

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, March 28, 2012, 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

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

BUSINESS SESSION:

Regular Meeting 7:00 p.m.

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 March 14, 2012 Town Council Meeting
6. Announcements:
7. Citizen Comment: *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.*

WORK SESSION:

DISCUSSION ITEMS:

1. Draft Ordinance for Leeds area Cemeteries Update.
2. Utah League of Cities and Towns Midyear Conference April 11 – 13, 2012
3. Review, discussion and possible recommendation for approval of Final Development Plan for Grapevine.

REGULAR MEETING:

ACTION ITEMS:

1. Washington County Solid Waste – Town Council Representation – Resolution or Motion for Appointment

UPDATES BY STAFF:

- 2.

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).

3. 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 March 22, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pnm.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper


Sharon Martin, Clerk / Recorder

TOWN OF LEEDS TOWN COUNCIL MEETING

March 28, 2012

MINUTES

BUSINESS SESSION:

1. **Call to Order** – At 7:05 p.m. by Mayor Alan Roberts.
2. **Pledge of Allegiance** - was led by Council Member Nate Blake.
3. **Roll Call** - Present were Mayor Alan Roberts and Council Members, Joe Allen, Nate Blake, Angela Rohr and Frank Lojko. Also in attendance were Leeds Contract Planner Bob Nicholson, Grapevine Representative Drake Howell, and Deputy Clerk/Recorder Fran Rex.
4. **Declaration of Abstentions and Conflicts by Council Members** – None
5. **A Motion** was made by Joe Allen with a **second** by Nate Blake to **Approve Tonight's Consent Agenda**, comprising of **March 28, 2012 Agenda scratching discussion item number one (1)** and Town Council Meetings **Minutes** from **March 14, 2012**. An **Aye** vote was **Unanimous**.
6. **Announcements** – None
7. **Citizen Comment** – Elliot Sheltman informed of a home on High Desert Road being used as a vacation rental. He said the neighbors were concerned because the owner was not on the premises to submit complaints to; ATV's where being driven where they were not permitted; too many cars were parked in the street; and they were not following the development's CC&R's, and that this would lower the surrounding developments property values. He asked the Town Council to attend the Planning Commission Meeting in which they would be considering the Conditional Use Permit Application. He also noted another home which the neighbors where concerned the home were overstepping their home occupation business license. The Council Members said they would investigate.

WORK SESSION:

DISCUSSION ITEMS:

1. **Draft Ordinance for Leeds area Cemeteries Update** – scratched
2. **Utah League of Cities and Towns Midyear Conference April 11 – 13, 2012** – Mayor Roberts said he was an advocate of training, that the Town would pay the costs, and invited the Council Members to attend this training in St. George. He also noted ongoing training throughout the year which were free or low cost and stated it was good training which helps members to understand their positions better. Council Member Frank Lojko voiced his recommendation as well.
3. **Review, discussion and possible recommendation for approval of Final Development Plan for Grapevine** - Mayor Roberts turned the time to Grapevine Representative Drake Howell and Leeds Contract Planner Bob Nicholson. Referring to a staff report dated March 14, 2012, Mr. Howell noted that during the last town council meeting, they discussed fully enclosed garages, set-backs, street design standards, and items 1) Design Speed, and 2) Through Street at Main "Y" Intersection. He continued the discussion with the following items:
 - 3) **Intersection Spacing**. Mr. Howell continued reading the staff report as follows:

A. Proposed - Intersection Spacing in the range of 100 to 150 feet. The revised typical sections include a note stating "Intersections Spaced at 150 feet or more can have full vehicle movements, intersection spaced less than 150 feet will have restricted movements and are subject to final approval during the design review process".

B. Existing Standard

The existing Leeds street design standards for intersection spacing range from 150 feet minimum for standard residential streets to 500 feet for minor arterials.

C. Recommendation

Sunrise Recommendation: Sunrise originally recommended that the existing intersection standards be followed and stated that shorter spacing could be approved for low volume residential roads, but not for commercial or other road types. With the comment in the current proposed standards requiring approval of any spacing less than 150 feet, the major concerns have been mitigated.

Planning Commission Recommendation: Approve the intersection spacing language as found in a note on the Grapevine typical thoroughfare cross-sections.

