

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, December 13 2017

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, December 13, 2017 at 6:00pm. The Town Council will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

NOTE: IF YOU WISH TO SPEAK DURING CITIZEN COMMENT, PLEASE SIGN IN WITH THE RECORDER.

Work Meeting 6:00pm

1. Call to Order/Roll Call
2. Discussion on Nuisance Ordinance 2017-03

Regular Meeting 7:00pm.

3. Call to Order/Roll Call
4. Pledge of Allegiance
5. Declaration of Abstentions or Conflicts
6. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting minutes of November 8, 2017
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
 - a. Biennial trash rate change to \$12.90 monthly, which is \$38.70 quarterly
7. Public Hearings:
8. Action Items:
 - a. BLM Easement for road right-of-way and utilities for Silver Pointe Estates
 - b. Proposed Land Use Ordinance 2017-06, Chapter 25, Backyard Chickens
 - c. Proposed Ordinance 2017-04, consider amendment to Land Use Ordinance 2008-04, Chapter 13, Rural Residential District
 - d. Proposed Ordinance 2017-05 consider amendment to Land Use Ordinance 2008-04, Chapter 14, Residential Districts
 - e. Ordinance 2017-07, 2018 meeting schedule
 - f. Approval of minutes of Board of Municipal Canvassers from Canvass on November 17, 2017
9. Discussion Items:
 - a. Main Street storm water update
10. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
11. Staff Reports:
12. Closed Meeting- A Closed Meeting may be held for any item identified under Utah Code section 52-4-205.
13. Adjournment:

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 Leeds Town Hall at 879-2447 at least 24 hours prior to the meeting.

The Town of Leeds is an equal opportunity provider and employer.

Certificate of Posting:

The undersigned Clerk/Recorder does hereby certify that the above notice was posted December 7, 2017 at these public places being at **Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town of Leeds website**

www.leadstown.org



Kristi Barker, Clerk/Recorder

Town of Leeds

Town Council Meeting for December 13, 2017

1. Call to Order:

Mayor Peterson called to order the work meeting of the Leeds Town Council at 6:03pm on December 13, 2017 at Leeds Town Hall, 218 N Main.

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
MAYOR: WAYNE PETERSON	<u>x</u>	<u> </u>
COUNCILMEMBER: RON CUNDICK	<u>x</u>	<u> </u>
COUNCILMEMBER: ANGELA ROHR	<u>x</u>	<u> </u>
COUNCILMEMBER: ELLIOTT SHELTMAN	<u>x</u>	<u> </u>
COUNCILMEMBER: NATE BLAKE	<u> </u>	<u>x</u>

2. Discussion on Nuisance Ordinance 2017-03

Town Council discussed the Nuisance Ordinance.

Ralph Rohr discussed the edits to the Nuisance Ordinance that he proposed.

3. Call to Order:

Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7:00pm on December 13, 2017 at Leeds Town Hall, 218 N Main.

4. Pledge of Allegiance by Councilmember Cundick.

5. Declaration of Abstentions or Conflicts: None.

6. Approval of Agenda:

Councilmember Cundick moved to approve tonight's agenda and meeting minutes of November 8, 2017. 2nd by Councilmember Sheltnan. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
MAYOR: WAYNE PETERSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: RON CUNDICK	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: ANGELA ROHR	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: ELLIOTT SHELTMAN	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: NATE BLAKE	<u> </u>	<u> </u>	<u> </u>	<u>x</u>

7. Citizen Comments:

Ralph Rohr stated he supports the proposed chicken ordinance and discussed it further.

Dave Harbor indicated in Rural Residential half acre, you are allowed to have 2 chickens and citizens have violated that. He continued to discuss it and does not think you should have chickens all over town.

Gary Rosenfield stated it is frustrating that Leeds does not have a chicken ordinance that allows the freedom of our surrounding municipality's. In the Leeds General Plan one of the community goals is the continuation of agriculture, keeping of animals and maintenance of farming and gardens. He continued to discuss it and is in favor of allowing chickens.

