



Agenda

Town of Leeds Town Council

Wednesday, September 25, 2024

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, September 25, 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 May 22, 2024
 - c. Meeting Minutes of August 14, 2024
 - d. Meeting Minutes of August 14, 2024 Work Session
 - e. Meeting Minutes of August 20, 2024 Special Meeting
 - f. Meeting Minutes of August 29, 2024 Closed Executive Meeting
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. Presentation of Spirit of Service Awards
 - b. Presentation of Grommets from 9/11 Ceremony
9. Public Hearing: None
10. Discussion and Possible Action Items:
 - a. Conditional Use Permit Application – 1284 Silverado Ct, Bed & Breakfast
 - b. Review Hillside Ordinance before Public Hearing on October 2, 2024
 - c. Councilmember seat vacancy and candidates for appointment
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 September 23, 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, September 25, 2024

1. Call To Order/Roll Call: 7:03pm

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 Stirling

3. Pledge of Allegiance

4. Declaration of Abstentions or Conflicts: None

5. Agenda:

a. Tonight's Agenda of September 25, 2024

Motion to approve made by Councilmember Stirling, 2nd by Councilmember Hansen.

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 of May 22, 2024

Motion to approve made by Councilmember Furley, 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			

c. Meeting Minutes of August 14, 2024 Regular Meeting & d. Work Session

Motion to approve made by Councilmember Stirling, 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			

- e. Meeting Minutes of August 20, 2024 Special Meeting
 Motion to approve made by Councilmember Stirling, 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	_____	_____	_____

- f. Meeting Minutes of August 29, 2024 Closed Executive Session
 Mayor Hoster said there was no need to approve the Minutes for the Closed Meeting because there are no Minutes recorded.

6. Citizen Comments:

Susan Savage spoke of going to a DTEC meeting, and has since gone to a DTAC and an Executive Council Meeting. In the DTAC meeting Leeds North Interchange was a big topic, the Chairman asked if there was a representative from Leeds and she explained that she was not an official but that we would like to be part of the conversation. She told the Committee that just 2 weeks before, Grapevine wash had 2 flash floods. Some areas were 4 feet deep and 80 feet wide and upstream about 300' was 8 feet deep and 30 feet wide. They explained that they had proposed \$100,000 be allocated for engineers to study, that they recommend that the Executive Council. The Regional plan for our area has 3 phases and Leeds was down on the list. They have recently been getting more pressure from developers and they have moved us up to Phase 1. She was pleased to hear Myron Lee talk about drainage in the Executive Meeting. Looking at the transportation plan now, she had concerns about the location of the proposed interchange, because at the time it was approved she was more concerned with her home and land, and she did not realize where it was located on the plan. She was talking about the map and how they just drew straight lines, not following the topography of the area. She said it is important to her that Myron is talking about options. The Traffic Plan has a connector road going right through Allen Howards house and through the big red mountain.

Mayor Hoster explained that those proposed roads are not on Leeds Traffic Plan, Allen Howards' property isn't even in Leeds.

Susan Savage said maybe that's why they are dotted lines. As they look at those connectors, there were other places where there were just lines drawn to places that I know they can't go. She also spoke of having a brief conversation with Todd Edwards and he said "People look at things on paper, they're a lot different when you're on the ground."

Mayor Hoster: He's grateful that they're going to look at all the information that's available from the floodplain to geography of the construction that would have to occur. From his understanding, there were other places that are being examined as well. Then we come back and talk about it. He's grateful they were able to allocate that money to proceed forward with this assessment with professional engineers.

Susan Savage: I just think it would be really strange for decision makers to choose the one truly dangerous place to put an overpass.

