PUBLIC NOTICE TOWN OF LEEDS

TOWN COUNCIL MEETING & PUBLIC HEARING

The Town Council of Leeds will hold a Work Session, Town Council Meeting and Public Hearing on, Wednesday, June 9, 2004,

at the Leeds Town Hall, 218 North Main Street at 6:00 p.m. Public welcome to attend.

AGENDA

Work Session: 6:00 to 7:00 p.m.

Council assignments concerning zoning ordinance and committees.

- 1. Call to Order
- 2. Roll Call
- 3. Pledge
- 4. Approval of Agenda and Minutes of May 25, 26, 2004.
- 5. Oath of Office to Board of Adjustment Member Pat Budnick
- 6. Present Scholarship checks to Leeds Princess Royalty
- 7. Authorize a letter be written to the County-actively pursuing annexation
- 8. Public Hearing to adopt the 2004-2005 Budget: (Motion to open and close)
- 9. Action on Public Hearing
- 10. Darrell Nelson

Planning Commission Items:

- a) Randy and Selinda Stevens-Conditional Use Permit for an RV to live in while building their home at 225 Mesa View.
- b) Terry McBride-Hometown Car & Truck Sales
- c) Dallas Smith-requested 1) approval of a Conditional Use Permit for 2 horses on 1 acre at 445 N Silver Reef Road 2) approval of building and site plans for an attached garage at 445 N Silver Reef Road.
- d) Michael Sandstone-requested approval for building site plan for a hobby shop at 3010 silver Reef Drive.
- e) Villa Tuscano LLC-Petition for annexation of approximately 24.18 acres located at the corner of Silver Hills Road and Bonanza Road.
- f) Alberta Pace represented by Attorney Justin Heideman-requested approval to finish and dedicate to the town of Leeds, the road and Indian statue in the round-about, at approximately 720 N. Main Street.
- g) Ken Miller Consulting-representing SITLA-1) petition annexation for approximately 38.3 acres adjacent to Bonanza Estates and Silver Reef Highlands. 2) request approval of Cibolo Subdivision Preliminary Plan and Planned Unit Development for 71 lots adjacent to Bonanza Estates and Silver Reef Highlands.
- h) Public Hearing to adopt the new proposed General Plan.
- i) Darrell Nelson-approval to amend the Leeds Beer Ordinance to include "on premise consumption" license.
- 11. Mayor Norma Gier
- 12. Council Member Gloria Parnell
- 13. Council Member Dave Harbour

14. Council Member Dale Barnes

15. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Town Hall at 879-2447 at least 48 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted in three public places within Leeds Town limits on this 8th day of June, 2004. These public places being 1) Leeds Town Hall 2) Leeds Post Office 3) Norma's Country Kitchen & Things.

Joy Stevens, Clerk/Recorder

Minutes of the Town Council Work Meeting June 9, 2004

1. CALL TO ORDER:

Mayor Pro Tem Darrell Nelson called the meeting to order at 6:00 p.m.

2. ROLL CALL:

Present was Mayor Pro Tem Darrell Nelson, Council Members Gloria Parnell Dale Barnes and Dave Harbour. Mayor Norma Gier and Clerk/Recorder Joy Stevens were excused.

3. PLEDGE OF ALLEGIANCE:

Darrell Nelson

4. WORK MEETING:

The work meeting was held to discuss Council assignments concerning zoning ordinances and various committees. .

5. ADJOURNMENT:

The meeting adjourned at 7:00 p.m.

APPROVED AND SIGNED THIS 30TH DAY OF JUNE 2004

Mayor Pro Tem, Darrell Nelson

attest. Joy Stevens Clerk/Recorder

Minutes of the Town Council Meeting and Public Hearing June 9, 2004

1. CALL TO ORDER:

Mayor Pro Tem Darrell Nelson called the meeting to order at 7:03 p.m.

2. ROLL CALL:

Present was Mayor Pro Tem Darrell Nelson, Council Members Gloria Parnell, Dave Harbour and Dale Barnes. Mayor Norma Gier and Clerk/Recorder Joy Stevens were excused.

