

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, March 9, 2022

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, March 7, 2022, at 7:00 PM at Leeds Town Hall, 218 N. Main Street, Leeds, UT 84746. If you are interested in participating remotely via Zoom, please contact Town Hall at 879-2447 or email Clerk@LeedsTown.org for the Zoom details.

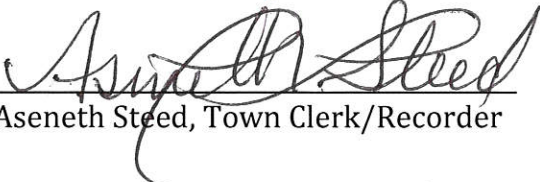
Regular Meeting 7:00pm.

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Declaration of Abstentions or Conflicts
4. Consent Agenda:
 - a. Tonight's Agenda
 - b. Joint Town Council and Planning Commission Work Meeting Minutes of 02/23/2022
 - c. Meeting Minutes of 02/23/2022
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
7. Public Hearing: None
8. Action Items:
 - a. Discussion and Possible Action on Codification Bid.
 - b. Action on Liquor Licensing and fee for Casa Tequilana
9. Discussion Items:
 - a. Discussion from Eastward Management Group
 - b. Main Street Project Update from Karl Rasmussen
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 March 7 2022, at these public places: **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.**



Aseneth Steed, Town Clerk/Recorder

Town of Leeds

Town Council Meeting for Wednesday, March 09, 2022

Regular Meeting 7 PM

1. Call to Order/Roll Call: 7:04

Mayor Hoster called to order the regular meeting of the Leeds Town Council at 7 PM on Wednesday, March 09, 2022. This was an in-person meeting with an electronic option.

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
MAYOR: BILL HOSTER	<u> x </u>	<u> </u>
COUNCILMEMBER: DANIELLE STIRLING	<u> x </u>	<u> </u>
COUNCILMEMBER: RON CUNDICK	<u> x </u>	<u> </u>
COUNCILMEMBER: STEPHEN WILSON	<u> x </u>	<u> </u>
COUNCILMEMBER: LORRIE HUNSAKER	<u> x </u>	<u> </u>

2. Pledge of Allegiance:

3. Declaration of Abstentions or Conflicts: None

4. Approval of Consent Agenda and Minutes

a. Tonight's Agenda

Councilmember Cundick moved to approve tonight's agenda of March 9, 2022. Second by Councilmember Wilson. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
MAYOR: Bill HOSTER	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: DANIELLE STIRLING	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: RON CUNDICK	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: STEPHEN WILSON	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: LORRIE HUNSAKER	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

b. Joint Work Meeting Minutes of February 23, 2022

Councilmember Wilson moved to approve meeting minutes of February 23, 2022. Second by Councilmember Cundick. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
MAYOR: Bill HOSTER	x	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	x	_____	_____	_____
COUNCILMEMBER: LORRIE HUNSAKER	_____	_____	x	_____

c. Town Council Meeting Minutes of February 23, 2022

Councilmember Wilson moved to approve meeting minutes of February 23, 2022. Second by Councilmember Cundick. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
MAYOR: Bill HOSTER	x	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	x	_____	_____	_____
COUNCILMEMBER: LORRIE HUNSAKER	_____	_____	x	_____

5. **Citizen Comments:** No action may be taken on a matter raised under this agenda item. (Three minutes per person).

6. **Announcements:**

Mayor Hoster announced a reminder of Dumpster days March 11,12,13th on Cherry Lane east of Valley Road and details for Easter celebrations set for April 16th will be announced in the newsletter.

7. **Public Hearing:** None

8. **Action Items:**

a. Discussion and Possible Action on Codification Bid.

Mayor Hoster played Unicode power point then clarified to Councilmember Cundick that the Town would own the Data. Councilmember Cundick said he

would like to hire somebody to look at our current ordinances, and identify which ones were satisfactory and which ones were not and assess which Ordinances would be need in the future.

Mayor Hoster felt we would be in error to not codify all ordinances for review. And said he also was looking at trying to perform online publishing for free through our own resources to avoid any manuals that might be included with these packages. He suggested making a list of Ordinances to be reviewed in a fiscal year.

Councilmember Hunsaker moved to table the codification bid approval until more time passed and information could be gathered. Second by Councilmember Wilson. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
MAYOR: Bill HOSTER	x	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	x	_____	_____	_____
COUNCILMEMBER: LORRIE HUNSAKER	x	_____	_____	_____

b. Action on Liquor Licensing and fee for Casa Tequilana

Mayor Hoster: To clarify the history of this, you went before Planning commission, after receiving authorization from the State that you complied with an inspection of your premise and of your personnel. I do have a copy of the letter, which states that you have passed that inspection by a qualified state inspector? Sequentially, we have ordinance 04-04, Leeds Alcohol Beverage Control Ordinance before us. This does coincide with the State's Ordinance of enabling an alcohol license, which is separate from a beer license, which is an on-premises license for the purpose of a restaurant. The only stipulation that was different is a consent form allowing Town officials to inspect your property at any time, which I believe was conducted. Has that been provided?