Martha Ham: She said she wanted to invoke the wisdom of Ned Sullivan. She has a favorite story that Ned tells is about the Jippy soil when Quail Lake Dam was being formed. The local farmers said, "Ohh that Jippy Soil. That's not going to hold. It's not going to hold the dam" and folks just kind of ignored it. Ned was one, but we know what happened. In 1989, there was a breach and so I want to underline the importance of being on the ground, listening to locals and look at what's happened with the Tocqueville Bypass. So I have spent some time with the Leeds Master Transportation Plan and the first thing I want to say is Thank you, for those of you who were involved with this. It's a lot of work putting together a transportation plan, and I understand that as I look at it, I realize how many things have changed so fast from 2022. In 2022, the projected population was 902 people. Do you have any idea what our population is at 2024? In the plan the projected population for 2032 is 1155 and I'm thinking of all of the proposals, not the development that is in action, but the proposals for

development and by 2032, if even a third of those came to be, our population would be more than 1155 and I realized that we were looking at an Interstate interchange that it's not just about here in Leeds, it's about the region and all the development that's going on. I look at some of the regional proposals like Firelite. It has had got an extended timeline now. I think out to 20 years they have to maybe build out that I'm not sure 20 years is the right number, but it's somewhere in that neighborhood that they have changed their timeline with development. I think all of us here want a good Interchange. It's not about opposing any type of improvement, but my concern is for us to get it right and it's complicated to get it right.

And as I look at our transportation plan, a good plan is about being able to be flexible, updated, adjust as new circumstances present. I think it's going to be important for our Leeds transportation plan to be in staff for us to be actively engaged with this \$100,000 study for the Council, the Mayor, the Community to be involved with this. What these decisions are about where this interchange is. Use some of our local common sense about Jippy soil and Grapevine Wash and so on and what can happen. So thank you again for the transportation plan and I hope that we can do some updating and be engaged very actively with the MPO. Thank you.

Michelle Peot: I'm happy to hear that the proposed engineering analysis will include more options than this marker 23.7 but in line with Martha saying that we need to talk to the locals, I think there is also a lot of data available online that can help inform this, and in particular after the Geohazard screw up with the Toquerville Bypass and the cost overruns and also just I think a lot of us are feeling like we're being asked to pay for lots of things, working services etc. which I agree with but we want to make sure that we're spending our taxpayer dollars the most efficient way. So one of the things that in looking at the land ownership in this area and where potentially might be the least impactful place to consider evaluating might be in the zone of yellow here, (**Attachment A**) which is actually BLM land and the only structure on that is a water tank up toward exit 27, but it would be around when you can get a right of way. It you can rent the land for way below the market. There wouldn't be any disruption of homes, farms, people's businesses. That seems like that potentially might be the most cost effective from that standpoint and also then you're not dealing with the geohazard of the flood zone?

Wayne Peterson: Just in hearing the other comments that have been made, two things come to mind. I would encourage the town council to look at the Grapevine Wash of the original proposal had a traffic study that was done with it. That was looking at 2500 ish rooftops, which I my understanding is the newer proposal from Silver Cliff is only about 1/3 of that, but I think it would be worthwhile to see it. Does that study have information that is interesting to us here in 2024? If it doesn't, I would also suggest that we perhaps look into is there a traffic study we ought to be asking to have made by one of the developers or decide as a town that we should undertake in order to make sure that we're aware of and I would just quickly highlight, there were very significant stages of this happened before I moved to town, actually, so it's before 2011, but there were center turn lanes on Main Street. There was no parking lanes on Main Street as part of the proposals. 4 lanes on Main Street, so it became a very significant different Main St. So the people that could be impacted by some of these traffic flows are not just a select few, it's the general population of leads that could be impacted. The second thing I would just bring up is that with the \$100,000 study, it's always a bad idea to wait until they're done with their study to offer opinion. And I think it's very important that leads have elected officials at both the DTAC and DTEC meetings to represent Leeds and to bring back to the town council and the public what is being discussed about it, as was mentioned in one of the comments, I think there is a balance to be struck between the convenience of people who are looking to develop new areas and the life and livelihoods of those people who already live here in Leeds. And to me, the idea about public land I when I heard that was very interesting and the ability to not impact any landowner in Leeds, I think is a great plus and then even more so to not impact somebody who's home is in the area. So I think if we can get involved as a town, I would ask the Myron Lee, who heads up the MPO at this point, if you he would please allow somebody from Leeds to speak with whoever is awarded that contract before they do any work. Just to make sure that they understand, Leeds has an interest. Leads may have some suggestions as to what alternatives should be investigated and make sure they don't spend most or all of the \$100,000 before they know from the general leave what we think would be best in the interests of our current and also future residents. Thank you.

