

**PUBLIC NOTICE**  
**TOWN OF LEEDS TOWN COUNCIL**  
**WORK MEETING**

The Town Council of Leeds will hold a work meeting on

**Wednesday, January 14, 7:00 p.m.**

At Leeds Town Hall, 218 North Main Street

**Public is welcome to attend**

**AGENDA-amended**

1. Call to Order
2. Preliminary Plat for Silver Pointe Subdivision – Phase 1
3. Revision of Land Use Ordinance 2008-04 – to allow Home Occupations to be approved by staff
  - ORD 2008-04 - Chapter 24 Home Occupations
  - ORD 2008-04 - Chapter 7 Conditional Use
  - ORD 2008-04 - Chapter 22 signs
4. Amendment of ORD 2008-08 – Business Licenses
5. Mike North Annexation and Zone Change
6. General Plan – Review comments and plans to update
7. Review Engineering Proposals for Construction of Sewer Line
8. Discussion and Prioritization of Projects/Topics. (Items to be considered include the following. Others may be identified at the meeting and will be added to the prioritization schedule)
  - a. Retail Water Agreement & Water Department
  - b. Sewer System
  - c. Annexation of parcels
  - d. Consolidated Fee Schedule
  - e. ORD 2008-10 - Animal Control
  - f. ORD 2008-12 - Mixed-Use
  - g. Repairs on Police Car
  - h. Emergency Resource Availability – Police Dept
  - i. Cemetery waterline
  - j. Swap Meet
9. 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 the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted January 6, 2009. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website [www.leedstown.org](http://www.leedstown.org), and Spectrum Newspaper

Amended Posting: January 7, 2009

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Debbie Shakespeare  
Clerk / Recorder

# TOWN OF LEEDS TOWN COUNCIL

## WORK MEETING MINUTES

January 14, 2009

1. **Call to Order** – At 7:00 p.m. by Mayor Law. Those present were Mayor Trudy Law and Council Members Jared Westhoff, Alan Roberts, Keith Sullivan, and Frank Lojko. Town Planner Clark Ronnow, Town Clerk/Recorder, Debbie Shakespeare and Deputy Clerk/Recorder Francene Rex were also present
2. **Preliminary Plat for Silver Pointe Subdivision Phase I** – Planner Clark Ronnow advised that the plat had been reviewed by Sunrise Engineering. They required some changes & additions. The enclosed letter from Alpha Engineering addressed each concern. He stated that he & all the Commissioners felt the changes made were adequate and correct. He added that the Planning Commission held a public hearing on the Silver Pointe Estates Subdivision-phase 1 on January 7, 2009. He said the comments from the public had been positive concerning the proposed subdivision, and the Planning Commission unanimously recommended approval to the Town Council. Questions on The Alpha Engineering responses to the corresponding paragraphs were as follows:
  - #3 It was questioned whether this information was needed on the preliminary plat or not until the final plat. (The problem was not knowing where the sewer and water lines would be). Planner Ronnow said Section 21.6.3.12 of the Leeds Town Land Use Ordinance 2008-04 stated that the Planning Commission could recommend the Town Council waive the preliminary plat requirements of Section 21.6.3.9 if they determine the type of subdivision or for other circumstances did not justify compliance for the need of this information during the preliminary plat stage. However, it would definitely be required for the final plan approval. It was ascertained that since the Planning Commission did approve recommendation it constituted said waiver.
  - #5 The sentence “*that a drainage report may be required*” was discussed and debated if it should definitely be required. He asked if a drainage report had been addressed. Jared stated the new Ordinance was unclear, but in the old Ordinance regarding preliminary plats, a letter stating the plans for addressing the drainage was required to acknowledge the awareness, then, on construction drawings and final plats, the ordinance stated a drainage report “shall be” required. It was noted the engineers had addressed some of the drainage to be through the roads. It was noted that some developments were so simple, a drainage report was unnecessary at the beginning, hence the verbiage “may be required.” If the subdivision were in the path of a river or wash, a drainage plan would definitely need to be required at the preliminary state, but in a subdivision without such concerns, basic plans should suffice until things become evident during the street planning process making it feasible to create a viable drainage plan.
  - #6 Refers to the Town adopting roundabouts into their street systems. It was asked if the Town had any references to roundabouts in their ordinances.
  - #7 Regarding a traffic study on the Silver Reef Road, it was advised that SITLA had completed a study, but a second study was needed to ascertain whether a roundabout was needed to manage the curve in the road.
  - #8 It was questioned whether all surrounding property owners were being considered when deciding where the roundabouts would go. It was ascertained that the first planned round-about did consider the surrounding property owners, and they would follow suit when deciding upon the second one. Discussion was had regarding ideas of where a second round-about would be best placed. A further traffic study would need to be completed to decide placement.
  - #10 “Road C” was clarified to mean the Road going towards Hidden Valley. It was agreed that although steep, this road would be crucial in order to provide a second ingress/egress for the development. Given the topography of the area, it was felt this was the only option for a second egress.

