

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
January 11, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Ron Mosher, Councilmembers Mike Empey, Josie VonCannon, Joseph Mitchell and Robert Russ.

### 3. PLEDGE:

Joseph Mitchell

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Josie VonCannon to approve the minutes and agenda for the Town Council meeting of December 8, 1999. Seconded by Mike Empey. Passed unanimously.

### 5. WELCOME NEW TOWN COUNCIL MEMBERS:

Mayor Mosher welcomed our new Town Council Members Josie VonCannon and Robert Russ. He presented to them a Certificate of Election and expressed his appreciation to them for their willingness to serve on the Council.

### 6. JOHN SPENDLOVE:

Mr. John Spendlove with Jones & DeMille Engineering addressed the Council to bring them up to speed on the wastewater project. Mr. Spendlove went over several concerns. Cost and the ACSSD increasing the rates were the big issues. Ash Creek Special Service District will be having a Public Hearing on January 27th to increase the monthly user rates from \$15.00 to \$18.00.

Attorney for Ash Creek, Mr. Faye Reber, was present and passed out to the Council a draft agreement for Leeds Town annexing into Ash Creek. He explained the agreement and stated it is contingent upon the Town passing a resolution to annex. Discussion focused on costs, connections and procedures to collect past due accounts. Mr. Reber proposed the Council approve the resolution and vote on annexation at the January 25th Council meeting. Mayor Mosher stated the Town has two new Council members and would like time to bring the new members up to speed on the issues. He said they will vote at the Council meeting on February 8th. A work session will be scheduled for January 25, 2000, at 6:00 pm.

Mr. Spendlove gave the Mayor a copy of a plat map of the Leeds Town boundaries and legal description.

### 7. MAYOR RON MOSHER:

Presentation to Norma Gier. Mayor Mosher presented Norma with a Certificate of Appreciation for the work she did in spearheading the "Leeds Clean-up Day".

The audit report for the 98-99 year was reviewed by Council. The Council discussed what had been spent on the capitol projects, which were Valley Road extension and the CCC Camp. Motion by Mike Empey to accept the 98-99 audit report as submitted by our auditors. Seconded by Josie VonCannon. Passed unanimously.

Mayor Mosher informed the Council Jeff Krueger has received the okay from the Hurricane police chief to work for us part time. He asked the Council for their approval in hiring Jeff Krueger as a part time officer. Motion by Josie VonCannon to accept Jeff Krueger as a part time officer. Seconded by Joseph Mitchell. Passed unanimously.

Council assignments were deferred to Other Business.

#### **8. TOWN COUNCIL MEMBER MIKE EMPEY:**

Mike Empey explained the lot split request Mr. Whitmer presented to the Planning Commission at their last meeting. The Planning Commission recommended approval of a zone change from Open Space to R-R-1 for a one acre parcel based upon the property owner Mr. Stirling personally making the request or submitting a notarized letter at the Town Council meeting. Mr. Carlyle Stirling was present and stated he did give Mr. Whitmer (his son-in-law) permission to do a rezone request for the one acre parcel. Mr. Whitmer presented to the Council a plat map showing the location of the property. Mr. Whitmer stated the home on the property will not affect the Hillside Ordinance. The Council discussed and reviewed the plat map and the rezone request. Motion by Josie VonCannon to proceed with a Public Hearing for the zone change request. Seconded by Joseph Mitchell. Passed unanimously. Mayor Mosher stated the Public Hearing will be held on January 25, 2000, at 7:00 pm for a rezone of 1 acre in that area and the rest of it will stay at a minimal 5 acre Open Space.

The Hillside Ordinance was discussed. Mike Empey stated we want to protect hillsides. If development is going to take place in an area where there is over 20% slope we are supposed to have a review process to decide whether that is appropriate according to the Town's Master Plan. The ordinance also states if it is over 30% development will not take place. Alberta Lee's subdivision and Pat Sheneman's minor subdivision are causing concern within the community. Mike Empey explained what some of the concerns are. Number 1. Rocks were pushed into the wash blocking drainage. 2. The culvert not being large enough to handle the drainage. 3. The hill being disturbed. Council discussed a 20% to 30% slope and needing an engineer to mark the slope on the hillside prior to construction. Mayor Mosher said he wants her engineers to place markers where the 20% grade is. Alberta was present at the meeting. She stated she will have her engineer look at the slope and stake it. The Council was concerned about Pat Shenemans project and stated the hill has been dug out quite drastically. A big concern is preservation and stabilization of the hill. The Council then discussed violations, penalties, and ways to strengthen the Hillside Ordinance. Mike Empey stated the Planning Commission will work on this.

#### **9. TOWN COUNCIL MEMBER JOSIE VONCANNON:**

Josie VonCannon recommended to the Council to call a new Board of Adjustments. She stated the time will come when we need the Board and we don't even

know who the last ones are that were appointed. We will ask for letters of interest for 5 members. Qualifications for the Board of Adjustments members was discussed.

Josie VonCannon stated for the past several months there has been some public perception of improprieties with a developer being in charge of the Planning Commission. She asked the Mayor if time to time we could rearrange who the chairman is. What procedure is appropriate to remove someone from the Planning Commission. The Mayor explained the Town Council is the appointing body. They would need to ask that individual to step down as chairman. Mike Empey stated any time there has been a conflict of interest Pat Sheneman has declared it and given the chair to Mike. Bob Russ stated he is also concerned with this issue. With Pat being a developer and as Planning Commission Chairman he is a liaison with other developers concerning issues affecting the Town and is very uncomfortable with that. Bob stated he feels someone else should be heading the Planning Commission when Pat is personally involved. The Mayor reiterated it is the Council who would request he step down.

Josie said she would like financial reports submitted to the Council on a quarterly basis. Mayor asked Joy to let Renae know so she can have them ready by the second meeting of the month following the end of the quarter.

CDBG grants. Josie said since we did not submit the five year strategy one year action plan information to CDBG in November we are out of it for this year for grants from CDBG.

#### **10. TOWN COUNCIL MEMBER JOSEPH MITCHELL:**

Update on Water Board meeting. Councilman Mitchell stated at the water board meeting Jim Bray made a proposal to LDWA that they combine the two water companies.

#### **11. OTHER BUSINESS:**

The Mayor went over the list of Council assignments and asked the members to choose what they feel they would like to do or what their expertise is in. He stated he is over Police Department, Administration, and Parks and Recreation. He also serves on the Solid Waste Board and Economic Development. The assignments are:

1. Town Council representative at the Planning Commission meeting - Bob Russ
2. Water Board meeting - Joseph Mitchell
3. Parks - Josie VonCannon
4. Cemeteries - Joseph Mitchell, Mike Empey and former Council Member Steve Lewis
5. Roads and Hillside Ordinance - Bob Russ
6. Wastewater Project - Josie VonCannon
7. Grants and Project 2000 - Josie VonCannon
8. Historical Society - Mike Empey
9. Proposed Ordinances - Mike Empey

Josie VonCannon stated she feels the Town should look at a raise or a cost of living increase for the Town employees. The Mayor said we should get some numbers together and look at this the first of April so it can be submitted in our budget for next year.

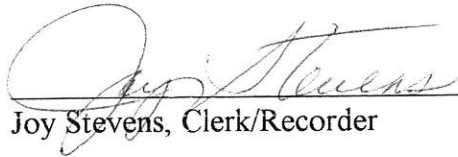
**11. ADJOURNMENT:**

The meeting adjourned at 9:04 p.m.

**APPROVED AND SIGNED THIS 25TH DAY OF JANUARY, 2000**



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Ron Mosher, Mayor



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Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Public Hearing and Town Council Meeting  
January 25, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Pro Tem Mike Empey, Council Members Josie VonCannon, Joseph Mitchell and Robert Russ. Mayor Mosher was excused.

### 3. PLEDGE:

Josie VonCannon

### 4. APPROVAL OF AGENDA AND MINUTES:

Corrections to the minutes were noted. Motion by Josie VonCannon to approve the minutes and agenda for the Town Council meeting of January 11, 2000. Seconded by Bob Russ. Passed unanimously.

### 5. PUBLIC HEARING:

The Public Hearing was held to address a zone change request by Carlyle Stirling for property located at approximately 289 E. Babylon Road. The request is to change the zone for a 1 acre parcel from Open Space to R-R-1. Mr. Ron Whitmer, Carlyle Stirling's son-in-law, is planning on building a home on the 1 acre parcel. Mr. Stirling wants the rest of the property to remain Open Space for Greenbelt tax purposes. Mayor Pro Tem Mike Empey asked Council if they had any questions or comments. Josie VonCannon stated she doesn't like to rezone an L shaped parcel in the Open Space Zone. Mike Empey explained the Greenbelt tax break for Open Space. Bob Russ noted that the property across the street is already zoned 1 acre. Mr. Whitmer stated eventually the Open Space property will be re-zoned. Public Hearing closed at 7:29 pm.

### 6. TOWN COUNCIL MEETING:

Mike Empey stated the Council recommends if future development takes place on Mr. Stirling's Open Space property it should be 1 acre parcels. Motion by Joseph Mitchell to approve the zone change request from Open Space to R-R-1 for the 1 acre parcel Mr. Whitmer will be building his home on, and to recommend future development be 1 acre parcels for the remaining Open Space property. Seconded by Bob Russ. Motion passed with 3 aye and 1 abstain vote.

### 7. MAYOR PRO TEM MIKE EMPEY:

Mike reminded the Council to let Joy know by Monday mornings if they have items for the agenda. Items not on the agenda can be discussed but no action taken.

**8. COUNCIL MEMBER JOSEPH MITCHELL:**

Councilman Mitchell informed the Council the Princess Pageant is in full swing. Seven girls have applied. The date is March 16th and will be held at the LDS church.

**9. COUNCIL MEMBER JOSIE VONCANNON:**

Josie stated she supports the request in the letter from Santaquin City. (See attached letter). She asked if other members had read their copy of the letter and what their feeling are on this issue. She would like to show her support by drafting a letter and sending to our State Legislature. Bob Russ agreed they should show their support. Mike Empey suggested to draft a letter and when the Mayor gets back on Friday if he supports this to have him sign it also. Josie said she will come in tomorrow and draft a letter.

The letter the Town received from Terry Prisbrey was read and discussed. The letter was referred to our town attorney. We will seek our attorneys advice and go from there. (See attached letter). Mike Empey brought everyone up to speed on what is happening with West Center Street. He said the county is proceeding next week with improvements on their side of West Center Street. He then went over the safety and liability issues of the road on Leeds side. The issue Mr. Prisbrey has with putting his auto auction business on West Center Street is not wanting to straighten and improve the road.

Josie asked if the Town has something concerning legal requirements for petitions and the appeals process. Mike said any citizen can start a petition. Mike will consult with the town attorney on this.

**10. COUNCIL MEMBER BOB RUSS:**

Bob had a question concerning his assignments. He asked if the assignment of Roads also includes street signs. He will work with Vern on replacing some of the street signs.


**11. OTHER BUSINESS:**

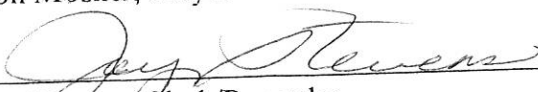
Planning Commission Chairman Pat Sheneman submitted a letter of intent from Roger New to serve on the Planning Commission. Jim Bray will be resigning on February 2, 2000. Bob Russ stated Mr. New is very intelligent and honest man. He would recommend him as the new Planning Commission Member. The Council agreed that Mr. New would be a good choice for the Planning Commission. Mr. New will be appointed at the next Planning Commission meeting.

**12. ADJOURNMENT:**

The meeting adjourned at 8:07 p.m.

**APPROVED AND SIGNED THIS 8TH DAY OF FEBRUARY, 2000**

  
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Ron Mosher, Mayor

  
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Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
February 8, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Ron Mosher Council Members Mike Empey, Josie VonCannon, Joseph Mitchell and Robert Russ.

### 3. PLEDGE:

Joseph Mitchell

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Mike Empey to approve the minutes and agenda for the Town Council meeting of January 25, 2000. Seconded by Bob Russ. Passed unanimously.

### 5. AFFIRM THE APPOINTMENT OF ROGER NEW AS PLANNING COMMISSION MEMBER:

Motion by Mike Empey to appoint Roger New as a Planning Commission Member. Seconded. by Joseph Mitchell. Passed unanimously.

### 6. APPOINT BOARD OF ADJUSTMENT MEMBERS:

Mayor Mosher stated four citizens have submitted letters of interest for these positions. They are Ken Stevens, Norma Gier, Jim Parnell, and Ned Sullivan. He introduced Ken Stevens and Norma Gier who were present. He asked the Council for their support and approval for the nomination of Ken, Norma, Jim and Ned. Motion by Josie VonCannon to accept Ken, Norma, Jim, and Ned as our Board of Adjustments. Seconded by Bob Russ. Passed unanimously. Ken and Norma were given the Oath of Office by Clerk/Recorder Joy Stevens.

### 7. MAYOR RON MOSHER:

1. Report on Ash Creek Special Service District. The Mayor asked Mike Empey to report on the meeting. Mike went over several of the issues concerning the ERU's, cost for the RV Park per space. Ash Creeks position was they needed to remain consistent with their costs with other communities. They made it clear Leeds connection fee is \$1088.00 and not \$800.00. Bob Russ wanted clarificattion of the rule if you are within 300 ft you must hook on. He asked if that means 300 ft from the property line or 300 ft from the residence. He was told it is 300 ft from the property line and not from where your home sits. Ash Creek did raise the rates by \$3.00 a month.

2. Approval of Resolution 2000-01 for annexation into Ash Creek Special Service District. The resolution was read and Motion by Mayor Mosher to approve. No second. Motion died with lack of a second. We will not request annexation into Ash Creek.

Jim Parnell and Ned Sullivan were now present and received the Oath of Office.

3. Council Approval of disposition of the third police vehicle. The Council

discussed alternatives for the disposal of the vehicle. It can go to an auction or trade for mechanic work on the other vehicles. Mayor Mosher declared the vehicle surplus property. Bob Pease will take the vehicle and trade out work for it. Mike Empey said we can establish work in kind. A price for the vehicle will be established for being turned over to Bob Pease. Motion by Josie VonCannon to trade the vehicle for work in kind to Bob Pease. Seconded by Joseph Mitchell. Passed unanimously.

Mayor Mosher then brought up the condition of the other Ford police vehicle. It needs repair work on the rear main seal, at a cost of approximately \$500 to \$600. He asked the Council if they want to spend the money or dispose of the vehicle. Discussion went to having a reserve vehicle if the Chevy needs repair. Council decided to keep the vehicle and get it repaired. Motion by Mike Empey to keep the vehicle and approve the repairs. Seconded by Bob russ. Roll call vote. All aye. Passed unanimously.

4. Discussion of irrigation ditches on Main Street. Mayor Mosher stated the Irrigation Co. is considering enclosing the irrigation water in pipe and do away with the open ditch. Coy Willey, President of LDWA, said he would like to see it pressurized. Discussion went to safety issues, storm runoff, costs, and perhaps rather than pipe put a heavy mesh across the ditch. Coy Wiley said he would like to see it pressurized. Josie VonCannon, Bob Russ, and Ned Sullivan will meet with UDOT to discuss the issue.

## **8. COUNCIL MEMBER MIKE EMPEY:**

Planning Commission Items:

1. Discussion on the Hillside Ordinance. Mike informed the Council about the situation with Mr. and Mrs. Gunn excavating into the hill. They hired an engineer to stake the slope. They were not in compliance with the Hillside Ordinance. The Gunn's were not aware of a Hillside Ordinance. They said they will move their homesite to comply with the ordinance and they will stabilize the hill.

The council expressed their concerns about Alberta Lee and Pat Sheneman cutting into the hillside. Alberta had an engineer stake around the hill where her sub division is going in. It was determined she is not in compliance with the Hillside Ordinance. Bob Russ stated his concerns about the Hillside Ordinance not being complied with and what alternatives the Town has to not only remedy this for future builders but what should be done with those that have already violated it. He suggested a Work Session and have the Council and the Town attorney actually walk the area where the Hillside Ordinance has not been complied with. Josie VonCannon said the rules need to be followed and if not we need a recourse. The Council scheduled a Work Session for Monday, February 14th at 5:00 pm. Dale Barnes suggested the Council also look at the inadequate size of the culverts by Alberta's subdivision.

Discussion on Mountain View Road. Mike explained to the Council that there are potential buyers for Joan Thorntons property and the buyers would like to build a home on this side of the hill. The problem is they would need Mountain View Road in order to have enough room for a homesite. There Realtor Pat Early asked what the procedure would be to have the Town abandon Mountain View Road North of Center Street. Discussion went to the road being a road, and if abandoned it would be given back to the landowners.

Discussion on Conditional Use Permits. The Council discussed Alberta Lee's Conditional Use Permit for four 4 plex's. Mike said the Panning Commission discussed whether her Conditional Use Permit is transferable before she builds a 4 plex or would she



need to build it first. The Commission recommended she have her plans approved first and certain conditions attached to it. If approved the permit would then be transferable if the new owner of the property followed her approved plans and conditions. Josie VonCannon stated she is concerned about the 4 plex's going in. If the sewer would have gone in there wouldn't be a problem, but that many units on septic is a concern. Mayor Mosher said if the Health Department says its okay we have no choice. Mike said as the Planning Commission has worked through this request they reviewed her projected plans and they did look like nice units. They are one level and look like a large house. Josie and Bob said they are still concerned about that many families in one unit on a septic.

2. Historical Society Update. Mike said the CCC Camp has plans for restrooms pending a grant for the project. They will also be looking into landscaping the camp.

**9. OTHER BUSINESS:**

Mayor Mosher said the Council needs to have an Executive Session to discuss legal issues. The session will be scheduled for March 14th at 8:00 pm. The Mayor informed the Council we will be working on the 2000-2001 Budget and he would appreciate any input from the Council.

**10. ADJOURNMENT:**

The meeting adjourned at 8:17 p.m.

**APPROVED AND SIGNED THIS 22ND DAY OF FEBRUARY, 2000**

  
Ron Mosher, Mayor

  
Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
February 22, 2000

### 1. CALL TO ORDER:

Mayor Pro Tem Mike Empey was running late so Councilman Mitchell opened the meeting.  
The meeting was called to order at 7:15 p.m.

### 2. ROLL CALL:

Present were Mayor Pro Tem Mike Empey, Council Members Josie VonCannon, Joseph Mitchell and Robert Russ.

### 3. PLEDGE:

Bob Russ.

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Josie VonCannon to approve the minutes and agenda for the Town Council meeting of February 8, 2000. Seconded by Bob Russ. Passed unanimously.

### 5. COUNCIL MEMBER JOSEPH MITCHELL:

Report on Water Meeting. Councilman Mitchell informed the Council of the changes to the water board. Dave Coon is the new president. Also two new board members, Russ Piene and Merle Gier, were appointed. At the meeting they reported they have been working on putting a pressure reducer at Center and Main Street.

Leeds Princess for 1999-2000, Linda Huelet, asked the Council for input concerning a committee to help the girls build a float. The Council felt a committee is a good idea, and more community involvement is great. Don Stephens name was suggested. Bob Russ, and Richard Mullins offered to help.

### 6. MAYOR PRO TEM MIKE EMPEY:

Review Environmental Land Technology Annexation Plan and Zoning Request. Mr. Dallin Gardner was introduced as the business manager for ELT. He presented a map and explained the request and location of the project for the new Council Members. This process started over a year ago and they wanted to bring Council up to speed on the water issue that was holding them up. He explained the agreement they have made with Leeds Domestic Water Association. He then presented a water line plat map and preliminary water feasibility sketch. The map indicated the new water tank and how the system will benefit the residents of Leeds. A map of the development was presented for review. They are requesting 2 acre zoning with 1 acre lots and open space. Mr. Gardner explained the CC&R's will define how the open space will be used. Mike Empey explained a 2 acre, Planned Unit Development, is how they can have 1 acre lots with open space. Motion by Bob Russ to set the Public Hearing for March 14th at 7:00 pm to consider granting the petition, plat, and proposed zoning for annexing the area known as Environmental Land Technology. Seconded by Josie VonCannon. Passed unanimously.

Mike Empey informed the Council there has been a request to use the Pavilion for a business on the third Saturday of the month. The request at an earlier date to use Town Hall for the business was discussed with the Mayor and he felt that was inappropriate. Kelly Johnson was introduced and asked to explain the request. Kelly explained to the Council the "scratch and dent" business. They are requesting the use of the Pavilion every third Saturday. They had permission to use it this last Saturday and it was a huge success for them. She said they received a lot of positive comments from the residents. The Council felt this is a community service and brings people in to Leeds that use our other businesses while here. Josie VonCannon asked about the sales tax and how that gets paid. Kelly said it does get paid by the company they work for. The Council would like to see Leeds benefit from the sales tax. Concerns of the Council were the sales tax issue, parking, and residents wanting to schedule the Pavilion for family reunions. Motion by Josie VonCannon to approve the use of the Pavilion for the "scratch and dent" business on the third Saturday of the month. With the conditions they pay \$100.00 returnable cleaning deposit, sign a contract, and the Council will review in 6 months to reconsider if the need be. Seconded by Joe Mitchell. Passed unanimously.