Councilmember Stirling asked who the MPO gave the money to. Mayor Hoster explained that they are going after bids. The winning firm will receive the funding to do the study. Councilmember Stirling wanted the citizens to understand that the money was not being given to Leeds to do the study.

Dan Peart: I appreciate being in this meeting tonight. Someone sent me a map and said you better look for property elsewhere. Their taking your property and putting an Interchange there. So I panicked and called my good neighbor Susan, and she let me know it was not a done deal. Can I get a commitment that this not a done deal? Mayor Hoster assured him that this is not a done deal, nothing is done. This is not Leeds that is doing this. UDOT really does want Leeds and property owners to be involved. The dialog will be open and Leeds will also be studied. Nothing has been committed to before there are Public Hearings. Rumors will fly and he appreciates Dan coming here to get the answers.

Susan Savage: She said she spoke to Naghi Zeenati, the Utah Transportation Commissioner, after the Executive Meeting she attended. He encourages her to speak up and keep in touch.

Councilmember Stirling advised that you can go to www.Dixie-MPO.com where you can find all the meetings and Agendas. DTAC Dixie Transportation Advisory Committee, and then there's DTEC, the Dixie Transportation Executive Council. You are welcome to go to the meetings, they are Public Meetings.

Michelle Peot: I just wanted to make one quick recommendation to follow up to what Wayne said and if there's any way that since Leeds is a stakeholder that somebody could review that RFP before it goes out, because if it locks in, say, where they're supposed to do the assessment it may not include some of those least impactful areas and then they'd have to do a change order.

7. Monthly External Reports:

LDWA – Doris Mc Nally: (1)The division of drinking water and the EDQ recently implemented a new rule where all water companies, public and private, have to report on their water system. The new rule includes not only from the system to the meter, but now, from the meter to the house as well. The Lead Copper Report is due October 16th, but we have it submitted a month ahead of time. There is no lead or copper in our system, anywhere. If we are made aware of any changes, we will work with homeowners. (2) People may have noticed that Mark has been flushing the fire hydrants after all the work on Main Street. It is important after all the work to make sure that any impurities are flushed.

HVFSSD – Batallion Chief Kohl Furley: 4469 calls of service for the year which is higher than last year. Between now and November 1st, we have several standby events in the area. The Fire Service is very busy. We will be holding a Public Hearing for a Truth in Taxation on October 7th at 6:00pm at the Fine Arts Building in Hurricane. We're trying to do more things with less money and it gets pretty difficult. The Mayor emphasized the importance of the truth and taxation in the fire district's budget. He mentioned a link for pre-registered comments, they will only allow those who pre-registered to voice their opinions at the Public Hearing. The district has been working for two years to find alternative ways to operate without property taxes. The Mayor is confident in the sales tax approval and believes that once passed, the district can reverse the tax dollars. The Board is not going to compromise on the truth and taxation, but will continue to fight for the Fire Personnel.

Also, the Mayor mentioned that Chief Matt Butterfield lost his 18 year old daughter to a tragic boating accident over the weekend. He asked that we all keep the family in our prayers.

Sheriff Dept: Sheriff Brooksby was unable to be present tonight, he would like to update the Town next month.

8. Announcements:

a. Presentation of Spirit of Service Awards

The 2024 Spirit of Service Award was presented by Bloom Chairman Kohl Furley. This year's Award of a Certificate and a personalized Yeti Tumbler were presented to Mark Osmer, Doris McNally, and Jeremy Stratman.

b. Presentation of Grommets from 9/11 Ceremony

Michelle Rutherford presented a Grommet from the 9/11 Flad Retirement to Batallion Chief Kohl Furley.