It was further discussed and agreed that the Town should keep the property adjacent to Lot 42 for possible cemetery growth and parking. It was discussed if having a cemetery would affect adjacent properties. It was noted that Rick Sant should be given proper notice that the Town desired to keep the property behind the cemetery so he could revise his map and designate it with brown coloring (meaning cemetery property), as it would be easier to change from brown to green (meaning park area) if the Town wished to

do so in the future. Frank Lojko voiced the concern that future use and associated fees of the historical cemeteries would not pay for the maintenance costs and the cemeteries would become a liability for the Town. Mayor Law noted the Town would incur costs to keep the area up between the Catholic Cemetery and lot #42 whether or not it was used for a living cemetery. However, Frank replied impact fees could be used for parks, but not for cemeteries. It was noted that a decision needed to be made as to whether the "green" areas should be designated parks with desert landscaping or left as possible additions to the cemeteries; and if to increase the Catholic cemetery size and/or add parking area. It was felt a land use decision at the preliminary plat approval would be helpful to Rick Sant and anyone who purchased adjacent property. Sant did not think having the cemetery across the street from the backs of properties would decrease the property values, since the cemeteries were more of a historical cemetery with funerals taking place sporadically rather than on a continual basis. He did not see it as being much of an impact; however, it was asked whether cemeteries could be within residential zones or if it would need to be a spot zoned a municipal zone or a zone that would allow cemeteries. This would need to be addressed. Clark was asked to design a possible future parking area, leaving some of the area undisturbed. Jared asked if there was any place to incorporate a future water tank site on the development. It was noted that most areas not being built on had a least a 30% grade. This is too steep for a water tank. The best place was deemed next to the existing Hidden Valley Water Tank by lot #16 with the elevation of approximately 36' high. It was agreed that the Preliminary Plat for Silver Pointe Subdivision Phase I – could be set for a Public Hearing on January 28, 2009. Clark relayed Attorney Heath Snows' position that although the Town of Leeds' Ordinances do not require such, the 2006 Utah State Law requires a Public Hearing on plats, but it does not state whether a Public Hearing was necessary for both the preliminary plat and final plat. However, typically, he said Towns do both in order to be safe and avoid possible lawsuits. Attorney Snow suggested a Public Hearing be held for both the preliminary plat and final plat approvals. There was also question on whether notices needed to be sent to surrounding properties for a Preliminary Plat Public Hearing. Mr. Sant said he would bring stamped envelopes to the Town Hall, addressed to property owners within 300 feet to send notification of the Public Hearing. Noting this may not be required, he still wanted to make sure any possible requirements were observed so after the preliminary plat was approved, he could move ahead and spend the money needed on engineering time without the fear of having someone complain about the process. Jared stated that, unless it had changed, according to State Law, "Noticing" and mailing out "Public Notices" were needed on a Zone Changes, but not on a Plat Approvals. The law change in 2006 referenced the need to currently hold a Public Hearing for Plats, but it did not state the need for the same process of noticing. Mayor Law suggested we find out the current law for future cases so as to set a correct standard and not a false precedent. When asked, Peter Stempel, Executive Director of Form Tomorrow stated if the preliminary plat is within the current zone legal permitted uses, a Public Hearing and mailed notices to properties within 300 feet was not required on plat approvals; although there was no harm in sending the letters, and that it would not set a precedence. Clark said he would check with Attorney Snow for the current legal requirement. Sant stated that the current proposed use was the same as it was when approved during the annexation process. The only difference was the added detail of lot lines. Frank questioned if the zoning included cemeteries, and if it did not, the zoning would need to be changed; therefore, it may need to be "Noticed" like a zone change.

### 3. Revision of Land Use Ordinance 2008-04 – to allow Home Occupations to be approved by staff

- **ORD 2008-04 - Chapter 24 Home Occupations** – It was advised that this item had been recommended from the Planning Commission. All agreed with it except a few suggested formatting changes. Mayor Law noted the following proposed changes: 24.2.5 the list be letters instead of numbers; 24.2.5.1 change "*which may*" to "*that do*"; 24.2.6 Indentation fixed; 24.2.6.5 clarify the Ordinance reference; 24.2.10 add numbers 4 and 5 to read 24.2.10.4 "*If renewal fee is not paid by*"...(check on fee schedule for cut-off date); and 24.2.10.5 "*If the use has been abandoned.*" The Planning Commission recommendations were also discussed for 24.2.5.1(1) placing "Artists" on the first line adding the following verbiage, "*Artists not using extreme hazardous materials, or activities that would create a fire hazard.*"; 24.2.5.1.(1) moving the rest of the allowed uses from line 1 to line 2. Moving the rest of the numbers down accordingly; and 24.2.5.2.(10) adding Commercial Welding as a non-permitted use without a conditional use permit. Council Members felt these recommendations were good.
- **ORD 2008-04 - Chapter 7 Conditional Use** – It was advised that the suggestion of removing the "Home Occupations" section from Chapter 7 and forming a new Chapter 24 entitled "Home Occupations" was recommended by the PC. The TC was also in agreement.