Anahi Juramillo: I have it. Can I just send it right now?

Mayor Hoster: I am going to open this up to Town Council for their there questioning of any of the other elements that I may have missed on the history

and purpose of why we are at this point for authorization of a on-premise liquor license with restaurant specification.

Councilmember Cundick: I have a question. Does this mean you could serve liquor all day long or is it only certain hours?

Mayor Hoster: Annie, do you know what the what the hours of serving liquor are? In accordance with the state code?

Anahi Juramillo: 11:30AM to 12:00AM I believe. Right now, there are currently 12pm to 8pm We might go 11:30am to 9:00pm

Councilmember Hunsaker: I know that just talking with you and stuff that you have wanted the beer and wine license since the beginning. I am just trying to get my head around it so we have all the paperwork in order, and we do not have any question down the road. Your beer business license, I have not seen one that we have but I have read it in the ordinance 2004-04 that since they called wine liquor, that, that opens the door for liquor. I personally am not thrilled about having a full bar license in Leeds, I am not. But I have to go by the ordinance. And the ordinance, we need to rework. But you would be grandfathered in, I believe. Beer and wine, absolutely. No problem. I know what people have told me from when I was running for this position, they do not want a full bar in the town. The majority of people that I have talked to may not like it. I know you, and I believe that you will be responsible with it. I just wanted to make sure we had the clarification on all the paperwork so that nobody down the road can say, well, wait a minute, that was not right. I just wanted to make sure on the beer license that if the Council is to approve it, that we have the right form that actually states whatever term our current ordinance is asking for so there is not a question at a later date. That is pretty much what I have there. Some of the certificates are not filled out the way they were asking for, but you were already granted the license for that. On the new one it did not have the name; it just has the signature. I cannot read it. I would like to see those put on there. I would like to see every piece of paper complete, because it is a liquor license and people are going to be upset about it. You did everything right. We followed the ordinance, and the State liquor laws, so there is no question or any blowback on it.

Councilmember Cundick: I have a couple of questions. I have not had a chance to read the state statute. But the first question I have is, if the State has granted a liquor license, do we have the ability to restrict that? for example, if we said wine and beers All right, but we do not want hard liquor.

Councilmember Hunsaker: It is in our Ordinance.

Mayor Hoster: Our current ordinance does not separate the two classifications.

Councilmember Cundick: Our Ordinance does not give us any authority to restrict a Liquor License?

Mayor Hoster: That is correct. Our current ordinance does not differentiate between wine and liquor. It actually in definitions does define wine as a liquor.

Councilmember Cundick: Okay. The other question is, if the business is transferred to another owner, does the license go with it?

Councilmember Hunsaker: The license is specific to the owner.

Anahi Juramillo : Mike Bishop is our compliance officer. He mentioned that if there were any questions from you guys that you would like to ask personally, he said we can call him now. He is available if we need to ask him any questions.

Councilmember Hunsaker: I would be okay with approving it on that contingency. Approval on the contingency that the paperwork is filled out so that you do not miss your date for tomorrow.

Mayor Hoster: Are there any other comments questions or concerns by the council?

Councilmember Wilson: What are you planning to serve them as an option?

Anahi Juramillo: Yes. Beer and wine. And then, we will have like a full liquor license. But all we really want is just to be able to make margaritas. We have on the menu that we sent the DVC we have several beers, like Mexican beers. We have three different types of wine and margaritas, just different flavors like passion fruit, Tamron and several different flavors. also, mimosas with sparkling wine.

Councilmember Hunsaker: Annie, will you be mixing the drinks? Are you buying the prepackaged margaritas?

Anahi Juramillo: No. We will be mixing our drinks in the back in the kitchen.

Councilmember Hunsaker moved to approve the on-premise full service restaurant liquor license for Casa Tequilana with the contingency of completed paper work within a week. Motion second by Mayor Hoster. It passed in a Roll Call Vote:

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
MAYOR: Bill HOSTER	x			
COUNCILMEMBER: DANIELLE STIRLING		x		
COUNCILMEMBER: RON CUNDICK	x			
COUNCILMEMBER: STEPHEN WILSON	x			
COUNCILMEMBER: LORRIE HUNSAKER	x			

9. Discussion Items:

a. Discussion from Eastward Management Group

Mayor Hoster: We have the CEO of Eastward Management Group with us, Frank. We have invited him back to get some more clarification with regard to his project right now. I have had dialogue with a handful of other stakeholders in this project. It is going to be advantageous for Council to get an understanding of the zoning that he is looking for, as well as for Frank to question the Council with regard to some of the things you are looking for, Sir. If you would approach the mic and please state your full name.