#### **7. COUNCIL MEMBER JOSIE VONCANNON:**

Josie informed the Council she had received a request from Mr. Forsyth to utilize the CCC Camp. Mr. Forsyth was one of the CCC Camp members in the 1940's. He would like to have a community service project as an on going use of the CCC Camp. By working with the Forest Service and using dead wood from the forest and bringing it back to the CCC Camp and having a sawmill situation maybe 4 or 5 times a year. Residents could then cut their own firewood, 2x4's, or whatever they needed cut. Josie said the Forest Service is interested. We would need to look into the liability issue. Mr. Forsyth would like to be overseer and have a staff to help with the landscaping and beautification of the Camp. The Council felt it would be a benefit to the Town to have a usable Camp. Josie will continue to pursue this. Mike said if Mr. Forsyth is willing to be the overseer that would be a real benefit for Leeds.

Josie updated Council on the irrigation company's plans to enclose the ditch. They are considering a pressurized pipe down Main Street instead of an open irrigation ditch. They want to put the pipe down the existing ditch which would then be covered. If this occurs we wouldn't have a source for natural drainage off Main Street. Josie will try to get a hold of UDOT and set up a meeting to discuss their assistance in the project.

Since we missed the deadline to apply for a CDBG grant this year, it will be this fall before we can submit again. She will submit and ask for a grant to upgrade Town Hall and make it ADA compliant.

#### **8. COUNCIL MEMBER BOB RUSS:**

Information concerning the Hillside Ordinance. Bob updated everyone on the compliance with the Hillside Ordinance work Session the Council had last Monday. The Council walked the properties that were possibly in noncompliance. They determined the property owners were not in compliance. Bob said Leeds town attorney, Steve Urquhart, said this is a legal issue and felt the Council should discuss it in an Executive Session. Mike stated he has drafted a possible letter. Josie would like to see the letter go to those

who are out of compliance, and also how they would proceed in correcting it. Bob said we need to do a cease and desist order right now. He is concerned we take action now and not let it go on and get any worse. The existing ordinance gives us a lot of leeway on what action to take. Josie asked Mike if the draft letter addresses this. Mike said we have 2 options. One is to have the property owner stabilize the disturbed hill. And two is to get a report from the engineer that the ordinance has not been violated. He then read the draft letter. (See attached). Josie stated those not in compliance are scarring scenic land. Shoring the hill will not address the scarring. Bob said the hill by Pat Sheneman's office needs to be shored up before the building is put up. Josie would like to see a time frame for them to correct the hillside violation. Bob said the building seems bigger than what the plans indicated. Bob indicated in past minutes Pat had stated the building site would not impact the hill anymore than 3 ft. and it is more than 3 ft. He said they need to move the footing and put the hill back. We need some conformance to this ordinance. He would support a cease and desist. Josie said this should go to everyone in violation. There are three different cases and there should be three different letters. Joe said he was under the impression the building would be smaller because it was supposed to fit into the existing spot. He said we need to follow up on this. Mike asked how the Council wants to go about correcting this. Josie said we need to correct current problems first. She suggested a review process for the future. Josie said the metal building needs to be addressed pronto. She said they have admitted they are in violation. Bob quoted from the minutes that the Hillside would not be impacted. Mike will revise the letter to fit the three properties in violation. He will let Pat know a letter is on the way to Mr. Waters the property owner. Bob said he would like to have an engineers recommendation on this issue. Bob read from the Hillside Ordinance chapter 22 overlay. He read concerning grade, slopes, provisions and intent. A letter will be sent this week to Mr. Waters, Alberta Lee (Pace), and Devon Howard for being in noncompliance of the Hillside Ordinance.

#### **9. OTHER BUSINESS:**

Josie said a citizen approached her about a garage ordinance. All new homes would be required to have a garage to help cut down on clutter around their home. The Council discussed how this would impact affordable housing.

Discussion went back to the Hillside Ordinance. Leeds resident Gloria Parnell asked if the Town is going to fine these people who are not in compliance. According to the ordinance they have committed a misdemeanor which can carry fines and jail time. Richard Mullins stated there is a state law about safety issues concerning the hill if it is a threat and danger to the community.

Alberta Lee (Pace) said she wants to record her sub division plat map. Josie questioned her concerning the water pipe not being large enough to comply with the 1000 gallons per minute. She may need to put in a fire hydrant. This issue needs to be resolved with the fire district before any building permits are issued. The Council discussed Alberta complying with the sub division ordinance for final plat before they give final approval. Alberta said she thought she has complied. The Council went over the areas she has not yet complied with. Josie told Alberta since she has had this ordinance for approximately 2 years now she should have read it, then she would know whether she is in compliance or not. Bob said another concern is the Council wants to see some indication on the slope at


the flag lot. The lot doesn't seem large enough without cutting into the hill. Josie stated when the hill was being cut into her husband and Dale Barnes questioned Alberta's partner Seth Cook about it. They said Seth told them he could cut back as far as he wants to. She said it has been cut into more than 30%. Josie said it needs to be surveyed so they can make a determination. Bob said there are still boulders in the wash that have not been removed. He feels it will restrict the flow of water in the wash. He said Alberta has been asked to remove the boulders in previous meetings. The Council went over these things Alberta has been asked to do: 1. Remove the boulders her contractor has pushed into the wash. 2. Stake the flag lot. 3. Comply with the Hillside Ordinance. 4. The culvert needs to be replaced on Silver Meadows Drive between Lossers and Humphreys. Discussion went to other concerns within the community. The fire district is concerned about the size of the water pipe going to the flag lot. It isn't big enough. She will need to increase the size of the pipe. Another concern is how close is the nearest fire hydrant. Alberta said she doesn't know what boulders they are talking about. Bob said he will show her. She said she doesn't recall anything being said about replacing the culvert. The Council recalled her being told about the culvert at several meetings. Alberta said she remembers the Council saying only if there is a problem would she need to replace the culvert. Discussion went to the name of the subdivision and the road going in to it. Motion by Josie VonCannon to accept the name of the subdivision as Silver Meadows Phase II, and the road as Roundy Mountain Road. Seconded by Bob Russ. Passed unanimously.


The Council discussed the letter from Richard Mullins concerning quite a number of cars in his yard. The Town sent Richard a letter after receiving a complaint about the cars. (See attached letters). Mike said Richard is taking steps to correct the issue.

#### 10. ADJOURNMENT:

The meeting adjourned at 9:35 p.m.

**APPROVED AND SIGNED THIS 14TH DAY OF MARCH, 2000**

  
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Ron Mosher, Mayor

  
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Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Work Session  
February 29, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Ron Mosher, Council Members Mike Empey, Josie VonCannon, Joseph Mitchell, Robert Russ and Planning Commission Chairman Pat Sheneman.

### 3. WORK SESSION TO WORK ON COMPLIANCE WITH THE HILLSIDE ORDINANCE:

Mike Empey: "Draft Letter" for addressing current problems. Possible action to be consistent in future. Does a stop work order hold the town liable for costs associated with delay.

Mayor Mosher: Two phases: 1. Aesthetics 2. Stabilization

Bob Russ: The first three paragraphs of the Hillside Ordinance reflect this

Pat Sheneman: Building inspector responsible for safe construction. Need a soil compacting test for disturbed soil. 20% grade is 2 foot rise ever 10 feet. People want to be up higher.

Bob Russ: Need to acquire topography maps. Outline on map areas affected.

Josie VonCannon: Overlay on current zoning map identifying lots that fall within Hillside Ordinance. She will contact Dennis Mertlich to look at various lots in town.

Pat Sheneman: What does no development over 30% mean for a lot on top of a hill.

Mike Empey: We need a check list for overlay zone and approval given.

Mayor Mosher: Roads require approval if in a Hillside Zone. (Council concurs)

Josie VonCannon: Back to the letter. Place a reasonable time frame to demonstrate mitigation for Hillside Ordinance violations.

Mike Empey: Will send a letter to Mr. Waters.

Bob Russ: Discussion of Alberta Lees property.


Mike Empey will send a letter to her. Prove she did not violate Hillside Ordinance. Culvert on Silver Meadows Rd. Boulders in ditch-removed.


Mike Empey will also send a letter to Seth Larson's new property owner. No water in culvert under the freeway and Main St. next to Pat Shenemans property.

### 10. ADJOURNMENT:

The meeting adjourned at 9:10 p.m.

APPROVED AND SIGNED THIS 14TH DAY OF MARCH, 2000

  
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Ron Mosher, Mayor

  
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Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Public Hearing and Town Council Meeting  
March 14, 2000

### 1. PUBLIC HEARING:

Mayor Mosher called the Public Hearing to order at 7:05 pm. The Public Hearing was held to consider granting the petition, preliminary plat, and proposed zoning, for annexing the area known as Environmental Land Technology by adopting Ordinance #00-1.

Mayor Mosher introduced Dallin Gardner from Environmental Land Technology. Mr. Gardner updated the Council on the annexation request and the procedures they have been through for over a year. Mr. Gardner referred to the plat map and explained where the water tank will be located. The advantage of the gravity system. Boundaries and description were explained. ELT will develop 40 acres, the rest is School Trust Lands. Total acres is 156.575. (See attached petition, legal description, ordinance, and agreement). The requested zoning is RR-2 Planned Unit Development. Density is 2 acres per lot. The lots are 1 acre or more and open space. The School Trust Land representatives have also requested the RR-2 zoning. (See attached letter).

Mayor Mosher asked Mr. Gardner if the annexation is approved who is responsible to prepare and cover the cost of a new Town map and legal description. Mr. Gardner and the representative from Bush and Gudgeon stated the county can update our map very easily. Discussion went to the open space area, who is responsible for maintenance and upkeep, the CC&R's, the area where the picnic table is, and the annexation agreement. No further questions or comments from the Council or citizens. Attorney Steve Urquhart and Mayor Mosher said they would like ELT to take the responsibility and cost of the mapping and description if the annexation is approved. Mr. Gardner said Environmental Land Technology will provide, at their expense, an updated Town map and legal description to include the annexation. This will become part of the agreement. Pat Sheneman asked about the roads in the cul de sac's. He couldn't see on the preliminary map where the roads went. Mr. Gardner stated they didn't make the change on the preliminary but they will on the final plat. It will show the roads in more detail. They reviewed the water map showing the cul de sac and roads in more detail. Hydrants and adequate flow was discussed. Motion by Josie VonCannon to accept the annexation agreement with Environmental Land Technology with the provision they provide and assume the cost of the updated Town map, ELT will use the same cul de sac roads and streets they have indicated to us tonight and to approve Ordinance #00-1. Seconded by Mike Empey. Discussion. Josie asked if the stream running through the lots will remain. Mr. Gardner stated it will. Mr. Gardner said they will come back to us within 30 days with an original plat to be approved for recording. Roll call vote. 5 aye votes. 0 nay votes. 0 abstentions. Motion passed. Following the vote discussion went to the RR-2, PUD zone. The lots are 1 acre with open space. Planning Commission Chairman Pat Sheneman said he is concerned about the open space zone, and in the future what is to say they don't come back and amend it and want to build on it. Mr. Gardner said that won't happen. He explained where the home sites are located and the open space will remain as



such perhaps with a park at a later date. The CC&R's will explain this in more detail. Mike Empey explained the reason for the PUD is to say no more than 18 homes on the 40 acres.

Motion by Mike Empey to accept the RR-2, PUD, zone request and preliminary plat. Seconded by Bob Russ. Passed unanimously. Public Hearing closed at 7:35 pm.

## **TOWN COUNCIL MEETING**

### **1. CALL TO ORDER:**

The meeting was called to order at 7:35 p.m.

### **2. ROLL CALL:**

Present were Mayor Ron Mosher, Council Members Mike Empey, Josie VonCannon, Joseph Mitchell and Robert Russ. Also present was Town Attorney Steve Urquhart.

### **3. PLEDGE:**

Bob Russ.

### **4. APPROVAL OF AGENDA AND MINUTES:**

Motion by Josie VonCannon to approve the minutes and agenda for the Town Council meeting of February 22, 2000, and Work Session of February 29, 2000. Seconded by Bob Russ. Passed unanimously.

### **5. COUNCIL MEMBER MIKE EMPEY:**

Discuss the Nuisance Ordinance Draft. The "draft" ordinance was reviewed. Mike stated the Council needs to determine in terms of philosophy what to consider and how stringent of a Nuisance Ordinance we need to have. The provisions in the draft ordinance need to be tailored more specifically to our Town. Mike felt the Council needs to spend some time working on this Ordinance. Mayor Mosher stated he would like the clean up committee and Planning Commission to also be involved. The "draft" Nuisance Ordinance was reviewed. Mike will make noted changes suggested by Council. They hope to take action the first meeting in April.

### **6. COUNCIL MEMBER BOB RUSS:**

1. Alberta Lee (Pace) to amend her Conditional Use Permit from 2 to 4 four plex's. Bob asked for the assistance of Pat Sheneman since he wasn't on the Council at the time these were first submitted. Pat explained the situation of the 4 plex's in the past. Alberta previously submitted a Conditional Use request for 2 four plex's and Seth Cook had requested 2 four plex's. Seth is no longer interested in the 4 plex's and so Alberta would like to amend her request to read 4 four plex's. The Conditional Use Permit application with conditions attached was read to the Council. (See attached). Alberta's Conditional Use Permit request is for 4 four plex's with the following conditions: 1. Based upon the concept presented by Alberta of a single story 4 plex. 2. Final plans be submitted to the Planning Commission for recommended approval prior to construction.

3. The lots will have to meet all requirements. Josie VonCannon said this request changes the zoning for duplex's, with a Conditional Use Permit to Alberta only, for 4 single story four plex's depending on the perc tests and the Health Departments okay of her plans. She then asked if that is correct. The Mayor said when she applies for a building permit she has to show the Department of Health has approved her septic systems. Alberta said she doesn't remember the single story part of it. Josie said it is in about four different meeting minutes. Alberta said she has people interested in it and they would like to do a two story. She asked is there a problem with a two story. The Mayor stated she would have to go through the process again. He said she would need to go back to the Planning Commission again and request a new Conditional Use Permit. She said she can't figure out the single story, what the difference is whether it is two or one. The Mayor stated the Planning Commission and Council was very adamant in all the meetings that it would follow her initial proposal for a single story. Alberta said or something similar. The Mayor said he doesn't remember something similar. He said it was very well put in the minutes that the Planning Commission liked her concept of the single story. That is what she presented and what was approved. Anything beyond that was not approved. In order to change that she will have to go back through the system. Alberta said that is okay. Josie said she also wanted to clarify something. The Conditional Use Permit for multiple family dwellings on four lots is for Alberta. She asked if that is correct. The Mayor said yes that is correct. Josie said the concept of her selling a property as a four plex property is incorrect. Is that correct. The Mayor said yes that is correct. He explained that she can sell the property of these four lots and the conditional use that goes with it, but they cannot deviate from the conditions placed on the Conditional Use Permit. The conditional use goes with the property. Bob Russ said then in other words she can sell them as she has proposed to do. The Mayor said yes, however, she has to tell the buyer that this property is zoned for duplex's. However she has a conditional use permit, with conditions attached, to place four plex units on these four lots she has indicated. She would have to be straight forward about it. He said the terminology to say this is a four plex lot is a little gray. Josie stated that is a little incorrect. Mayor said Alberta needs to be up front with this. Mike Empey stated as the Planning Commission and the Council worked through this the motion was that they be like the drawings Alberta submitted. He said the reasoning behind it was to be able to look at it and say yes that is the drawing we approved so something else entirely different isn't built. He said he would agree if it changes from the original drawing and goes from a single story to a two story we then need to go back and look at this again. Mike said if the property is sold the buyers need to be aware of the conditions that are placed on it. Pat Sheneman said he would like the motion read when the 4 four plex's were approved. Josie read from the minutes of 11-10-99 when the conditional use permit was approved for Alberta and Seth. Discussion then went to when the conditions were approved. Since this has been going on for such a lengthy time several meeting minutes were read. Bob Russ read from the minutes of 1-13-99 where Alberta and Seth requested 2 four plex's on lots 13 and 14, it is also stated they will be single story and the setbacks will be met. Alberta said yes that was her submission and plan but if she sells it to someone else they may not have the same plan. The Conditional Use Permit request from Alberta dated 2-9-00 was read. Joy Stevens stated when we first started this it was for 1 four plex, then it went to 2 four plex's, then it went

to 4 four plex's 2 for Seth and 2 for Alberta and then it was amended to read all four for Alberta. Pat Sheneman said when an application for a conditional use permit is made obviously there aren't any conditions. The conditions are imposed by the Planning Commission and the Council. So it would be incorrect to approve the application because the conditions don't exist yet. You would either have to add them to the application at the meeting and then approve the application with the conditions or go ahead and itemize them with the approval of the motion by Council. Scott Hayes from LDWA said one of the conditions they allowed Alberta to avoid 4 taps per four plex lot was that she is the owner of the 4 plex's. He said she needs to meet again with the water board. The Mayor said that is an issue between Alberta and the water board. Mayor asked Pat if with these conditions attached this clarifies Planning Commissions feelings and Councils feelings that you want a motion on this Conditional Use Permit for Alberta tonight. Pat said yes either add or attach the conditions to the motion one or the other would be sufficient. Mayor Mosher read the conditions again. Josie said number 3 is really vague when it states all requirements will be met. Mike said the intent there is to follow what the zoning ordinance says in terms of square footage for lots with four plex's, the parking and those kinds of requirements. The Mayor said the Council has read the minutes of the Planning Commission for 2 years and also Council minutes for a number of meetings. He then asked if this reflects what the Council and the Planning Commissions intent is. Josie said no it does not. She feels it has gradually changed. One of the issues that was never resolved is the idea we had anticipated putting in a sewer system instead of the septic system. Having 4 four plex's right above another subdivision she does not like at all. The Mayor said he can appreciate her concerns but unfortunately the State of Utah Department of Health has the say on the septic systems. That comes about when the building permit is applied for. Josie said so even if the four plex's are agreed to as a conditional use permit the State of Utah Health Department may come back and say there is no way. Bob Russ said yes they have a right to do that. Alberta would need to meet all of their requirements for a septic system. Josie said she thinks any potential buyers of her property that are interested in proceeding with the conditional use should be made aware of this. Alberta said she does have a potential buyer and they are aware. She stated that is why they are leaning more towards a two story rather than a single story because it gives them more room to meet the requirements for the septic system. Alberta said the Health Department is more astringent now and they not only requires a drain field but also a backup drain field. Pat said the potential buyer is Mr. and Mrs. Funk and he has reviewed the conditions with them. He said he told them he would like to see specific plans for each individual lot before they come back before the Planning Commission. Pat said the Funk's will also make sure the lots perc for a 4 plex before they come back in. Bob said when someone buys a lot you don't know whether that lot will perc or not. That is not necessarily done before you purchase the property. That is out of our scope as the Town Council to get involved in that. We are here to determine whether they follow our conditions. It is the responsibility of the buyer to make sure the property will perc or not. Motion by Mike Empey to approve the Conditional Use Permit for the 4 four plex's, placed on the four lots that she has presented with the following conditions: 1. Based upon the concept we were shown as a Planning Commission and in the previous Council meetings, the four plex's be substantially like those presented by Alberta of a single story.

2. Final plans be submitted to the Planning Commission for approval prior to construction. 3. The lots will have to meet all requirements. Seconded by Ron Mosher. Passed unanimously.

2. Alberta Lee (Pace) request final approval for recording of Subdivision Plat. Planning Commission Chairman Pat Sheneman stated some of the items haven't been complied with. He asked if Alberta would clarify these issues. Alberta stated she did receive the letter from the Town and is working on these issues. Seth Cook said they will put in another fire hydrant to comply with that issue. Mayor Mosher said we need a letter from Leeds Area Special Service District stating this has been complied with. Seth said they will replace the culvert between Lossers and Humphreys. Mayor Mosher stated we will also need a statement from the fire district that the fire flow requirement has been met to the flag lot. Seth said it meets the requirement to the property line but not to the residence. He said they will meet with the fire chief and see where he wants the fire hydrant placed. Mayor Mosher reminded them they will need to change the plat map to reflect this. Pat Sheneman said the preliminary plat and the final plat is in compliance with our ordinance of being 250 ft from the lot. Our ordinance doesn't address flag lots. Fire Chief, Steve Lewis, was present and he said he spoke with John Wiley, County Planner, about this issue. John told him flag lots are special condition in a subdivision. Thereby subject to whatever conditions are placed on them. Therefore the fire district has placed the condition that a fire hydrant needs to be 250 ft from the residence in a flag lot. Discussion went to the changes the State is placing on flag lots and fire flow. Steve Lewis said if the four plex's change to a two story he has a whole new concern. Now it is no longer considered low density residential. The whole fire impact, fire flow, and placement of hydrants changes. He said if their is a request that the 4 four plex's change from single story to two story the fire district would like to have some input. Alberta said she would like to be on the agenda for the next meeting. She said she will have all of these concerns taken care of by then. Discussion went to the conditions she needs to comply with before recording of the final plat. Pat said all the conditions of the ordinance need to be met before we sign off for the recording. He will work with Joy, Alberta, and Seth to make sure these conditions are met.