- **ORD 2008-04 - Chapter 22 signs** –It was decided that Paragraph 22.2.2.6, the portion of the sentence stating a *“sign is critical to the success of a business”* be stricken due to not knowing what the criteria would be. Also it was suggested that *“and approved by staff”* be added regarding the authorization for a business sign. Sign size was also discussed. It was realized the ORD stated that up to a four (4) square foot sign was allowed even in residential areas. It was felt that signs must be approved by staff using the guidelines of the Sign Ordinance, and if a business wanted a variance, they could go before the Planning Commission and Town Council.
4. **Amendment of ORD 2008-08 – Business Licenses** – It was discussed whether the Town should require a background check for businesses such as a “handyman”, “plumber” or such, stating the Town may be liable for allowing a prior sex offender or such to enter citizen’s homes by way of granting a business license. It was noted that the Ordinance would need to state such in order for the police to run a background check. Upon further discussion, it was ascertained that if the State gave someone a license, a Town could not deny the business, and that there were certain Laws protecting sex offenders re-entering society from being punished a second time by denying them a business license. The question regarding the need for a “Door to Door Peddler” to have a business license was discussed. It was again noted that if the State approved a license, the Town could not deny a license. However, it was noted that Peddlers, Piano Teachers, and such did not need a State License, so the question still remained on how to handle the approval and need for a background check. Due to the possibility of denying someone their civil rights and being sued because of it, it was decided
  5. **Mike North Annexation and Zone Change** – It was agreed that two (2) Public Hearings should be set for this item. Staff was to check Mike North’s application to ascertain his desire of combining annexation with zoning or not. The two Hearings would include 1) Annexation and Zone change for the 4.8 acres, and 2) Re-zoning of approximated 2 acres previously annexed. A two (2) week Public Notice to the newspaper and such would be needed as well as Notices mailed to adjacent property owners. Planner Clark Ronnow did not know if the zoning had yet been properly “Noticed,” but would research it.
  6. **General Plan – Review comments and plans to update** – Having several bids to review from companies willing to assist the Town in revising the General Plan, the Town Council chose first to explore the free assistance available through the “Form Tomorrow” non-profit organization. Time was given to Executive Director Peter Stempel and Full Time Staff Member Elissa Black to explain the foundation. Peter stated that “Form Tomorrow” stemmed from Vision Dixie, and was created to help Towns implement the principles of Vision Dixie, and bridge the ideas of Vision Dixie with each Town’s personal Vision for their own General Plan. He said they were not there to replace the things the Town wanted to do, but to fill in the gaps and needs the Town may have. He stated they could do the things which were hard for small Towns to do themselves. He said they had independent funding from neutral sources, and that they worked with the County Government but were not a part of the County Government. He noted their major funding was from the Eccles Foundation, plus small donations from many other entities, but, they received no Government funding. He said they could help the Town develop a collaborating approach to revising the General Plan, and enhance the public process by getting public input through encounters such as “Workshops,” “Outreach programs,” and “Public Education.” He noted they customize their work to the needs of each Town. Some other ways in which they could help are as follows:
    - Connect Towns with State Representatives in Salt Lake City
    - Help Towns obtain Grants (they helped Springdale receive one of the largest grants to date)
    - Facilitate the Public process to build Public confidence
    - Proofreading of Ordinances
    - “Cross Pollination” among Towns (use information and ideas already compiled by surrounding Towns)
    - Break down the process into “Manageable Bites”
    - Discuss with the Town Council the “Hot Buttons” & Controversial subjects so they could recommend the types of meetings that would be needed
    - Design a process where the public comments are received and then utilized
    - Review the current draft Survey and possibly suggest more items
    - Personal discussions with Citizens to ascertain their desires
    - “Tier” meetings so as to address the most important and/or controversial issues first when more public input can be anticipated.
    - Pull in help from “The Five County Association of Governments” if needed

Comments were as follows:

- Jared Westhoff asked how to coordinate knowing which gaps “Form Tomorrow” could perform, and which gaps would need to be hired out. He also said it was important to have an independent facilitator to alleviate friction. He also noted the Towns’ previous work with “The Planning Center” in which numerous hours were spent flushing out a scope of work that would allow all interested parties to be involved and included. Peter Stempel stated these efforts could be utilized and built upon.
- Clark Ronnow noted that Ben Reeves was also willing to be involved in any capacity we would wish to utilize him.

