

## PUBLIC NOTICE

### TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on  
**Wednesday, June 22, 2011, 7:00 p.m.**  
At Leeds Town Hall, 218 North Main Street  
Public is welcome to attend

### AGENDA - amended 2

Up to two Town Council Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

**NOTE: IF YOU WISH TO SPEAK DURING CITIZEN COMMENT, PLEASE SIGN IN WITH THE CLERK/RECORDER BY 6:55 P.M.**

#### BUSINESS SESSION:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Council Members, if any
5. Consent Agenda:
  - a. Tonight's Agenda
  - b. Minutes of Meetings from May 25, 2011 and June 8, 2011 Town Council Meetings
6. Financial Reports for May, 2011
7. Announcements:
8. Citizen Comment: (No action may be taken on a matter raised under this agenda item). *Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item. A spokesperson representing a group to summarize their concerns will be allowed 5 minutes to speak. Repetitious commentary will not be allowed. If you need additional time, please request agenda time with Fran Rex in writing before 1:00 p.m. on the Wednesday one week before the Council meeting.*

#### WORK SESSION:

##### DISCUSSION ITEMS:

9. Discussion of the FY 2011-2012 Budget Final Draft.

#### PUBLIC HEARING:

##### PUBLIC HEARING:

10. Public Comment and discussion of the FY 2011-2012 Budget Final Draft.

#### REGULAR MEETING:

##### ACTION ITEMS:

11. Discussion and Possible Approval of expenditure for water connection to Leeds Town Cemetery water meter.
12. Discussion and Possible Approval of the FY 2011-2012 Budget Final Draft
13. Discussion and Possible Approval of Town's policy with public employee benefits

##### UPDATES BY STAFF:

14. Discussion regarding Flags on Holidays.

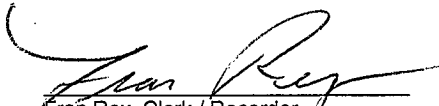
**CLOSED MEETING** – A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). OR A Closed Meeting may be held for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c).

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 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 June 21, 2011. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pnn.utah.gov>, the Town of Leeds Website [www.leedstown.org](http://www.leedstown.org), and Spectrum Newspaper

  
Fran Rex, Clerk / Recorder

# TOWN OF LEEDS TOWN COUNCIL MEETING

June 22, 2011

## *Minutes*

### BUSINESS SESSION:

1. **Call to Order** – At 7:00 p.m. by Mayor Hyrum Lefler
2. **Pledge of Allegiance** – was led by Mayor Hyrum Lefler
3. **Roll Call** - Present was Mayor Hyrum Lefler and Council Members Alan Roberts, and Angela Rohr. Council Members Keith Sullivan and Frank Lojko were excused. Also in attendance was Clerk/Recorder Fran Rex, Treasurer Jean Beal, LDWA President Ben Gordon, LDWA Water Master Scott Hayes, Scout Logan Hayes, and Citizen Nancy Harrison Williams.
4. **Declaration of Abstentions and Conflicts by Council Members** – None.
5. **A Motion** was made by Alan Roberts with a **second** by Mayor Lefler to **Approve Tonight's Agenda including Minutes of Meetings from May 25, 2011 and June 8, 2011 Town Council Meetings.** An **Aye** vote was **Unanimous from those present.**
6. **Financial Reports for May, 2011** – Mayor Lefler read some of the totals and asked if there were any comments. There were no comment from the Town Council.
7. **Announcements** –
  - Mayor Lefler invited Scout Logan Hayes to inform about his Eagle Project. Hayes handed out flyers inviting all to take part in an American Red Cross Blood Drive he organized for June 29<sup>th</sup> 2011.
  - Lefler informed and invited Council Members to a meeting regarding an upcoming UGS led LiDAR project scheduled for 1:30 P.M. on Wednesday, July 6, 2011 at the WCWD offices, in the Conference room. Clerk/Recorder Fran Rex explained that the Utah Geological Survey plans to acquire bare-earth LiDAR imagery for approximately 500 square miles in Cedar and Parowan Valleys. The purpose of the imagery acquisition is to aid in an investigation of groundwater-mining-related land subsidence in Cedar Valley. UGS will also fly an approximately one-kilometer wide LiDAR strip down the Hurricane fault from Cedar City to the Arizona border. She said they were offering municipalities to "piggy-back" on the UGS flight to save money, if they would like imagery of their area for \$162.00 per square mile. She said the meeting was designed to answer questions such as how the images could be used.
  - Mayor Lefler informed of Fire Restrictions being put into effect on June 24<sup>th</sup> from the Bureau of Land Management (BLM) . He read that the following from their flyer stating things prohibited until further notice:
    - a. *"Setting, building, maintaining, attending or using open fire of any kind, except campfires and charcoal fires within agency approved fire pits and grills provided for in developed recreation sites and picnic areas or except as otherwise authorized."*
    - b. *Smoking, except within an enclosed vehicle, camp trailer, building, developed recreation site or while stopped in an area at least six feet in diameter that is barren or cleared to mineral soil.*
    - c. *Discharging, or using any kind of fireworks, tracer ammunition or other incendiary devices in any location on federal, state and unincorporated private lands.*
    - d. *The cutting, welding or grinding of metal in areas of dry vegetation (federal, state and unincorporated private lands in Washington County, Utah)*Lefler noted the complete flyer would be available on the Town Website at leedstown.org
  - Mayor Lefler asked if any Town Council Members would be available to help with the 4<sup>th</sup> of July Breakfast (Find out which TC Members can help) and events. No members other than the Mayor would be available. Citizen Nancy Harrison Williams volunteered her young woman group to help.