3. Lot split for DeVon and Dayne Howard. The Planning Commission reviewed the plan presented by the Howards to split a two acre parcel into 2 one acre parcels. One parcel would be a flag lot. the Commission had recommended approval. Two letters of complaint had been submitted. Bob read the letters. (See attached letters). One of the complainants was in the audience and voiced her concerns. She thought the lot split was a one acre parcel being split into 1/2 acre parcels. She asked if their can be an objection to the type of home going in. Example a modular. Mayor Mosher stated we cannot discriminate any structure unless it is in CC&RS. The Howards stated they are putting in manufactured homes valued between two and four thousand dollars. Steve Lewis said the fire hydrant compliance will also apply to these lots. Discussion went to the road being 25 feet wide to the flag lot, and the lot size. Mr. Howard said even with the road to the flag lot the lots will remain a full acre. Motion by Bob Russ to approve the Howards lot split/minor subdivision request with the requirement they follow all conditions of a minor subdivision. Seconded by Josie VonCannon. Passed unanimously.

4. Fee schedule. The Planning Commission worked on a fee schedule and made a recommendation to the Council. (See attached fee schedule). The Council reviewed and discussed the fee schedule. The fee schedule will need more work before the budget is approved. Mayor Mosher stated at the present time the Town does not charge enough or nothing at all to cover cost on several items including permits, annexations, subdivisions and etc. The council will consider calling a work session to address this concern.

#### **7. MAYOR RON MOSHER:**

Noncompliance with the Hillside Ordinance. Letters were sent to Roger Waters, Alberta Lee, and DeVon Howard concerning this issue. Mayor Mosher asked if there had been any response to the letters. No response of as yet from Roger Waters. Alberta Lee said she is working on it and will report her progress at the next meeting. DeVon Howards sister Kathy Gunn was present she stated he is having the hill on his property engineered and will satisfy what the Town has asked.

#### **8. PLANNING COMMISSION CHAIRMAN PATRICK SHENEMAN:**

Pat updated the Council concerning Brian Hansen's lot split. Mr. Hansen received approval for a lot split however he has failed to comply with the water issue. He has not shown proof of water to the back lot. His lot split/minor subdivision plat has not been signed off until he is in compliance.

#### **9. OTHER BUSINESS:**

Mayor Mosher informed everyone the West Center Street issue is in the hands of the attorneys. It will be 60 to 90 days before we hear back from them.

Seth Cook asked the Council, concerning the Hillside Ordinance, if they feel they have the right to tell a property owner what to do with his property before it reaches the 20% slope. Mayor Mosher said no it is after the 20% the Hillside Ordinance kicks in. Seth drew a map on the chalk board showing a 20% grade and asked for clarification of how the grade is determined. He explained how he determines a 20% slope. The Council discussed and read from the Hillside Ordinance. Interpretation of the Hillside Ordinance is in question. Seth asked the Council what they are expecting with his and Alberta's project. He said he has staked out the lots and he doesn't feel he is above the 20% slope. Bob Russ asked Seth if he is an engineer. Seth said no he is not. Bob stated that is where the Council's concerns are. Bob said he needs to have an engineer show us it is not above the 20% slope. Seth said they are working with an engineer now to stake the slope. Mayor Mosher recommended that Bob Russ and Pat Sheneman go with Seth and his engineer to visualize where the 20% slope is.

Josie VonCannon updated the Council on what she is working on. Mr. Forsyth is asking for volunteers to help with the CCC Camp cleanup and landscaping project. She is putting together a grant for the CCC Camp restrooms and landscaping. Josie hasn't spoken with Ned Sullivan yet concerning the irrigation pipe down Main Street. She is also working on the Hillside Overlay map.

#### **10. ADJOURNMENT:**

The meeting adjourned at 9:30 p.m.

APPROVED AND SIGNED THIS 28TH DAY OF MARCH, 2000

*Ron Mosher*

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Ron Mosher, Mayor

*Joy Stevens*

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Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
March 28, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Ron Mosher Council Members Mike Empey, Josie VonCannon, Joseph Mitchell and Robert Russ.

### 3. PLEDGE:

Joseph Mitchell

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Joseph Mitchell to approve the minutes and agenda for the Town Council meeting, Public Hearing, and Executive Session of March 14, 2000. Seconded by Josie VonCannon. Passed unanimously.

### 5. ALBERTA LEE PACE FINAL APPROVAL FOR SUBDIVISION PLAT:

Alberta said she still has several issues to work out with the water board and fire district concerning the flag lot. She also needs to submit a letter from the Health Department for the feasibility of septic systems for each lot. Seth Cook said the equipment will be back on the property Friday and he would like someone from the Town to be there with him and his engineer when the 20% slope is determined. He wants to start cutting into the hill again so he can finish the lots. Planning Commission Chairman Pat Sheneman said he will be out of Town on Friday so he will look at it on Monday. Alberta said while the equipment is there they will remove the boulders out of the wash they pushed in. Alberta said she also needs an okay from the State concerning adequate water supply. The Council discussed the concerns the fire chief stated in the last meeting Bob Russ read from the minutes the issues the fire department has with a two story versus a single story four plex. Pat Sheneman stated he feels the fire chief is holding this project up and isn't here to address these concerns. When Alberta has worked out these issues she will be coming back to request the approval of the subdivision plat.

### 6. MAYOR RON MOSHER:

Response from the property owners who are in noncompliance with the Hillside Ordinance. Mr. Roger Waters has written a letter and was present to confirm he will and has complied. He also has submitted an engineers mapping of the hill indicating the slope. Mr. Howards sister stated at the last meeting he will comply with stabilization and landscaping. Mayor Mosher asked Alberta for her response. She stated she is still working on it. She will have an engineer there on Friday to stake the slope. The Council discussed the culvert Alberta was asked to replace between the Humphrys and Lossers. Alberta asked if the culvert really needs to be changed out. Mayor Mosher said she needs

to have an engineer look at it and if he determines it needs to be then yes it must be enlarged. The Town will need a statement from the engineer concerning the culvert if it needs to be enlarged or not.

#### **7. COUNCIL MEMBER MIKE EMPEY:**

Discuss Proposed Nuisance Ordinance. Mike stated he made the changes concerning weed abatement. There a few other changes and then he will submit it to the Planning Commission for review.

#### **8. COUNCIL MEMBER JOE MITCHELL:**

Joe updated the Council on the last water board meeting he attended. Keith Sullivan approached the water board concerning a bottled water business he is interested in doing. The bottled water would be from irrigation water.

Joe suggested when someone is going to build we have a form that the water company, fire district, and Town sign. The form would state all requirements have been met for the property owner so he can start to build. The Mayor and Council felt this would be a great idea and save everyone a lot of time.

#### **9. COUNCIL MEMBER JOSIE VONCANNON**

Josie said she is working on a grant to help with volunteers. She has tentatively finished the Hillside Overlay map.

#### **10. BOB RUSS:**

Bob stated George Fridell is upset about the dust problem by his home since Valley View Road has been extended. He asked if there were plans in the near future to chip and seal the dirt road. Mayor Mosher said the road funds will not be built back up for at least three years. He will ask Vern if we have any signage to slow people down so the dust won't be quite so bad. It was also suggested the county might be able to spray an oil base on the road and that might help.

Conditional Use Permit for Ken Stevens to have 1 large animal, 1 small animal, and several chickens. Conditional Use Permit for Richard Mullins for a llama. The Conditional Use Permit requests were reviewed and recommended approval by the Planning Commission at their last meeting. Motion by Mike Empey to approve the Conditional Use Permits for the Stevens and Mullins. Seconded by Joe Mitchell. Passed unanimously.

#### **11. OTHER BUSINESS:**

Mayor Mosher said he was informed today someone is interested in developing the property behind the home on Berry Lane. The property owner who gated off Berry Lane, which is a legal road, will have to take down the gates so the new property owners in the rear will have access to their property. Property rights may become an issue. Pat Sheneman said the property owner who put up the gate is aware Berry Lane is a road.

Mayor Mosher stated our franchise fee research shows we need to change our ordinance. We have been charging one public utility the fee and not others. Since that is illegal we need to make this change right away. He said we will also be changing our use



of impact fees. Since we now have a fire district we will no longer be using impact fees for public safety. All impact fees will be used for open space and parks.

Mayor Mosher spoke with the Utah Public Health Dept. and they said anyone wanting to build on more than one lot has to have a feasibility letter concerning septic systems from them. We will also need a feasibility letter from LDWA. Pat Sheneman asked if other Towns similar to ours are required to have the feasibility letter from the department of health. Mayor Mosher said he was told by them it is county wide. Mayor informed the Council of the bills we have received concerning the wastewater project. They are from Jones and DeMille and the Department of Water Quality. The Council reviewed three bids for a weed sprayer for Vern. Vern will be at the next meeting to ask for approval.


Mayor Mosher informed the Council the large irrigation "pit" on Ken Stevens property where the Town Park gets its water needs to be repaired. It filled up last year, overflowed and flooded the Stevens home. Ken and Vern will be working on it in an effort to get it enclosed and install valves so both the Stevens and the Town can maximize the use of the irrigation water this year.

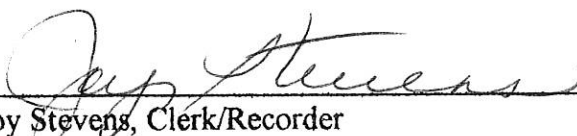
Planning Commission Chairman Pat Sheneman said he has been studying our ordinances and was surprised to find in an RR-1 and RR-2 zone you can have a separate mother-in-law quarters on the property. The Mayor recommended the Planning Commission needs to look at this and possibly delete it.

## 12. ADJOURNMENT:

The meeting adjourned at 8:15 p.m.

**APPROVED AND SIGNED THIS 11TH DAY OF APRIL, 2000**

  
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Ron Mosher, Mayor

  
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Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
April 11, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Ron Mosher, Council Members Mike Empey, Joseph Mitchell and Robert Russ. Excused: Josie VonCannon.

### 3. PLEDGE:

Mayor Ron Mosher

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Mike Empey to approve the minutes and agenda for the Town Council meeting of March 28, 2000. Seconded by Robert Russ. Passed unanimously.

### 5. PUBLIC WORKS VERN WATKINS:

Vern discussed the purchase of a new weed sprayer to control the weeds in the park and along the roadways. He said the weeds can't be controlled by the small 5 gallon hand held pump sprayer he uses now. He told the Council he had checked prices for sprayers that can be attached to truck with a hose attachment (a boom) to spray weeds along the sides of the roads. Prices ranged from \$299.00 to \$532.95 for these sprayers. Mayor Mosher told Council members that we could charge it to the Parks Department and then charge it back to the B and C Road Funds. Mike Empey made the motion that the Town purchase the equipment for up to \$350.00. Joseph Mitchell seconded the motion. Roll call vote: Mayor Mosher yes, Mike Empey, yes; Joseph Mitchell, yes; Robert Russ, yes. Passed unanimously.

Bob Russ asked Vern about putting some kind of sealer on the dirt section of Valley Road because the dust is so bad. Vern will check with the County Roads Department to find out what can be used. Vern also said the road up by Eldorado Hills is cracking and will need to be replaced if something isn't done about it now. He will check with the County regarding filling in the cracks and how much they will charge us to do it. Another matter of business brought up was purchasing gas from the Fire District for the city trucks and equipment. Mayor Mosher said the Town is talking with them regarding this matter. He said the Fire District is trying to find a way to measure the gas, right now they just have a hand pump.

### 6. MAYOR RON MOSHER:

Mayor Mosher stated he had several things to bring up under other business.

### 7. COUNCIL MEMBER, MIKE EMPEY:

Mike stated he had left copies of the new draft of the proposed Nuisance Ordinance in the Council members mail boxes, had given a copy to the Planning Commission and a copy to Norma Gier, the Chair of the Take Pride in Leeds Day. Mike took a few minutes to go over the

changes that had been made to the new draft of the Ordinance. Most of them were changes suggested by Council Member Josie VonCannon. Mike also has given a copy of the Ordinance to the Town's attorney, Steve Urquart, for review. Mike plans to go over some of the language, etc. with Mr. Urquart. Bob Russ, the Town Councils representative on the Planning Commission, reported that the Planning Commission had reviewed the Ordinance in their meeting the first week of April. He said they all liked it with just a couple of changes. He gave a copy of these changes to Mike. Norma Gier also had just a few changes to some of the language. Mike took copies of these suggestions. Mike proposed he do these changes by the meeting on the 25<sup>th</sup> of April and the Council set a date for a Public Hearing for the first meeting in May. He also suggested they do the Public Hearing as an Agenda item of the regular Town Council meeting. Mike made the motion that the Council set May 9, 2000 as a Public Hearing at 7:00 p.m. for consideration of adopting the Nuisance Ordinance and depending on the outcome of the Public Hearing be prepared to vote on excepting the Ordinance. Bob Russ seconded the motion. Passed unanimously.

As a related item Mike brought up the next Leeds clean up day. June 3 will be the next Take Pride in Leeds Day.

Vern Watkins brought up concerns over the cemetery again. The Council is going to have to find a way to get the records from Carl Sierup.

#### **8. COUNCIL MEMBER JOSEPH MITCHELL**

Joe reported the Water Board Meeting will be held on April 18, 2000.

#### **9. COUNCIL MEMBER JOSIE VONCANNON**

Josie was excused from the Council Meeting. She had asked LeGrande Forsyth to report on the CCC Camp. Mr. Forsyth passed a brochure of what he proposes for a use of the Camp to members of the Council. It included uses for the buildings, community project of salvaging lumber from the Dixie National Forest and a Sawmill. The Council was excited about having something done with the CCC Camp. Mike Empey thanked Mr. Forsyth for his interest and work on the Camp. He said it still needs to be a park or a historical park for people who are passing through to see. Mayor Mosher suggested Mr. Forsyth contact Bevan Killpack from the Forest Service and get his input regarding the lumber salvage. He also suggested that Mr. Forsyth organize a citizen group from the area and get their input for possible uses for the camp. Josie VonCannon would be the Councils contact person and would bring back the suggestions for review of the Council.

#### **10. COUNCIL MEMBER BOB RUSS**

Bob gave the Council an update on the Planning Commission meeting. 1. Fire Chief Steve Lewis was present at the meeting to address questions regarding placement of fire hydrants. The National regulations had not arrived and Mr. Howard wanted to place his fire hydrant. After much discussion and telephone calls to the Fire Chief's from St. George and Hurricane, Chief Lewis approved the placement of Mr. Howard's and Alberta Lee Paces fire hydrants. Chief Lewis also told the Commission he is starting to do fire inspections of businesses etc. 2. The Planning Commission is in the process of updating the Sub-division Ordinance. 3. There needs to be a date attached to the letters that go out regarding the cleaning up of properties, etc.

## 11. OTHER BUSINESS


1. Mayor Mosher told the Council that a Chair for the 24<sup>th</sup> of July Parade needs to be found. If they could have suggestions at the next meeting. It was suggested we post an advertisement at the post office and the Town's newsletter for a volunteer. 2. The Town received a letter from the state requesting the Town pay back the \$28,000 we owe them for the Waste Water Project. He gave Council members copies of the letter. They will have a board meeting in St. George on May 10<sup>th</sup>. The Mayor will request to be on their agenda at the meeting. He suggested anyone able to attend to do so. 3. The Mayor placed letters for the Councils information in their boxes regarding LDWA business. 4. Fire District and the Fire Codes. It was suggested that the Town adopt the same Fire Codes as the Fire District and let the Fire District enforce them. 5. Raise for Joy Stevens. It was felt that the Mayor build a raise into the budget for Joy. 6. Bob Russ asked how barking dogs were handled. The complaints are given to the police officer to handle. 7. Motorcycles on the property at the end of Vista behind the houses. The Mayor asked Bob to find out from the owner of the property if he will sign a complaint for trespassing before enforcement action is requested from the police. 8. Mike Empey mentioned that part of the agreement for the Cellular Tower was that it be painted. Mike suggested that Pat Shenemen be reminded. 9. Bob told the Council he was approached by people regarding the Center Street Road. He said he had talked to Alene Cuff and that she appears to understand much of the history of the Center Street issue. The Mayor stated that she was on the list for Town Attorney, Steve Urquart to talk to.

## 12. ADJOURNMENT

The Town Council Meeting adjourned at 9:00 p.m.

**APPROVED AND SIGNED THIS 25<sup>TH</sup> DAY OF APRIL, 2000**

  
\_\_\_\_\_  
Ron Mosher, Mayor

  
\_\_\_\_\_  
Colleen G. Empey, Acting Clerk, Recorder

## TOWN OF LEEDS

### Minutes for the Town Council Meeting April 25, 2000

#### 1. Call to Order:

The Town Council Meeting was called to order at 7:00 p.m.

#### 2. Roll Call:

Present were Mayor Ron Mosher, Council Members Mike Empey, Joseph Mitchell and Josie VonCannon. Excused: Robert Russ.

#### 3. Pledge:

Council Member Joseph Mitchell.

#### 4. Approval of Agenda and Minutes of April 11, 2000:

Motion by Mike Empey to approve the minutes and agenda for the Town Council Meeting of April 11, 2000. Seconded Joseph Mitchell. Passed unanimously.

#### 5. Mayor Ron Mosher:

1. March 21<sup>st</sup> meeting postponement. This was a misunderstanding and should not have been on the agenda. 2. Mayor Mosher told Council Members he had to make a request and explanation in writing to be placed on the Water Quality Board's meeting agenda for May 10, 2000 at the Dixie Convention Center. He gave copies of this letter to Council Members. The Council felt he had represented their position on the study of the waste water treatment and the use of the money that was given to the town for that purpose. He asked that as many members of the Council that could be present at that meeting to represent the Town's views. He also stated that the Board had the power to forgive the debt. 3. We still need a chair for the 24<sup>th</sup> of July Parade. An announcement will be placed in the Town's newsletter. If anyone knows of someone who would be willing to be the chair please let us know. Josie suggested we might ask a distinguished member of the community.

#### 6. Council Member Mike Empey:

1. Mike went over the changes that were made to the second draft of the Nuisance Ordinance. The suggestions of the Planning Commission and Norma Gier were incorporated into the ordinance. Mike has not heard back from the Town Attorney, Steve Urquart to answer some of the questions raised about some of the wording. Josie asked about setting actual fines for some of these nuisances. The mayor stated that the Town cannot not set an actual fine, that is left up to the judge's discretion. Mike said he will get in touch with Mr. Urquart to answer some of the questions and get his sign off on the Ordinance. Mike proposed that the Town go with this draft of the Ordinance for the Public Hearing on May 9<sup>th</sup>. Dave Clements from Silver Reef had a few comments 1. 3 of more insecure in life should be any person. 2. Attractive nuisance might be added (swimming pool, etc). 3. Neighbors could sue landowners if their property devalues the neighborhood. (This is already a Utah State law). 4. Weed abatement as directed by the County. Mr. Clements was thanked for his input. Mike suggested we have

copies of the draft available for residents to pick up before the Public Hearing.

2. Editor for the Insider. Mike suggested it might be time to find a new editor for the Town newsletter. This also will be advertised in the Newsletter.

#### **7. Council Member Joe Mitchell:**

Joe reported on the Water Board Meeting. The merger with Eldorado Hills is coming along pretty good. There has been good interaction. There was a question about the home being built east of town that belongs to Carliel Sterling's son-in-law. It is actually two lots, but only one has been approved by the Town Council. 3. ELT and the Water Board are still discussing the water issues. David Coon from the Water Board told the Council they would not approve giving ELT water until they are annexed into Leeds. 4. There is going to a meeting between the Irrigation board and LDWA regarding the purchase of water rights. LDWA has suggested the Irrigation Company put the shares into a trust with LDWA to protect them. LDWA is looking for a grant to help in the purchase of this water. 5. David Coon also reported all new homes need a pressure reducing device. LDWA is in the process of resizing and replacing older lines on Mesa View Drive to help meet the water pressure issue. 6. A pressurized or piped irrigation system is also being discussed.

#### **8. Planning Commission Pat Sheneman**

Commission Chair Pat Sheneman reported on his meeting with Petroleum Wholesale, Inc. He said he met with the President, Vice-President and someone from their Operations. He told them about the concerns about the wetlands, sewer, septic system and the traffic through town. He also told them their plans had to go through Planning Commission then the Town Council to be approved. They told him it was planned on being a gas station not a truck stop. They would also include a fast food type restaurant with the gas station.

Mayor Mosher mentioned water issues have Casa De Oro inquiring about possible annexation into Leeds.

#### **9. Other Business:**


1. Mayor told the Council the Police Department was donated a video camera by the State to be placed in the police car. Mike Ballard of Hurricane made a bid to install it in the car for \$150. This needs to be approved by the Council. This will be on the agenda in two weeks to vote on. 2. Mike Empey reported on the painting of the cellular tower. After some discussion it was decided it would be painted an earth color (taupe). 3. Mike reported that he had a call from Lou Johnson from the State History that there is grant money available for updating cemetery records and cemeteries. This may be a way to get the records for the cemetery. There will be a meeting at 9:30 a.m. April 26 with Mr. Johnson regarding this issue and will be reported on at the next council meeting. 4. A. Josie asked if the cemeteries could be cleaned up by the scouts as a service project. B. Josie also suggested cleanup of the CCC Camp be a project for Take Pride in Leeds Day. She asked if there was power and water as part of the CCC property. Further investigation will be made into these issues. C. Josie also had several copies of COPS grants for the Police Department. These will be left with the Police Department to review. D. A new Chiropractic business is having their Open House tomorrow. D. Pat Sheneman brought up the Center Street access issue again. There is a pending sale of Joan Thornton property again. Pat Sheneman felt Joan should comply with the conditions that went with the approval of her minor sub-division. E. David Coon reported that continued development on Alberta Pace's sub-

division may require meeting with the State Division of Water Quality.

