

**TOWN OF LEEDS
TOWN COUNCIL MEETING**

MAY 9, 2012, 6:00 p.m.

MINUTES

WORK SESSION:
6:00 p.m.

1. **Call to Order** – At 6:10 p.m. by Mayor Alan Roberts.
2. **Roll Call** - Present were Mayor Alan Roberts and Council Members, Joe Allen, Nate Blake, Frank Lojko and Angela Rohr. Also in attendance was Deputy Clerk/Recorder Fran Rex
3. **CLOSED MEETING**

A **Motion** was made by Frank Lojko with a **second** from Angela Rohr to open 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 Closed Meeting was 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).

A **Motion** was made by Frank Lojko with a **second** from Nate Blake to close the Closed Meeting at 6:44 p.m. An **Aye vote** was **unanimous**
4. **Adjournment** – A **Motion** was made by Frank Lojko with a **second** from Mayor Roberts to adjourn at 6:45 p.m.

**TOWN OF LEEDS
TOWN COUNCIL MEETING**

MAY 9, 2012, 7:00 p.m.

MINUTES

BUSINESS SESSION:

1. **Call to Order** – At 7:03 p.m. by Mayor Alan Roberts.
2. **Pledge of Allegiance** – Was led by Angela Rohr
3. **Roll Call** - Present were Mayor Alan Roberts and Council Members, Joe Allen, Nate Blake, Frank Lojko and Angela Rohr. Also in attendance were Leeds Contract Planner Bob Nicholson, Town Treasurer Jean Beal and Deputy Clerk/Recorder Fran Rex. Also present were Town residents that filled the room.
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, Excluding Minutes** of Meetings from **April 25 , 2012 Town Council Meeting** and **including Minutes** from the **April 19, 2012 Town Work Meeting with Utah Department of Transportation (UDOT)**. An **Aye** vote was **Unanimous**.

6. **Announcements** – Mayor Roberts noted that due to the amount of dialogue and the things that have been said over the last few weeks, he was concerned with the direction of the public clamor. He said he wanted the Town Council meeting to be professional. He invited the public to engage in dialogue with their public officials to get the facts and correct documents. He noted the country was not founded as a democracy where the majority rules, but as a republic where it guarantees the rights of all -- not just the majority. He stated that the Town has followed the constitution; it is not responsible to “spoon feed” its citizens; it has been clearly open in giving information; and has not kept information from the public. He said that due to the large number of citizen comment sign ups, he would allow two (2) minutes per comment. He asked the public to be civil and he would not allow blatant comments. He added he would give the same amount of time in tonight’s meeting that was allotted to the Stirling’s Attorney in the April, 25, 2012 Town Council meeting, to allow full comment from the Grapevine Wash Representative.
7. **Citizen Comment** - Mayor Roberts then allowed public comment as follows:
- Clair Langston** – deferred his/her time to Attorney Karla Stirling
- Attorney Karla Stirling** – read the attached statement, “A Call for Greater Transparency, Open Dialogue and Civil Discourse in Grapevine Development Matters.” The statement asked for better noticing; time for thorough review; reminded that “everything is negotiable;” to analyze the impact fees and impact fee credits; and cautioned the Council to “do their best to ensure that the townspeople’s wishes were incorporated into all plans going forward so that Leeds’ values, community and future [were] protected;” (see attached)
- Geraldine Stirling** – deferred his/her time to Attorney Karla Stirling
- Elliott Sheltman** – Said the volunteer position of Town Council was sometimes a thankless job, but said he did appreciate the efforts. He said they were not questioning if the development should be done or not, or whether the developer has the right to develop his property, but were questioning the details. He said the details were what was important.
- Sheryl Lee** – deferred his/her time to Attorney Karla Stirling
- Kours (?)** – deferred his/her time to Attorney Karla Stirling
- Danielle Stirling** – thanked the Town for all the time and effort that had been expended thus far on the issue. She said the addendum of the 2007 Master Road Plan stated that “*any addition or development or re-development must include a traffic impact study (TIS) for any transportation route.*” She noted that the access chosen as the second access did not have a TIS. She wanted to make sure that before any access was chosen, a TIS would be completed.
- Manuel Goy** – deferred his/her time to Attorney Karla Stirling
- Tracy Belliston** – read the attached response statement giving the objectives and vision of the Grapevine Wash Development. The statement also rebutted untrue statements; included a timeline detailing the history of the project; and said the owners have strong ties to Utah and Washington County and were not some “mysterious corporate conglomerate whose intent it is to sweep in and hijack the town, make a huge profit and disappear.” It also listed the benefits it could bring to the Town; invited citizens to approach them for open dialogue; and emphasized their growth would be incremental. (See attached)
- Carol Whitmer** – deferred his/her time to Attorney Karla Stirling
- Stephanie Whitmer** – deferred his/her time to Attorney Karla Stirling
- Ralph Rohr** – noted the Town Council had a tough job dealing with all the current complex issues. He said he himself may have been misinformed about some of them. He said he had not heard about Grapevine Wash because he was too tired to come to Commission and Council meetings at night. He thought a greater effort should have been made to inform citizens. He said he heard at the Post Office that the developers were suggesting putting five lanes down Main Street and accessing their property through prime farm land when other options were available. He was disconcerted that a developer would suggest this, but again noted that he may have been misinformed.
- Nancy Higgins** – deferred his/her time to Attorney Karla Stirling
- Betty McKnight** – presented a map of the Grapevine Wash area and stated it looked as if the area was landlocked. That it was mostly surrounded by BLM property. She did not think BLM would agree to allow a road through their property. She was concerned if GVW would be able to obtain road accesses. She wondered about sewer and if Ashcreek would operate a sewage facility if they would be held liable. She asked if GVW had the large amount of money to provide its own sewer, and said to make sure a sewer system was done right. She voiced concern about the density and thought it would bring higher crime; about 4 story buildings; compatibility, and about the developer having the full funds to finish the project.
- Linda Lott** – deferred his/her time to Betty McKnight
- Joy Goy** – deferred his/her time to Betty McKnight

