

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, January 24, 2018

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, January 24, 2018 at 7:00pm. 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.

Regular Meeting 7:00pm.

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Declaration of Abstentions or Conflicts
4. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting minutes of January 10, 2018.
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
 - a. Dog license renewal deadline is January 31, 2018
 - b. Business license renewal deadline is February 1, 2018
7. Public Hearings:
8. Action Items:
 - a. Discussion and possible action on the BLM Easement for road right-of-way and utilities for Silver Pointe Estates
 - b. Discussion and possible action regarding approval of Main Street curb and gutter agreement with UDOT
9. Discussion Items:
 - a. Potential purchase of backhoe
 - b. Law enforcement coverage
 - c. Nuisance Ordinance 2017-03
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 January 18, 2018 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.leedstown.org;



Kristi Barker, Clerk/Recorder

Town of Leeds

Town Council Meeting for January 24, 2018

1. Call to Order:

Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7:00pm on January 24, 2018 at Leeds Town Hall, 218 N Main.

ROLL CALL:

| | <u>Present</u> | <u>Absent</u> |
|----------------------------------|----------------|---------------|
| MAYOR: WAYNE PETERSON | x | _____ |
| COUNCILMEMBER: ALAN ROBERTS | x | _____ |
| COUNCILMEMBER: DANIELLE STIRLING | x | _____ |
| COUNCILMEMBER: ELLIOTT SHELTMAN | x | _____ |
| COUNCILMEMBER: NATE BLAKE | _____ | x |

2. Pledge of Allegiance by Councilmember Roberts.

3. Declaration of Abstentions or Conflicts: None.

4. Approval of Agenda:

Councilmember Stirling indicated she would like to make an amendment to item 8a on the agenda. On all the paperwork she received it said utility easement.

Mayor Peterson asked for a motion with the amendment to approve tonight's agenda.

Councilmember Sheltman, so move. 2nd by Councilmember Stirling.

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 | x | _____ | _____ | _____ |
| COUNCILMEMBER: ALAN ROBERTS | x | _____ | _____ | _____ |
| COUNCILMEMBER: DANIELLE STIRLING | x | _____ | _____ | _____ |
| COUNCILMEMBER: ELLIOTT SHELTMAN | x | _____ | _____ | _____ |
| COUNCILMEMBER: NATE BLAKE | _____ | _____ | _____ | x |

5. Citizen Comments:

Angela Rohr, indicated she hoped Nate would attend the meeting in January for Washington Solid Waste and there would be a representative at the DTAC meeting. The transportation expo is also coming up.

Darryl Lewis stated he attended the January 10th meeting and listened very closely to the oath of offices and was very shocked that within an hour, certain Councilmembers choose not to follow the laws. He would appreciate an explanation from Councilmembers on which ones they will follow and the ones they will not.

Mayor Peterson replied the issue that he raised was with the Chicken Ordinance and several people indicated they own them and given how the issue was raised, it was recommended to wait for any enforcement.

Darryl Lewis was that voted on by the Council.

Mayor Peterson, we did not take a vote, it was discussed by Council and was supported to wait.

Councilmember Roberts tell me what you mean by when you said it was suspended?

Darryl Lewis, you would have to ask the Mayor that, he is the one that is saying he asked, if not you, someone else. You should ask the Mayor.

Councilmember Roberts, what transpired at the last Council meeting was a discussion on a chicken ordinance that was denied in December; therefore, current Town laws are what stand in effect. The ordinance that came before Council has no effect.

Darryl Lewis, that is correct, I am assuming the Mayor made it clear to you that he asked everyone about suspending the enforcement of the zoning regarding chickens.

Councilmember Roberts, I heard his words "there will not be any action taken before next Monday"

Mayor Peterson, I did not name a specific date, but I did want to know if Council would be contacting me on Monday to make a complaint.

Councilmember Stirling, all I would like to say is we should all have this book and it has our ordinances in it. When I look at it, I take it to heart and I hope in order to represent those who elected me to live by the Ordinances.

Councilmember Sheltman, we do take an oath to uphold the law in the Town and if anybody is going to uphold the law it should be us. If anyone on Planning Commission or Town Council is violating the law they need to stop and uphold the law.

Angela Rohr, after the Council meeting the very next afternoon I had a visit from the Sheriff's Department for a chicken farm that was reported to be out of compliance. They did not find any problems but I do hope that whoever called into complain, I would hope they would not keep calling in as it is a waste of the deputy's time and our taxpayers' money. The chicken situation is not going away.

Councilmember Roberts, I did receive a call from Angela when the Sheriffs showed up at her house. Anyone here last meeting would have specifically heard me tell them that I have a number of chickens at my residence. Four days after that meeting the chickens were moved off my property for a period of time because, like Angela said, the situation is not going to go away. I will stand very firmly on property rights specifically with some animals. I have no problem with having certain areas that do not allow those animals, but this town was founded a long time before that type of mind set existed and those animal rights have been here ever since. So I informed the Mayor that they were removed so he didn't have several people contact him saying a Councilmember wasn't following the code. I will also be very candid about; I can tell you right now that any elected official is not going to adhere to every single law that is written on the books. You have to look at individual intents, citizens have a right I would be very cautious about pointing fingers at others without knowing what we are doing. Councilmember Sheltman, it is not our job to look at intent, it is our job to look at the law. The way it is written is pretty clear.