3. PLEDGE OF ALLEGIANCE:

Darrell Nelson

4. APPROVE AGENDA AND MINUTES OF MAY 25 & 26, 2004:

<u>Motion</u> by Dave Harbour to approve the agenda and minutes of May 25 & 26, 2004, with the typing errors corrected. <u>Seconded</u> by Gloria Parnell. <u>Passed unanimously.</u>

5. OATH OF OFFICE TO BOARD OF ADJUSTMENT MEMBER PAT BUDNICK:

Budnick was unable to attend tonight's meeting.

6. PRESENT SCHOLARSHIP CHECKS TO LEEDS PRINCESS ROYALTY:

Mayor Pro Tem Darrell Nelson presented \$50.00 checks to Leeds Princess Royalty Madalyn New and Kassidy Dewall.

7. AUTHORIZE A LETTER BE WRITTEN TO THE COUNTY THAT THE TOWN OF LEEDS IS ACTIVELY PURSUING ANNEXATION:

Nelson explained that a letter needs to be written to Ron Thompson of Washington Co. Water Conservancy and John Wiley of the Washington Co. Boundary Commission indicating Leeds is actively pursuing the annexation of properties in the area. More particularly in the Northeast area. The property is located in the County and when developed will impact the Town of Leeds.

Currently Leeds Town Mayor Norma Gier and Attorney Heath Snow are writing the letter. Council Members would like to read the letter when it is completed. All Council Members were in agreement that the letter needs to be written and sent to the Washington County Conservancy District and Washington County Boundary Commission.

8. PUBLIC HEARING: (Motion to open and close)

<u>Motion</u> by Dale Barnes to open the Public Hearing. <u>Seconded</u> by Gloria Parnell <u>Passed unanimously</u>. The public hearing was held to entertain any questions or comments from the public concerning the adoption to the 2004-2005 budget.

Treasurer Becky Welch informed the Council any changes to the budget are noted with an asterisk. Changes: **Revenue-**LASSD has decided to help the Town of Leeds with dispatch fee. This will be an additional \$1500 of income. **Expenditures-**Utilities and Maintenance will be separate line items. The donation of \$3,000 designated for the handicap ramp is now a project

Motion by Dave Harbour to deny the request for the Conditional Use Permit. Seconded by Gloria Parnell. Vote was called for. Nelson nay. Harbour aye. Parnell aye. Barnes aye. Motion to deny is passed. Dallas Smith requested that the \$600 Conditional Use Permit application fee be refunded to him.

Motion by Darrell Nelson to refund the \$600 to Dallas Smith. Seconded by Gloria Parnell. Motion passed unanimously.