Martha Ham – expressed gratitude to the Town Council for their hard work and willingness to “be in the heat.” As a family a marriage therapist, she offered the following advice to all concerned: a) refrain from complaining & criticizing; b) get the vision; c) take responsibility for what you want; and d) communicate it. Then, she asked the Town Council to consider the following requests: 1) commit only to agreements you can see through on your TC term – or at least your life time; 2) make sure the existing residents are not losing something (she gave the analogy that it was important for children in blended families to not feel they were losing something important with the merger.) She cautioned to not get involved with a takings; and 3) she asked the developers to “join Leeds” rather than expecting Leeds to “join them.” She noted the long history and contributions of the Stirling family in Leeds and Silver Reef. She concluded by informing of a principle called “rewind” and asked everyone to “rewind and start over” and be willing to talk with the Town.

Cyntha Wright – stated it was a good meeting and good to see things calm down a little. She applauded Betty & Karla’s comments and the Town Councils hard job. She said the town needed to come together, and felt the citizens needed more than 24 hour postings on big issues. She asked Town Council Member Joe Allen to further explain his conflict of interest with also representing one of the developers on a real estate deal. Allen stated the extent of his real estate dealings was being the agent selling the one of the developer’s property on Cedar Mountain. She said she hoped they could achieve a win/win situation, and said she felt the people on the Town Council would handle it with integrity. She said more communication, creativity, teamwork and trust would create success. She then asked if Grapevine was its own municipality or a district, to which mayor Roberts stated in was a district within the boundaries of Leeds; therefore part of Leeds Municipality.

Jerry Otteson – deferred his/her time to Attorney Karla Stirling

Kevin Lee – stated he had just recently heard about the project, and understood that the minimum requirements were met regarding giving notice for the Grapevine development, but hoped more information could be forthcoming. He said most people did not want to have to attend a lot of city meetings, but would take more notice if agenda items were more explicate. He said he was ready to start fresh with the issue, he said he thought Grapevine looked like a good development, commended their ambition for looking at the future, and that a 4-Way Interstate Interchange seemed good. He noted that if Grapevine wanted to pay a high price for sewer it was their prerogative as long as it did not affect current citizens.