Frank Tusiesina: Thank you, Mr. Mayor, City Council. Aloha, aloha. Good to be back again. My hope this evening was to just talk in general about your general plan and your current zoning and some of the entitlements and your trajectory for the future as it relates to the two hundred acres that we are looking on developing that certain currently sits in the county. We understand that it is the landowner that gets to determine which city gets to have us. My hope is to get some clarification from Leeds City and find out where you are at in zoning, and what the future holds, and particularly as entitlements are everything. In order for us to make this pencil, when I first came here, we wanted to have managed growth and make sure that we protect the well-being of the community in which you established here and make sure whatever we are doing is not going to impact that in a negative way. I asked the mayor to set this up, so I can hear from the Council and

maybe people in your planning department about what is on your books. You guys are talking about codifying ordinances, and you just approved a liquor license. These things are all important for a resort, particularly one that is going to serve as such a large park development in Toquerville. Hopefully, we can learn more tonight so I can go back and tell my partners this is what Leeds has for us and what a relationship with them might look like.

Mayor Hoster: I will go ahead and get the ball rolling, Frank. You have you have some accuracy on the annexing with regard to the property owner, depending on how the town or city proceeds with that. There are elements that are associated with that as I am sure you are aware. As the Town goes that property does reside in our general plan. And we have an interest in identifying how that would impact Leeds as you do. I really appreciate the concern that you have for whichever jurisdiction it resides in that the impact is not that of a negative nature. I think we do want to, you know, identify some components here that are compartmentalized a little bit. The first is the sports complex, which is under an active RPPA application. That process in my investigation could take very likely three to five to seven years. That being said, in the meantime, you are under contract for the two hundred acres that are in question at this point. I do not know if that closed. I know the other party said it was supposed to come next week. Right? Okay. If you were to acquire that property and then make an assessment of your intentions to move forward, not knowing what you are going to have with the BLM, on the RPPA, what are your intentions? What if you do not get the park approved through from the BLM, or if you do? Could you give us some color of that?

Frank Tusiesina: With regards to the RPPA, depending on who you talk to, it could be 10 years, it could be three to five years. I am here to report to you that exactly where we are at the process is two years ago, the city of Toquerville, along with our group applied for the RPPA. That process in and of itself could take three years. We got approval of our application all the way to Washington, DC back to Salt Lake back to here within nine months.

Mayor Hoster: Approval to review the application?

Frank Tusiesina: Yes. What they do is they review the application. And once they review it, it has to be improved. Right? So, you can fill it out and all that stuff. And this does not mean anything until we stamp it. So, it was stamped about four months ago. So now after it gets stamped, what they do

is they prepare a NEPA checklist. That NEPA checklist initial draft came to us,

Mayor Hoster: and what is that acronym NEPA stand for?

Frank Tusiesina: National Environmental Protection Act, NEPA It is literally an environmental study, but it is driven by the federal government. It is not something that we get to come up with, they have certain standards that you have to follow. So that NEPA process is literally when we go out, well we do not, we hire a firm that is independent that are NEPA specialists, they are a NEPA engineering firm. They survey the property, and they are looking for everything in anything. Plants, grasshoppers, ants, sand, everything you can imagine. We received the initial list about a month and a half ago. And that was a draft. And what the BLM does is their entire staff goes through each discipline. This guy has the plants, this guy has the deer, and they report back. When we got that list, it comes in three categories. One category is there's No Impact, next one is Likely Impact. and third is Definite Impact. Those things that come in third category are the ones that take the longest. What really takes too long is that they find a plant that only blossoms at a certain time. If you miss the window, you have to wait till it blossoms again. So anyways. Fortunately, what we have done as the BLM has worked hard now that site already has had two NEPA's done on it, because the water district owns a tank on that site. For them to build the tank, they had to have NEPA study. We are expecting the final checklist in about 30 days. Once we have that checklist that will take about six months, maybe eight months, there is no two months of public meetings. When that is done, then the BLM enters into a lease with Toquerville City, and we can start moving around. Probably not three to five years, and probably we would not be here if we anticipated it was going to be issue. We can tell you that the number one issue is going to be the Native American burial sites. What we've done is we've engaged with the Paiute Indian tribe, and one of their administrators is part of our group to ensure that we address that, and one of the things that we're doing, there's definitely burial sites there on the grounds, so we have agreed to do is: fortunately, they're all in one section up on top where the park is, we're going to develop that into a Native American Cultural Center. It will pattern after the Polynesian Culture Center on Hawaii. It would be cordoned off. The natives will be able to teach language, and all the things about their culture, to preserve their history in this area. All those proceeds will stay with the Indian tribe because the charter school on our site is called the Jim Thorpe Collegiate Academy. It is a high school named after the great

American athlete. That is the connection there. We feel comfortable that we have done all the work upfront to ensure that when we get to those places, the only other thing that they are concerned about is the mule deer that come up the mountains. They will be impacted. But the impact is only they do not get to come down the road. They will just have to turn left and go back up. So, will it take three to five years, probably not. Best case scenario at the end of the year, worst case scenario the following year. To answer your question, we plan to develop those two hundred acres. If the park does not come online, depending on not we will do single family homes, and probably some hospitality, and some other vacation units to support the park. It really depends on when the park comes online. The two hundred acres, just so you know, is right up next to the park. There is a huge buffer of at least 100 200 acres between the city of Leeds and where that two hundred Acres is. And that is why we purposely picked that piece because it is adjacent to the park so that you cannot come into Leeds to go to the site, you have to come the other way around. Because we do not want any traffic down here. In actuality, what we are trying to do is preserve what Leeds is. What Silver Reef is, so that it feels like everything else there. Not some big metropolitan piece that we slapped in the middle of the area.

