

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, April 11, 2018

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, April 11, 2018 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. Town Attorney Interviews

Regular Meeting 7:00pm.

2. Call to Order/Roll Call
3. Pledge of Allegiance
4. Declaration of Abstentions or Conflicts
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting minutes of March 28, 2018
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
 - a. 150th Anniversary planning meeting, Wednesday, April 18, 4pm at Leeds Town Hall
7. Public Hearings:
8. Action Items:
 - a. Discussion and possible action on maintenance for Town Park parking area
 - b. Discussion and possible action for a Zone Change on Parcel L-78-A-1-A-2 for Steve and Bonnie Mathews from Residential (R-1-2) to Commercial (C) on approximately 4.67 acres.
 - c. Discussion and possible action for a Zone Change on Parcels L-5-A-3, L-5-A-2 and L-4-A-4 for Doyle and Kevin Hatfield from Residential (R-1-2) and R-2-2 to Commercial (C) on approximately 14.36 acres
9. Discussion Items:
 - a. Town Attorney
 - b. Cemetery Property
 - c. General Plan and Transportation Plan Grant
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 April 5, 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.leadstown.org.



Kristi Barker, Clerk/Recorder

Town of Leeds

Town Council Meeting for April 11, 2018

1. Call to Order:

Mayor Peterson called to order the work meeting of the Leeds Town Council at 6:04pm on April 11, 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 |

Councilmember Sheltman arrived to the meeting at 6:10pm.

2. Town Attorney Interviews.

Town Council conducted interviews for the Town Attorney with Chad Woolley from Cowdell, Woolley, Attorneys at Law and Craig Hall from Bennett, Tueller, Johnson & Deere.

Councilmember Roberts made a motion to recess our work meeting until 7:00pm for the Town Council meeting. 2nd by Councilmember Sheltman. All voted "Aye". Motion passed.

1. Call to Order:

Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7:00pm on April 11, 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.

3. Declaration of Abstentions or Conflicts: None.

4. Approval of Agenda:

Councilmember Stirling moved to approve tonight's agenda and meeting minutes of March 28, 2018. 2nd by Councilmember Roberts. 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 |

5. Citizen Comments:

Darryl Lewis read the attached letter into the minutes. (See attachment 1)

6. Announcements:

Mayor Peterson announced the following event:

- a. 150th Anniversary planning meeting, Wednesday, April 18, 4pm at Leeds Town Hall

7. Public Hearings: None.

8. Action Items:

- a. Discussion and possible action on maintenance for Town Park parking area
 Mayor Peterson indicated in the packets, there are two quotes from contractors for gravel for the Town Park parking area. As a Town Council, we can waive the three bid requirement and asked Councilmembers if they would like to do that.
 Town Council discussed it and decided to move ahead.

Councilmember Stirling made a motion to approve the \$1240.00 bid. 2nd by Councilmember Sheltman.

Mayor Peterson, for the record, that is the Brett Comas Bid for the \$1240.00.

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 for a Zone Change on Parcel L-78-A-1-A-2 for Steve and Bonnie Mathews from Residential (R-1-2) to Commercial (C) on approximately 4.67 acres.
 Ian Crowe explained where the property is located.
 Councilmember Sheltman, stated he read what the Town Planner Bob wrote about big boxes; however, he doesn't see it in the General Plan and with this lot, it is not buildable because of the slope.
 Ian Crowe explained where the road is on the property.
 Councilmember Sheltman, indicated it is small, usable land, for commercial, and right now, we have 9 acres of commercial being used, and 26 acres that is not being used. With the road that has been cut there last year, the Town was not aware of it.
 Ian Crowe, the existing problem is the road is dangerous. They would have to come in with a site plan to move the road.

Councilmember Sheltman, in the General Plan, that road is over utilized.

Councilmember Roberts stated he thinks you have to segregate. The applicants are only looking for a zone change and with anyone developing that property; they are going to have to deal with the traffic right there. The zone change would allow anything that is allowed to that commercial zone.

Town Council, Ian Crowe and Steve Mathews discussed the road to the property.

Councilmember Sheltman stated he understand this is just a zone change, but if it is commercial, it will have more traffic and indicated the traffic on Silver Reef Road is already too much.

Mayor Peterson stated these are issues that will have to be addressed when we know what the property will be zoned and developed.

Steve Mathews, indicated for the zone change, he has a small excavating business and is looking for a small yard and hopefully a place to park equipment.

Town Council and Steve Mathews continued to discuss it. It was decided the item would be tabled until the 26th so more research could be done to find out more on the permitted uses in each zone.

Councilmember Sheltman made a motion to table the item until April 26th. 2nd by Councilmember Stirling. 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 |

- c. Discussion and possible action for a Zone Change on Parcels L-5-A-3, L-5-A-2 and L-4-A-4 for Doyle and Kevin Hatfield from Residential (R-1-2) and R-2-2 to Commercial (C) on approximately 14.36 acres

Ian Crowe with the parcel on the north side, back in 1996, at that time they thought they had bought a commercial property. They thought it was commercial and would like to research the history.

Councilmember Roberts, that zone did not change.