**10. Adjournment:**

The Town Council Meeting adjourned at 8:28 p.m.

**APPROVED AND SIGNED THIS 9<sup>TH</sup> DAY OF MAY, 2000.**

  
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Ron Mosher, Mayor

  
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Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Public Hearing and Town Council Meeting  
May 9, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Ron Mosher Council Members Mike Empey, Josie VonCannon, Joseph Mitchell and Robert Russ.

### 3. PLEDGE:

Bob Russ

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Josie VonCannon to approve the agenda and minutes of April 25, 2000. Seconded by Mike Empey. Passed unanimously.

### 5. PUBLIC HEARING TO CONSIDER APPROVAL OF NUISANCE ORDINANCE #2000-02:

Council Member Mike Empey submitted the fourth draft and went over the changes that were made to the third draft of the Nuisance Ordinance. Mayor Mosher opened the hearing up to comment from the audience. Richard Mullins submitted a copy of Mesquite City Ordinance 4-2-1 concerning the definition of rubbish. Mr. Mullins stated he and his attorney, Jeff Wilcox, felt some of the Leeds Ordinance was ambiguous. No other comments from the audience. Council read and discussed the Mesquite City Ordinance. Public Hearing closed at 7:10 p.m.

Mayor Mosher asked if Council was ready to adopt Nuisance Ordinance #2000-02. Council discussed the varying definitions of rubbish/refuse. Josie stated this is a hard issue to tell a property owner to get rid of something they personally do not consider to be junk. Motion by Josie VonCannon to amend the fourth draft of the Nuisance Ordinance to include Mesquite City Ordinance definition of rubbish and approve. Seconded by Bob Russ. Roll call vote. All aye's. Passed unanimously. Mike will make the noted changes and submit the approved Nuisance Ordinance #2000-02 for the records.

### 6. CEMETERY SEXTON CARL SEIRUP:

Mr. Seirup presented the Council a plat of baselines at the Leeds Cemetery. He explained the baselines, tiers and size of plots. Mr. Seirup requested of the Council approval to have Mr. Leslie Townsend help him to chart the plots, water, and maintenance work at the cemeteries. He stated Mr. Townsend is a surveyor and lives in Harrisburg. In return for his work Mr. Townsend would like to have 2 cemetery plots. Mayor Mosher stated he would like Mr. Townsend to submit a proposal in writing. Mr. Seirup said he will have Mr. Townsend bring in a proposal before the next Council Meeting. Mayor



Mosher informed Mr. Seirup the Town would like for him to bring in the records so we can get them in a data base on the computers at Town Hall. Mayor Mosher stressed the importance of access to these records for historical and future reference. Mr. Seirup said he will work with Josie on the issue of the records.

#### **7. MAYOR RON MOSHER:**

Mayor Mosher introduced Dave Clark a candidate for State Representative, District 74. Mr. Clark stated he came to the Town Council meeting to see what issues are affecting us.

1. Proposed 2000-2001 Budget and Fee Schedule. Mayor Mosher went over the budget. We have lost revenue because of the motor vehicle registration flat rate, franchise fees are down, etc. Taxes are about the same as last year. Last year our budget was \$170,000 this year it is \$126,000. Most of the reduction came from no street projects, no matching funds for grants, and \$15,000 less for the police department. The budget does balance and we do not have to go back into our reserve account which got extremely low. Mayor said he did include in the budget a pay increase for Joy to \$10.00 an hour, Renae to \$9.00 an hour, and Vern to \$9.00 an hour. The Council reviewed the tentative budget and fee schedule. Josie stated she would like a work session to go over the numbers and see what they represent. A budget work session was scheduled for May 23 following the Town Council meeting. Motion by Mike Empey to approve the 2000-2001 tentative budget and fee schedule. Also to have a Public Hearing on June 13 at 7:00 p.m. to adopt the 2000-2001 budget and fee schedule. Seconded by Bob Russ. Passed unanimously.

2. The Policies and Procedures Manual is available for review. It will be on the June 13 agenda for adoption.

3. Police Video Camera. Mayor Mosher submitted bids for installation of the video camera. Motion by Josie VonCannon to accept the bid from Mike Ballard for \$150.00 Seconded by Joe Mitchell. Roll call vote. All aye. Passed unanimously.

4. Sign information. Mayor Mosher informed Council all but one of the business owners removed their signs from the state property on Main and Silver Reef Rd. Joy notified the business owner and the sign has since been removed. Main and Cemetery Road corner is state property and the Realtors signs on that corner are also being removed. The state has also agreed to help Vern put our School Bus Stop Ahead signs back up. A sign will also be ordered for Valley Road to slow down vehicles that are causing a lot of dust in the area.

#### **8. COUNCIL MEMBER MIKE EMPEY:**

CCC Camp-Natural Gas line. Mike stated about 2 years ago Councilman Scott had the gas company run a line to the CCC Camp as part of the restoration project. At that time they felt we would be installing heat in the upper building. Since the grant money didn't go far enough that didn't happen. Mike received a letter from Questar stating when you run a gas line you have 2 years or you have to pay a \$1,000.00 non hook up fee. Mike wrote back explaining why they should delay that and donate the gas line. He has not heard back from them.

**9. COUNCIL MEMBER JOE MITCHELL:**

Joe informed the Council the only water board meeting that has been held since our last meeting was a closed meeting. Mr. Gier was in the audience and stated the water company is still negotiating with Eldorado Hills Water Company. Also the water was tested and came back good.

**10. COUNCIL MEMBER JOSIE VONCANNON**

Cemetery meeting. Josie stated she received bids for the data entry software and training for the cemetery records. The bids range from \$1900.00 to \$8,000.00. She has also applied for a grant to help on this project.

Petition. Josie is going to start a citizens petition for no cost phone service to Hurricane. Mike said he attended a Mountain Bell Phone Co. meeting. They said if we raise enough complaints to the Public Service Commission they can give us service to Hurricane. He said they will add approximately \$.50 to our phone bills for the service.

Josie prepared a Hillside Overlay Map and presented it to the Council. The Council was very appreciative of her work on the map and how well it turned out.

**11. COUNCIL MEMBER BOB RUSS:**

Bob stated the Planning Commission did not meet this month. He has observed the road at Eldorado Hills is deteriorating. Where it has been paved is cracking. He feels it is due to being improperly paved the first time. He will get with the county road foreman and see if the county can fix the problem. Leeds owns approximately 1/4 mile of the road and the rest is in the county.

**12. OTHER BUSINESS:**

Mayor Mosher informed the Council the Forest Service will be submitting a proposed rule. The proposed rule would prohibit new road construction or reconstruction in the unroaded portions of inventoried roadless areas on National Forest System lands.

Eldorado Hills has submitted a report to protect water sources. Mike said he is familiar with this report. He will look into this and report his findings at the next meeting.

Mayor Mosher reminded Council Members about the meeting with the Dept. of Water Quality in the morning at 8:30. Mayor Mosher, Joe Mitchell, and Josie VonCannon will be attending. The importance of the meeting was stressed. We are hoping they will forgive the \$28,000 hardship grant the Town used for the feasibility study on the sewer project.

The communications tower will be painted soon. The color is to be taupe instead of sky blue.

**13. ADJOURNMENT:**

The meeting adjourned at 8:40 p.m.

APPROVED AND SIGNED THIS 23RD DAY OF MAY, 2000

*Ron MOSHER*

Ron Mosher, Mayor

*Joy Stevens*

Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
May 23, 2000

NO MEETING SINCE THERE WAS NOT A QUORUM PRESENT.

Since there were several citizens present the following items were discussed:

1. Alberta Lee Pace and Seth Cook talked about concerns with culverts, power lines and water lines in their subdivision. They had an engineers drawing of the slope of the hillside.
2. Vern Watkins voiced his concerns about the big trees on the south side of Town Hall. They have large unsafe branches that need to be trimmed. He will bring in some bids for the Council.
3. Mr. Townsend would like to work at the Cemetery and help Carl. In return he would like 2 cemetery plots. He will present his proposal at the next Council meeting.
4. Pat Sheneman spoke about Mr. DeWitt buying Joan Thorntons lot # 4. He wants to fill in the pond so he can have more room and claim to his property. Mayor Mosher said he wants to see some stakes to show where the property line is before he fills in the pond. Pat also stated Joan's lot #2 doesn't perc.

APPROVED AND SIGNED THIS 13TH DAY OF JUNE, 2000

  
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Ron Mosher, Mayor

  
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Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Public Hearing and Town Council Meeting  
June 13, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Ron Mosher Council Members Mike Empey, Josie VonCannon, Joseph Mitchell and Robert Russ.

### 3. PLEDGE:

Mike Empey

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Mike Empey to approve the agenda and minutes of the Public Hearing and Town Council Meeting of May 9, 2000, and Town Council Meeting of May 23, 2000. Seconded by Josie VonCannon. Passed unanimously.

### 5. PUBLIC HEARING TO ADOPT THE 2000-2001 BUDGET, FEE SCHEDULE, AND POLICIES AND PROCEDURE MANUAL.:

The Public Hearing was called to order at 7:03 p.m.

Resolution #00-02 to adopt the 2000-2001 Budget was read by Mayor Mosher. He then asked for any comments from the Council or the audience. Cemetery Sexton Carl Seierup needed clarification on the cemetery budget. He has replaced some and needs to replace more of the plants at the cemetery. He then asked about the \$2000.00 in the budget. Council Member Josie VonCannon explained the \$2000.00 is for a matching grant we received to compile the cemetery data on our computer system. Motion by Mike Empey to approve Resolution #00-02 and adopt the 2000-2001 Budget. Seconded by Josie VonCannon. Roll call vote. All aye votes. Motion passed.

Resolution #00-03 to adopt the Fee Schedule. Mayor Mosher referred to several increases in our Fee Schedule concerning Conditional Use Permits, Business Licenses, Use of Town Hall/Pavilion, and plats concerning subdivisions and annexations. Motion by Bob Russ to approve Resolution #00-03 and adopt the Fee Schedule. Seconded by Mike Empey. Roll call vote. All aye votes. Motion passed.

Resolution #00-04 to approve the Policies and Procedures Manual. Since Council Members have not read the Policies and Procedures Manual Resolution #00-04 was tabled.

Public Hearing closed at 7:20 p.m.

**6. ALBERTA LEE PACE:**

Discuss Subdivision concerns. Culvert, Power, and Water Lines.

Since Alberta's partner Seth Cook was not present yet she asked if she could wait until he arrived.

**7. MAYOR RON MOSHER:**

1. Mosquito Abatement County Program.

Mayor Mosher read what the Mosquito Abatement agreement with the County is and how it is funded. Discussion went to the low wet area on the South end of Town, however they concluded no one has been bothered with Mosquitos. The Council Members discussed the program and felt since we do not have a Mosquito problem there is no need to participate in the program. No action was taken on this item.

2. Mr. Townsend Cemetery Care. Mayor Mosher introduced Mr. Townsend to the Council and asked him to inform the Council of his request. Mr. Townsend explained to the Council what work he has already completed and the work he has yet to do at the Leeds Cemetery. He would like to have an agreement with the Town that he will help Carl Seierup finish the survey and plat maps update and do routine maintenance on the cemetery in exchange for 2 cemetery plots. (See attached letter and agreement). Motion by Josie VonCannon to approve the agreement between the Town and Mr. Townsend. Seconded by Joe Mitchell. Passed unanimously.

**8. ALBERTA LEE PACE:**

Since Seth Cook has now arrived Mayor Mosher turned the time over to Alberta and Seth. Alberta asked for the Council's advise on what she should do concerning the culvert on Silver Meadows Rd. between Lossers and Humphries. She said her engineer isn't sure he could do a study because the terrain has changed. Mayor Mosher stated the original approval was conditioned upon an engineers study of the drainage to protect those residents at the end of the road if it ever washes out. Alberta said her engineer felt she might as well save her money and skip the study, just go ahead and put in the culvert. She asked Council if that is okay with them. And if so she will put another culvert in, the same size as the one that is already there, right next to it. The Council agreed if she will put in the other culvert she wouldn't need the study. Mayor Mosher asked that this change be noted. He said we will be changing the original approval concerning an engineers study of the drainage to reflect that Alberta will go ahead and put in a culvert next to the original one already there eliminating the need for the engineers study. Discussion went to the flag lot being a private lot and the problems that may occur if the owner wants to put up a gate. The utility companies would have an issue with this problem. Mayor Mosher stated the Town is concerned with compliance of the subdivision and zoning ordinances. How they work out the other issues is between them, the utility companies and the special service district.

**9. COUNCIL MEMBER MIKE EMPEY:**

Draft Drinking Water Source Protection Ordinance.

Mike presented to the Council for review the Draft Drinking Water Source Protection Ordinance which was prepared by Eldorado Hills Water Company. Mayor Mosher stated the Town has a right to go outside of their boundary to protect their drinking water source. Leeds Domestic Water Association President Dave Coon stated he would like the water board to work with the Town on this Ordinance since it will benefit everyone. It was also suggested the other water companies in the area have the opportunity to be involved in this process. Mr. Coon said LDWA is preparing a map to show where the water lines and wells are located.

**10. COUNCIL MEMBER JOE MITCHELL:**

Joe informed the Council at the water board meeting this month they said the hydrant at the Walton's is almost finished. Environmental Land Technology and the water company are still negotiating. Dave Coon said the water company would like to see our irrigation water pressurized. Joe will meet with the water company and the irrigation company to discuss this issue.

**11. COUNCIL MEMBER JOSIE VONCANNON**

Josie explained the cemetery grant. We have been awarded a matching grant of \$1950.00 from the Utah State Historical Society. The moneys will be used for data entry software and training for the cemetery records. We will be putting information for the five cemeteries in our area on the computer systems. The software company is going to design a special entry screen which will commemorate Carl Seierup. The data entry project should be underway in July.

Petition for local phone rates to Hurricane. Josie stated she is still working on the petition. Over 140 individuals have signed the petition to date. She will be taking the petition door to door for those who are home bound and then submit it to the phone company.

Leeds Clean Up Day. Josie said she hasn't had any feed back yet on how well the clean up day went.

**12. COUNCIL MEMBER BOB RUSS:**

Bob stated the Planning Commission did not meet this month. He had nothing else to bring up at this time.

**13. OTHER BUSINESS:**

Mayor Mosher informed the Council the next scheduled meeting is on the same day as the Primary Election. He asked the Council for direction to either cancel the meeting or schedule it for another day. Motion by Mike Empey to cancel the meeting due to the Primary Election. Seconded by Joe Mitchell. Passed unanimously.

The Council discussed the 911 issue. Mayor Mosher had previously asked the St. George Police Chief for a breakdown of the \$1400.00 that was billed to Leeds. We were not sent a breakdown. The question is what is being considered Leeds by the 911 service. Are the Leeds residents being charged for all area residents.

Mike Empey stated he has been approached several residents concerning the Oleander plants at the park. How toxic are they. Should they be removed. He will check into this further.

**14. ADJOURNMENT:**

The meeting adjourned at 8:20 p.m.

**APPROVED AND SIGNED THIS 11TH DAY OF JULY, 2000**

Michael D. Empey Mayor Pro Tem  
Ron Mosher, Mayor

Joy Stevens  
Joy Stevens, Clerk/Recorder



## TOWN OF LEEDS

Minutes for the Town Council Meeting  
July 11, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Pro Tem Mike Empey, Council Members Josie VonCannon, Joseph Mitchell and Robert Russ. Mayor Ron Mosher and Clerk/Recorder Joy Stevens were excused.

### 3. PLEDGE:

Josie VonCannon

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Josie VonCannon to approve the agenda and minutes of the Public Hearing and Town Council Meeting of June 13, 2000. Seconded by Bob Russ. Passed unanimously.

### 5. PUBLIC HEARING TO AMEND THE 1999-2000 BUDGET AND BALANCE THE ACCOUNTS BY RESOLUTION #00-05:

The Public Hearing was called to order at 7:05 p.m. Mike Empey read the resolution and explained the process involved in amending and transferring money in the budget. (See attached Resolution #00-05).

Mike asked for any questions or comments from the audience. There were none. He then asked the Council for any comments. Josie asked for clarification on the \$3000.00 being allocated to the engineers for the wastewater study. She asked if that money was in the wrong account technically and needed to be transferred in order to pay the engineers. Mike said yes it was originally part of the grant money for the wastewater study. The transfer is necessary so they can be paid from the correct account.

Public Hearing closed at 7:09.

Motion by Josie VonCannon to accept Resolution #00-05 to amend the 1999-2000 Budget. Seconded by Joe Mitchell. Roll call vote. All aye votes. Motion passed.

### 6. ADOPT THE POLICIES AND PROCEDURES MANUAL BY RESOLUTION #00-04:

Mike Empey explained at the last Council Meeting this item was tabled to give the Council more time to review the manual. Josie stated she still hasn't read it. Bob said he looked at it and came in and talked with Joy about it. He said he is satisfied with it. Mike said he is familiar with it and knows the document comes from the Utah League of Cities and Towns. Some of the information contained in it, because of the size of our Town, may not pertain but it is better to have it on the books and not need it than not have it and need it. Motion by Bob Russ to accept Resolution #00-04 and approve the Policies and

Procedures Manual. Seconded by Joe Mitchell. Roll call vote. All aye votes. Motion passed.

**7. RECOGNIZE THE LEEDS PRINCESS ROYALTY:**

Tami Mullins and Kristen Lewis were introduced. Ashlie Leatherbury was not present. Mike recognized the princess royalty as ambassadors for the Town and stated we are fortunate to have them represent us. Tami and Kristen were each presented a \$50 check. Pageant Director Alyn Mitchell accepted Ashlie's check and will see that she receives it.

**8. PUBLIC WORKS DIRECTOR VERN WATKINS:**

Vern explained to the Council the condition of the Chinese Elm trees on the south side of Town Hall. Vern presented a bid of \$525.00 from D.M.P. Expert Tree Service to trim the trees. The Council asked Vern to bring in at least one more bid. Josie said we need to make sure the company we choose are licensed and bonded. Motion by Josie VonCannon to spend up to the \$525.00 after the second bid is in. Seconded by Joe Mitchell. Roll call vote. All aye. Motion passed.

**9. WASHINGTON CITY COUNCILMEMBER KENT HEIDEMAN:**

Washington City's perspective of the proposed St. George airport. Kent gave the Council some background information on the location. The location is South of Washington City and part of it is in their community. (See attached map). They agree there is a need for the airport but not at that location. St. George gets all of the benefits and Washington gets the noise and pollution. They are asking neighboring communities to sign a petition in opposition of the proposed plan for the airport. (See attached).

The Council tabled this request so they can give pro airport representatives a chance to make a presentation.

**10. MAYOR PRO TEM MIKE EMPEY:**

Discuss amending Right of Way Encroachment Ordinance. Questar Gas has asked the Town to consider a change to our Encroachment Ordinance concerning the \$30 fee. Questar would like the Town to waive the \$30 fee for them since they have a bonding procedure to handle complaints or issues concerning excavating. The Council was opposed to changing our Encroachment Ordinance. They would like a representative from Questar to come to the next meeting and discuss the request in more detail.

**11. COUNCIL MEMBER JOE MITCHELL:**

Joe informed the Council he did not attend the last water board meeting since he was out of town. He stated the hydrant at the Walton's Plaza is finished and LDWA is working with the irrigation company to pressurize our irrigation water.

**12. COUNCIL MEMBER JOSIE VONCANNON**

Josie explained what has been happening with the petition for local phone service to the Hurricane area. She has been researching the line item on our phone bill for extended service. She has spoken with the Spectrum and Qwest representatives

concerning this. One source at Qwest told her we are supposed to have free phone service to the Hurricane area with that line item. Another source said we are not. She is still researching this.

Regarding the Cemetery grant. She met with Lou Johnson two weeks ago. He took pictures of the cemeteries and met with Cemetery Sexton Carl Seierup. It is all coming together and it will be on the computer before long.

Josie is looking into applying for a CDBG grant to make Town Hall ADA compliant. We need a more current low/middle income survey. We also must have a current consolidated plan that shows as a high priority item the remodeling of Town Hall. She will research with Five County and CDBG on these issues.

### **13. COUNCIL MEMBER BOB RUSS:**

Bob stated the Planning Commission did not meet this month. He stated one concern he has is with Alberta Lee Pace's subdivision. He walked the gully to see if the gully had been cleared like Alberta and Seth were told to do at several Council meetings. Bob walked the gully himself and it has not been cleaned out. He stated the property should not be approved for sale until the gully is cleaned. Bob felt Planning Commission Chairman Pat Sheneman should check into this. Mike said the minutes will reflect these concerns. Josie said she would also like the minutes to reflect that heavy machinery is tearing up Silver Meadows Road while putting in the culvert at the bottom of the road. Alberta is using the entire length of Silver Meadows to have these heavy cleated machines go up and down the street. She observed 3 machines going up and down the road. Bob said the road is being torn up by these machines. Mike said at least we will have these issues listed and hopefully there will be a reckoning time as far as final approval of all of these issues so that they are aware of these concerns.