- d) Michael Sandstone-requested approval for building site plan for a hobby shop at 3010 Silver Reef Road. (Planning Commission approved and forwarded to the Leeds Building Inspector) No action was required by the Council.
- e) Villa Tuscano LLC-Petition for annexation of approximately 24.18 acres located at the corner of Silver Hills Road and Bonanza Road. (Planning Commission tabled and scheduled a work session with the petitioners for July 6th at 5:00 p.m.) Since this item was tabled by the Planning Commission no action was required by the Council at this time.
- f) Alberta Pace represented by Attorney Justin Heideman-requested approval to finish and dedicate to the Town of Leeds, the road and Indian statue in the round-about, at approximately 720 N. Main Street. (Planning Commission tabled the request until the following can be met: 1. The plat needs to show 2 parcels and not a 4 lot minor subdivision. 2. A letter from LDWA indicating available water for the 2 parcels. 3. A traffic engineering study. 4. Dry sewer lines be installed.) Attorney Heideman gave an update on the progress of the project. Dave Harbour and Attorney Snow were asked to be more specific on traffic study. It was determined the traffic study needs to show future traffic flow onto Leeds Main Street. The road is to include easements for utilities when dedicated. Dry sewer lines need to be installed before the road is asphalted. Since this item was tabled by the Planning Commission no action was required by the Council at this time.
- g) Ken Miller Consulting-representing SITLA requested 1) Petition for annexation for approximately 38.3 acres adjacent to Bonanza Estates and Silver Reef Highlands. 2) Approval of Cibolo Subdivision preliminary Plan and Planned Unit Development for 71 lots adjacent to Bonanza Estates and Silver Reef Highlands. (1. Planning Commission recommended denial of the petition for annexation until the size of lots can be further discussed. 2. Miller tabled the request for Cibolo Subdivision Preliminary Plan until they can have a work session to discuss the plan.)
- Number 1. Kurt Gordon was the spokesman for the School Trust Lands. Gordon amended the annexation petition asking that the annexation go forth without a zone designation. **Motion** by Dave Harbour to accept the revised SITLA petition for annexation of 38.3 acres adjacent to Bonanza Estates and Silver Reef Highlands without a zoning designation. **Seconded** by Dale Barnes. **Roll call vote. All aye votes. Passed unanimously.**
- Number 2. Cibolo Subdivision. Kurt Gordon stated the Trust Lands has scheduled a workshop at the SITLA office, 2303 N Coral Canyon Blvd. Suite 100A, for Thursday June 17, 2004, at 6:00 p.m. concerning this subdivision. The public is being invited to attend. Gordon said the Trust Lands will be willing to pay for any proposed sewer system.
- h) Public Hearing to adopt the new proposed General Plan. (Planning Commission recommended approval of the proposed General Plan with the following addition: 1. A special Residential/Commercial/Historical zone applied to property on Main Street.) Motion by Dave Harbour to set the Public Hearing date for the proposed new General

line item. Legal expenses have been increased. Those are the only changes to the tentative budget. There were no comments from the audience. <u>Motion</u> by Dave Harbour to close the public hearing. <u>Seconded</u> by Gloria Parnell. <u>Passed unanimously.</u>

9. ACTION ON PUBLIC HEARING:

<u>Motion</u> by Dale Barnes to adopt the 2004-2005 budget by Resolution #04-02. <u>Seconded</u> by Dave Harbour. <u>Roll call vote</u>. <u>All aye votes</u>. <u>Passed unanimously</u>.

10. DARRELL NELSON: Planning Commission items.

a) Randy and Selinda Stevens-Conditional Use Permit for an RV to live in while building their home at 225 Mesa View. (Planning Commission recommended approval. To be reviewed in 6 months)

<u>Motion</u> by Gloria Parnell to approve the Conditional Use Permit for Randy and Selinda Stevens for an RV to live in while building their home at 225 Mesa View. To be reviewed in 6 months. <u>Seconded</u> by Dale Barnes. <u>Passed unanimously.</u>

b) Terry McBride-Hometown Car & Truck Sales. (Planning Commission recommended approval for a 6 month license with the following conditions: 1) The 2 spaces in front of the office unit are to be used for customers and not cars for resale. 2) No more than 10 vehicles for sale in the proposed parking area in the rear of the office building 3) Business License is good for 6 months with a review for compliance at that time.) McBride asked the Council if he could move the 2 parking spaces in front of the office, designated for customers, to the rear and use those spaces for the cars he will have for sale. The number of spaces would remain the same.

Motion by Dave Harbour to approve the business license for Hometown Car & Truck Sales for 6 months conditioned upon that 2 spaces in front of office can be used as car sale spaces, 1st & 2nd spaces in rear for customer use for a total of 10 sale spaces and 2 customer spaces. Seconded by Gloria Parnell. Passed unanimously.

c) Dallas Smith-requested 1) A Conditional Use Permit for 2 horses on 1.44 acre at 445 N Silver Road. 2) Approval of building site plans for an attached garage at 445 N Silver Reef Road. (1. Planning Commission approved the building site plan and will forward to the Leeds Building Inspector. 2. Planning Commission recommended approval of the Conditional Use Permit for the 2 horses to be reviewed in 6 months.

Number 1. No action is required by the Council.