- Lefler also announced that an opening for a Planning Commission Member and two alternatives still remained, and parties interested should send a letter of interest to the Town. He added the terms were ending for two Town Council Members this year, so an election would be held for those positions. Clerk/Recorder Fran Rex said those wishing to file for the Town Council positions needed to fill out a "Declaration of Candidacy" form at the Town Hall during business hours between July 1, 2011 and July 15, 2011. She noted the Town Hall would be open until the 5:00 p.m. on Friday, July 15, 2011.

8. Citizen Comment - None

**WORK SESSION:**

**DISCUSSION ITEMS:**

9. Discussion of the FY 2011-2012 Budget Final Draft - A Motion was made by Angela Rohr with a **second** by Alan Roberts to **Open and Amend the current Budget for FY 2010-2011**. An **Aye** vote was **Unanimous from those present**. Mayor Lefler informed that the Town had received approximately \$92,000.00 more than originally budgeted in the FY 2010-2011 Budget. Council Member Angela Rohr ascertained from the Mayor and Town Treasurer that the Town would not be writing any more checks until the beginning of the next fiscal year on July 1, 2011. Chips for the playground were discussed. Mayor Lefler said he heard wood chips were better and softer than rubber chips if there are enough of them. Council Member Allen Roberts said this was an issue the council should resolve the coming year. Lefler asked if the Town Council had approved graveling the parking lot for the Silver Reef Park, to which Rohr noted only 1/10 of the two (2) acre area was available for a parking lot, and Roberts stated the topic was only discussed and not yet approved. Lefler stated he had not included the recent charges from Leeds Domestic Waterusers Association (LDWA) in the current FY 2011-2012 Budget draft. He said these charges are for water taps at the Cemetery, the Town Hall Building Utilities, and the Silver Reef Park each at \$480 per year. He said these expenditures should be added in the corresponding area of the budget. Rohr asked if the Silver Reef Park had active water, to which Lefler said no. LDWA President Ben Gordan said LDWA placed a meter which could be hooked up to a sprinkler system and water fountain. Through discussion, banking fees were set for \$80.00, Building Maintenance was set for to \$300.00, and \$480.00 was added to General Government Utilities, Park Utilities/Maintenance, and the Cemetery.