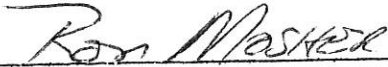
### **14. OTHER BUSINESS:**

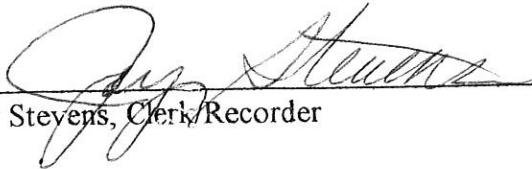
Mr. Townsend stated he needs help to lift the roof up on the cemetery information shed. Josie said that can be arranged if he will give us a day and time when he would like to do that. He also said he needs help to trim the dead limbs in the cypress trees. Perhaps a cherry picker or a tractor to stand on instead of a ladder. Bob Russ said he will coordinate this project.

### **15. ADJOURNMENT:**

The meeting adjourned at 8:17 p.m.

**APPROVED AND SIGNED THIS 25TH DAY OF JULY, 2000**

  
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Ron Mosher, Mayor

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
July 25, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Ron Mosher, Council Members Mike Empey, Josie VonCannon, Joseph Mitchell and Robert Russ.

### 3. PLEDGE:

Josie VonCannon

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Mike Empey to approve the agenda and minutes of the Public Hearing and Town Council Meeting of July 11, 2000. Seconded by Bob Russ. Passed unanimously.

### 5. LARRY BULLOCH ST. GEORGE'S PERSPECTIVE OF THE PROPOSED ST. GEORGE AIRPORT:

Mayor Mosher brought everyone up to date on this issue. Kent Heideman of Washington City asked the Council at the last meeting to sign a petition against the airport at the proposed location. The Council asked a representative for St. George City to give their perspective and address a few concerns of the Leeds Town Council regarding this issue. The Mayor reminded the Council that last year by resolution they announced official support for St. George to build a replacement airport at this proposed location. If they should now support Washington City and sign the petition against this proposed site they will need to amend their resolution. Mr. Larry Bulloch was introduced. Mr. Bulloch then conducted a slide presentation. The presentation addressed why a replacement airport is so important, and why the proposed site is the choice location. Mayor Mosher stated the Council has heard the two positions of Washington City and St. George City. He asked if they have any further questions. Discussion then went to the encroachment of the airport on Washington City property. Mr. Bulloch stated St. George City is trying to purchase the 62 acres in Washington City. If this fails their other alternative is to take the property by eminent domain. The Council expressed their concerns about taking the property by eminent domain, and would like to see Washington City and St. George City reach a mutual agreement regarding this issue. Motion by Mike Empey to let the resolution stand in support of St. George City's proposed location. Seconded by Joe Mitchell. Passed unanimously.

**6. QUESTAR GAS REPRESENTATIVE:**

Mike Empey updated the Council on the request from Questar. They have requested the Town amend the \$30 fee for right of way encroachment permits. Questar representatives Brett Brown, Gaylan Froyd, and Attorney Bob Lovell were introduced. Mr. Brown proposed the \$30 fee be waived since they have bonding in place for such permits. He stated they have a good reputation and if there are any problems with the roads once they have covered their trenches they will repair them. Council Members Bob Russ and Josie VonCannon explained the \$30 fee is to cover administrative and inspection fees associated with the permit application and inspection of work upon completion of the project. Discussion went to amending a portion of the Encroachment Ordinance to waive the \$30 fee for utility companies who show proof of bonding. Motion by Bob Russ to vote in support of amending the Encroachment Ordinance to include section C as proposed by Questar, as an alternate method of the fees. (See attached). Seconded by Mike Empey. Passed unanimously. Mike will work on the amended Encroachment Ordinance.

**7. PUBLIC WORKS DIRECTOR VERN WATKINS:**

Since the trees have already been trimmed this issue was no longer a matter of discussion.

**8. MAYOR RON MOSHER:**

Mayor had no more business at this time.

**9. COUNCIL MEMBER MIKE EMPEY:**

Mike had no more business at this time.

**10. COUNCIL MEMBER JOSEPH MITCHELL:**

Joe stated LDWA water board had something to share with the Council. LDWA President Dave Coon informed the Council he had received a copy of a letter that was sent to the Mayor from Wayne Thomas from the Department of Environmental Quality. Mr. Coon then read the letter to the Council. The letter had made an evaluation of the ability of the Leeds Domestic Water Association water system. It concluded that LDWA has excess source, and storage capacity and should be able to serve the proposed Silver Meadows Subdivision Phase II. A report by the Washington County Regional Plan, Culinary Water Capital Facilities was used in making their evaluation. The letter went on to say the report did identify areas that are served by LDWA as having pressures below State requirements. The letter also stated it was their office's recommendation that the Town of Leeds should not approve any more subdivisions that would obligate the LDWA to serve, until the problems of low pressure have been resolved. (See attached letter). Mr. Coon was very upset over the letter. He said the report indicating LDWA having water pressure below State requirements is over 1 year old. He said the requirement is 20 lb. and they have that in the system. At the South end of Town they have run into 135 lb. of pressure and that was a big problem. Mr. Coon stated they have put in pressure regulators at Main and Cherry to hold pressure back. At a cost of \$20,000.00 LDWA put in the regulators. They have found an area in Town where the lines were too small and

they repaired that problem. They will be spending approx. another \$18,000.00 on pressure valves in the Town. He said at Waltons Plaza is a good example of being below State requirements. He said as soon as he became president he checked into the problem at the plaza. They found someone had left a plug in the line and the water they were getting at the plaza was what could come around the plug. That problem was taken care of and there is plenty of water and pressure there. Catfish Charlie still has a pressure problem at his establishment but it has nothing to do with the water company. Mr. Coon said they have been working with ELT on an agreement for their subdivision. They do have a preliminary contract with ELT. However LDWA is not the only one working on an agreement with ELT. They now know Washington County Water Conservancy has also made an offer to ELT. The WCWC has been having meetings and making decisions. These meetings were not advertised. LDWA has asked the Attorney General to come down and investigate these issues. Council will review the letter from Wayne Thomas.

#### **11. COUNCIL MEMBER JOSIE VONCANNON**

Josie informed the Council on September 1st she will go to a workshop for a CDBG grant. The grant money we will apply for is to remodel Town Hall so it will be ADA compliant.

The agreement with Meteor Digital for the cemetery has been signed and work is going forth on it.

The Mayor has approved \$193.00 for Mr. Townsend to purchase markers for all the graves at the cemetery so they can be identified.

She said she is still working on the petition for local phone service to Hurricane.

She received a call from a citizen on Silver Meadows wanting to know why all the roads in Silver Meadows has not been finished with blacktop. Mayor said apparently the Council at the time must have approved the final plat with the road not being finished. Since Council Member Bob Russ is over roads he will check into this further.

#### **12. COUNCIL MEMBER BOB RUSS:**

Bob stated there is still debris in the gully from Alberta's subdivision project. He felt because it directly affects his property Planning Commission Chairman Pat Sheneman should follow through on this before the final plat for the subdivision is signed. The Council agreed Pat should inspect the gully and note what needs to be cleared before the final plat is signed.

#### **13. OTHER BUSINESS:**

Jeff Johnson informed the Council the 24th of July Parade was a success. Staples donated the plastic holders for the Insighter to be placed in at the Post Office, Catfish Charlies, and Leeds Market and Grill. He is now a corespondent for the Town with the Spectrum.

**CLOSED SESSION CALLED FOR BY MAYOR MOSHER AT 8:35 P.M.**

Mayor Mosher called for a closed session at 8:35 p.m..

He informed the Council he has turned in his resignation. He has accepted a job with the State of Utah and will be moving to Salt Lake. He is still working on two things that the Council needs to follow through on. One is changing our formula for the Impact fees. Number two is franchise fees. Some companies pay franchise fees and others don't. He has been working on this with Renae. The Council Members expressed their appreciation for him and all the work he has done on behalf the Town. He will be missed by all. The vacancy will be posted and a new Mayor will be appointed on the 22nd of August.

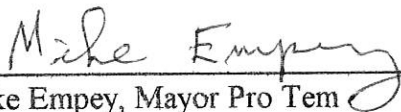
**TOWN COUNCIL MEETING RECONVENED AT 8: 43 P.M.**

There was no other business to be discussed.

**14. ADJOURNMENT:**

The meeting adjourned at 8:45 p.m.

**APPROVED AND SIGNED THIS 8TH DAY OF AUGUST, 2000**



Mike Empey, Mayor Pro Tem



Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
August 8, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Pro Tem Mike Empey, Council Members Josie VonCannon, Robert Russ, and Joseph Mitchell will be here but is running late.

### 3. PLEDGE:

Josie VonCannon

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Josie VonCannon to approve the agenda and minutes of the Town Council Meeting of July 25, 2000. Seconded by Bob Russ. Passed unanimously.

### 5. JEFFREY JOHNSON:

Jeffrey informed the Council he would like to volunteer his services to set up a web site for Leeds Town. He explained the process, who will benefit and how much it will cost. He explained the site will cost approximately \$300. The Council expressed their appreciation for him volunteering to do this project. Mayor Pro Tem Empey stated we need to look at the budget and see if there are funds available for this type of project. He will look into this further.

### 6. MAYOR PRO TEM MIKE EMPEY:

Revised Right of Way Encroachment Ordinance #2000-03. The Ordinance was discussed at the last meeting. Mike passed out the Ordinance for the council to review once more. Motion by Josie VonCannon to approve Ordinance #2000-03. Seconded by Bob Russ. Passed unanimously.

Oleanders at the Town Park. Mike explained the concerns of some of the residents in Town concerning the Oleanders and their toxicity. Mike informed everyone the Oleander is used in landscaping all over Utah. It is a popular landscaping plant because it is drought tolerant, fast growing, and blooms in different colors. There was an incident in Town where 14 animals died after eating Oleanders which has prompted this concern. At the time the Oleanders were planted at the park Council Member Kay Fairbanks researched the toxicity of the plant and found you would have to ingest a great deal of the plant to be toxic. Mike said he checked with Poison Control about the toxicity. Poison Control said it is toxic but the dosage would have to be considerably large to make any one ill. If someone took the leaves and made a tea from them it would be very toxic. Poison Control told Mike the likelihood of a child ingesting enough to cause them any problems is very slim. Mike asked Vern Watkins what he found in his research before planting the Oleanders. Vern stated Oleanders are planted at various public buildings,



homes, churches and etc. not only in our State of Utah but other surrounding states. Discussion, and comments from the residents in the audience, revealed there are various poison plants in our area. Examples were Virginia Creeper, Sumacs, Rhubarb, and Larkspur. Pat Watkins said the Oleander places a lot more jeopardy on animals than humans. Farmers need to keep it away from their animals. Parents need to watch and educate their children on toxic plants. The Council decided at this time public awareness of the toxic plants in our area should be the first step. They felt at this time there is no need to change the plants at the Town Park.

Solid Waste Board Meeting. Mike attended the meeting and stated the financial report for the year from Solid Waste is available for review at Town Hall.

Bids for tires for the public works truck. Vern submitted two (2) bids for the tires. Motion by Bob Russ to accept the bid from Sunrise Tire for \$259.00 and approve the purchase of the tires for the public works truck. Seconded by Joe Mitchell. Roll call vote. All aye. Motion passed unanimously.

#### **7. COUNCIL MEMBER JOSEPH MITCHELL:**

Joe stated there was not a water board meeting since our last Council meeting. Dave Coon from LDWA was present and wanted to take a moment. He stated they received a call from the Fire District requesting they take over the maintaining of fire hydrants. The water company said no they did not want to take on the responsibility. The water company has hired Bush and Gudgell to run an analysis on the pressure of the water system.

#### **8. COUNCIL MEMBER JOSIE VONCANNON:**

Josie stated she was approached by Fred Friese concerning diesel trucks parking across the street in Mr. Waltons vacant property and leaving their motors running. The fumes from the trucks are drifting into his home. Josie suggested an Ordinance concerning truck parking. It was suggested we contact Mr. Walton and see if he will put up a no overnight parking sign. Vern Watkins said they have the same problem on Valley Road with Bundy's parking their trucks on the street. They are tired of the fumes and noise. The Town Council will review this issue after more information is made available.

#### **9. COUNCIL MEMBER BOB RUSS:**

Follow up on letters of non compliance with the Nuisance Ordinance. Bob stated some residents were asked to clean up their yards and have not done so. He said we need to put a date for compliance and consequence for not complying. He said we have the legal right to follow through with this issue. The Council decided letters will be sent to these property owners. They will need to report what attempts they have made to comply.

Planning Commission Items: (1) Bruce Jones request for an Intervention Program at Ludlows Business Complex. Bob stated Mr. Jones and Mr. Olsen approached the Commission for approval of an intervention program for youth with drug and alcohol problems to be located at Ludlows Business Complex. Mr. Jones stated the facility would be a residential support home. Bob will be doing some investigation on this type of program so if anyone has any questions or comments they can direct them to him. Someone in the audience asked what type of a program is this. Mike stated he personally

has not heard the presentation on this program. He has heard a little about the proposal and the concept. That led him to look at the Leeds Zoning Ordinance and for General Commercial, which this property is, it is not a permitted use and could only be permitted by a Conditional Use Permit. This would mean traditionally in Leeds when we do a conditional use permit we would review the application. If it is an issue that is going to be a potential community concern we will set a Public Hearing, making sure there is adequate notice to the public concerning what is being proposed. Mike said another concern is the septic issue. Whether the septic is adequate for what is being proposed. He said these are two issues concerning this proposal. Mr. Jones said it is his understanding other locations in Utah say in General Commercial this type of intervention program is allowed. Mike reiterated that in Leeds Zoning Ordinance there is a list of permitted uses and there isn't anything listed for that type of business. Mr. Olsen said he hasn't seen this list of permitted uses. Mr. Jones had the General Commercial Zoning Ordinance and handed it to Mr. Olsen. Since there were several residents in the audience they wanted to know if they could make any comments concerning this proposed business. Dave Coon said he would like an explanation of what an intervention program is. Mr. Olsen took a few minutes and informed everyone this is an intervention program for youth who have disciplinary problems. Mike stated we are not going to take the time to discuss this issue tonight but we will comply with the Ordinance that has been passed.

Alyn Mitchell requested a Conditional Use Permit for a performing group in her home. The Planning Commission has recommended approval. The business will be reviewed on a yearly basis. Motion by Bob Russ to approve the Conditional Use Permit. Seconded by Josie VonCannon. Passed unanimously.

The Planning Commission is working on some changes to the Leeds Subdivision Ordinance. They are in the process of reviewing the Washington County Subdivision Ordinance as a guide.

#### **10. OTHER BUSINESS:**

Mike stated he has some concerns with our Leeds Police Department. The amount of coverage, grants, and other commitments. He will be working on this and seeking advise from the Council.

Mike said Josie VonCannon has turned in her resignation. As of today she is no longer a resident and must resign. The Council Members expressed their appreciation for her and all the work she has done on behalf the Town. She will be missed by all.

Don Goddard and Fred Friese questioned our Ordinance concerning modular homes. Don said there is a place for them and the Town can regulate where those places are.

Bob said he has walked Alberta's subdivision and she has complied with the rocks in the gully. However he has concerns about the rocks in the wash between the fire station and the Howard's modular sales property. He said he spoke with Kathy Gunn about the rocks that have been pushed into the wash and she said her husband will have a problem with Bob's concern. Bob said he wants to reinforce his concerns about flood waters in the wash and the rocks that have recently been pushed into it. Mike said he will go look at the rocks in the wash.


On the 22nd the Mayor vacancy will be filled and the vacancies on the Town Council will be posted.

**11. ADJOURNMENT:**

The meeting adjourned at 8:30 p.m.

**APPROVED AND SIGNED THIS 22ND DAY OF AUGUST, 2000**

  
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Mike Empey, Mayor Pro Tem

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
August 22, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:05 p.m.

### 2. ROLL CALL:

Present were Mayor Pro Tem Mike Empey, Council Members, Robert Russ, and Joseph Mitchell.

### 3. PLEDGE:

Bob Russ

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Bob Russ to approve the agenda and minutes of the Town Council Meeting of August 8, 2000. Seconded by Joe Mitchell. Passed unanimously.

### 5. APPOINT NEW TOWN MAYOR:

Motion by Joe Mitchell to appoint Mayor Pro Tem Mike Empey to the office of Leeds Town Mayor. Seconded by Bob Russ. Passed unanimously. Mike Empey received the Oath of Office for the Leeds Town Mayor. Motion by Mayor Empey to appoint Joe Mitchell as Mayor Pro Tem. Seconded by Bob Russ. Passed unanimously. It was noted there are 2 vacancies on the Town Council. The Vacancies will be posted and filled at the September 12th Council meeting.

### 6. MAYOR MIKE EMPEY:

Report on Nuisance Ordinance letters. Mayor Empey stated the letters were sent out in February to several residents. He wanted to update the Council on the response to those letters. The residents the letters were sent to have contacted members of the Council. Bob Russ said he would like to have a meeting with these residents to have them report on the specifics of what they have done to comply with the ordinance. He said the Council also needs to set a compliance date. Joe Mitchell stated the Town needs to have a plan for compliance and a deadline. Mayor Empey and Councilman Russ will schedule a meeting with those residents the letters were sent to.

Report on the rocks in the gully. Mayor Empey stated the rocks in the gully by the Howard's modular home sales business is a concern. He said he sees it as a potential problem. He also looked at the culvert upstream from the rocks and it is very small and would restrict the flow before it gets to where the rocks in the gully are. There are several upstream problems. The Council discussed property owners and the towns responsibility. Mayor Empey stated he will meet with the attorney and consult with an engineer on this issue.

#### **7. COUNCIL MEMBER JOSEPH MITCHELL:**

Joe stated there was not a water board meeting since our last Council meeting and he had nothing else to report

#### **8. COUNCIL MEMBER BOB RUSS:**

Bob wanted to review the current building process. He said he has concerns with the process that is now in place. The process in place now is: the plans are turned in to Joy. Planning Commission Chairman Pat Sheneman reviews the plans if he sees no problems or concerns they are given to the building inspector for final approval. If he has a concern then the Planning Commission reviews the plans before going to the building inspector. Bob stated when he built his home his plans were reviewed by the Commission and the Council. Pat Sheneman stated shortly after he came on as Planning Chair neither he nor the Commission reviewed building plans. The plans went to the building inspector for approval so as not to hold up the building process while waiting for the Planning Commission to meet. The town building inspector felt it was not his job to look at zoning issues concerning a set of plans. Mayor Mosher asked Pat Sheneman to look at the plans before going to the inspector. If he noticed any concerns they were to be reviewed by the Commission. Bob Russ stated he did not feel the Mayor had the authority to give Pat that duty. He feels that process is invalid and all plans should be reviewed by the Planning Commission. Bob said Mr. Campbell is building a home in his neighborhood and he sets on the Commission as Council representative and never reviewed the plans. He feels the Planning Commission and the Town Council needs to be in the loop when it comes to building plans. Mayor Empey stated in other towns and cities they have a building department that reviews the plans. Since we are a small entity we do not have the luxury of having a building department. The Council discussed having the Planning Commission review the plans to advise the builder and protect the Town. Several residents in the audience were concerned with Mr. Campbell building his home and being in compliance with Silver Meadows CC&R's. They also discussed a Modular Home Ordinance the Town of Leeds has and felt it is not being enforced. The Council felt CC&R's being adhered to is not the Town's responsibility. Mayor Empey said he is unaware of a Modular Home Ordinance but would be interested in looking into it. Silver Meadows should have a committee in place to make sure their CC&R's are followed. It was suggested the Town add to the building checklist that Subdivision CC&R's be followed. Pat Sheneman stated the role of the Planning Commission is to see if someone is in compliance with the zoning ordinance. Enforcing CC&R's is not a function taken on by the Town. Mayor Empey said he wants this issue to go back to the Planning Commission and see what solutions can be made regarding these concerns.

#### **9. OTHER BUSINESS:**

Mayor Empey stated we may not be able to apply for any grant money this year. Five County has stated all grant money will be going to one project. He will be going to a meeting on the 29th concerning this.

Bob Russ stated he has two items of concern regarding personnel issues requiring a closed meeting. Motion by Bob Russ to convene to a closed session. Seconded by Joe Mitchell. Passed unanimously .

**CLOSED SESSION:**

The Council convened to a closed session regarding a personnel issue at 8:40 p.m. No minutes were taken in the closed session. Motion by Joe Mitchell to adjourn the closed session at 10:05 p.m. Seconded by Bob Russ. Passed unanimously.

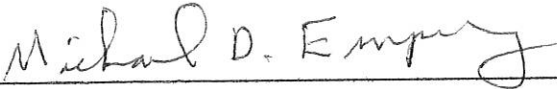
**TOWN COUNCIL MEETING:**

The Town Council meeting reconvened at 10:06 p.m. There was no further business.

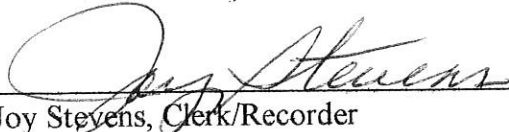
**10. ADJOURNMENT:**

The meeting adjourned at 10:06 p.m.

**APPROVED AND SIGNED THIS 12TH DAY OF SEPTEMBER, 2000**



Michael D. Empey, Mayor



Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
September 12, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Mike Empey, Council Members, Robert Russ, and Joseph Mitchell.

### 3. PLEDGE:

Mike Empey

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Bob Russ to approve the agenda and minutes of the Town Council Meeting of August 22, 2000. Seconded by Joe Mitchell. Passed unanimously.