Number 2. Dave Harbour stated Leeds ordinance allows horses without any distinction of where they are. Harbour said he isn't necessarily in agreement with it but that is the ordinance we have and it needs to be followed. Nelson said some of the zones in our ordinance require a conditional use permit for animals. However, other zones allow for large animals without a conditional use permit. Several residents from the Silver Reef area voiced their objections to the horses. Reasons stated were detrimental to health, welfare, and well being of the residents in the area, is it in harmony with the General Plan, and not wanting the Council to set a precedence.

Motion by Darrell Nelson to approve the Conditional Use Permit with the following conditions: 1. The horse coral will be at least 24' x 40' and 50 feet from any residence.

2. Stalls to be cleaned daily. 3. The horses will be fed pellets and no hay. Seconded by Dale Barnes. Vote was called for. Nelson aye. Barnes aye. Harbour nay. Parnell nay. Tie vote. Motion is lost.

Plan for June 30, 2004. **Seconded** by Dale Barnes. **Passed unanimously.**

11. MAYOR NORMA GIER:

Mayor Gier was excused.

12. COUNCIL MEMBER GLORIA PARNELL:

Parnell reported the damaged sidewalks on Main Street have been repaired.

13. COUNCIL MEMBER DAVE HARBOUR:

Harbour reported that he has sent a letter to Dan Hammond, owner of Leeds Business Center, asking him to identify the usage of the various parking spaces. The Council wants Hammond to identify the parking spaces for each business to insure there is ample parking for the businesses that are currently there and any future businesses. Harbour said Bailey Muir on the Planning Commission counted the parking spaces and there are 67 total. That number includes 1 space for each of the 13 RV sites.

14. COUNCIL MEMBER DALE BARNES:

Barnes reported that the Eagle project for a basketball court at the park has been delayed.

15. ADJOURNMENT:

The meeting adjourned at 9:35 p.m.

APPROVED AND SIGNED THIS 30th DAY OF JUNE 2004

Darrell Nelson, Mayor Pro Tem

attest: Joy/Stevens Clerk/Recorder

RESOLUTION 04-02

A RESOLUTION OF THE LEEDS TOWN COUNCIL TO ADOPT THE 2004-2005 BUDGET FOR THE FUNDS OF THE TOWN OF LEEDS; AND

WHEREAS, The Town Council of the Town of Leeds has held a duly noticed Public Hearing on the 9th day of June 2004 to adopt the 2004-2005 Budget for the funds of the Town of Leeds; and

WHEREAS, The Town Council of the Town of Leeds, by unanimous vote, adopted the 2004-2005 Budget; and

THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LEEDS, UTAH, that the Budget for the Fiscal Year 2004-2005 is hereby adopted:

PASSED THIS 9 DAY OF June ,2004

Darrell Nelson, Mayor Pro Tem

Joy Stevens, Clerk/Recorder

TOWN OF LEEDS PUBLIC HEARING ATTENDANCE SIGN IN SHEET DATE: June 9, 2004

PLEASE	PRINT	NAME	AND	ADDRESS
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Public Hearing 6/30/2004

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PUBLIC NOTICE TOWN OF LEEDS

TOWN COUNCIL MEETING & PUBLIC HEARING

The Town Council of Leeds will hold a Work Session, Town Council Meeting and Public Hearing on, Wednesday, June 30, 2004, at the Leeds Town Hall, 218 North Main Street at 7:00 p.m.

Public welcome to attend.

AGENDA

- 1. Call to Order
- 2. Roll Call
- 3. Pledge
- 4. Approval of Agenda and Minutes of June 9, 2004.
- 5. Oath of Office to Board of Adjustment Member Pat Budnick
- 6. Approval of letters being sent to Washington Co. Water Conservancy concerning annexations and the LDS Church concerning Cherry Lane.
- 7. Public Hearing: (Motion to open and close)

Resolution #04-03 to open and amend the 2003-2004 budget to balance the accounts Resolution #04-04 to close out and transfer the funds from the Historical Account to the General Fund.