Mayor Hoster: I appreciate your optimism. That is great, but if it does not come to fruition, your intent is still to develop that land.

Frank Tusiesina: Oh absolutely.

Mayor Hoster: Okay. In some of my research, I understood some of the housing projection, you are going to have ash Creek sewer. You have water district water. In talking with the Water Conservancy, you are probably, with the acre feet of water that you have available, converting that into culinary brings you to about seventy homes. Is that a good estimation?

Frank Tusiesina: I do not know all the detail. We just know that our meetings with Zack at the water district,

Mayor Hoster: That is who I got my information from.

Frank Tusiesina: For the park; their requirement is, Frank, if you do the fields 80% synthetic turf, we can get you a will serve letter based on your plan. What we have committed to them is that the soccer fields will be 80% synthetic turf, and all the baseball and softball fields will be synthetic turf just because of technology. We meet that criteria and that standard. We do

not think there is going to be any problem with the water. And that is before we even touched the water from the two hundred acres. The two hundred acres comes with twenty-one acres of water feet, which we will be using for those two hundred acres, and for some of the stuff on the park as well.

Mayor Hoster: The hotel and the nightly rentals are all on the two hundred acres?

Frank Tusiesina: The 200 acres adjacent or right up next to the park.

Mayor Hoster: Nothing revenue making can occur on the BLM Part.

Frank Tusiesina: Just so you know, the Recreation and Public Purposes Act [RPPA] was enacted in 1952. The purpose of it was to allow the Federal Government to convey property that they own to either a municipality, or a nonprofit, for the sole purpose of recreation and or education. It cannot build any homes there any hotels nothing, and, most importantly, it needs to be open to the public. You cannot charge more than St. George or Ivan's or anywhere else for a softball field. Those are some of the requirements that we had to provide for the BLM, they needed to see a schedule. St. George charges \$1,000 a day for a soccer field. At our park, we are charging \$750 because we have more fields. That is at the recreation part. As long as Toquerville City uses it for recreation and it is public, then they can keep the land, but the minute they do not do that, then it goes back to the BLM.

Mayor Hoster: To circle back to your purpose of being here, Frank. You and I spoke about understanding what direction the Town Council would give you on latitude for that two hundred acres of property that you are trying to develop. What kind of experience have you had elsewhere? My understanding is you have talked with a lot of developers, nineteen I believe. How have you found that with others say Toquerville are you getting resistance on that?

Frank Tusiesina: there is so much out there that is being chattered about but I can tell you we have not been to nineteen different places. What has happened two, three years ago when we landed here to look at this project, we conducted a meeting and I served and wonderful Polynesian lunch and all the developers showed up. Dessert Canyons Dessert Color Copper Rock everybody and the goal was to learn from the stakeholders what we need in St George to accommodate all this traffic. Our proposition has

always been the same. We are sports guys. We have a partner that develops charter schools and what we are looking for is a piece of dirt. If you contribute the dirt, then we will do the improvements and we will build this great park. The problem is every single developer could not wrap their heads around how you can make money from a recreation center. If you build a park tomorrow in Leeds, the only way it gets funded is through taxes and subsites, right? We are completely the opposite. When we build this, it is a profit center from day one because we are renting out for large tournaments. After going through all those developers was when we landed in Toquerville. That was when we learned about the RPPA. With Toquerville, from day one about a year and a half ago, they passed a resolution, and they sign an MOU (Memorandum of Understanding) to joint venture with us to peruse the RPPA as long as we would provide the funding to build the ammonites. Their number one motivation and as we charted it out in our parfoma, they are going to be making a million a million and a half a year just in tax bases.

Mayor Hoster: Now is that on the park itself?

Frank Tusiesina: Yes. just the park by itself. That comes by way of, you know, when we charge for taxes from the field rentals, from the events, concessions, all those types of things. That is where they get it. For them, it was a pretty easy thing. You pay for it. It is not next to our town, and we get taxes from it, and it is an amenity for our city that is growing. As far as our experience with them, we have not had any issues. They have been supportive from day one. Again, it is the city project, that park is called the Toquerville Athletic Recreation Complex, the ARC. It is a city project. We are simply the management company, and the developers who are coming in to develop and manage it, along with the city.

Mayor Hoster: I was just joking with how many you spoke with last time.

Frank Tusiesina: Oh, no, that is true I will tell you. They said you are the 19th. guy who has come to St. George that had this bright idea.

