that in most cities in the county, probably 80% of them, you can front a 66 foot right-a-way. So that's not unheard of. We're not asking for anything that's odd. We're not asking for anything that's not done in the county now in other cities. So, the thought process is that I would present a layout. It would have minor tweaks where we have Flag lots and the ones that need to front the 66 foot right-a-way and we would move forward with that.

We would be asking for approval with the condition that all of the Flag Lots were removed and potentially, some lots would front the 66 foot right-a-way, all with Scott's approval.

Mayor Hoster asked for an explanation as to why the 66 foot right-a-way is an issue. Is the speed limit an issue there?

Bob Hermandson, No, once you graduate to that size of roadway, there's more traffic, you're looking at sight distance, intersection spacing.

Mayor Hoster asked if the Flag Lots are eliminated, then will you violating a different code fronting lots onto a 66 foot right-a-way?

Bob Hermandson responded: There is no code, it doesn't address it at all, that is where I messed up. I was overly cautious when I drew this up because I was not sure. He explained that he could eliminate the Flag Lots by fronting a handful of the lots and reconfiguring the others. It will not affect the density and has no affect on the Zoning either.

Scott Messel advised that this could be a condition tied to the approval of the Preliminary Plat. He said he would work with Bob, checking the widths of the lots and the frontage requirements to make sure they meet our code requirements.

Councilmember Stirling: Is there any way we could make the Dark Sky requirement as a condition of the Preliminary Plat? Do you have a trail system for this development?

Paul Morris responded with Dark Skies will be part of the CC&Rs, this is what we want as well.

Bob Hermandson added that the entire development will have curb and gutter and will be very walkable. We will be completing a Parks Plan to be approved by Scott as well.

Councilmember Stirling: For the past 50 years or so, this area has been used by people who would park at the opening and take their side by sides into the BLM. Is there any access to those people to continue doing this?

Bob Hermandson answered, firstly, all of these roads are public roads. Everyone has access to them. Everything off the property is BLM. Babylon Road would now be an improved road, and anyone would be able to drive through and park on BLM land.

Councilmember Stirling: My concern is that there are a tremendous number of side by sides on any given weekend. There could be safety concerns in a residential area, and that would fall on the Municipality of Leeds.

Paul Morris responded to her concern. He said people would still be able to park near the freeway and drive through to the Tortoise Preserve. He thinks this is going to be a draw for people buying in this development. He also mentioned there will be no short-term rentals, dark sky compliant, but we're also trying to be community players on our own, no governments requirements. We're going to do 20 of these lots as missing middle.

It's basically where we're going to say Leeds employees, Ash Creek Water Conservancy District, BLM, the governmental employees and others who are in that "Missing Middle" can't afford a home. This will be owner

occupied. There's a community Land Trust. We give them the lot. We build the house, they sell it at a certain percentage of their income, so they get to buy a 30-year mortgage owner occupied, but then they have a restriction. They pay \$60.00 a month to the Land Trust and the restriction is you get some equity, but you cannot turn around and flip it. It's like 3% a year. So, you're making equity, and it's your house. You own it, but you don't own the lot and so a condition is when you sell it, you're going to sell it to the next Missing Middle Buyer. We are big believers in trying to be a community. I hope that's coming across. And so we said on our own, we'll build into that. We found out from the Executive Director that it doesn't violate the committee under the Fair Housing Act to discriminate based on where you work, so we can reserve this program for employees of Leeds, or BLM, the fire department, sheriff's office, school district, Ash Creek, etc.

Councilmember Cundick asked Scott if we are locked down with this Preliminary Plat because we haven't locked down the roads?

Scott explained that they have most of their roads locked down, but it can be a condition of your approval. Paul Morris also mentioned that they have studied our standards, and they have planned according to those standards, it's the county that they are still waiting on and he agrees that they will not get final plat until everything matches each jurisdictions standards.

Councilmember Stirling asked Scott if the developers will start over in the process if this drags on into January? Scott reassured the Council that they are already in the process, so they would be grandfathered in.

Motion was made by Councilmember Cundick to Approve the Subdivision Preliminary Plan Application for Silver Cliffs Estates conditional upon eliminating all Flag Lots, access to the 66' roadways, conditional upon road widths and dark sky compliance. 2nd by Councilmember Stirling. Motion Carries.

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

10d. Proposed ORD 2024-04: Loitering and Sleeping in Public Parks After Dark
 Mayor Hoster read the Proposed Ordinance aloud:

"An Ordinance Regulating Loitering and Sleeping in Public Parks After Dark
 Section 1. Purpose and Intent

The purpose of this ordinance is to promote the safety, health, and welfare of the residents and visitors of the Town of Leeds, by regulating loitering and sleeping in public parks after dark. The intent is to ensure that public parks remain clean, safe, and accessible for all individuals during designated hours.