### 5. APPOINT NEW TOWN COUNCIL MEMBERS:

Motion by Joe Mitchell to appoint Bob Coxe as Town Council Member to fill the vacancy created by Mike Empey when he was appointed Mayor. Seconded by Bob Russ. Passed unanimously.

Motion by Bob Russ to appoint Norma Gier as Town Council Member to fill the vacancy created by the resignation of Josie VonCannon. Seconded by Joe Mitchell. Passed unanimously. The new Council Members were administered the Oath of Office.

Mayor Empey expressed his appreciation to the Council and their willingness to serve. He then advised the Council Members to vote their conscience and never hesitate to vote how they feel. The Open & Public Meetings Law was discussed. Mayor Empey reminded the Council Members to contact Joy before 3 PM on Mondays for all agenda items.

### 6. LDWA PRESIDENT DAVID COON:

A meeting was held at the Water Conservancy District last week which Mayor Empey and Mr. Coon attended. The Mayor invited Mr. Coon to come and bring the Council up to date on some of the water issues and area wide concerns. Some of the concerns were with Environmental Land Technology. They have already spoke to LDWA about water for 18 homes in their subdivision. They now want to put in 100 homes on their property but also the state school land adjacent to them. They wanted to run water from Cottom Well until they found out it would cost them \$300,000.00. Other concerns were with septic systems and sewer. Blow sand areas are now required to have sewer rather than the septic systems. Local collections technology is improving and changing.

This may be an option for Leeds in the future. LDWA will be holding a meeting tomorrow night concerning providing water for Eldorado Hills. LDWA can provide Eldorado Hills with water whether they annex into the Town of Leeds or not. Right now this is in the preliminary stages and Mr. Coon will let the Town know of their decision after the meeting.

#### **7. MAYOR MIKE EMPEY**

Meeting with the Town Attorney Steve Urquhart. The Mayor stated he has several issues to discuss with the attorney unfortunately he was unable to talk with him before the meeting.

Police pay proposal. Mayor Empey brought the Council up to date on the status of our police department. The Town currently pays the officers \$9 an hour. Mayor Empey has spoken with Officer Zubal concerning the few hours the officers spend in Leeds. Officer Zubal indicated the pay is not enough for the officers since they can work part time security for the Sheriffs Department and receive \$12 to \$15 an hour. Mayor Empey suggested raising their wages and perhaps schedule fewer hours. We do have grant money that covers a share of the officers wages. The Council agreed we definitely need police protection and discussed several options. This item is tabled until the next meeting.

Three Rivers Trail. Mayor Empey brought everyone up to date on the Three Rivers Trail project. There are still some issues concerning private property and land exchanges. The Council discussed the intended use of the trail, location, and what the project cost the Town if anything.

CDBG funding meeting. On September 28th Mayor Empey will be attending a meeting at the Five County office. They will meet to discuss the grant moneys usually available for communities to apply for which may not be available this year.

Mayors meeting. At the Mayors meeting they discussed an area wide transportation system for some of the larger communities. Another item of interest was LaVerkin is paving their roads with funds borrowed against their B&C Road moneys. Mayor asked Bob Russ to look into whether it would be possible for Leeds to use future B&C funds and take care of the dust problem on Valley Road.

Monthly fee for the use of Town Hall. Mayor Empey said he had been approached concerning renting Town Hall out by the month for a children's performing group. The issue was tabled until next meeting to give the Council time to look into liability and other concerns.

#### **8. COUNCIL MEMBER JOSEPH MITCHELL:**

Joe stated there was not a water board meeting since our last Council meeting. The next water board meeting is scheduled the same night as a Court of Honor he will be attending. Council Member Bob Coxe said he will attend the water meeting for Joe.



## **9. COUNCIL MEMBER BOB RUSS:**

Planning Commission items.

Penny Weston requested a Business License, Beer License, and Conditional Use Permit. The Conditional Use Permit was amended to one large animal instead of two since the property is 6/10 of an acre and zoning will only allow one large animal. The Planning Commission then recommended approval of the Business and Beer License and the amended Conditional Use Permit. Motion by Bob Russ to approve the amended Conditional Use Permit. Seconded by Joe Mitchell. Passed unanimously. Motion by Joe Mitchell to approve the Business and Beer License contingent upon final approval by the Fire District and Health Department. Seconded by Bob Russ. Passed unanimously.

Lorna Muir requested a second home on her property at 201 North Main Street. Since this would be creating a flag lot and several concerns with the Fire District she is now requesting a demolition permit. They would like to demolish the existing older home and put in a triple wide manufactured home. She will need to get a letter from the Health Department stating the existing septic system is adequate for the size of the new home. This item was tabled until she decides which option will be best for them.

Charlene Ford requested an update on the progress of opening Center Street. The Planning Commission and the Council couldn't give an update since the County and Town Attorneys haven't reported their findings concerning the safety and liability issue. We hope to have some information by the next meeting.

Building Permit process. The current and past building permit process was discussed by the Commission. They are recommending changes to the wording on the Building Permit Policy and Instructions. (See attached). Mayor Empey gave everyone a background on the procedure in the past. At one time all plans went to the Commission and Council for approval. Approximately a year ago the procedure changed and plans went to the Building Inspector for approval. In July of this year the procedure was to go back through the Planning Commission and Council and then the Building Inspector. Because this procedure held building plans up for up to one month Mayor Mosher asked Planning Commission Chairman Pat Sheneman to review the plans for zoning and setback compliance before they were given to the Building Inspector. The Planning Commission is recommending they do not review single family residence building plans. Instead the plans be reviewed by the Building Inspector or a qualified individual appointed by the Council as stated in the revised Policy for Building in the Town of Leeds and Building Instructions. Motion by Bob Russ to accept the recommendation of the Planning Commission and make the necessary changes to the Building Policy and Building Instructions. Seconded by Joe Mitchell. Passed unanimously. Motion by Joe Mitchell to appoint Bob Russ to perform the plan and site review during the interim. Seconded by Norma Gier. Passed unanimously.

The Council then discussed the building permit issued to Bob Campbell. His home will be in the Silver Meadows Subdivision. The building plans were reviewed by Planning Commission Chairman Pat Sheneman upon the request of Mayor Mosher. The Council felt so as not to set a precedence this permit should be vacated and a new one issued. Motion by Norma Gier to vacate the building permit that was issued to Bob Campbell, make the necessary corrections, and have Bob Russ as interim person look at the zoning

and setbacks. Seconded by Bob Russ. Passed unanimously. A new permit will be issued to Mr. Campbell after the review and corrections have been made. It was also noted Mr. Campbell needs to come in and get a Conditional Use Permit for the trailer on his property he is living in while building his home.

**10. OTHER BUSINESS:**

The Council will schedule a Work Session for September 18th to work on several issues they have discussed tonight.

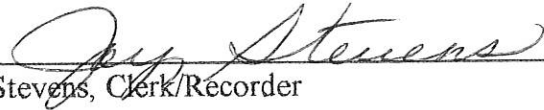
**11. ADJOURNMENT:**

The meeting adjourned at 9:57 p.m.

**APPROVED AND SIGNED THIS 26TH DAY OF SEPTEMBER, 2000**



Michael D. Empey, Mayor



Joy Stevens, Clerk/Recorder

**TOWN OF LEEDS**

Minutes for the Town Council Work Session  
September 18, 2000

**1. CALL TO ORDER:**

The meeting was called to order at 5:00 p.m.

**2. ROLL CALL:**

Present were Mayor Mike Empey, Council Members Joseph Mitchell, Bob Coxey, and Norma Gier. Council Member Bob Russ was absent.

**3. ITEMS DISCUSSED:**

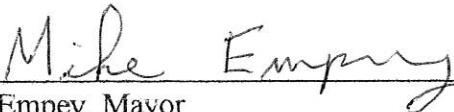
Update for new Council Members Norma Gier and Bob Coxey on the following:  
Center Street issues.  
Wastewater/septic density.  
Take Pride in Leeds Ordinance.  
Annexation issues.  
Police Department.  
Planning Commission operation.

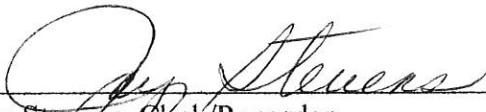
A general discussion was also held on the Town of Leeds General Plan, vision statement and zoning ordinances. Copies of the 2000-2001 Budget were distributed to those present.

**4. ADJOURNMENT:**

The meeting adjourned at 6:35 p.m.

**APPROVED AND SIGNED THIS 26TH DAY OF SEPTEMBER, 2000**

  
\_\_\_\_\_  
Mike Empey, Mayor

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
September 26, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Mike Empey, Council Members, Bob Coxey, and Norma Gier. Joseph Mitchell arrived late and Bob Russ was absent.

### 3. PLEDGE:

Bob Coxey

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Bob Coxey to approve the agenda and minutes of the Town Council Meeting of September 12, 2000. Seconded by Norma Gier. Passed unanimously.

### 5. HAROLD FURROW:

Mr. Furrow was not present to discuss the creation of a new lot on his property. Dave Coon President of LDWA stated the lot Mr. Furrow wants to create is not in Leeds town limits according to his map. Mr. Furrow will be coming to the Planning Commission on October 4th and this issue will be discussed at that time.

### 6. MAYOR MIKE EMPEY:

Police department pay and hours of coverage. Mayor Empey said he has spoken with Officer Robert Zubal about the lack of police coverage we have. The Council discussed expectations and a pay increase. Mayor Empey recommended advertising for part time officers. Officer Zubal does respond when Joy calls him for assistance however he doesn't have a regular schedule. Leeds other 2 officers who have not been coming in will have to apply again. The Town would like to retain Officer Zubal and perhaps hire 2 more officers. Council Member Bob Coxey recommended offering Officer Zubal the Police Chief position. If he is interested offer him \$14 an hour and the newly hired officers \$12 an hour. The officers will be limited to 20 hr. a week. Motion by Bob Coxey to pay the police chief \$14 an hour and 2 part time officers \$12 an hour. Seconded by Joe Mitchell. Roll call vote. All aye votes. Passed unanimously.

Council Member Assignments. Since we have 2 new Town Council members the assignments were reviewed. Mayor Empey read the past Town Council assignments and the duties associated with them were explained. He then asked the Council which of the assignments best suits their expertise. The Council discussed the following assignments for the coming year of 2001:

Mayor Mike Empey: Police Department, Administration, Solid Waste Board, Economic Development and Historical Society.

Council Member Joseph Mitchell: Mayor Pro Tem and Roads.

Council Member Bob Coxe: Water board meetings, Cemeteries, Parks & Recreation.

Council Member Norma Gier: Grants and Projects.

Council Member Bob Russ: Planning Commission meetings and Hillside Ordinance.

West Center Street Update. Mayor Empey stated he has spoken with the parties concerned with the West Center Street issue and this will be an agenda item for the meeting in 2 weeks.

**7. COUNCIL MEMBER JOSEPH MITCHELL:**

Council Member Mitchell had nothing at this time.

**8. COUNCIL MEMBER BOB COXEY:**

Bob stated he attended the water board meeting. LDWA reported all tests of the water are good and up to date. They discussed the property which ELT annexed into the town. They are concerned about ELT changing their plans from 18 lots to 100 lots. ELT is negotiating with the School Trust Lands to purchase the property to put in the additional 100 lots. LDWA President Dave Coon asked the Council if they were aware of a permit the Town has for our own power company. Mr. Coon stated we have plenty of water pressure for a power company. LDWA has been discussing pressurizing our irrigation water with the irrigation company.

**9. COUNCIL MEMBER NORMA GIER:**

Take Pride in Leeds Day. Norma stated she would like to have another clean up date in the fall. Tentative date will be November 4th. She will coordinate this date with the fire department and also involve the scouts and cub scouts.

**10. COUNCIL MEMBER BOB RUSS:**

Council Member Russ was absent.

**11. OTHER BUSINESS:**

Mr. Townsend was present and explained what he has accomplished at the cemetery. He stated he would like to have the cemetery plots deeded to him as per the agreement with Leeds Town. He said he would like to bring in some rock for the walkway at the cemetery. Carl Seirup has donated a rototiller to the town. It needs some work done on it and Mr. Townsend requested \$75 for the repairs. We will check with Renae and see if there are funds available for the repairs.

Mayor Empey updated the Council on the certified letter that was sent to Mr. Bruce Jones concerning non compliance with the zoning ordinance. Mr. Jones was given until the October 4th Planning Commission meeting to apply for a Conditional Use Permit for the AA Group at Ludlows Business Complex. If he has not made any effort in doing so by October 5th the Town will issue a cease and desist order.

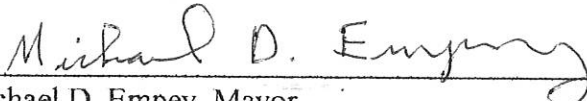
Dave Coon stated the fire district wants them to maintain the fire hydrants. They may end up having to take that duty back on.

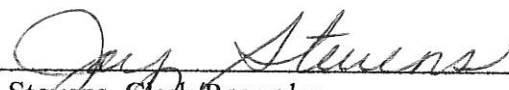
Pat Sheneman brought the Council up to date on the issue of Mr. Richard Hunters subdivision on Silver Reef Road. The Town has no record of this subdivision. However a plat and CC&R's have been recorded. The plat did not go through the proper channels of the Planning Commission and Town Council. The plat was apparently signed by Mayor DeMille and Recorder Patrick Franks. Since the Town was unaware of the Minor subdivision and CC&R's the lot split for the Howard's may have violated the CC&R's. Pat said he will contact the attorney and see where to go from here.

**12. ADJOURNMENT:**

The meeting adjourned at 8:45 p.m.

**APPROVED AND SIGNED THIS 10TH DAY OF OCTOBER 2000**

  
\_\_\_\_\_  
Michael D. Empey, Mayor

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
October 10, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Mike Empey, Council Members, Joseph Mitchell, Bob Coxey, Norma Gier and Bob Russ.

### 3. PLEDGE:

Bob Russ

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Joe Mitchell to approve the agenda and minutes of the Town Council Meeting of September 26, 2000. Seconded by Bob Coxey. Passed unanimously.

### 5. MAYOR MIKE EMPEY:

Report on Mayors Meeting. Mayor Empey informed the Council the mayors meetings are held on the 1st Tuesday of the month at 7:00 p.m. At the meeting he attended on October 3rd County Commissioner Alan Gardner was also present. He proposed all the mayors in the county join a planning association. This would help open the lines of communication between various local administrators and federal agencies to discuss issues of common interest. Another issue that came up during the meeting was concerning roads. Two mayors at the meeting when giving their report mentioned the county had helped them resurface some of their roads. As we continue to work through the Center Street issue we need to keep this in mind. Hopefully the county would be willing to help us out with some of our roads.

Police Department Update. Mayor Empey stated he has met with Officer Robert Zubal and he is interested in administering the department. Whether as team leader or chief has yet to be decided. Officer Zubal will lay out a schedule for the officers and have it available for Joy and the Council. Mayor Empey stressed the importance of the officers having a schedule and being committed to it. Officer Chris Ray has not been in for some time due to an injury sustained while working with the Washington Co. Sheriffs Department. One of the issues we are facing right now is the police vehicle Bob Pease is supposed to be working on. We might have to take it elsewhere for repair if Bob doesn't repair it soon.

### 6. COUNCIL MEMBER JOSEPH MITCHELL:

Council Member Mitchell said he knows of a product you can spray on a dirt road to hold dust down. He met with someone who can do this for us or sell us the product and we can spray it ourselves. Mayor Empey also suggested calling the county and see if they can assist us with the dust issue.

## **7. COUNCIL MEMBER BOB COXEY:**

Bob attended the LDWA water board meeting. At the meeting they reminded everyone of the \$500.00 deposit for a water tap is held for 18 months. After that time the money and tap are forfeited. The water tests are up to where they should be. Additional tests were done at individuals homes and they were also good. There are two property owners in town who owe LDWA \$8000.00 for an 8 inch line that was run on their property. LDWA is trying to collect these funds. If they are unsuccessful they will be forced to shut the water off of these two properties. Effective September 28th the cost for a water tap will be \$5000.00. The 10 taps for the year have been sold and there will be no more available until January 1, 2001.

Update on the cemetery. The rotor tiller donated by Carl Seierup will need approximately \$75.00 worth of repairs. Once it is repaired it will be kept in the Public Works building.

Bob asked about Catfish Charlie using the picnic tables from the Pavilion. Mayor Empey said he had given Charlie permission to use them.

## **8. COUNCIL MEMBER NORMA GIER:**

Norma stated that Meteor Digital has the cemetery program ready to go. He came down to install it and found a glitch in the disc. He will be back as soon as he gets the problem corrected. Norma said Bob Coxey has talked with Carl Seierup and he will turn the cemetery records over to Bob tomorrow afternoon.

## **9. COUNCIL MEMBER BOB RUSS:**

Planning Commission Items:

Harold Furrow brought his plans in for a lot split. There were several issues concerning the width of the road and easements. This item was tabled until Harold gets the plat map finished showing the correct width of the road to be 55 ft. and the easements of 10 ft. on the sides and 7 1/2 ft around the perimeter.

Bob Campbell requested a conditional use permit to live in a travel trailer while building his home. He already has the septic, power, and water. The Planning Commission recommended approval with the condition it be reviewed in 6 months. Motion by Bob Russ to approve the conditional use permit to be reviewed in 6 months. Seconded by Norma Gier. Passed unanimously.

Alberta Lee Pace presented the Planning Commission with a drawing of her plans to build 3 tri plex's on lots 11, 12, and 13 in her subdivision. At this time she has a conditional use permit for 4 four plex's. The Planning Commission informed her she will need to amend her conditional use permit to the tri plex's instead of the four plex's. As of today she has not done that. Bob Russ stated his concern with the size of the units in the tri plex not adhering to the CC&R's. The CC&R's state 1400 square feet and the units in the tri plex are 1150 square feet. When Bob questioned this issue he was told it was not his position to question the CC&R's. It was explained to him the tri plex as a whole meets the requirement. Joe Mitchell reiterated the Council does not get involved with CC&R's. He said the subdivision's architectural committee is the body which enforces the CC&R's.

Bob stated he feels the Town Council needs to look at this issue. The Planning Commission approved amending the previous conditional use permit for 4 four plex's and to allow 3 tri plex's on lots 11, 12, and 13. All conditions attached to the original conditional use permit will still



apply. They also accepted the plans and all utilities as specified.

There were concerns expressed by the Planning Commission Chairman Pat Sheneman concerning two Planning Commission Members who are not attending the meetings. This has become a problem and needs to be resolved. Pat will contact these members and see what their intentions are.

The Planning Commission also talked about designating Main Street a Historical District. They will be working on this and several other additions to the building ordinances.

Norma Gier stated she is very uncomfortable with Pat Sheneman in the Planning Commissions Chairman position. She feels there is a conflict of interest and it would be safer for him to be off the Commission. Then whatever he does as a developer no one could question his right or his ability because he would no longer be involved in the decision making part of it. Mayor Empey explained that Pat does declare a conflict and does not vote on issues that may involve him. He then explained to her the Council had a closed session with Pat to address several concerns they had. They felt their concerns were alleviated at the meeting. He said if she has any concerns with particular issues she should address them directly to Pat. If she is still uncomfortable they can revisit this issue.

#### **10. OTHER BUSINESS:**

Mayor Empey reminded the Council agenda items need to be called in to Joy before mid afternoon on Mondays.

The Mayor stated there is one more assignment that needs to be given to one of the Council Members. That is overseeing the issues, equipment, and etc. associated with the Town Hall. Joe Mitchell stated he will take the assignment.

The Mayor informed the Council there are several residents who are not paying their trash bills. The Council agreed the first step will be to send letters to these residents. If no response we will need to place liens on the property.