Councilmember Wilson: I was not able to be at that meeting when he talked about it before. I did read the minutes. I could get a little bit of a basis, and I am just curious. I can see why Toquerville loves this and why they are going to work with you but it's really closer to Leeds. I am just wondering how come it never even got brought up to Leeds.

Frank Tusiesina: I will tell you how. I ended up in Toquerville because we were in St. George looking everywhere. I got a call from a developer who owns Sun River, Darcy Stewart. He called me into his office and said, I heard about your great idea. I got a spot for you. My ears perked up. Okay, great. So, he takes me out to Toquerville puts me in his little side by side, and we drive all the way up on the east side. And that is where we learned from the city that there is BLM property on the east side next to his 1,700 acres that they are developing. That is when we said, let us make a deal. You put your park here next to my development, and we will be golden. So, we signed up with him, I met with him. And unfortunately, about a month into it, we came to a place where we could not agree. Went back to the city, and as a professional just said, hey City, I am only here because this gentleman brought us out here, but we would be interested in staying out here. They said, do not go anywhere. We will work with you directly and we'll simply find another location. That is when we looked across the freeway, and there was 640 acres that is owned by the BLM. So, the only reason is because that piece was in Toquerville.

Councilmember Wilson: So that piece on the west side is actually Toquerville?

Frank Tusiesina: Correct. Right up the Mills property. Right up to that that is Toquerville. I want you to I did call the City of Leeds. When we started to have this discussion, because we wanted to see what else was around here. Right? but that was it. It was just a phone call.

Councilmember Wilson: That makes sense. I was just curious how that came about. If it has been in the works for two years; It just seems like we would have heard something about it when it is this close to us.

Frank Tusiesina: We were not trying to hide from you, but we purposely kept all of this under wraps. Not because we want to hide it, because we did not want to be another group that had a grand idea but has done no work on it. And so, from day one, we wanted to build consensus with the city, with the stakeholders, the Water District, UDOT, all those things first. We have not even made a public press release yet.

Councilmember Wilson: Well, people are starting to hear about it now. It is a pretty cool thing. It is amazing what you are setting up here. Hopefully, this can become something that we are partnered with also because Toquerville is getting a million plus revenue and Leeds gets nothing.

Mayor Hoster: That is just on the park.

Frank Tusiesina: Bill is in touch with me now and my hope is that both municipalities benefit from it, because it is going to be a win.

Councilmember Wilson: That is what I would think. Hopefully in can work out for both.

Frank Tusiesina: I can tell you this the number one revenue generator in southern Utah, according to the Tourism Authority, Kevin Lewis, is sports and events. That amount is \$150 million. So, if you equate taxes to that, it is real simple.

Councilmember Stirling: I have one question. Did you present the two hundred acres to Toquerville as well? And what is their understanding of that two hundred acres at this point? That is going to go into Toquerville or that it is still an option of the owners right to choose.

Frank Tusiesina: Yes, we have been working with Toquerville on that two hundred just because it has been adjacent. You know, from the beginning, it has been about that. It was not until Bill called me that we learned that there was an option, and it could be either or. That is why we are having this conversation because we did not know that. I was told when the previous mayor was talking to Toquerville, that you did have the first right of refusal, and that he was okay with letting that come over to Toquerville. I had never bothered with it. Our whole goal was, just make sure we can get it annexed and not have a problem.

Councilmember Stirling: My question is, why would Toquerville approve the option of not including the two hundred acres for the adjacent hotels, restaurant, and hospitality? If they were at the beginning of all of this? Is this going to be basically a fight between Leeds and Toquerville? Are we getting set up for failure for either one of us? Are we fighting over this two hundred acres?

Frank Tusiesina: I think one of the reasons why that discussion did not come up, because I left it to Toquerville City to determine how are we going to annex it and to who is going to be annexed. We just took their lead. Please understand that we have been working with them for almost two years now. Right? We had to trust that, okay, they are going to make this

thing work. And then, when Bill called me, we talked more about, to be honest, with the call from Bill; it was a signal to me that you might be open, because I had heard previously, that Leeds was not interested in and was not very pro-development. We just left it alone. We said, okay, well, let us focus on what we need to do over here. Now, here we are in this conversation about making it work. Nobody has an interest in making this a bidding war or a fight, because there is enough there for both municipalities if both are advocating for the same thing. It is a better play for all of us in the long run. We do not need the Hatfield's and McCoy's.

Councilmember Stirling: Right.

Mayor Hoster: Well said.

Councilmember Stirling: That is my question. Mayor, have you spoken with the Toquerville Mayor? Can you allude to what his idea was on this?