**PUBLIC HEARING:**

**PUBLIC HEARING:**

10. Public Comment and discussion of the FY 2010-2011 & FY 2011-2012 Budget Final Draft - A Motion was made by Alan Roberts with a **second** by Angela Rohr to **Open a Public Hearing for Opening and Amending the FY 2010-2011 Budget, and the FY 2011-2012 proposed Budget**. A Roll call vote was taken:

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
MAYOR HYRUM LEFLER	<u>  x  </u>	<u>          </u>	<u>          </u>	<u>          </u>
COUNCIL MEMBER ALAN ROBERTS	<u>  x  </u>	<u>          </u>	<u>          </u>	<u>          </u>
COUNCIL MEMBER ANGELA ROHR	<u>  x  </u>	<u>          </u>	<u>          </u>	<u>          </u>
COUNCIL MEMBER KEITH SULLIVAN	<u>          </u>	<u>          </u>	<u>          </u>	<u>  x  </u>
COUNCIL MEMBER FRANK LOJKO	<u>          </u>	<u>          </u>	<u>          </u>	<u>  x  </u>

A Public Meeting was            Openned   x   Rejected            **TABLED**           

Mayor Lefler invited comments from the public:

LDWA President Ben Gordon said he sent a letter to the Town today, and called the Mayor yesterday advising of the new fees for LDWA water use and an update for running a new meter to the cemetery. He said a new line from the current route running through Terry Prisbrey's property would cost approximately \$25,000, but a line coming from the Storage Units would cost only \$5,000. However, running it from the Storage Units would result in a meter being placed at the South end of the cemetery instead of the current placement on the North end, since LDWA's policy was to place a meter at the first point of entrance to a property. He said the LDWA Board had voted to place the meter at the South end, and advised if the Town wanted the meter to continue to be placed on the North side it would cost the Town an estimated amount of \$2,500 (according to Precision \_\_\_\_\_ (PPI), the company who is currently placing the new

meters). He said he needed an answer tonight if the Town wanted Precision to extend the line to the North side because they will be placing the meter the next day.

Citizen Nancy Harrison Williams: asked if the Town could put some funds aside from the animal licensing fees to aid with providing some place to detain animals which have been dropped off in Leeds until the County Animal Control could pick them up. She thought the growing community should consider such a program and increase the licensing fee to help fund it.

Citizen Penny Weston: noted she had decided not to pay her animal licensing fees this year in protest because others were not paying the fees, and the Town was not enforcing it, nor lease laws, nor other ordinances. She wondered what the licensing fee was paying for. She asked why the "Administration" line showed "0" to which Council Member Alan Roberts stated the "Administration" expenses were itemized on other lines. She also asked why the "Town Celebration" was appropriated \$2,700, yet the amount used was \$6,716, to which Mayor Lefler answered some of the funds were donated, and the Wild West Days Festival brought in funds by vendor fees, derby fees, and other. He informed that the Town Council had approved an extra \$900.00 for it. He noted the goal was to have the festival pay for itself. She added she would like the Town to reimburse her for veterinarian fees to sedate her horses during the 4<sup>th</sup> of July fireworks.

Ms. Williams: countered that the 4<sup>th</sup> of July was an American Tradition, and there were many animals in the area of the fireworks. She did not think the Town should have to pay to sedate Ms. Weston's horses.

11. **A Motion** was made by Alan Roberts with a **second** by Mayor Law to **Close the Public Hearing for Opening and Amending the FY 2010-2011 Budget, and the FY 2011-2012 proposed Budget. A Roll call vote was taken:**

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
MAYOR HYRUM LEFLER	<u>  x  </u>	<u>          </u>	<u>          </u>	<u>          </u>
COUNCIL MEMBER ALAN ROBERTS	<u>  x  </u>	<u>          </u>	<u>          </u>	<u>          </u>
COUNCIL MEMBER ANGELA ROHR	<u>  x  </u>	<u>          </u>	<u>          </u>	<u>          </u>
COUNCIL MEMBER KEITH SULLIVAN	<u>          </u>	<u>          </u>	<u>          </u>	<u>  x  </u>
COUNCIL MEMBER FRANK LOJKO	<u>          </u>	<u>          </u>	<u>          </u>	<u>  x  </u>