Section 2. Definitions

For the purposes of this ordinance, the following definitions shall apply:

- "Loitering": The act of remaining in a particular public place for a prolonged period without any apparent purpose.
- "Sleeping": The act of occupying a space in a prone or supine position for the purpose of resting or sleeping.
- "Public Park": Any park, playground, beach, recreational area, or other area owned or maintained by the [City/Town Name] and open to the general public.
- "After Dark": The period from one hour after sunset to one hour before sunrise.

Section 3. Prohibited Activities

A. Loitering in Public Parks After Dark

1. It shall be unlawful for any person to loiter in any public park after dark without a legitimate purpose.
2. Legitimate purposes may include, but are not limited to, attending an event authorized by the Town of Leeds, participating in activities conducted by organizations with proper permits, or other activities approved by the Town of Leeds.

B. Sleeping in Public Parks After Dark

1. It shall be unlawful for any person to sleep in any public park after dark.
2. Exceptions may be made for individuals participating in events or activities authorized by the Town of Leeds, provided that appropriate permits have been obtained.

Section 4. Enforcement and Penalties

A. Enforcement

1. This ordinance shall be enforced by the Town of Leeds or any other designated enforcement authority.
2. Law enforcement officers shall have the authority to issue citations to individuals found in violation of this ordinance.

B. Penalties

1. Any person found in violation of this ordinance shall be subject to a fine not exceeding \$100 for each offense.
2. Repeat offenders may be subject to increased fines and/or community service as determined by the Washington County Municipal Court.

Section 5. Severability

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

Section 6. Effective Date

This ordinance shall take effect upon its adoption and publication as provided by law.

The effective date would be the date of approval of the ordinance.”

The Mayor explained that we have had, along with the rest of the State, a problem with homelessness. We have received complaints about people sleeping in the park. Our park restrooms are open 24/7, and this would not affect that. St George recently added a similar ordinance, and we are following suit. He opened the topic for discussion.

Lynn Potter: I hope this includes camping on public streets, camping on sidewalks, camping and open spaces, overnight, camping on public properties. Trees. California is booting out all its homeless. If you've been aware of the news, they are coming here. Ever since St George built Switch Point, we started having people with shopping carts for luggage up and down the streets. If you build it, they will come. If you provide a mission for people, they will come. If you provide public transit, they will come. If that didn't cover it, it needs to cover it because the wave is coming.

Mayor Hoster: Good point. The current ordinance does not cover the roads.

Councilmember Stirling mentioned that in travelling back and forth to Alaska, especially in the Seattle area, there are so many people parked on the roads in inoperable vehicles and RVs that they call their “place of home” and therefore they cannot be forced to move. Adding something to that effect might be advantageous, as well.

Mayor Hoster asked for any other comments or suggestions and explained that a Public Hearing will be required to pass such an Ordinance, but this discussion is helpful in refining it.

Councilmember Stirling asked if UDOT has any laws about sleeping on the public roads, since Main Street belongs to UDOT?

10e. Adoption of Southern Utah Regional Trail Standards

Scott Messel explained that the Southern Utah Regional Trail Standards are being adopted by several towns and cities throughout the county. These are standards for multi-use trails, not walking trails.

Mayor Hoster raised the concern that this might triple the expense for a developer wanting to just add a small trail on their property.

Scott explained that this would only apply on Public land, not private land.

Councilmember Stirling expressed her concern as well about adopting the “Standards” She would like to make them more of a guide.

A motion was made by Councilmember Cundick to Adopt the Southern Utah Regional Trail Standards as a guide on public property only. 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