Mayor Hoster: Yes, I have on multiple occasions. We have discussed the dynamics of the project, the annexation, perhaps even evaluating an interlocal agreement, depending on how this goes in either direction. So, it is amicable at this point, for the purposes of the development, I will voice that it is important for the Town of Leeds to be involved with these kinds of inevitable developments. If we have something that is completely out of our control, we have no say in it whatsoever, and no revenue from it whatsoever. That was the purpose of my reaching out to Frank immediately upon hearing about this, and, and also, you know, and having good dialogue with Mayor Ellsworth, I believe that we do have a conversation that the developer is looking for of what our historical stance of a no development, we are not allowing anything. versus that of, are we going to work with a developer and trying to accommodate what, what they're doing. If we are not, they are going to find a way to do it. The purpose of this discussion is to get an affinity, in consideration of time, I would like to get some answers for Frank. If each Councilmember could vocalize your degree of affinity toward that development that he is expressed. Understanding what the water is going to hold. This is the takeaway you are looking for, Frank, so we can have conversations with our neighbor and with you; understanding that we are not setting zoning in this. We are only providing you opinion. That is what our guest is looking for.

Councilmember Stirling: I will start. I know that Leeds has had a black mark for a long time about growth. A lot of it had to do with the fact that around

2008 we signed an interlocal agreement with Washington County Conservancy in which we had to agree to this subsection of the Hansen Allen Luce study that says there's a certain amount of parcel IDs, and anything that got subdivided after that, basically had to have nine acres in order to acquire the septic permit. This is what tied our hands. Not only for the LDWA, but also for the Town of Leeds. We have had this reputation regarding development in general. Anybody that has come said, well, they are just trying to make it difficult so growth is not going to happen, but our hands were tied in that aspect. Coming into this development, we still have that restriction over our head from Washington County Conservancy. I anticipate that you have talked about sewer and water. LDWA, who is our water purveyor, basically stated the same exact thing that if somebody was going to subdivide, they have to bring wet water in because LDWA did their own capital facilities plan as well as looking at every aspect of how much water we actually have versus how many parcel IDs that we had at that exact moment. It is stated that if anybody wanted to subdivide or bring in a development, they had to bring in wet water, because we did not have any water to be able to maintain the rest of it. So, my biggest concern right now is there has been a lot of developers that have come in and wanted to develop but did not have enough water or did not have the allocations for what they wanted to do when it came to sewer. That has to be worked around with the Town of Leeds because our ordinance states that. I am not saying that it is impossible, but I am saying that a lot of individuals have come in before this. When you are talking about zoning, our hands are basically tied, until we can figure out, I guess, I do not know if you talked about the Interlocal agreement with Toquerville or maybe the Interlocal agreement with Washington County Conservancy of some nature of basically unbinding what had been placed in those Interlocal agreements in the past. It was not like Leeds was saying, we do not want anybody. We will not do this. It was the fact that we do not have sewer. We do not have enough water. We were trying to be responsible for all of the citizens that had come before. And I talked to quite a few individuals about it. Let us say that when you did your Hawaiian party you probably went ahead and baked as much as you possibly could for your party, and you had the right amount because you knew how many people were coming. So, my outlook, to put it in layman's terms is what Leeds is done in the past is we got all the RSVPs and we baked enough kalua chicken or pulled pork. I like kalua chicken better So, there you go. Anyway, we baked enough for everyone to be able to have their right amount and if anybody else wanted to come, they had to bring their own premade, because we did not have enough. That is the epitome of why Leeds has had this negative connotation. It is because

everybody that came wanted to have the Kalua Pork, and we did not have enough. So, in looking at this with regarding zoning, there is a lot of things we are going to have to kind of reevaluate not just because we were not trying to be amicable in any way. But there is a lot of things that our town needs to readdress before we can actually just say, Yeah, we would love to have, you know, I do not know, one hundred units to the acre or what have you. So just take it to the point that we have all been volunteers. And we have been humble volunteers that; trying to do the very best we can. There has been bigger fish in the sea telling us what we can and cannot do. Does that kind of make it a little bit easier to understand?

Frank Tusiesina: These are the type of things I want to learn, because there's things that you cannot control. And there's things that have occurred before you got here and things that you signed on for, right? Unfortunately, when future growth happens, sometimes those things get modified and changed. The most important thing, is it open for discussion? Clearly it sounds like it is, right? Even if that gets removed, it does not mean that people should just come in and take wild advantage of it. That is not what we want. So, if we are talking about sewer and bringing water, again, responsibly. I do not think any of us want to open the floodgates, because we do not want to see that area become St. George. Even with the development plans, we have, you know, our current plan is to zone that two hundred acres as a resort, which means automatically that it's spaced out. And especially if you are putting a five-star hotel on top where the three homes are, nobody wants to come to track homes, they want to feel like, okay, I am paying big bucks to be here, this is really nice, it is quiet. The only hospitality and the vacation stuff is going to be right along the road of the park. So that again, it looks planned more like a resort than this big Disneyland. You sharing that with us, helps us to understand, you know, what we can plan for, and what is there and what needs to be changed. Only the people that made you sign those things can determine whether or not they are willing to change it. Alright, but all of us need to work together to find a solution that everyone is happy with in terms of making a change.