Susan Savage said she did know about Grapevine because she has kept informed by attending meetings, open houses, and public hearings. She sated the Grapevine Wash Development Representatives, IBI Group, held an open house at the very beginning and provided all the documents and maps at that time. She did not think the town was responsible for making a big announcement each month the item was on the agenda. She said it was the citizen’s responsibility to stay informed of issues important to themselves. She noted that development was a slow process, a people should not expect to change things in just a few meetings. In response to the concern of “outsider developers” threatening local, long time resident properties, she explained how her own land was threatened in various ways by “neighboring developers.” She said her observation of Drake Howell was when he takes a job he does his best, and that he had worked hard and appropriately for the Town as Town Manager, and only left its employ due to the Town not having enough funds to pay him full time, requiring him to work part time. She said he was then was offered a position with Grapevine which would suit his family’s financial needs better. She noted that before she left for a mission, the Town of Leeds seemed to “dying,” but, upon her return it was a new time and place. She added that when St. George wanted growth some invited a scandal which led to the Town not being as prepared as it could have been for the growth that happened. She also noted that some of her Silver Reef neighbors were involved with Vision Dixie which was widely advertised throughout the county. Susan said she attended several and was placed at a table with a map of the Leeds area and other Leeds residents. They were instructed that under the law, a municipality cannot exclude high density areas. Then they were instructed to design the zoning for the map on their table. She said her group thought that since they could not exclude high density, that the area best suited for it was exactly where the Grapevine Development is now planning to develop. She said her group chose this area because it was least likely to affect the night sky. She said she was not surprised that a high density development has been proposed in the Grapevine Wash area. She noted that a developer she knew designed a development with large lots to enable larger lawns and open spaces, but said the end result did not leave open space, but owners built bigger homes. She added that the Stirling family means a lot to Leeds, and that the people in Silver Reef and Eldorado Hills mean a lot too. However, she noted it was hard when they first came in, but are now good neighbors. She stated she felt that the current Town Council listens to the public; that it was human nature to have a surge of energy on important topics; but if one stayed involved one begins to understand all the encompassing issues. She reiterated it was the citizen’s responsibility to read the notices and come to open houses.

Don Goddard – thanked the Mayor for allowing extra citizen comment time. He asked the citizens to show by the raise of hands who had known about the Grapevine Development. One third raised hands to the positive, and two thirds to the negative. He said he was told his property may be eminent domained for a 4-Way Interchange and that was why he was there. He noted that citizens had been noticed by legal means including the post office and

etc., but wondered if a write-up could be including in the quarterly newsletter regarding big items such as this development. The Mayor noted the town had never included a write-up in the newsletter regarding developments, to which Goddard said there should be for ones this big.

DISCUSSION ITEMS:

8. **FY 2012-2013 Budget** – The Council reviewed the current budget. They were asked to further review it and give their suggestions to the Mayor within seven days.
9. **Discussion regarding requiring County Treasure signature block on final plats** – Mayor Roberts explained that Washington County was asking all the municipalities to adopt an ordinance requiring a County Treasure signature block on final plats. He said this was due to the subdividing of parent parcels which owed back taxes. He said even though the new parcels with new tax numbers stayed current on their property taxes, the owners were losing their homes because the parent parcel's taxes were years past due. Roberts said the Washington County's Attorney had prepared the draft ordinance before them. He said it still needed a legal staff review and asked the Council to also review it and give comment.
10. **Draft Ordinance for Leeds area Cemeteries Update** – This item was continued to the May 25, 2012 Town Council Meeting.
11. **Discussion on an Access Management Plan** – Mayor Roberts noted this item was first discussed in the February Town Council Meeting. He explained that county funds collected from fuel sales go to a COG Fund (City of Governments). These funds can be used for corridor roadways if there is a financial impact on a property. The funds can be used to pay a property owner if the property is targeted for roads. Roberts further explained that in order to qualify for COG funds, a town needs to have an access management plan. He said the Rural Planning Organization (RPO) drafted this in the end of 2009, and it received ratification from all towns in 2010; therefore, Leeds now needs to adopt an access management plan. Roberts then turn the time over to Contract Planner Bob Nicholson. Nicholson presented a draft document using Hurricane's plan as a guide. He said this would create good transport planning and makes streets better for safety. He noted some of the things did not apply to Leeds, so it is best to evaluate each one a case by case basis. There was discussion how to best financially handle completing an access management plan. It was suggested that adopting the Hurricane plan as a guide may save funds from having our own engineers do a complete study. The idea of joining with Toquerville and LaVerkin on a study was also discussed. Then, it was discussed if simply adopting the Hurricane plan as a guide would satisfy the COG requirement. It was also noted that adopting their plan as a guide would not make it a binding document and would make looking at items on a case by case basis possible. It was decided to ascertain if the adoption of the plan would satisfy the COG requirement, and if Hurricane would allow Leeds to use their document as a guide.

UPDATES BY STAFF:


12. **Adjournment** by Mayor Frank Lojko **11:10 p.m.**

APPROVED ON THIS 23rd DAY OF May, 2012.



Mayor Alan Roberts

Attest:



Deputy Clerk/Recorder Fran Rex