It was decided for a few TC & PC Members to meet with Peter Stempel on January 21, 2009. The meeting would include Peter Stempel; Elissa Black; TC Members Alan Roberts and Keith Sullivan; PC Members Bailey Muir and Lance Fry (upon agreement); and Town Planner Clark Ronnow. The small committee would help decide the kind of process needed to identify issues, and how to get public input through workshops, surveys and such. The meeting would help determine what the goals would be, and what would need to be revised. It was advised to use the previous created document from “The Planning Center” to help map out and develop the steps to be taken. So as to not allow a small group of people to make all the decisions regarding the General Plan, it was thought to be important for a third party to orchestrate how all the groups could best come together so combined decisions could be made.

**7. Review Engineering Proposals for Construction of the Leeds Town Sewer Line** – Discussion was had regarding issues with the sewer line not being able to be placed where it was originally designed to go.

The following options were discussed:

- **BLM Property:** Planner Ronnow had met with the BLM and assumed they would go along with whatever the Technical Committee of the Tortoise Habitat agreed to; however, it was found that the BLM had stricter guidelines. Nevertheless, when talk for the need of putting a lift station to take the line to the right-of-away commenced, the BLM lightened their stance a bit. Ronnow stated the BLM would wait to make a decision until after the Tortoise Habitat Committee had staked the area. Mayor Law stated endangered species would be impacted, therefore, they would probably not allow it. Jared Westhoff felt it would be best to change the RFD since it would be too hard to deal with NEPA
- **Lift Station:** It was hoped to avoid needing a lift station, since they are costly to install, and costly to maintain. Also, putting a lift station on the hill would create the need for a larger lift station at Harrisburg. A lift station would have several problems, as well. One of those is the agreement with Ash Creek does not allow for a lift station on the line. If we do have to have a lift station, we would have to go back and amend the agreement, or change the connection at the housing to handle the increased load that a lift station would create.
- **UDOT Property:** In order to avoid the need for lift stations, it was suggested to go around the hill instead of up it by getting a right-of-way from UDOT. Although it would be another tough entity to get approvals from, it was agreed to try this before conceding to the need for lift stations. This may be a possibility, and may not. But, certainly one to consider before dealing with a lift station and the associated costs.
- **Modify the Pump:**
- **Provide more Storage:**
- **Grant Funds:** The possibility of receiving grant money was also discussed. Frank Lojko felt that our issue was “shovel ready” and seemed small compared to other cities. He felt we had a good chance of receiving some funding; however, noted the applications would need to get to Mike Empey of the Governor’s Office ASAP, as all such applications would be going to Congress within the next few days. Planner Clark Ronnow was asked to get some applications to Mike Empey to apply for the grants.

**8. Discussion and Prioritization of Projects/Topics.**

- |    |  |  |
|----|--|--|
| a. | <b>Retail Water Agreement &amp; Water Department</b>   | - Go to TC 1-28-09                               |
|    | <b>Regional Water Supply Agreement</b>                 | - Go to TC 1-28-09                               |
| b. | <b>Sewer System</b>                                    | - Clark to research for Work Mtg 2-11-09         |
| c. | <b>Annexation of parcels</b>                           | - Alan to research for Work Mtg 2-11-09          |
| d. | <b>Consolidated Fee Schedule</b>                       | - Mayor to Research for Work Mtg 2-11-09         |
| e. | <b>ORD 2008-10 - Animal Control</b>                    | - Jared and Mayor to Research for Wk Mtg 2-11-09 |
| f. | <b>ORD 2008-12 - Mixed-Use</b>                         | - Keith to research for Work Mtg 2-11-09         |
| g. | <b>Repairs on Police Car</b>                           | - Got to TC 1-28-09 for Work Mtg 2-11-09         |
| h. | <b>Emergency Resource Availability for Police Dept</b> | - Police Chief to meet with Fire Chief           |

- i. **Cemetery waterline** - Keith to research for Work Mtg 2-11-09
- j. **Swap Meet** - 2 PUBLIC HEARINGS for PC Mtg 2-04-09
  - 1) Changes to Land Use Ordinance
    - A) Adding "Swap Meet" to Conditional-Use List
    - B) Adding "Swap Meet" to Category 1 of Fee Schedule
  - 2) Possible Approval of Swap Meet Application
- k. **Street Design – re: Round-Abouts** - Mayor Law to Research for Work Mtg 2-11-09

**9. Adjournment – At 11:45 p.m.**

APPROVED ON THIS \_\_\_\_\_ 25th \_\_\_\_\_ DAY OF \_\_\_\_\_ February \_\_\_\_\_, 2009

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Mayor Trudy Law

Attest:

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Deputy Clerk/Recorder, Francene Rex