Mayor Roberts informed that Leeds was currently in the process of an access management ordinance. He said this was "spurred on" by state road access, however it will be all inclusive within Leeds. He noted that some of the areas can be questionable depending on how short the distance is on some roads. Bob Nicholson stated that everyone at the Planning Commission Meeting was "pretty much on the same page" and there was not too much disagreement on intersection spacing. They agreed that 150 feet or more should be required with a few exceptions where limited turning movements such as "right in and right out only" would be imposed. Howell agreed. Roberts asked if the proposed draft agreement will list specific roads and other specific items with the agreed requirements. Mr. Howell noted there were five sheets of "Grapevine Typical Thoroughfare Cross-Sections" illustrating road cross sections of each type of proposed road, and these sheets contained specific notes at the bottom. He stated the relevant language as follows: "Intersections spaced 150' or more can have full vehicle movements. Intersections spaced less than 150' will have restricted movements." He stated the proposed agreement would contain an exhibit of the "Grapevine Typical Thoroughfare Cross-Sections", and the language as found in the note on that document and as stated above. Howell added that in 2006 (approx.) Elim Valley, a Traditional Neighborhood Development in Hurricane, requested modified cross sections, and exhibits of their modified cross sections are now included in their development agreement. He agreed that specific language and exhibits such as these were very appropriate in a development agreement.

4) Sidewalk as Part of "Lane" Thoroughfare (Typical Sections)– Mr. Howell noted that sidewalks were part of the lane thoroughfares, and referred to the lane thoroughfares cross sections in the Master Plan Book and Pattern Book. He noted that Grapevine has now inserted a sidewalk on one side of the street in areas where the plan originally had none, and referred to Main Street cross section diagram. He then read the following from the staff report:

C. Recommendation

Sunrise Recommendation: Recommends that separate facilities be provided for pedestrians. It is not recommended that pedestrians share the travel lane with vehicles. If sidewalks on the "Main Street" thoroughfares are not included in the ROW, then at minimum, language should be included in that prohibits structures to be constructed in the area of the permanent utility easement that should be required in this area.

Sunrise recommends that the Typical Sections are not approved, but that this be considered at a later date following decisions on the other items currently being considered.

Planning Commission Recommendation: Need to check minutes for recommendation

When asked by Mayor Roberts if the agreement would include verbiage stating which side of the street the sidewalk would be placed, Howell replied the engineers would insert the sidewalk on the side which made most sense. And noted the cross section illustration just showed a sidewalk on one side. Roberts agreed it needed to be on the side which made most sense. Council Member Angela Rohr asked about the landscape street diagram and ribbon curbing, to which Howell explained that landscape streets (street with walkways on one side of the street) were placed where homes were only on one side of the street. He further explained that ribbon curbing was flush with the asphalt and created a visual distinction between travel lanes and parking areas. Howell then referred to page 57 in the pattern book which illustrated a few different types of covered walkways such as canopies and etc. He noted GW desire to incorporate covered walkways on Main Street, and asked if the town would establish some type of public easement for such, to which Council Member Frank Lojko stated shop owners may want some table and chairs on the walks, but noted since these were not permanent fixtures, this may be okay. The question of Town liability and a public easement was discussed. Lojko added this type of area is attractive, and increases peoples desire to live in a mixed use, high density place. Howell asked if he may engage the town attorney regarding the liability issue, to which Mayor Roberts agreed.

5) Traffic Mitigation Plan – In answer to Sunrise wanting GW to “pin down” what GW plan to do with the recommendations of the Traffic Impact Study (TIS), Howell noted their intentions were explained in Mitigation Plan. He also supported the Planning Commission’s recommendation to create a committee to study and promote an interchange feasibility study. He said GW would be glad to help with this. Mayor Roberts noted that Leeds plans to be proactive in mitigating the safety issues of the current split interchange. Howell also noted that GW would contribute their proportional share of their impact, and referred to table 1 of the Grapevine Traffic Mitigation Plan entitled “Facility Improvements Attributed to Grapevine Development.” Discussion was had regarding the timing of required improvements, the need for a 4-way interchange, and the possibility of getting Utah Department of Transportation (UDOT) involved. Roberts stated that UDOT recently changed its criteria and now considers how a project affects the potential for economic growth. He noted that a split interchange decreases Leeds potential for economic growth. Nicholson noted Leeds needed to get UDOT involved and get on their timeline. Roberts reiterated that he planned to get more involved with a four- way freeway intersection for the development of Leeds, but not due to any one development. Lojko said he would also talk with his UDOT associates to assess the possibilities. In response to questions from Council Member Rohr, it was discussed that a “Stop Control” was a Stop Sign, and that turn pockets would be paved. Howell reiterated that GW is totally fine to contribute the proportional funds to develop what goes in, and noted the Planning Commission suggested that instead of GW funding the widening Leeds Main Street after 1,500 homes, that GW contribute those funds to the four-way interchange. He added that GW development alone did not necessitate a 4-way interchange, and the Town needed to look at other areas of impact as well. Council Member Nate Blake added that Utah State law states driveway access is a code violation on a 5 way road. Roberts said that as long as UDOT governs Main Street, UDOT will make the decisions. Howell added that UDOT recently deed Telegraph Street to Washington City after UDOT had improved the roadway. It was then discussed that if UDOT were formally informed of the current safety issues of the split interchange, they may willing to put a Leeds 4-way interchange higher on their priority list. Howell then informed that at 101 homes, a second access would be required, and at 601 homes a third access would be required. He noted they anticipated using Babylon Road as the second access since in is already a dedicated road, and asked the Towns aid in getting access through the remaining 800 feet on private property. Roberts noted this was currently on Leeds Master Plan for future access.