- 8. Action on Public Hearing
- 9. Public Hearing: (Motion to open and close)
 Resolution #04-05 to adopt the new Leeds General Plan.
- 10. Action on Public Hearing
- 11. Council Member Darrell Nelson
- 12. Council Member Gloria Parnell
- 13. Council Member Dave Harbour
- 14. Council Member Dale Barnes
- 15. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Town Hall at 879-2447 at least 48 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted in three public places within Leeds Town limits on this 29h day of June, 2004. These public places being 1) Leeds Town Hall 2) Leeds Post Office 3) Norma's Country Kitchen & Things.

Joy Stevens, Clerk/Recorder

Minutes of the Town Council Meeting and Public Hearing June 30, 2004

1. CALL TO ORDER:

Mayor Pro Tem Darrell Nelson called the meeting to order at 7:00 p.m.

2. ROLL CALL:

Present was Mayor Pro Tem Darrell Nelson, Council Members Gloria Parnell, Dave Harbour and Dale Barnes. Mayor Norma Gier was excused.

3. PLEDGE OF ALLEGIANCE:

Darrell Nelson

4. APPROVE AGENDA AND MINUTES OF JUNE 9, 2004:

<u>Motion</u> by Gloria Parnell. to approve the agenda and minutes of the Work Session, Town Council Meeting and Public Hearing on June 9, 2004. <u>Seconded</u> by Dale Barnes. <u>Passed unanimously.</u>

5. OATH OF OFFICE TO BOARD OF ADJUSTMENT MEMBER PAT BUDNICK:

Clerk/Recorder Joy Stevens administered the Oath of Office to Pat Budnick as Board of Adjustment Member.

6. APPROVAL OF LETTERS BEING SENT TO WASHINGTON CO. WATER CONSERVANCY CONCERNING ANNEXATIONS AND THE LDS CHURCH CONCERNING CHERRY LANE:

The letter to WCWCD is regarding the Town of Leeds' intent to aggressively plan for future water and sewer needs for land outside the Town's municipal boundaries but within the zone of interest.

The letter to the Church of Jesus Christ of Latter-day Saints is a confirmation of the Town of Leeds' approval of the LDS Church's request to utilize a portion of Cherry Lane for parking purposes incident to LDS Chapel located at 75 North Main Street, Leeds, Utah.

The letters were prepared by Leeds Town Attorney Heath Snow.

<u>Motion</u> by Dave Harbour to approve the letters to be sent to WCWCD & the LDS Church as prepared by the Town Attorney Heath Snow. <u>Seconded</u> by Dale Barnes. <u>Passed unanimously.</u>

7. PUBLIC HEARING: (Motion to open and close)

<u>Motion</u> by Dave Harbour to open the Public Hearing. <u>Seconded</u> by Gloria Parnell <u>Passed unanimously</u>. The public hearing was held to entertain any questions or comments from the public concerning Resolution #04-03 to open and amend the 2003-2004 budget to balance the accounts.

Mayor Pro Tem Darrell Nelson read Resolution #04-03 and Treasurer Becky Welch explained the line items and accounts that needed to be amended to reflect an increase in expenditures in those accounts. There were no comments from the public.

<u>Motion</u> by Dave Harbour to close the public hearing. <u>Seconded</u> by Gloria Parnell. **Passed unanimously.**

ACTION ON PUBLIC HEARING:

<u>Motion</u> by Dave Harbour to approve Resolution #04-03 to open and amend the 2003-2004 budget to balance the accounts. <u>Seconded</u> by Dale Barnes. <u>Roll call vote. All aye votes.</u> Passed unanimously.

8. PUBLIC HEARING: (Motion to open and close)

<u>Motion</u> by Dale Barnes to open the public hearing. <u>Seconded</u> by Dave Harbour. <u>Passed unanimously.</u>

The public hearing was held to entertain any questions or comments from the public concerning Resolution #04-04 to close out and transfer the funds from the Historical Account to the General Fund. Treasurer Becky Welch explained the \$900.00 in the Historical Account has been sitting there since the CCC Camp was renovated thus creating an auditing glitch. There were no comments from the public.