Mayor Peterson asked Ian if he was asking for the item to be tabled.

Ian Crowe replied, yes please table it

Councilmember Roberts made a motion to table action item 8c until April 25th. 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 |

9. Discussion Items:

a. Town Attorney

Town Council discussed the applicants and will look to bring a contract with Craig Hall to the next meeting.

b. Cemetery Property

Mayor Peterson indicated he has no new information on the property.

c. General Plan and Transportation Plan Grant

Ryan Jolley with Jones & DeMille explained how they would help the Town get some funds to help with the General Plan and the Master Road Plan. He indicated they have helped other Cities. The first thing that would need to be done is go to the Dixie MPO and give them a letter and ask for some of their transportation money and with the AOG, Leeds is already on their Capital Improvement Plan list.

Town Council discussed it and all are in favor to proceed with trying to get funds.

10. Citizen Comments:

Angela Rohr, thanked Councilmember Roberts for mentioning that UDOT has ownership of the right-of-way by Silver Reef Road and asked about the five acres that was leveled out.

Mayor Peterson, replied the Ordinance indicates if someone disturbs land, they have to restore it. Angela Rohr, with the two Commercial properties adjacent to that are they land locked? Do they have outlets?

11. Staff Reports:

Councilmember Roberts, gave an update on WCSWD.

Angela Rohr, gave a history on when she served on the board for WCSWD.

Councilmember Roberts expressed concern with the septic permitting and the requirement for the property size. He finds it problematic that Washington County Commissioners have given Washington Conservancy District oversight on how septic systems are designed in the County based on a study done in the 1990s. He wondered if it is the responsibility for local municipalities to push back a little bit to have them show us some studies.

Mayor Peterson stated the study is something that we could have the Town Attorney review.

Mayor Peterson stated with the DTAC meeting, part of that was for the call for those grants we discussed.

Mayor Peterson, indicated he had a meeting with Rick Sant and he has submitted the BLM Easement and Rick has been discussing with LDWA the water tank and water loop.

Mayor Peterson, indicated there will be a storm water meeting tomorrow with UDOT.

Mayor Peterson, regarding Treasurer we have one written application and one verbal interest. I was going to ask if there is any objection to using our accounting firm until we get the position filled.

Mayor Peterson discussed the roads.

12. Closed Meeting

13. Adjournment:

Mayor Peterson adjourned the meeting.

Time: 8:24pm.

APPROVED ON THIS 25th DAY OF April, 2018



Mayor, Wayne Peterson

ATTEST:



Kristi Barker, Clerk/Recorder

Attachment 1

To: Members of the Leeds City Council;

April 11, 2018

I attended the Leeds Planning Commission meeting of last Wednesday April 4th. Item 8a & b of tonight's agenda appeared on the commissions agenda as item 7a & b.

As you know the Planning commission recommended that you pass Item 8a and that you not pass Item 8b.

Referring to Chapter 17.2 of our Land Use and Zoning Ordinance, you will note nearly two pages of permitted uses of Commercially Zoned property in our town. These range from a bakery shop to Automobile Dealerships to Recreational Vehicle parks and campgrounds to Manufacturing facilities and beyond. It is important to understand that once the Commercial use has been granted, the permitted use cannot be stopped unless additional ordinances are not met.

I was surprised and frankly appalled that either of these Items were recommended to the counsel for passage for the following 5 reasons;

- 1 The request for zoning change of these parcels was received by the town of Leeds some months ago. The requests were discussed, and no action was taken regarding the request. It think it strange that they have appeared again for review and passage without the owners present and at least in the Planning Commission, there was no legal verification that the owners were still requesting this change.
- 2 There was no discussion as to the reason for this request and absolutely no indication of what commercial entity was to be built on either of these sites.
- 3 There was no discussion as to whether the Leeds infrastructure could support any commercial development on these sites, i.e. water, sewer, traffic, light, noise, etc.
- 4 There was no discussion as to the impact the commercial development might have on the residents of Leeds.
- 5 There was no discussion regarding chapter 17.4 of the Land Use and Zoning Ordinance relating to Development Standards for Commercial Zoning. In fact, there was no mention of anything in Chapter 17 what so ever. It was as though it did not exist.

The only discussion that did take place, was a discussion about a field trip that the planning commission took some weeks ago and how the consensus of the commission was that the area would make a good commercial zone. There was also a discussion with the town planner about whether the town of Saint George ever changed residential zoning to commercial without knowing what the commercial would be. The planner said that they had. There was also a discussion relating to, and I quote "a second bite at the apple. This

was discussed in the framework of the commission having the future opportunity to control what the commercial entity might be. If the Commission had actually read the ordinance they would have realized that is not possible.

The Planning Commission clearly recommended that you change the zoning of parcel 8a without following any of the requirements for making that change contained in Chapter 17 of our Land Use and Zoning Ordinance. As a citizen of Leeds, I ask the council to reject items 8a and b on tonight's agenda. If you do approve these zoning changes, I ask that you do so in a lawful manner and in the spirit of your office, that being the protection of the welfare of our town and in accordance with all the requirements set forth in Chapter 17 of this Ordinance.

Thank you,

Darryl Lewis