A Public Meeting was            Closed   x   Rejected            TABLED           

Mayor Lefler then responded to the above citizen comments. He said ordinance and animal enforcement have been a challenge without a Leeds Police Department and Administrative help. He noted volunteerism was good, but said it was "hit and miss." He wondered if an animal board could be formed, but noted the current challenge in filling the planning commission and board of adjustment positions. Contracting with a neighboring city animal shelter to pick up strays and vicious animals was discussed. Ms. Weston noted that a \$45.00 fee for picking up animals without a license would help defray the cost of contracting with an animal shelter. Mayor Lefler then addressed the Town Festival cost and reiterated that the Town brought in approximately \$3,000 with concession stand fees and donations, and the Town Council approved an extra \$900 for a sound system. He noted that each year should see an increase in the amount brought in. Lefler then responded to the 4<sup>th</sup> of July Town celebration concern. He noted the noise from the fireworks was a touchy topic, since most residents loved the tradition, and it was difficult to find another venue for it – rather than the Town park. Lefler stated the LASSD Bond charge was reimbursed by LASSD, and explained that LASSD received a better rate by going through the town. Responding to contracting with an animal shelter for animal pick-up, Lefler said he did not think the current licensing fee would be enough, and was unsure if the citizens would be willing to commit funds for the effort. Ms Williams noted the State of Utah does not use revenue or taxes to offset such a cost, but suggested penalty fees for unleashed dogs and etc. could help. Council Member Alan Roberts applauded Ms. Weston's concern about Town not enforcing ordinances, and noted penalties would get people's attention and help with compliance, and Council Member Angela Rohr agreed. Ms, Williams then added a caution that citizens may take the Town to court to protest a fine. Mayor Lefler noted ordinance enforcement was one difficulty in being a small town.

## REGULAR MEETING:

### ACTION ITEMS:

12. **Discussion and Possible Approval of expenditure for water connection to Leeds Town Cemetery water meter** – LDWA President Ben Gordon recapped the information he gave during the public hearing portion of this meeting, stating that LDWA had two options of bringing the new water line to the Leeds Cemetery. One was the current route running by West Center Street, and through Terry Prisbrey's property, and the second was a line coming from the Storage Units which would cost significantly lower. He reminded that LDWA generally puts the meter where it first hits the property, which would mean the south end of the Cemetery; however the past meter is on the north end. Mr. Gordon reiterated if the Town wanted the meter to continue to be placed on the north side it would cost the Town an estimated amount of \$2,500 through PPI. Mayor Lefler informed that the Town Public Works Director George Fridell said all the valves and etc were located at the current meter placement on the north side. Lefler said his first reaction was that LDWA should provide the same level of service and place the meter on the north side; however LDWA objected because they had not been consulted when the Town reached an agreement regarding Terry Prisbrey's property. Lefler stated the Town Attorney cautioned the Town that LDWA had a point. Council Member Alan Roberts asked Mr. Gordon how LDWA handles a meter relocation for residents, and if they are charged. Mr. Gordon said LDWA relocated the meter for residents at no charge, but noted the cost were minimum. Roberts stated he understood why LDWA would want to use the route by the storage units, but wondered why the meter could not be placed where it previously was, since it was working there. Council Member Angela Rohr reiterated the fact that residents were not charged for relocation of their meters, and questioned Mr. Gordon about the route cost difference. Gordon reiterated that option one would cost approximately \$20,000; whereas option two would cost LDWA approximately \$2,500. Rohr noted this was a \$17,500 savings to LDWA, and asked if LDWA could accommodate the Town and place the new meter where the current one set on the north end of the cemetery. Mr. Gordon said he could see her point, but noted the LDWA Board had voted to place it on the south end. Mayor Lefler noted Mr. Prisbrey could have sued LDWA if the Town had not reached an agreement with him, and stated "we're all the same people." He asked if the board gave any other reason why it was treating the Town differently than the residents. Mr. Gordon stated in all cases LDWA runs their water line to the property line, and all lines beyond that are the responsibility of the property owner. He stated the circuit router at "Rural Water" said LDWA was within their rights to place the meter wherever they deem appropriate, and pass the responsibility to connect to the meter to the property owner. However, he noted he could see the legitimacy of the Town Council's argument too. Rohr noted that although there was not a large cost to relocating resident's meters, it was LDWA's *choice* to relocate the water line to the cemetery because of the savings, and thought this should enter the process of deciding whether to charge the Town or not. Roberts noted the past transactions between LDWA and Town of LDWA not charging the Town for water usage to Town properties, and the Town not charging LDWA franchise fees for using Town easements or the use of Town properties. He applauded LDWA for being professional by assessing meters for Town properties, he also thought the Town ought to act in the same professional manor. He said this leaves things "cut and dry" and much more professional." Mayor Lefler reiterated that *if* it is within the rights of LDWA, as stated it was according to the circuit router at "Rural Water," he felt "the ball was in LDWA's court" to place the meter at the south end if they wanted to. Rohr reiterated the relocation was not due to the Town's request. Mr. Gordon noted the \$2,500 bid was for 2 inch line which should resolve the volume problem; however, he offered that a 1 inch line may cost less and may be feasible. Roberts ascertained from Gordon that LDWA would supply a ¾' supply of water to the cemetery (the same as a residential line). Roberts said if LDWA feels they have done due diligence and have a clear conscience to set the meter at the south end, then the Town should decide what it wants to do from there. He stated he was not in favor of the Town extending funds to put in a line that would belong to a private water company, LDWA. Mr. Gordon noted the past understanding between LDWA and the Town was that LDWA exchanged water usage for office space. He stated LDWA no longer uses office space at the Town Hall. The Council then discussed the option of running its own line from the south meter through the cemetery to the north end valves. Roberts thought this would be more cost effective. No motion was made on this issue.