JW McKain, gave an example of something that has been done for over 150 years and wondered how you can change it now. It seems chickens falls on the side of those who were here first.

Darryl Lewis, indicated we are in the 21st century and things are not like they were a century ago; therefore, what is done here, has to stand the test of time. You have to look at the entire population of the Town, as a total, not just a group of people who what want it one way.

Susan Savage, indicated when her dad was Mayor in 1970 the concept of zoning came in and citizens were upset, but as time passed the demographics of growth, it has brought in different people. She proposed finding some property that people could raise their chickens on.

8. Announcements:

Mayor Peterson announced the following:

- a. Biennial trash rate change to \$12.90 monthly, which is \$38.70 quarterly

9. Public Hearings: None.

10. Action Items:

- a. BLM Easement for road right-of-way and utilities for Silver Pointe Estates

Rick Sant one of the owners of Silver Pointe Estates asked the Town to submit an application for a 65 foot easement from the BLM for a water line and roadway.

Town Council discussed it with Rick and determined that a 65 foot easement is too wide; however, for a water line, a 15 foot easement would be required and could be used as an emergency road only. Town Council asked Rick to resubmit an application with only a 15 foot easement.

- b. Proposed Land Use Ordinance 2017-06, Chapter 25, Backyard Chickens

Mayor Peterson indicated this item and the two following it, 8c and 8d passed Planning Commission with a 3 to 2 vote. They are all related; therefore, I am looking for a motion to combined agenda items 8b, 8c and 8d.

Councilmember Cundick made a motion to combine them. 2nd by Councilmember Rohr. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: ANGELA ROHR	x	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	_____	_____	_____	x

Councilmember Rohr made a motion to approve the proposed Land Use Ordinance Changes for Chapter 25, 13 and 14 as submitted.

Councilmember Blake phoned into the meeting.
Time 7:51pm.

2nd by Councilmember Blake.

Councilmember Blake indicated everyone he has talked to wants the Ordinance.

Councilmember Rohr discussed a sheet that she had made that compared what surrounding municipalities allow in regards to chickens.

Councilmember Cundick, asked Angela if she needs to declare a conflict on this.

Councilmember Rohr, replied she does have chickens; however, she owns property outside of Leeds that they are on. So for the record, this is not a problem for me, so no.

Councilmember Cundick, stated he does not have a problem with chickens; however, we need to look at what is best for Leeds. If you are in violation of the Ordinance, that complicates things. He thinks there needs to be a reasonable balance on this. With Rural Residential more latitude could be given; however, quarter acres are too small and the numbers of chickens allowed in the proposed ordinance are too high

Councilmember Cundick and Councilmember Blake discussed CC&Rs and how they would affect the Chicken Ordinance.

Councilmember Cundick continued discussing the ordinance and stated enforcement is a problem, as well as, the fine assigned, amendments would need to be made before he would consider it.

Councilmember Sheltman, wondered if anybody in the room has ever lived next to 30 chickens and gave an example of the noise they create. Enforcement is a problem with chickens and he did some research of what is involved with taking care of them. If enforcement was in place, he might consider it. Like Susan suggested, co-op somewhere might be an option.

Mayor Peterson, stated it is not that he is against chickens, but there is a difference between rural residential, versus residential. His wife is allergic to horses and when they purchased their home, they had to rule out any rural residential because of it; however, in rural residential, the number of chickens allowed could be revisited. He did some research on how many eggs a chicken produces and it was 4 eggs, so per week, 4 eggs per hen with 30 hens, that is 120 eggs per week. He does not think it is fair to the people who did their research and picked a certain area that do not allow this. He does not think it is a bad thing to have chickens in Leeds, but they should remain where they have been laid out in rural residential; therefore, he does not support it in its current form.

Town Council continued to discuss it.