6) Approved Expiration – Howell read the following:

C. Recommendation

Sunrise Recommendation: Recommends that approvals for exceptions to the Town’s standards be subject to a time constraint or expiration date. In the event that no progress is made on the development within the time granted, this would allow the Town the option of extending approvals or revoking them based on changes in design standards and practices.

It is also recommended that the Town include language in the development agreement stating that any deviations from the standards which are not clearly stated as approved exceptions would not be allowed. It is suggested that 10 years be the maximum approval period granted.

Planning Commission Recommendation: Use the language or condition: “Grapevine agrees to a revocation of standards exceptions only if there is a bona fide threat to the public health and safety or a change to standards beyond the control of the Town and which threat represents a “compelling and countervailing” public interest” as such term is used in the Utah Land Use Development and Management Act.” And establish a review of the Grapevine street standards to determine if any approvals will expire after 20 years have passed.

He suggested the Town use the language already approved in the Annexation Development Agreement. It was noted that legal counsel was in the process of reviewing the proposed development agreement. Howell continued by reminding the Council that the approved Annexation Development Agreement between Grapevine Wash and Leeds gave a list of requirements known as “Exhibit J”. He said both partners had agreed that GW would not be asked to give more than what was included in “Exhibit J.” He also reminded that “Exhibit K” provides the specific approval process including a second public hearing. Howell asked if the Council would schedule this second public hearing. Nicholson suggested the Town may want to wait until the traffic impact study was “nailed down” more; help from a study group was attained; and answers from UDOT were known. Lojko agreed, and felt the Town would be doing GW a disservice to have a public hearing before answers from UDOT were better known. Roberts noted that answers from UDOT were probably at least 60 days away, to which Council Member Rohr and Mr. Howell agreed. Mr. Howell added that he understood the concerns of funneling traffic down Leeds Mains Street or widening Main Street, but thought a response from UDOT may be more like 6 months away. He said GW would rather have the public hearing in the next month. He noted they were open to “tweaking” their plan based on the future studies. Roberts said Leeds should be proactive and help UDOT understand that a full 4-way interchange is

best for Leeds traffic movement. He added that 1,200 roof tops was a ways out, and should give Leeds time to establish a 4-way interchange. He noted that it took the City of Washington 12 years to add 1,200 homes during the "hay day." The Council discussed the possibility of a public hearing. Roberts asked if the Council way okay with setting a public hearing on April 25th, after UDOT's April 12-13 meeting, and after legal review of the proposed development agreement. The Council agreed. Council Member Joe Allen stated it seemed common sense would allow the Town to approve a certain amount of homes, but if a 4-way interchange was not built, the number of homes would be limited. It was also discussed that it may be time to update the 2007 Capital Facilities Plan. However, Mayor Roberts noted that impact fees do not govern Main Street, but UDOT governs Main Street.

REGULAR MEETING:

ACTION ITEMS:

1. **Washington County Solid Waste – Town Council Representation – Resolution or Motion for Appointment –** Mayor Roberts asked for a Town Council Member volunteer to represent Leeds at the Washington County Solid Waste meetings. He said they met on the first Thursday each quarter, and would be a liaison and sit on the board. Council Member Angela Rohr was appointed, and if she could not make a meeting, another Town Council Member would attend.

UPDATES BY STAFF:

2. None

CLOSED MEETING – At 9:51 p.m., a **Motion** was made by Nate Blake with a **second** by Joe Allen to **move into a Closed Meeting** 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). An **Aye** vote was **Unanimous**. A **Motion** was made by Frank Lojko with a **second** by Nate Blake to **close the Closed Meeting** at 10:23 p.m. An **Aye** vote was **Unanimous**.

A **Motion** was made by Frank Lojko with a **second** by Nate Blake to make special circumstances and give Mayor Roberts administrative rights to make a decision on the clerk/recorder position, with a friendly amendment by Angela Rohr and accepted by Lojko and Blake that budget considerations be taken into account on whether the Town could do it. An **Aye** vote was **Unanimous**.

3. **Adjournment** by Mayor Joe Allen at **10:30 p.m.**

APPROVED ON THIS 11th DAY OF April, 2012.



Mayor Alan Roberts

Attest:



Deputy Clerk/Recorder Fran Rex