11. Staff Reports: None

12. Citizen Comments:

Susan Savage: Trust me to bring up something negative. It's just so interesting, in these meetings, you hear a whole different personality from developers than we do when we step outside. We who are land owners who are affected by people. And so, one of the things over the years, Allen Howard and I have been seen as people who try to stop development and I want you to understand what we're doing. We've been here since the area started to develop and we've seen a lot of developers, and we haven't seen anybody who dealt correctly with people. It's not only a concern for our own property, it's for the people who are going to live there. So, we've seen trashy water systems that had to be completely redone in subdivisions. We've seen, the road that wasn't ever approved by either the county or the town that dumped rocks on other people's property and has a Ridge that's unstable. And so the developer, the person with the bulldozer came to us for filled dirt and we said "Has it been approved?" And he said "No, the developer said just go ahead and put it in." We've just seen all, all kinds of things. And so we do ask questions. We do. One of the things that we've seen, the techniques of developers, is that they like to isolate people and intimidate them. So that happened with Roberta Lee. It happened with Geraldine Stirling, and it happened with my mother, with several different people calling them up or coming to their house and trying to scare them and saying we're going to rip out your things. We're going to destroy this. Vandalizing, bulldozing out ditches and then arguing, you know. The person who developed the El Dorado subdivision was building a road over our high water ditch and somebody alerted me about it. So, I went up to talk to him and he wouldn't stop. So, I stepped in front of him thinking that he would stop and he didn't stop. I just said if I had tripped, I jumped out of the way, you know? The story would be over, and then there was a big argument. So, we see a whole different thing. And the thing about isolating people that happened to Allen after the Public Hearing last week, two of the people came out, followed him out to his car down the lane and jumped him out there and tried to intimidate him and pressure him. They've been to him over and over again about his side of 900 N and he's told them he doesn't want to sell it and they keep coming and saying you're holding us up. So that's where we're coming from. We've had these experiences. And then I wanted to say in the in the Planning Commission meeting, I reported and you were there Bill, that I have been to the DTAC meeting and talked with Myron from the NPO one with the Chris Hall, from UDOT. To me that says if we control traffic on the street, we have to do it through our own planning because UDOT's not going to do that. When we stepped outside after the Planning Commission meeting, Paul said to me, "I'm so glad I've heard your name, and so I'd like to talk to you, separately." I wished they hadn't left yet because I would say to him I just talk to developers in public meetings. I don't talk to them on a dark street or when I'm by myself somewhere. But he also said to me, because Myron had had drawn a diagram for the interchange, and if they just connected to 900 N and then on to the north then it showed and it was. It was what you showed us back here. OK? And Myron had said to me the frontage roads have to be 1000 feet out from the freeway. And he drew me a picture of it. And he drew me even little circles to show how many how many semi trucks you had to have room for between the on and off ramps or the frontage road to take it out that far. So when I stepped out here, Paul said to me "the frontage roads don't go out 1000 feet from the freeway. They'll be right by the freeway and that the rest of that circle is just kind of a buffer zone. It wouldn't affect you." And I said, well, Myron drew me the diagram of it. I said the NPO did. he said. Who was it? And I said Myron. He said, "I'll talk to him." I don't think I said this in the Planning Commission meeting, was that Myron said it's a developer funded interchange, right? Right. And they have to buy the property along there from the property owners. Yes. So on our side of the freeway, there are at least eight property owners along there that would be affected. And on the other side, there are other property owners, including Allen. The open area by Allen's, I can't remember if you said this in the meeting, it looks like it's nothing, is his source protection area. He's a drinking water provider. He has to leave that untouched. So, in our group, we're talking about some ideas that we hope. Then we're talking with decision makers that we hope would give the developers what they need, but that would help to protect the Leeds' street, and we're going to go ahead with talking with people. I just wanted to let you know and to kind of know what goes on. It's way different to us who are landowners. It's way different when we're out there.

Mayor Hoster asked Scott if it was possible for the property owners to come to some of the meetings? He thinks it would be a good idea for them to hear these discussions before the final decisions are made. I will be there and I will invite them because they are who I represent. I just want to make sure that everyone's voices are heard. The County Commissioners would be at a public meeting. So, maybe a less formal setting where there will be elected officials. Would you be willing to come to one of those meetings? I would invite you, your nephew, and all those being affected by this. They do have to go through us first.

Susan Savage: There weren't any county commissioners at the DTAC meeting. Myron came over afterwards because I think Angie had asked if I could make a comment there. So, he came over to get my name and contact information because I had spoke in the meeting and he said, you know, we post these things on the public site and ask for comments, but we never get a single comment. And I said, where are they posted? So, nobody knows

where to find that, you know. When I mentioned that to Brant, he said, "why can't we have a QR code in the post office or something that says, this is where you go to see the public notices so you know what's going on?"

Mayor Hoster: We can put something on our website too.

Michelle Peot: I just had a procedural question about when is the Traffic Impact Analysis required and when might it be required to be updated given changes and additional developments etc., because to me at the Planning Commission, it sounded like they had done their Traffic Impact Analysis quite some time ago and now we've got potentially, other developments in the area etc. I don't know procedurally when that mandated.

Scott Messel: It's tough because you know the state keeps making it more and more difficult for jurisdictions to require anything outside the scope. We can't require Grapevine to do a new traffic study that incorporates the whole regional area that would have to be something the town initiates or DTAC or DTEC. They can only be burdened with the study that they impact. I think some of the back and forth with UDOT and the developers in that meeting was each of the developers are coming in, in their silos saying, well, our project doesn't warrant these.


Councilmember Cundick: But the aggregate required the bigger. *Yes, correct.*

Mayor Hoster: But isn't that the NPO's key responsibility? *Yes*

Michelle Peot: I mean, to be honest, it was kind of a red flag to me and it felt very disingenuous to say, "we're not going to impact the community" when they're almost doubling the size of our town. Acting like we're being so generous because we're going to pay for a \$50,000 environmental assessment, but then we'll put the burden on the taxpayers to cough up the \$14,000,000 for this interchange. So that felt a little slippery.

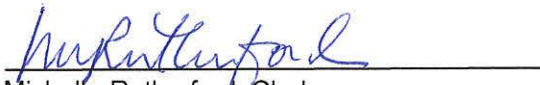
13. Adjournment: 9:26 pm

Approved this 25th Day of September, 2024.



Bill Hoster, Mayor

ATTEST:



Michelle Rutherford, Clerk