<u>Motion</u> by Gloria Parnell to close the public hearing. <u>Seconded</u> by Dave Harbour. <u>Passed unanimously.</u>

ACTION ON PUBLIC HEARING:

<u>Motion</u> by Dave Harbour to approve Resolution #04-04 to close out and transfer the funds from the Historical account to the General Fund. <u>Seconded</u> by Dale Barnes. <u>Roll call vote</u>. <u>All aye votes</u>. <u>Passed unanimously</u>.

9. PUBLIC HEARING: (Motion to open and close)

<u>Motion</u> by Dave Harbour to open the public hearing. <u>Seconded</u> by Gloria Parnell. **Passed unanimously.**

The public hearing was held to entertain any questions or comments from the public concerning Resolution #04-05 to adopt the new Leeds General Plan. Since the Planning Commission had already had their public hearing and the Town Council has had months to review the new General Plan there were no further comments from the Council. All Council Members agreed this is a very good new General Plan. There were no comments from the public.

<u>Motion</u> by Gloria Parnell to close the public hearing. <u>Seconded</u> by Dale Barnes. <u>Passed unanimously.</u>

10. ACTION ON PUBLIC HEARING:

All Council Members indicated they would vote in the affirmative to approve the new Leeds General Plan. However, since Mayor Gier is out of Town for several more weeks, the Council Members decided they would like to have the Mayor present when the vote is taken.

<u>Motion</u> by Dave Harbour to table the action on Resolution #04-05 until Mayor Gier is present. <u>Seconded</u> by Gloria Parnell. <u>Roll call vote</u>. <u>All aye votes</u>. <u>Passed unanimously</u>.

11. DARRELL NELSON:

Mayor Pro Tem Darrell Nelson said he is concerned about the water overages at the Leeds Cemetery. Nelson said they are looking into a new irrigation system.

Les Townsend, volunteer cemetery caretaker, was present and stated there is fence material and old equipment being stored in the shed at the cemetery. Townsend would like those items removed so he will have more room in the shed for tools. Nelson stated he can use the fence material at the historical cemeteries.

12. COUNCIL MEMBER GLORIA PARNELL:

Parnell reported the July 4th breakfast will be held on Saturday July 5th. Parnell stated she is waiting on bids for the survey to re-align Babylon road.

13. COUNCIL MEMBER DAVE HARBOUR:

Harbour asked the Council Members to review the new Animal Control Ordinance, new Sign Ordinance, newly revised Chapter's 12 and 13 of the Zoning Ordinance. These ordinances will be presented to the Planning Commission at their meeting on July 6, 2004, for the Commission to review.

Harbour reported on the committee he is working with concerning the Town possibly taking over the domestic water company. Harbour stated they have met several times. They are putting together an informational description of what this would mean to all of the shareholders and what the pros and cons are of the Town becoming a municipal water company. Harbour said there is one issue yet to be resolved, and that is the process to dissolve the water company. This is still being researched through LDWA's Articles of Incorporation and Bylaws.

Gloria Parnell stated the water company is considering becoming a special service district.

Harbour reported that he has not had a response to the letter that was sent to Dan Hammond the owner of Leeds Business Center.

Harbour referred to a letter from Attorney Lowrey Snow to Leeds Attorney Heath Snow concerning requirements being met before Silver Reef Highlands can record their final subdivision plat. Harbour voiced his concern that the Council has yet to see anything concerning the requirements being met.

14. COUNCIL MEMBER DALE BARNES:

Barnes stated he is concerned about some of the lot sizes in the R-M-7 Zone in the Leeds Zoning Ordinance. Barnes will prepare an amendment to this zone for the Council to review.

15. ADJOURNMENT:

The meeting adjourned at 8:07 p.m.

APPROVED AND SIGNED THIS 28th DAY OF JULY 2004

Mayor Pro Tem Darrell Nelson

attest: Jøy Stevens Clerk/Recorder