13. **Discussion and Possible Approval of the FY 2010-2011 and FY 2011-2012 Budget Final Drafts** – Mayor Lefler noted that the FY 2010-2011 Budget was also listed with the FY 2011-2012 on the Public Hearing notice which was published on the State Notice Website, the Town Website, and the Spectrum Newspaper on June 13, 2011. It was also posted at the Town Hall, Post Office, and Leeds Market. After

a little discussion **A Motion** was made by Angela Rohr with a **second** by Alan Roberts to **approve** column "B" as the approved amended Budget for the FY 2010-2011. A Roll call vote was taken:

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
MAYOR HYRUM LEFLER	x			
COUNCIL MEMBER ALAN ROBERTS	x			
COUNCIL MEMBER ANGELA ROHR	x			
COUNCIL MEMBER KEITH SULLIVAN				x
COUNCIL MEMBER FRANK LOJKO				x

Amended Budget for the FY 2010-2011 with column "B" was

Approved   x   Rejected        TABLED       

After discussion on the FY 2011-2012 Budget Final Draft. **A Motion** was made by Alan Roberts with a **second** by Angela Rohr to **approve** the tentative Budget column "C" for the FY 2011-2012. A Roll call vote was taken:

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
MAYOR HYRUM LEFLER	x			
COUNCIL MEMBER ALAN ROBERTS	x			
COUNCIL MEMBER ANGELA ROHR	x			
COUNCIL MEMBER KEITH SULLIVAN				x
COUNCIL MEMBER FRANK LOJKO				x

Tentative Budget column "C" for the FY 2011-2012 was

Approved   x   Rejected        TABLED       

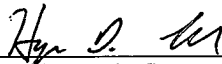
- 14. **Discussion and Possible Approval of Town's policy with public employee benefits** – After Clerk/Recorder explained research demonstrated that the cost to add a benefit to preserve unemployment benefits for the future were more than originally anticipated, Council Members Alan Roberts and Angela Rohr both stated they were not in favor of granting them.

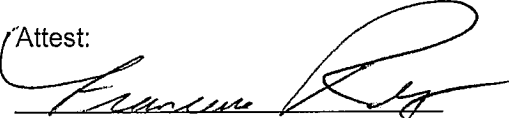
**UPDATES BY STAFF:**

- 15. **Discussion regarding Flags on Holidays** – Mayor Lefler said the posting of the flags on Main Street for Holidays was now up to the Town to handle. He asked for any ideas of how to assign this out. He said he would take it to the Cultural Committee for ideas as well.
- 16. **Cement on cemetery plot?** – Treasurer Jean Beal said someone called asking permission to put cement on top of a cemetery plot which currently has cinder blocks and lava rocks. Council Member Alan Roberts said access was necessary to maintain, and Mayor Lefler stated some gravel placed on a plot was ruined due to needing access. It was decided that cement was too permanent and would impede access.

**CLOSED MEETING** – A Closed Meeting was not held.

- 17. **Adjournment** - by Angela Rohr at 9:35 p.m.

APPROVED ON THIS   13<sup>th</sup>   DAY OF   July  , 2011  
  
 Mayor Hyrum Lefler

Attest:  
  
 Clerk/Recorder Francene Rex