The Mayor informed the Council the cease and desist letters were sent to Mr. Bruce Jones and also Mark and Janet Ludlow as we were advised to do so by our attorney. The letters were concerning the AA meeting and clubhouse at Ludlow's Business Complex that is in non compliance with the zoning ordinance. There are some concerns whether this is a legitimate AA group. Norma Gier stated she met with Mr. Jones and discussed the issue. She stated hopefully he will sit down and work with us on this. He told her he is an attorney. He said he is not a member of the bar but is an attorney. He said it is an AA meeting and if we want to catalog him in some kind of an area the closest category he said would be a church. Norma said he is planning on keeping this open. Particularly on the weekends because addicts need a place to hang out when they are craving something. If they have an opportunity like this to go to a building and hang out it will prevent problems further on down the road. She asked him if there have been any police called. Mr. Jones stated he called the police on one occasion for a domestic disturbance. The problem started elsewhere and ended up at the AA clubhouse. Mr. Jones told her he will not cease and desist. He said he will not apply for a conditional use permit since that would take away his constitutional right. And that means we would have a handle on his program and we would be able to call the shots. He feels this is a non profit organization and we have no right to say he can't meet there. He said our attorney Urquhart is not the kind of attorney that knows this kind of law. Mayor Empey stated our attorney has reviewed Mr. Jones material and hopes we

can resolve this fairly quickly. Bob Russ said he was given the assignment to look into this issue by the Planning Commission. Bob did meet with Mr. Jones and stated they are government opposed individuals. They do not recognize government of any kind and therefore they do not recognize Leeds Town government. Mr. Jones told Bob he does not recognize our Town government as a controlling entity. He said we are formed illegally. Bob explained to Mr. Jones the Council is formed by the desires of the public through their right to vote. We establish and enforce our ordinances. He said the fact Mr. Jones doesn't recognize the Council does not mean they do not exist. Mayor Empey stated we will continue to work with our attorney and hopefully when Mr. Jones gets back in Town and gets the cease and desist order he will contact Norma or Bob and we can go from there with the non compliance. The obvious conclusion would be for Mr. Jones to apply for a conditional use permit. If he says he won't do that and the attorney says you need to enforce your cease and desist order we will proceed from there. Bob Russ said it appears to him Mr. Jones has already said that by saying no I will not cease and desist, no I will not get a conditional use permit, and he has also discredited our attorney by saying he has no knowledge or expertise in this area. Norma feels we need to be very careful with this issue it could be a juicy tidbit for the newspaper. Bob Russ questioned why are we dealing with Mr. Jones when he is not the property owner. Shouldn't we be dealing with the Ludlow's who rented the unit to Mr. Jones. Norma said she feels it is a legitimate AA program and she has checked with someone who knows Mr. Jones. Bob Russ said the question here isn't whether it is a legitimate program or not. The question here is are they in compliance with the ordinance or not. As a Town Council we have an obligation to the community. They are not even a part of the community. Bob stated he has a lot of confidence in our attorneys decision and Leeds Town ordinances. Mr. Jones thinks because he doesn't recognize this governing body he can do what he wants. Norma said she thinks we need to have an answer to each question he has for us. Mr. Jones said Utah State law takes precedence over Leeds Town law. Mayor Empey said we have gone through the steps we need to go through. We have visited with our attorney about this before we took any action. He suggested it would be helpful if Norma would meet with attorney and discuss her concerns. Bob Russ said he has talked with an individual from Anderson Junction where Mr. Jones lives. This individual said Mr. Jones has had some major problems with drug abuse and the law in the last 2 years and has served time as a result. Bob feels we need to get a background check on him. Mayor Empey said a background check can only be done by an officer as part of an investigation otherwise you are violating their freedom of information right. Mayor Empey said we need to wait until Mr. Jones gets back in Town and see if he will cease and desist. This issue needs to be dealt with properly so we can be prepared for anything like it in the future.

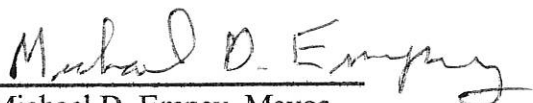
The Council then discussed the letters that went out to several residents concerning the debris in their yards and the Leeds cleanup day on November 4th.

Bob Russ asked Mayor Empey if he had met with the Howard's concerning the rocks in the gully. Mayor Empey said he has met with them and looked at the rocks in the gully. He feels the culvert upstream is more of an obstruction than the rocks. With the combination there is a likely problem. When Mayor Empey spoke with the attorney about the rocks he felt Bob should call the attorney and explain exactly what his concerns are. Bob said he will get in touch with the attorney.

**11. ADJOURNMENT:**

The meeting adjourned at 8:40 p.m.

**APPROVED AND SIGNED THIS 24TH DAY OF OCTOBER 2000**

  
Michael D. Empey  
Michael D. Empey, Mayor

  
Joy Steyens  
Joy Steyens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
October 24, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Mike Empey, Council Members, Joseph Mitchell, Bob Coxey, Norma Gier and Bob Russ.

### 3. PLEDGE:

Mayor Empey

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Joe Mitchell to approve the agenda and minutes of the Town Council Meeting of October 10, 2000. Seconded by Bob Russ. Passed unanimously.

### 5. HAROLD FURROW:

Mr. Furrow was not present.

### 6. MAYOR MIKE EMPEY:

Mayor Empey updated the Council concerning Clerk/Recorder Joy Stevens participation in the Utah Retirement System. Mayor Mosher approved the participation in the Utah Retirement System effective July 1, 2000. Mayor Empey asked Joy to explain the system to the Council. Joy stated we have just received confirmation from Utah Retirement System that she has been accepted. The Town of Leeds (employer) will contribute to the system. The current rate is 10.32%. There are no employee contributions in this system. However, she will be eligible to participate in a 401(k) plan on her own. The Council felt this was a good decision for her to be able to participate in the retirement system.

Mayor Empey informed everyone our Treasurer, Renae Thompson, is attending a training seminar at BYU this week concerning taxes and accounting. The classes will run for 5 days and 10 hours each day. The Town paid the \$435.00 for the classes and she paid her own transportation, motel and meals.

Procedure to collect trash bills in arrears was discussed. The first step will be letters notifying the residents in arrears they have 30 days to bring their accounts current. If they do not we will be forced to place a lien on their property. The resident will be billed for the cost of processing the lien. Retaining a collection agency was also discussed.

Public Works truck needed repair. Mayor Empey explained to the Council the public works truck went into the garage for radiator repairs and a safety inspection. During the safety inspection they found the truck needed brakes and exhaust system work. The total cost came to \$718.00. Public Works Director Vern Watkins stated the repairs

were necessary. Motion by Bob Coxey to approve the expenditure for the repair of the public works truck. Seconded by Joe Mitchell. Roll call vote. All aye votes. Motion passed unanimously.

**7. COUNCIL MEMBER JOSEPH MITCHELL:**

Council Member Mitchell had nothing to report at this time.

**8. COUNCIL MEMBER BOB COXEY:**

Council Member Coxey stated there had not been a water board meeting since our last council meeting.

He updated everyone on the progress of the cemetery records and the park. Bob stated he will be meeting with a landscaper to look over the lawn and watering system at the park. The lawn has a hump in the middle causing dry spots. He will get an estimate on what it will take for the improvements. There has also been some vandalism at the Peach Pit Pavilion. The shut off valve was filled with rocks and several lights have been broken. There has also been vandalism at the cemetery. Someone has been stealing water from the cemetery. Bob put a rod on the shut off valve and a lock to prevent any more taking of the cemetery water. Bob stated Mr. Townsend has been getting bids on gravel for the walkways at the cemetery. There was a misunderstanding and Leany trucking delivered the gravel for the sum of \$140.00. Since this was not an approved expenditure Mr. Leany will be asked to come to the next Council meeting.

Bob asked the council to approve a letter to Carl Seierup requesting all records be turned over to the Town within the next 10 days. Mayor Empey stressed the importance of the records being at the Town Hall. Mr. Seierup has turned over some of the records however the Town needs all deeds and financial records which Mr. Seierup still has in his possession. Motion by Bob Coxey to request all records and duties be turned back to the Town of Leeds. Seconded by Joe Mitchell. Discussion on the motion. Bob Russ stated he is concerned about Carl feeling we have taken everything away from him after all of his hard work. The cemetery has been Carl's life and Bob Russ proposed finding something for him to do. The Council suggested offering Carl the position of advisor/historian. Motion was amended by Bob Coxey to appoint Carl advisor/historian and for him to return all items in his possession. Seconded by Bob Russ. Passed unanimously.

**9. COUNCIL MEMBER NORMA GIER:**

Norma informed the council Mr. Jones with the AA meeting and clubhouse at Ludlow's Business Complex did cease and desist his operation.

She spoke with Mel Evans about the closing of West Center Street since he was on the council at the time of the closing. Norma said Mel and Joan Thornton wanted the road closed. Mel said there was formal action taken to close the road. Mayor Empey said our attorney has written to the County Commission and they haven't responded yet. Safety issues are still a concern. Pat Sheneman stated Mr. Prisbrey has purchased Joan Thornton's property she has had up for sale for some time now. Mayor Empey reminded everyone this is the property that was re-zoned to Commercial and Open Space. The rezone did carry certain conditions with it if and when a business was to go in. He previously came to the council about purchasing the property and putting in an auto

auction. The Council discussed the conditions on the zone change approval for the property Joan sold Mr. Prisbrey. One of the conditions was upgrading the road because of the semi trucks and traffic his business will bring into town. Mayor Empey reviewed the history on the closing of Center Street for the new council members. Before Mr. Prisbrey will be allowed to get a building permit or business license he will need to come back to the Town Council.

**10. COUNCIL MEMBER BOB RUSS:**

Bob asked what the status is on our police department. Mayor Empey stated he has spoken with Officer Zubal and they are working on a schedule.

Bob said he is concerned about individuals who think it is funny to toilet paper homes. The Council discussed the homes in the area that have been toilet papered. Criminal mischief is a misdemeanor and they can be prosecuted.

**11. OTHER BUSINESS:**

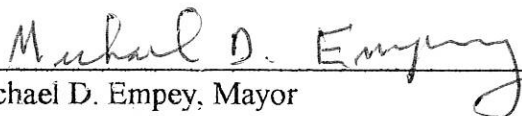
Mayor Empey stated he has contacted Mr. Ott concerning the horses on his property. Mr. Ott will be coming in for a Conditional Use Permit.

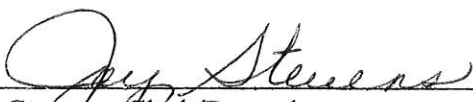
Charging residents who own cellular phones an additional \$1 on their phone bills was discussed. Mayor Empey is looking into this since several surrounding communities have passed an ordinance to this effect.

**12. ADJOURNMENT:**

The meeting adjourned at 8:30 p.m.

**APPROVED AND SIGNED THIS 14TH DAY OF NOVEMBER 2000**

  
\_\_\_\_\_  
Michael D. Empey, Mayor

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
November 14, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Mike Empey, Council Members, Joseph Mitchell, Bob Coxey, and Norma Gier. Bob Russ was absent.

### 3. PLEDGE:

Joe Mitchell

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Bob Coxey to approve the agenda and minutes of the Town Council Meeting of ~~November 14~~ <sup>October 24</sup>, 2000. Seconded by Norma Gier. Passed unanimously.

### 5. INTRODUCTION AND APPROVAL OF NEW POLICE OFFICER GARY STOKES:

Gary Stokes was introduced to the Council by Mayor Empey. Mayor Empey emphasized Officer Stokes came highly recommended. Officer Stokes informed the Council he has been with the Washington County Sheriffs Office for 6 years. He resides in Apple Valley and is currently engaged to be married. He informed the Council he is very much interested in Leeds issues and would hope they approve him as a part time officer for Leeds Town. Motion by Joe Mitchell to accept the proposal and approve Gary Stokes as a Leeds Police Officer. Seconded by Norma Gier. Passed unanimously. Officer Stokes was then given the Oath of Office by Clerk/Recorder Joy Stevens.

### 6. HAROLD FURROW:

Mr. Furrow was not present

### 7. MAYOR MIKE EMPEY:

1. Officer Robert Zubal was present to discuss the Leeds Police Department. Officer Zubal stated he and Mayor Empey have met and discussed several issues. He hopes to have a schedule posted shortly concerning the times the 3 officers will be on duty for Leeds. Each officer will be required to work a minimum of 20 hours per month. He is currently working on a Policy for the Leeds Police Department which he will present to the Council for their approval. Officer Zubal stated he is interested in applying for an LLEBG Grant which will help with overtime and equipment. In order to apply for the grant the Town of Leeds will need to commit to their part which is \$833.00. Motion by Bob Coxey to appropriate the \$833.00 to pursue the grant. Seconded by Joe Mitchell. Roll call vote. All aye votes. Passed unanimously. Discussion then went to the need for

repairs or new radar detectors, animal control issues, the use of Public Safety Impact Fees and one of the officers attending at least one of the monthly Town Council meetings.

2. Annual Christmas Dinner. The dinner is scheduled for December 11th at 7 p.m. at the 2 Lazy 2 Ranch Steak House. Sign up sheet needs to be turned in by December 1st.

3. CCC Camp discussion. Restoration of the CCC Camp has been an ongoing project for quite a few years. Mayor Empey would like to see more awareness of this unique historical site. He would like to see signs placed on I-15 to make tourists aware of the Camp. Council Member Norma Gier stated she feels the Camp needs to be improved before more signs are placed. Discussion went to organizing a cleanup day, parking issues, and perhaps plaques stating what the buildings were used for.

#### **8. COUNCIL MEMBER JOSEPH MITCHELL:**

Council Member Mitchell had nothing to report at this time.

#### **9. COUNCIL MEMBER BOB COXEY:**

1. Council Member Coxey updated the Council on the gravel issue at the cemetery. He stated there had been a misunderstanding between Mr. Townsend and Leany trucking. Mr. Leany delivered the gravel to the cemetery, before it had been approved, for the sum of \$150.00. Mr. Townsend explained he was getting bids for the gravel and Mr. Leany along with Cummins had given him bids. Since this was not an approved expenditure Mr. Leany was asked to come to this Council meeting. Mr. Leany said he had misunderstood the procedure. He was at the gravel pit and since it was closing he decided to load and deliver the gravel to the cemetery that day. Mr. Cummins bid was for \$200.00. Motion by Norma Gier to appropriate and approve the \$150.00 to Leany Trucking. Seconded by Bob Coxey. Roll call vote. All aye. Motion passed unanimously.

Mr. Townsend spoke about several concerns he has with the cemetery. Most of his concerns were about the weeds and rocks. He gave the Council several maps concerning the platting of the cemetery.

2. Report on LDWA Water Board meeting. LDWA installed 2 new pressure valves on Silver Reef Road. The water board is still working on pressurizing our irrigation system. The water meters have all been winterized. Water testing came back with good results. They are working on 2 new fire hydrants. One in the Silver Meadows Subdivision and one on Center Street in front of the Lewis residence. They have purchased 11 acre feet of water from Glen Gunter for the sum of \$58,300.00.

3. Parks- lawn mower repair. The lawn mowers have been repaired by Quick Fix. The riding lawn mower needs to be replaced. Mayor Empey suggested we look at this expense when going through the next budget process. Vern Watkins suggested using the old mower to pull the sprayer. Bob Coxey read a list of things needed at the Park. (See attached).

4. Cemetery water usage. There has been quite a bit of water overage at the cemetery. (See attached). Bob asked for permission to change out the valve since he felt quite a bit of the overage could be traced back to the leaky valve. The Council felt if this is causing the overage it definitely should be repaired.



5. Businesses in Leeds operating without a business license. Bob stated he is aware of a business operating in Leeds without a license and wanted to know what the procedure is for this type of situation. The procedure was explained to him. The business in question will be notified they need to comply with the business licensing requirements for the Town of Leeds. Bob will get a name and address of the business so Joy can follow up on this issue.

**10. COUNCIL MEMBER NORMA GIER:**

Norma informed the council the "Take Pride in Leeds Day" was a success. There was a good turnout of volunteers. Volunteers also donated soda pop and candy..

**11. COUNCIL MEMBER BOB RUSS:**

Bob was absent.

**12. OTHER BUSINESS:**

Mayor Empey stated he attended the Mayors meeting this last week.

The Town Council meeting scheduled for December 26th will probably be canceled.

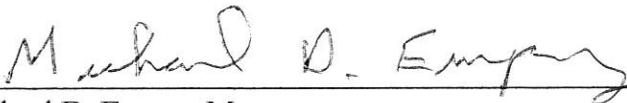
The forest service has sent a letter of information concerning an alabaster mine by the Danish Ranch. The Council discussed how many loads would be coming through the Town of Leeds and if it is a for profit company.

Council Member Mitchell reminded the Council Alyn resigned as pageant director and a new one needs to be found. Joy will post a notice at the Post Office.

**13. ADJOURNMENT:**

The meeting adjourned at 8:06 p.m.

**APPROVED AND SIGNED THIS 28TH DAY OF NOVEMBER 2000**



Michael D. Empey, Mayor



Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

### Minutes for the Town Council Meeting

November 28, 2000

#### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

#### 2. ROLL CALL:

Present were Mayor Mike Empey, Council Members, Joseph Mitchell, Bob Coxey, and Bob Russ. Norma Gier was excused.

#### 3. PLEDGE:

Bob Russ

#### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Bob Coxey to approve the agenda and minutes of the Town Council Meeting of November 14, 2000. Seconded by Joe Mitchell. Passed unanimously.

#### 5. MAYOR MIKE EMPEY:

1. 2001 Council Meeting Day. Mayor Empey asked the Council for their comments regarding changing the Town Council meeting day to Wednesdays instead of Tuesdays. Council Member Joe Mitchell will have some conflicts with Tuesdays starting in January. Also Joy needs to have the agenda to the Spectrum by 3:00 pm on Monday in order to have it printed in the paper. The Council Members present had no comments or concerns regarding the change. Since Norma Gier was not present this item was tabled until the Mayor can get her opinion on the change.

2. G.R.A.M.A. Request Information. Mayor Empey updated the Council on Mr. Bruce Jones request for copies of Conditional Use Permits. Mr. Jones requested copies of certain permits. (See attached letter). Mr. Jones met with Joy at Town Hall on November 21st and copied down information he wanted from the Conditional Use Permits we currently have in our files. Mayor Empey stated we will wait and see where Mr. Jones goes from here with his research. Copies of Mr. Jones letters have been sent to our Attorney Steve Urquhart.

3. Police Grant Application. Mayor Empey informed the Council Officer Zubal has applied for the grant. The Council decided to wait and see if the grant is approved before formal approval to appropriate the Town's share of the grant.

#### 6. COUNCIL MEMBER JOSEPH MITCHELL:

Council Member Mitchell asked for clarification concerning which roads the Town would like to have the chemical put on to help control the dust issue on Valley Road. The Council decided if funds allow they would like to do Valley and Babylon Roads.

**7. COUNCIL MEMBER BOB COXEY:**

Council Member Coxey informed the Council that Lou Johnson will be here tomorrow to install the data for the Leeds Cemetery.

Bob stated Carl Sierup has accepted the position of historian/advisor for the Leeds Cemetery. He has yet to turn over all cemetery records. Mayor Empey asked about the Protestant Cemetery being marked. Bob stated some markers are in place but very few.

**8. COUNCIL MEMBER NORMA GIER:**

Norma was absent.

**9. COUNCIL MEMBER BOB RUSS:**

Bob stated he had nothing at this time except to apologize for his absence at the last meeting.

**10. OTHER BUSINESS:**

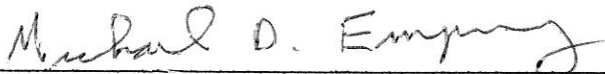
Mayor Empey reminded Council of the Christmas Dinner on December 11th at 7:00 pm. He also informed the Council of the Mayors Legislative forum which is held once a year. Public is invited and anyone wishing to attend see him after the meeting and he will give them more information.

Mayor Empey stated Norma was going to try and make it before the meeting ended to discuss some concerns she has with Planning Commission Board. Mayor Empey said one of her concerns is the majority of the Commission Members need to be Leeds Town residents. This will be discussed at a time when Norma is in attendance


**11. ADJOURNMENT:**

The meeting adjourned at 7:15 p.m.

**APPROVED AND SIGNED THIS 12TH DAY OF DECEMBER 2000**



Michael D. Empey, Mayor



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Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
December 12, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Mike Empey, Council Members, Joseph Mitchell, Bob Coxey, Bob Russ and Norma Gier.

### 3. PLEDGE:

Bob Coxey

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Joe Mitchell to approve the agenda and minutes of the Town Council Meeting of November 28, 2000. Seconded by Bob Russ. Passed unanimously.

### 5. JERRY BUCKNER:

1999-2000 Audit Report. Mr. Buckner presented to the Council the Financial Report for 1999-2000 year for their review. He explained the report, findings, and suggestions. There were a few minor errors his office needed to correct before the report is sent to the State Auditor. Motion by Bob Coxey to approve as is with the suggested corrections made. Seconded by Joe Mitchell. Discussion. Mayor Empey stated he would like to have more time to review however if Treasurer Renae Thompson is comfortable with the report we will approve it. Renae stated the report looked correct to her. Motion passed unanimously.

### 6. MAYOR MIKE EMPEY:

2001 Council Meeting Day. Mayor Empey stated Town Council meetings would be held on Wednesday instead of Tuesday starting in January 2001 if everyone agreed. Motion by Norma Gier to change Town Council meetings to Wednesday starting in January 2001. Seconded by Bob Coxey. Passed unanimously.

Solid Waste Collections. Mayor Empey informed the Council we have had a good response from the residents we sent letters to concerning trash bills in arrears. Bob Russ suggested a reminder be put on trash bills to all of those in arrears before it gets out of hand. Motion by Bob Russ to institute a process of notification for those in arrears before the next billing cycle. Seconded by Norma Gier. Passed unanimously.

Board of Adjustment update. Mayor Empey informed the Council Mr. Bruce Jones has requested the Board of Adjustments be called to hear his appeal concerning the cease and desist order issued by the Town. The Planning Commission at there last meeting recommended approval of Roger New as interim chair for the Board of Adjustment until they have a meeting and get organized. Motion by Joe Mitchell to approve Roger New as interim chair for the Board of Adjustments. Seconded by Bob

Russ. Passed unanimously. Mayor Empey stated there is also a vacant seat on the Board due to the resignation of Norma Gier. Dave Clements name has come up for recommendation fro the vacant seat. Mayor Empey said since Dave is in the audience tonight he would like to recommend Dave for the position. Mr. Clements asked what would be involved in this position. Mayor Empey explained what is involved being on the Board. Mr. Clements said he would like to be on the Board. It was also mentioned Mr. Clements has submitted a letter of interest to be on the Planning Commission. Motion by Bob Russ to appoint Dave Clements to the Board of Adjustments. Seconded by Norma Gier. Passed unanimously. The Oath of Office was administered to Roger New and Dave Clements by Clerk/Recorder Joy Stevens.