Motion failed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	_____	x	_____	_____
COUNCILMEMBER: RON CUNDICK	_____	x	_____	_____
COUNCILMEMBER: ANGELA ROHR	x	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	_____	x	_____	_____

COUNCILMEMBER: NATE BLAKE

x _____

Councilmember Blake left the meeting.
Time 8:25pm

c. Proposed Ordinance 2017-04, consider amendment to Land Use Ordinance 2008-04, Chapter 13, Rural Residential District

d. Proposed Ordinance 2017-05 consider amendment to Land Use Ordinance 2008-04, Chapter 14, Residential Districts

e. Ordinance 2017-07, 2018 meeting schedule

Mayor Peterson discussed the Ordinance. In July, no planning commission meeting has been scheduled because of the 4th of July; however, they can schedule one if needed.

Mayor Peterson asked for a motion to approve the 2018 meeting calendar as proposed. Councilmember Rohr, I so move. 2nd by Councilmember Sheltman. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: ANGELA ROHR	x	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	_____	_____	_____	x

11. Discussion Items:

a. Main Street storm water update

Councilmember Sheltman indicated there is no update.

12. Citizen Comments:

Dave Harbor indicated he would like to discuss what Rick Sant was talking about. The Town has a master road plan that was made to solve the many road problems the Town has and the real problem is on the west side, it needs an emergency exit. With SPE easement request, a 66 foot right-of-way is what you want.

Darryl Lewis, stated as he heard it tonight, with the proposed easement requested by SPE, they requested the Town go to the BLM with it and for the Town to act on a private citizen's request is wrong. With tonight's agenda, none of the information that was on it was posted anywhere that citizens could read it. He asked for more transparency.

Gary Rosenfeld, stated he heard tonight that Town Council is willing to work with Angela on the chicken ordinance and asked if councilmembers are willing to work with her on it.

Mayor Peterson, replied he is willing to work on it.

Gary Rosenfeld, it has already been a few months with plenty of time to work on this.

Councilmember Cundick indicated he is willing.

Cynthia Neubauer wrote a letter a few months ago expressing concern about people camping by the creek on Oak Grove.

Mayor Peterson replied that if she sees it, to contact the sheriff so it can be addressed when they are camping there.

Town Council continued to discuss it with Cynthia.

Manuel Goy thanked Council for the decision tonight on chickens and he liked Susan's idea about having a place to go to raise chickens. He asked if the exit ramp striping could be changed.

Mayor Peterson, it has been pointed out to me that action item 8f was missed. The Mayor discussed the item.

f. Approval of minutes of Board of Municipal Canvassers from Canvass on November 17, 2017

Mayor Peterson asked for a motion to approve the minutes of the board of canvassers from canvass on November 17, 2017.

Councilmember Rohr, I so move. 2nd by Councilmember Cundick. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: ANGELA ROHR	x	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	_____	_____	x	_____
COUNCILMEMBER: NATE BLAKE	_____	_____	_____	x

13. Staff Reports:

Curtis Nielson gave an update on the Main Street curb and gutter project.

Councilmember Rohr indicated some repairs will need to be made on Silver Reef Road before March when the roads will be resurfaced.

Councilmember Rohr stated she has served on Council for the last eight years and thank you for letting her serve; she had the town's best interest at heart.

Councilmember Cundick indicated this was his last meeting and thank you.

Mayor Peterson thanked them both for their service.

Mayor Peterson indicated he was elected as chairman for the Hurricane Valley Special Service District.

Mayor Peterson, we have the General Plan results and Chairman Poast requested a joint meeting with Councilmembers to go over the results.

Councilmember Rohr, a new representative will need to be appointed to the Washington County Solid Waste Board before February's meeting.

14. Closed Meeting

15. Adjournment:

Mayor Peterson adjourned the meeting.

Time: 8:56pm.

APPROVED ON THIS 10 DAY OF January, ~~2017~~ 2018



Mayor, Wayne Peterson

ATTEST:



Kristi Barker, Clerk/Recorder