Councilmember Stirling: Would you be agreeable or not agreeable to maintaining the LDWA, which is the Leeds Domestic Water Users Association as your water purveyor over there? Are you into only Washington County Conservancy Water?

Frank Tusiesina: Again, at this point, I am open to everything. What is most important is that the more localized it is, the better because than we are not

answering to those guys, and those guys, and those guys, hey, we are doing our thing here. As long as we meet the State requirements, and everyone feel safe, and it is manageable; than that is what we prefer.

Councilmember Wilson: They have how many wells over there?

Frank Tusiesina: Well, all I can tell you is that the two hundred acres will actually the 620-acre parcel that was purchased by the on the new owners has forty acres of water feet. In our 200-acre purchase, we are getting thirteen acres of that water as part of the purchase and leasing additional eight acres. We will have a total of 21-acre water feet just on our two hundred acres. The water district knows that. That is always the question. Where is your water coming from? The good thing is we are coming with our water. The same thing on the Toquerville side, we feel comfortable that they have made sufficient representations to have all the water for the park. It is not going to negatively impact what they are doing. They are putting a new reservoir, as you know. There is a new water treatment plant going on down in the LaVerkin that is going to pump water. We feel that on the water side, we did not want to take on this fight. Because we know that the "W" word is the most important word no matter what. You know we are in a drought. Lake Powell is low. So, we could not come with just yeah, we think we have enough water. We had to say not only do we have enough, but it is responsibly enough. It is going to have little impact on the rest of us. So those things are all important.

Councilmember Cundick: I guess it is my turn. Question. Is that water irrigation or culinary right now?

Frank Tusiesina: It is culinary. They have two operating wells. One is on the top that feeds three homes and one at the bottom of the corrals.

Frank Tusiesina: Well, if I understand it correctly. I mean, when I was on the council before, which is ancient history, I went to Toquerville when they were talking about this huge annexation they did. And at the behest of Town Council and pleaded with them to not take the whole world while they were annexing and leave some for us, and I was basically kicked out. So, I understand how to deal with them. You have to get ahead of them, because they are not going to make many concessions based on that experience. If I understand it correctly, if Leeds does not annex that property, then then Toquerville will, will try to and we apparently have first choice in the sense it is in our master plan.

Frank Tusiesina: I have not looked at that.

Councilmember Cundick: Well, saying that is my understanding. I am not pinning you down one way or the other. If I understand that correctly, then it seems to me that we can, we can have Toquerville closer. We can have their commercial activities closer and pay a price for having them here but not get anything back for it, or we can take the initiative to annex that property and work with you to do it. So, I do not want to get further into details. But it seems to me that that is the big picture in my mind, of what our options are.

Councilmember Wilson: All right, I appreciate you given us the information so far, I agree with what they have said already. It is something we ought to work with. Because if it is going to happen one way or the other, it would be silly for us to not look and see what we can do as a down to help them move forward. Because then we get same impact, no benefit. You look around Southern Utah, it is growing everywhere. It is eventually going to keep creeping this way. We can help make sure we do it responsibly and manage it properly. It is something we need to look at as a town and move forward with.

Councilmember Hunsaker: I know exactly what Danielle was saying about how Leeds has gotten a bad rap about growth. I agree, but it is also having the larger lots. What you are showing in your plan is getting the benefits from it. Instead of letting it go over to those Toquerville folks. I will say it the way it is, why not. But I am worried about the turtles Scott. Does he got a turtle issue over there?

Scott Messel: Call them tortoises, they get mad when you call them turtles, you know?

Councilmember Hunsaker: I love it. That is why I say turtle, Scott. So those turtles over there, is not that going to be apart? I mean, stuff like that can really throw off a project for an indefinite period of time while they hunt each one down and find a new happy home? I am wondering because the Mills property is four hundred.

Frank Tusiesina: 620 acres . The two hundred acres that we are acquiring sits on the northern side by the park. And it is a triangle that comes down from the homes down and sits right alongside the BLM site.

Councilmember Hunsaker: What is the amount of acreage, the buffer between you and Leeds?

Frank Tusiesina: Four hundred acres. The remaining four hundred acres, I can tell you, they do not have any plans to develop it. They are horse people. They want to keep it that way. I think if anything in the future, it would be spread out. There are no plans to turn that into any kind of production location for homes. And we do not want that either.

Councilmember Hunsaker: I saw on one of the videos the different amenities like the horseback riding, the trail system. I am going to guess that the campground out to Silver Reef may play a role in that which means even though the exit will be at the far north, and what I understand if any of the advertising includes the campground, we're going to have them coming in and coming through Main Street underneath the free way to go up Silver Reef. I am wondering if the roadway is going to get the repair to make sure that it stays to a level that can accommodate that much more growth.

Mayor Hoster: The egress and such has been discussed by UDOT as that Toquerville exit being enhanced, and perhaps another at the ninth.