6. Announcements:

Mayor Peterson made the following announcements:

- a. Dog license renewal deadline is January 31, 2018
- b. Business license renewal deadline is February 1, 2018

Councilmember Stirling I noticed we have a Scout troop here and I am happy to see them here, thank you for coming.

7. Public Hearings:

8. Action Items:

- a. Discussion and possible action on the BLM Easement for road right-of-way and utilities for Silver Pointe Estates.

Rick Sant discussed the proposed easement.

Councilmember Stirling stated she talked to the BLM and she went up to the spot. She was concerned about the safety and wondered if there was any possibility to get a different location than what they have.

Rick Sant, I tried to get an easement where everyone could agree. SILTA has agreed to it but we are having a difficult time getting Ray Crosby. At this time, it is only for a 15-foot wide easement for a water line. At this time I think it is the best way to go.

Councilmember Sheltman, three months ago a councilmember indicated he was going to contact Ray Crosby.

Mayor Peterson, he did contact him as well as I did. He indicated he would like it in a different spot than what was proposed on his property. The last contact was 5 or 6 months ago.

Councilmember Sheltman, I was the one that requested the 15 foot easement instead of the 65 foot. What I was told about the BLM is that once they approve a 15 foot easement they would easily approve a 66 foot for a road. You can pretty much put a road there later on with no problem. Did you talk about that at all?

Councilmember Stirling, they would still have to go through the proper channels, but the girl in Cedar said....

Rick Sant and get approval from Town Council.

Councilmember Stirling, of course, well not necessarily because the easement has already been approved. It is just a lot easier to then get one for a road because to them, it is already a utility easement, people are going to be traveling on it to maintain the utilities, it is not that they are approving it for a road when you apply for a utility easement, but it is much easier to piggy back for a road.

Town Council continued to discuss it with Rick.

Councilmember Sheltman recommended Rick contact LDWA to see if the water loop could be moved.

Councilmember Stirling recommended Rick contact LDWA and that she liked the original alignment better. To her it is a liability if it turns into a road.

Rick Sant replied that he knows the land out there and there is no better place for it.

Councilmember Stirling stated she doesn't agree where it is now because if it is a road, it would be a traffic nightmare.

Councilmember Roberts indicated he thinks we are stepping on the applicant's toes because of what the application is for. It is very specific for what it is for, what location. He indicated it is not his decision and that he is very confident that if there was a motion on it, it would not pass. The speculation that we are putting on a lot of things has nothing to do with the application itself. The application is very black and white of what that easement is.

Mayor Peterson, what I have heard is there would be interest in this, or a perceived better alternative, investigating two other alternatives over the next three weeks. So unless somebody would like to make a motion right now, I guess I would ask for a motion to table this until the February 14 meeting with the request that I as Mayor make contact with the other land owner and that the applicant make contact with LDWA tomorrow.

Councilmember Stirling, 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: ALAN ROBERTS | | x | | |
| COUNCILMEMBER: DANIELLE STIRLING | x | | | |
| COUNCILMEMBER: ELLIOTT SHELTMAN | x | | | |
| COUNCILMEMBER: NATE BLAKE | | | | x |

- b. Discussion and possible action regarding approval of Main Street curb and gutter agreement with UDOT

Mayor Peterson indicated the UDOT agreement is not ready yet and will be moved forward to February.

Councilmember Sheltman asked for a drawing on it and expressed concern about water runoff.

9. Discussion Items:

- a. Potential purchase of backhoe
Town Council discussed it.

- b. Law enforcement coverage

Mayor Peterson indicated he did talk to law enforcement and they wondered if there were any specific concerns the Town has. They do have contracts with another Town that they could provide an extra hour a week, and another one where they come out for a full day. If the Town wants them to come out for any extra time, the Town will have to pay for it. They offered to meet if Council wants to.

Councilmember Stirling is there a certain amount of time they spend here and did they give pricing.

Mayor Peterson, it depends on what is happening on patrol and it depends on what we would like them to do, but they said it is affordable if it is only for one hour a week. If it is a full shift, it gets very expensive.

- c. Nuisance Ordinance 2017-03

Town Council discussed the Ordinance. If any Councilmembers have amendments they will be submitted to Kristi and will be placed on the Feb 14th agenda.

10. Citizen Comments:

Darryl Lewis, discussed concerns he had with the draft nuisance ordinance with the Mayor. Darryl recommended posting the final draft to the public before it gets adopted.

Susan Savage, stated a utility easement does not necessarily turn into a roadway and gave an example of one that LDWA has.

11. Staff Reports:

Councilmember Roberts, with codification, he has been in contact with the company and hopes to have it online soon.

Councilmember Stirling, in speaking with the BLM, they did say a utility easement is just for utilities; however, if the Town would like to come back, it is easier for them to get a road easement. So, I didn't want anyone to think that I was saying that if you have a utility easement, it is for a road.

Mayor Peterson, in talking about a Town Attorney I am sorry to announce that Gary Kuhlmann lost his battle on January 12th. Jody Burnett is willing to post an ad for us for a new attorney.

Mayor Peterson, slurry seal bidding is being collected within the next couple of weeks and will be brought forward to Town Council

Mayor Peterson indicated there was a DTEC meeting and discussed it.

Mayor Peterson thanked the Scouts.

12. Closed Meeting:

13. Adjournment:

Mayor Peterson adjourned the meeting.

Time: 8:30pm.

APPROVED ON THIS 14 DAY OF February, 2018



Mayor, Wayne Peterson

ATTEST:



Kristi Barker, Clerk/Recorder