**7. COUNCIL MEMBER JOSEPH MITCHELL:**

Council Member Mitchell had nothing at this time.

**8. COUNCIL MEMBER BOB COXEY:**

Update on Cemetery. Council Member Coxey presented to the Council the plat of the Leeds Cemetery. The Council discussed the plat, the historical cemeteries at Silver Reef, the power company bid of \$9,000.00 to get power to the Leeds Cemetery, solar and other options for a power source.

Update on Parks. Bob stated there are volunteers to level the park so grass seed can be planted this Spring. It will cost approximately \$900.00 for seed and tractor work. He spoke with a contractor who will hydra seed for \$2000.00. Bob will get 2 more bids for the project. Bern Watkins said he is concerned where the septic tank and leach field are located. The Council was informed Jim Parnell can locate the septic. The Council will discuss this again in January.

Letters to the Water Companies. Bob informed the Council he drafted and Joy prepared letters to LDWA and Rural Water in appreciation for all they do for the Leeds residents.

LDWA President Dave Coon presented to the Council a map indicating various job locations they are working on right now to install fire hydrants.

**9. COUNCIL MEMBER NORMA GIER:**

Council Member Norma Gier had nothing at this time.

**10. COUNCIL MEMBER BOB RUSS:**

Planning Commission Items:

Martin Ott requested a Conditional Use Permit for 3 horses on his property at 191 N. Main Street. The Commission had recommended approval contingent upon Mr. Ott bringing in proof his property is at least 1.5 acres. Mr. Ott did bring in proof of the lot size. Motion by Bob Coxey to accept the request and approve the Conditional Use Permit for 3 horses. Seconded by Bob Russ. Passed unanimously.

Review of Mt. View Road with Janet Ludlow. Janet had suggested to the Commission they abandon Mr. View and Babylon Rd. on the West side of Main Street. She wants to sell her property and would like the Town to consider her request. Since abandoning the roads would land lock certain property owners Council Member Russ said

he would have to see a real good reason to abandon the roads. This may be something to consider in the future since there is also an issue with Mt. View Road by West Center Street.

**11. OTHER BUSINESS:**

Mayor Empey stated Harold Furrow brought in his revised plat map. It appears he has complied with everything the Planning Commission and Town Council have recommended. Formal action will be taken at the next Town Council meeting.

Bob Russ said Marty Bundy has at least 5 horses on his property and does not have a Conditional Use Permit for them. Joy will prepare a letter of compliance for the Bundy's concerning a Conditional Use Permit.

Mayor Empey asked Joy to prepare letters and make phone calls to the property owners who purchased the property from Mr. Haslam. Concerns are the fence across the road and also someone has dug a trench up the middle of the road. A letter will also be prepared for Mr. Haslam concerning splitting his property. Who approved the lot split and when was it approved.

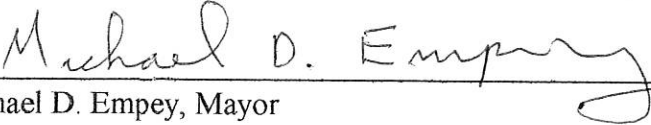
Mayor Empey informed the Council Officer Zubal said we did get the grant he applied for. Perhaps we can use the money for an animal control pickup and a printer.

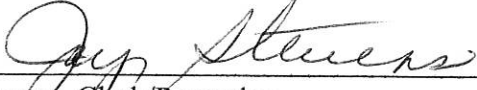
Mayor Empey stated Terry Prisbrey is doing some work on his property on West Center Street. He did speak with Mr. Prisbrey and informed him the commercial zone was approved contingent upon him improving the road. A certified letter will be sent to Mr. Prisbrey concerning the road improvements. The Mayor advised the Council to go look at the property and improvements that are being made.

**12. ADJOURNMENT:**

The meeting adjourned at 9:23 p.m.

**APPROVED AND SIGNED THIS 10TH DAY OF JANUARY 2001**

  
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Michael D. Empey, Mayor

  
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Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting  
December 19, 2000

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Mike Empey, Council Members, Joseph Mitchell, Bob Coxey, Bob Russ and Norma Gier.

### 3. PLEDGE:

Bob Coxey

### 4. CONSIDERATION OF BRUCE JONES REQUEST FOR CONDITIONAL USE PERMIT FOR SOCIAL/RELIGIOUS MEETING HALL IN COMMERCIAL ZONE:

Mayor stated the Planning Commission has made a recommendation concerning Mr. Jones request and he would like Bob Russ who is the Town Council representative on the Planning Commission to fill us in on the action taken by the Commission. Mayor Empey gave a little history with the issue for those in the audience who were unfamiliar with it. He informed everyone this started when it became known that Mr. Jones was operating an Alcoholics Anonymous program in a Commercial Zone. Apparently he had been there for a while but had not come to the notice of the Town. When it did become apparent the Town did zoning research and contacted our attorney. Our attorney said that type of operation would require a Conditional Use Permit. The Town did contact Mr. Jones concerning this. Mr. Jones felt that was not appropriate. Considerable discussion and correspondence then took place concerning the requirements between the Town and Mr. Jones. On the advice of our attorney the first part of October the Town issued Mr. Jones a cease and desist order for non compliance and refusal to obtain a Conditional Use Permit. Mr. Jones did comply with the order. Since that time we have had discussions and correspondence with Mr. Jones. Two weeks ago Mr. Jones requested we convene the Board of Adjustments to consider whether or not the order was fair. Roger New was selected as Board of Adjustment Chairman. Mr. New did contact Mr. Jones about this issue and Mr. Jones still felt he should not be required to have a Conditional Use Permit. But in the interest of being a good neighbor he would apply. Mayor Empey stated the Town's position is that a Conditional Use Permit is needed and is what brings us to tonight's meeting.

Bob Russ then filled everyone in on the Planning Commission's recommendation which was to recommend approval contingent upon certain conditions. The conditions are: 1. To abide by the attached meeting schedule Mr. Jones submitted. 2. Compliance with recommendations from the fire chief, health district, and town building inspector upon completion of inspections. The meeting schedule times and days were read and discussed. Restroom facilities, occupancy capacity, and etc., will be handled by the fire

dept., health district and building inspector. The Mayor reminded everyone they were only considering the application for the Conditional Use Permit for the step hall and not a youth facility.

Mr. Jones briefly explained the step hall program, history, and future plans. He went into depth concerning his studies of Utah law and his past employment. Quoting Mr. Jones he stated they have no leaders, no fees, and no dues. They do pass the hat around and those moneys help to pay the power bill and etc. They have only one authority and that is a loving God. This is a spiritual endeavor. Not a bunch of “damn drunks”. For the benefit of the Town he feels no matter what the Leeds Town Zoning Ordinance says he does not need a Conditional Use Permit. He said he feels the Towns problem is they have been looking at this as a program, a treatment center, a money making deal, an organization and someone must be making some dough in this “damn thing” and Leeds Town wants their cut. Mr. Jones then said you want your business license cut, your tax cut, you want this and this. He stated he really feels this is all about money. He thinks that has been the attitude and still is here tonight. He said this is not a “program” as the normal people would call programs it is not a money making thing at all. He said he feels as a tax paying citizen he has a right to rent a facility in a commercial zone, a residential zone, or any zone and let alcoholics meet there. He stated we live in a capitalistic selfish society and very rarely do we run across someone who is going to provide a room at the cost of \$500.00 to \$1000.00 a month for a half a dozen alcoholics to meet and not expect anything in return. So obviously the thinking must be this is a business. Mr. Jones said he and Janet Ludlow have known each other for several years and have some other valuable considerations for her property in an informal way having to do with the future, options, and so forth. Personal considerations he isn't going to go into other than this situation has caused Janet and himself to discuss some of the going on in the Town of Leeds. He wants to make it adamantly clear, not only against the opinion of the Mayor and Planning Commission, he does not need a Conditional Use Permit for this activity but he has also been in correspondence with the ACLU. They have reviewed this in depth. They have studied our Leeds Town Ordinances and read the correspondence between the Mayor and himself. He said the ACLU of Utah agrees with him that he has an action to have this reviewed under the equal protection laws of Utah and the United States. This law has been violated. He told the ACLU he thinks today he and the Town may have come to some sort of an agreement rather than to go into litigation. He wants to protect the anonymity of the AA members. That is why it is Alcoholics Anonymous. One of the problems with AA Meetings in a small town is someone may recognize your vehicle. He doesn't want this to become a media issue. Mr. Jones reiterated he doesn't need a Conditional Use Permit for this activity however he decided since it would be to the best interest if we can keep this thing quiet and get his meeting open again he will apply. He said he had 12 regular members and since the place shut down 3 of them are drinking and using drugs again. He said this is the type of meeting St. George use to have and it fell apart. When he moved here to retire he decided he wanted to do this. He said Janet has told him from time to time the Town doesn't support her as a land owner the town comes up with arbitrary rules and things that discriminate against her. Since Janet was in the audience he asked her to correct him if this isn't a correct statement. Janet made no comment. He felt rather than litigating this he would try to work this out by coming in



and applying for the Conditional Use Permit. He then brought up the \$500.00 fee for the Conditional Use Permit. Mayor Empey stated that fee was established for another purpose and the Council has not had a chance to talk about the fee. Mayor Empey said they will discuss the fee later in the meeting and would like to proceed with the fee issue after the Council decides what to do with the issue at hand first. Mr. Jones stated he takes from \$500 to \$1000 out of his pocket every month to make sure there is a meeting place for alcoholics. Mr. Jones said about 15% of the population in Leeds has an alcohol problem and if you don't believe him he really doesn't care. He feels they need to have a facility in Town to go to and also provide a place for the alcoholics from St. George to have anonymity by coming here. He said there are a couple of things he wants to address here tonight: 1. He is not going to pay the \$500 fee for a Conditional Use Permit. He asked the Council to move to have the fee waived. If the Council is not willing to waive the fee obviously the Conditional Use Permit will be defeated right now. 2. Since there is an interested individual in the audience right now he wants to let him know he has done some research at his encouragement. Mr. Jones stated they are an Alcoholics Anonymous meeting and a private group. Under the uniform protection code and as a private meeting hall they are an exempt place of accommodation that does not fall under the ADA. Mr. Jones then went into the enforcement procedure for the ADA. He stated if the Town believes he does not comply with the ADA then go ahead and sue him. He said the bottom line is he wants to see the AA meetings continue in Leeds.

Mayor asked Mr. Jones to outline what the typical meeting is. Mr. Jones went into detail concerning the number of members, incentive, people traveling needing a place to go and etc. Mr. Jones stated if any one comes there drunk he can tell them to leave if he wants to.

Mayor turned the time over to the audience for comments concerning the Conditional Use Permit for the AA step hall.

Richard Mullins stated there hasn't been enough time to circulate a petition against this. He has a problem with the time and location. How can we be sure this facility will not attract bad individuals. He asked for time to get a petition signed against this facility.

Leigh Pease she said the people going to the AA are not bad people. If it was not for the AA her daughter would be dead. She said the people at the meetings are okay.

Bob Pease said no one is perfect and he is in favor of the step hall.

Audrey Copeland (Pease) if it wasn't for the AA meetings she would be dead. She said it is unfair for the community to judge when they have never been to a meeting.

Dave Clements said it's easy to protest things of an emotional nature. The emotions need to be removed and look at this as a legal issue. Does this conform to the town ordinances. It doesn't appear to be an illegal place and hopefully it doesn't head that way if approved.

Janet Ludlow said she has no problem with Bruce Jones being at her place of business. He has been a good tenant.

Gloria Parnell stated she is concerned about the times and asked what the reason is for late hours. Janet Ludlow said it is a club. Mr. Jones said well actually it is a private meeting hall. The meetings actually last about one hour. But he doesn't want to restrict himself on the conditional use permit. He then stated legally he is not required to have a conditional use permit for a private meeting hall.

Richard Mullins said even if this is a lawful gathering there has to be some sort of guidelines. Someone has to set parameters. It hasn't been said we don't want it just that there are parameters that need to be set.

Mayor Empey asked the Council for comments. He stated the Council has a recommendation of approval from the Planning Commission with certain conditions attached. Mayor then stated he has never spoken against Alcoholics Anonymous. This issue is about zoning and requirements under the advice of our attorney that a Conditional Use Permit is required. And that is why the cease and desist order was issued. The Town of Leeds has zoning ordinances and as a Council they are required to consistently apply the zoning ordinances. The Mayor stated choices the Council needs to be thinking about are the recommendations of the Planning Commission concerning compliance with the recommendations of the fire department, health district, and building inspector. Does the Council choose to go with the approval not being granted until those conditions are met or do a conditional approval until one of those people come back and say no. When do we choose to make this effective and if we choose to make it effective. Also the issue of the fee for the conditional use permit being \$500.00. This fee applied to the communications tower and to his recollection this fee was for a commercial operation on residential property. On the table right now would be the issue whether to waive the fee or not.

Bob Russ stated he wants to correct some of Mr. Jones assumptions. From the beginning Mr. Jones has created the assumption the Council has been against the step hall and that is incorrect. What is correct is Mr. Jones has refused to consider issues relating to our governing body being a governing body relative to his meeting place. Bob said he feels this has been twisted around at this point to Mr. Jones side to enforce his position that the Council and residents are hateful people that don't want any kind of alcoholics in Leeds Town. He stated he takes opposition to that as a member of the Council, Planning Commission and a resident of the Town of Leeds. What has not happened is Mr. Jones, upon the request of the Planning Commission, did not come in to get a Conditional Use Permit believing he does not have to have one. In order to enforce Mr. Jones side he has twisted this into the good people against the bad people. Bob stated he wanted it to reflect in the minutes that that is not the case. The concerns have been is this a responsible program, are they in the proper zoning, are they going to be civil, will it be a positive impact on the community. Mr. Jones has come in to the meetings and stated his beliefs and side of this issue but has not offered any proof of anything. Bob stated all he has perceived from Mr. Jones in the past is that we aren't a governing body and we have no control or authority over his rights as an individual citizen of the United States. Bob said he wants the record set straight that we do not oppose the AA meeting hall. What we do oppose is the way it was being handled and the belief that it was going to continue in disregard to any of our public ordinances and laws of the community.

Norma Gier said she has talked to Mr. Jones before and at great length and is totally in support of granting him his Conditional Use Permit. She feels there were some misunderstandings earlier on.

Bob Coxey stated he is not for or against an Alcoholics Anonymous organization in Leeds Town. But he is for enforcing Leeds Ordinances. Bob stated we have a Nuisance Ordinance #2000-02. The ordinance says a nuisance is an offense against the order and economy of Leeds Town and consists in committing an act or omitting to

perform any act, which act or omission either: (a) Annoys, injures or endangers the comfort, repose, health, safety or use of property of three or more persons. Bob said he has in his file letters from citizens in the Town of Leeds that are against this Conditional Use Permit. He is against the approval of Mr. Jones permit until all of the requirements have been met by the fire department, health district, and also the police department.

Joe Mitchell stated there has never been an issue of whether the Council supports the AA group or not the issue is compliance with Leeds Town Ordinances. When residents noticed something was going on over at Ludlows rumors were started. Someone saw someone drinking a beer outside and other rumors. The Council asked Mr. Jones to come in and let us know what was going on and apply for a Conditional Use Permit. Our only concern was people were coming and going from there and we did not know what was going on. If Mr. Jones would have come in during the early stages of this and let the town know what was going on a lot of issues could have been addressed at that time. Mr. Jones said briefly he wanted to review the rumors. They have to protect the anonymity of the alcoholics who come to the meetings. The ease and convenience of having Leeds as a meeting place is why they are here. Mr. Jones referred to a letter posted at the post office which he feels started the rumors. Mr. Jones stated he and a half dozen attorneys at the ACLU are satisfied that he does not have to have a Conditional Use Permit and he knows he will have to drag Leeds Town in front of a judge to prove it. Mr. Jones stated he will have to put up 5 to 10 thousand dollars for a bond to do it. He stated he still disagrees with the Town. Bob Russ asked do we need to play the minutes back tonight to prove to you that you accused us of a money deal. Mr. Jones stated I said I suspected it was a money deal and when I was told about the \$500.00 today I really suspected it was a money deal. He said it may not have been but in the interest of being politically correct he will not hold back his honest feelings. Mr. Jones said all of sudden you want \$500.00 dollars. Bob Russ stated this is not all of a sudden our fee schedule is published with our budget. Mr. Jones said he and Mr. New came to an agreement that even though he doesn't feel he needs a conditional use permit he will abide and apply for one. Mr. Jones stated just because Attorney Urquhart says I need a Conditional Use Permit doesn't mean legally I need one. It means Attorney Urquhart legally "believes" I need one. Mr. Jones then read a paragraph from Legislative Intent. He then stated in his opinion that the Conditional Use Permit for his purpose is expressly prohibited by law, however he will willing apply for it in the interest of cooperation.

Discussion went to the fee schedule and what the intent is. Whether to waive the fee or not. Mayor Empey stated any fee the fire department, health district, or building inspector will charge will be Mr. Jones responsibility. The Council agreed the fee schedule needs to be amended.

Pat Sheneman, Planning Commission Chairman, stated the fee of \$500.00 was paid twice for the tower. He explained the reason for the fee being paid twice was a change in ownership. The fee was paid both times without any hesitation.

Motion by Norma Gier to waive the \$500.00 Conditional Use Permit fee since this is a charitable organization. Seconded by Bob Russ. Discussion. Joe Mitchell said he thought the fee would fall under a different category perhaps \$30 or \$40 category. Pat Sheneman said as a citizen of the area he doesn't recall any fees ever being waived for any reason. He doesn't see a reason to waive the fee at this time and doesn't feel it is fair to

the other citizens who pay Conditional Use Permit fees. Mayor Empey called for a vote on the motion. 3 aye 1 nay. Bob Coxey opposed. Motion passed. The fee was waived.

Mayor Empey then called for a motion regarding the recommendation of the Planning Commission. Mr. Jones said he cannot afford to hold a resentment against any individual so he will be stepping outside. Mayor Empey encouraged him to stay and hopefully no one would hold any resentment towards anyone concerning this. Mr. Jones said he may and would like to step out until after the vote. Mayor Empey said there is a question that needs to be dealt with before the motion is made. Whether the Conditional Use Permit be approved tonight or wait until after the inspections are done by the fire department, health district and building inspector. Roger New said certain things need to be addressed concerning occupancy, building being acceptable and etc. He suggested allowing Mr. Jones to continue to operate in the building as it exists and wait for the findings on the inspections. Mayor Empey stated within 30-45 days Mr. Jones needs to show the inspections are done and he is in compliance before the motion is made. We certainly want to make sure the people meeting in there are safe. Mr. Jones said he will bring in the documentation required. Mayor Empey said they do not want to revisit this at this 2nd meeting in January and not have the documentation.

Pat Sheneman said there is a \$50 fee for special meetings called. Last night was a special Planning Commission meeting. Mayor Empey said either he or the Town will pay the fee since he called the meeting.

Mayor Empey called for a motion to accept or reject the Planning Commission recommendation with the stipulations they have recommended. Mr. Jones interrupted to ask if he could have 45 days to get the inspections completed. The Mayor gave him until the first meeting in February to comply with the stipulations. Motion by Bob Russ to approve the recommendation of the Planning Commission to accept the Conditional Use Permit for Mr. Jones relative to his AA meeting hall, meeting time schedule of operations and use, and also the stipulation that Mr. Jones comply with the building inspector, the health district, and the fire department inspections and to report to the Council by the first Town Council meeting in February of 2001. Seconded by Joe and Norma. 3 aye 1 nay. Bob Coxey opposed. Motion passed. Mayor Empey said he would like to discuss the fee for the special meetings. Mr. Jones said in the interest of cooperation and the fact he still holds this is not needed he would like to contribute \$25.00 or 50% of the special meeting fee.

Mayor Empey stated it is a given since the Conditional Use Permit has been conditionally approved that the cease and desist order is lifted. Mayor Empey said in his opinion the cease and desist is null and void since the Conditional Use Permit has been approved. The Council agreed.

#### **10. OTHER BUSINESS:**

Mayor Empey stated since Mr. Jones previously asked for the Board of Adjustments to convene he may still request one to see if the cease and desist order was fair. The Board of Adjustment Chair Roger New and Mr. Jones have had several discussions and out of those discussions came the process of the special meetings we have had in the last two days. Discussion then went to the fee for the special meetings that were called. Bob Russ felt the meetings were called in the best interest of Mr. Jones and

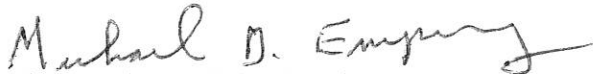
not necessarily the best interest of the Town of Leeds. However the Mayor has the right to make an executive decision and this was one of those situations because of the holidays and a cease and desist order was in place. Mayor Empey said it was his intent to resolve the issue quickly and that is why the meeting was called. The Mayor waived the special meeting fee.

Roger New stated the Board of Adjustment will be meeting on January 27, 2001 at 7 p.m. The meeting is so they can get better organized. Since Mr. Jones had requested a review by the board Mr. New stated Mr. Jones is more than welcome to come and present anything he wants at the meeting.

**11. ADJOURNMENT:**

The meeting adjourned at 9:23 p.m.

**APPROVED AND SIGNED THIS 24TH DAY OF JANUARY 2001**



Michael D. Empey, Mayor



Joy Stevens, Clerk/Recorder