9. Public Hearing: None

10. Discussions and Possible Action Items:

a. Conditional Use Permit – 1284 Silverado Ct, Bed & Breakfast

Councilmembers reviewed the Findings and Conditions for Approval recommended by Planning Commission.

Motion was made by Councilmember Hansen and 2nd by Councilmember Stirling to Approve the Conditional Use Permit for 1284 Silverado Ct, Bed & Breakfast. 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. Review Hillside Ordinance before Public Hearing on October 2, 2024

Discussion was had about the Hillside Ordinance and the Town Council feels it is not quite ready for a Public Hearing.

Motion was made by Councilmember Stirling, 2nd by Councilmember Furley to cancel the Public Hearing scheduled for October 2, 2024 and Table the discussion. 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. Councilmember seat vacancy and candidates for appointment

Mayor Hoster announced that Councilmember Brian Hansen will be vacating his Council Seat in December to go on a Mission with his wife. The Mayor explained that the Councilmembers would be interviewing prospective candidates before making a vote for his replacement. Since he still has approximately 3 years left in his Term, the appointed Councilmember will finish out Hansen's Term without an election.

11. Staff Reports

Kohl Furley (Roads): Berry Lane has a sinkhole due to runoff. Mark Osmer has been asked for a quote and suggestions to fix the problem. Main Street, North of the Post Office needs to be repaired.

Brian Hansen (Parks): Brian gave an update on the quotes for the Pickleball Court in Leeds Park.

Councilmember Stirling (Cemeteries): Matt Rhodes from UDOT said we are one signature away from completion for Cemetery Road Annexation. Boundary Adjustments. Columbarium quotes are in process. Each Columbarium contains 10 cubbies, holding 20 people. She would like to start off with at least 4 columbariums along the East side of the cemetery between the cemetery and John Z's property. While he is building the wall, he could leave space for the columbariums to be installed.

12. Citizen Comments:

Traci Fieldsted read excerpts from comments Bill Hoster made from his personal Facebook Account on the Leeds Family Fun page. The comments were read out of sequence without context being included. Full comment can be heard on Audio 240925_001 (1:11:40).

Lorrie Hunsaker made a suggestion for the Hillside Ordinance. One of the biggest stumbling blocks and why it got us into court all these years is there's never been an absolute defined, which system do you use? That has to be spelled out and everyone has to use that same system, or we have different slopes and then there's room for disagreement. She went on to yell at the mayor about Traci Fieldsted's comment and a meeting that happened off the record over a year ago. Full comment can be heard on Audio 240925_001 (1:17:20).

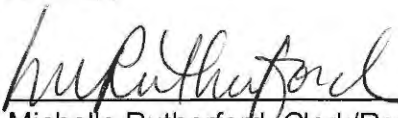
Wayne Peterson: Just when it comes to replacing somebody midterm, if it is a planning Commissioner, the mayor recommends and Council approves. If it's a member of the Council or the mayor, you have 30 days to complete the process. You must give at least two weeks notice for public to apply for the position. Those people must make themselves available to interview with the town council. The individual who's leaving Town Council. Sorry, Brian, that you are, but you're not allowed to vote on that because you actually have to effectively resign effective at the time they're going to vote for your replacement. So, it needs to be done after the resignation is in effect. It is done by a vote of the remaining four members of Council, and just one of the curiosities, and it's a municipal code 20A-1-510 from Utah code. My phone knows that I don't, but I knew to look it up. But The thing is, they changed it. They used to say you would draw straws If it was a tie. Now, we officially flip a coin. I guess they decided there were too many funny shaped straws being used, but it could come down to a coin toss. If there were two and you go through a process. If there's more than two, reducing it to two again tossing coins if you have to. But ultimately it is a vote of the four members and if tied before the roll.

13. Adjournment: 8:26pm

Approved this 23rd Day of October, 2024.


Kohl Furley, Mayor Pro Tem

ATTEST:


Michelle Rutherford, Clerk/Recorder