Frank Tusiesina: I can tell you what is happening. One of our first discussions was with UDOT. Our engineering consultants are all working with NAGI up there at the state level. Here is the whole point, we are working with Senator McCain and Senator Ipsen, because at the end of the day, this development, we want to brand this as the Tourism Corridor at exit 27 that leads out to Zion. The resort is called Zion's Landing Where Life is Always Elevated. Now, what is really important is we have no business even building this if we do not have the infrastructure. For us, the infrastructure has to do with access. The three main things that we focused on when we had this discussion was water, access, and parking. The number one complaint that everyone has in St. George when they have a baseball tournament is cars. The worst. So, when we are working with the BLM, they made us fill out in our application, very detailed plans of where the parking is, what the access was, and all those things. On that site, we have 30-acre parking field just for the overflow. No one ever has a reason to leave the park to go park. It is right there on site. In terms of the traffic, UDOT has already approved the expansion of exit twenty-seven. If you look at the plans, we are not even close to happiness. So, I have told everybody. What you did in Lehi cannot happen here. Okay. You have fixed it twice

already and it is still bad. I live up in Cedar Hills and it is the worst thing so do not do that to us here. Especially if we are building a 600-acre park and 200-acre resort on the freeway. It cannot happen. So, I can tell you that they are seriously looking at another off ramp down this way. But even that has to be expanded. Just so you understand where we are coming from. If you can imagine, we already have agreements with the largest Softball and Baseball organizations in the country as well as Pickleball and Soccer, right? We rely on those people booking tournaments at our facility. So, here is what happens. A soccer mom shows up. She is trying to get her kid to the field, and she cannot because of traffic. Kids crying, the moms upset, she takes out her phone and she films the whole thing. She says My kid is crying. I am here at the place called the ARC near Leeds, Utah and this is the worst place ever! Do not come here! She pushes the button; it goes on Instagram. Everybody sees it. It goes viral. It goes back to the tournament owner who rents from us, and he says, Frank, I am taking my \$20 million economic impact back to Las Vegas, or back to Arizona. That is why we are concentrating so heavily on "The Experience". It starts with access, water, and parking. We are really advocating for the state to spend thirty plus million dollars to do this correctly. We want wide, open, more lanes, so that we do not have any negative impact on Leeds or on our area.

Mayor Hoster: Frank, thank you so much. I wanted to ask you, if you felt like you are leaving with the answers that you were looking for? I think Councilman Sterling's comments with regard to the black mark we have had in the past are well described by her with the handcuffs that we may have had in the past that are things that we are working toward and have an affinity toward making better. Do you have any other questions for us?

Frank Tusiesina: No. Thank you, I do have one concern. This is concerning all small towns. This kind of project is going to take a significant amount of human resources, particularly as a race to a planning department. So, you and Toquerville maybe one or two guys in planning. So, we always wanted to make sure that once we get started and we are doing anything, that there is the ability on both sides to expand that group so that you know things happen in a timely fashion because one person in the planning department, then that might take three to five years.

Mayor Hoster: You mention an excellent point

Frank Tusiesina: We do not mind participating in that and hiring other consultants so that it gets done efficiently. But that is the biggest thing. I

have a team of maybe twelve engineers, and they are going to have to bring drawing somewhere and they have to get checked off and coded.

Mayor Hoster: I think once a direction is set that those types of things would be worked with and trying to make sure that they were done expeditiously because it hurts both. Great point.

Frank Tusiesina: Thank you so much. I am so excited to possibly do something with you guys and I hope that it works out for both sides of the property because there is enough for everyone. I want Silver Reef to be a feature. When people come here, we want them here. This is what the federal government says, Frank you guys need to find another way to do this. They wanted us to create other options for recreation than the park because it is so overcrowded. But we hope that you can go to Silver Reef. You can go the Town Halls. Thank you.

Mayor Hoster: Very good.

b. Main Street Project Update from Karl Rasmussen

Karl Rasmussen: You probably know the situation with the Sullivan family. The matriarch died. Geraldine Sullivan. The services are Friday. Tom from California is coming up. They have been here since the 1800s. Since the beginning. Just so you know that my heart goes out to all, anyone in any of these communities when they lose a loved one. Everyone leaves something when they are gone. So, what I have done is I have sent to you mayor, an email.

I am just going to send to you what I just sent to him. I talked to Tom from California. I told him, why do not I get comments from the Town on a private storm drain agreement.

I am going to pass the same map that a passed in January.

We need just something in writing that they can look at, comment on, and we get coming back, and then we can get some dialogue going. But we need to give them some time. Give them a couple of weeks, and then they get back to us on that. He said that I can go ahead and email it to him. I will email him a rough draft tomorrow. He will be up here and can go over it with Craig.

Mayor Hoster: Do you want to email me the draft? That sounds like a great plan.

Karl Rasmussen: Once they agree to it, then I can get with you the Council. We are going to walk it with the Sullivans one more time because I have some brainstorming ideas to simplify and even try to cut some costs even though the current situation going in world right now is not cutting anybody's costs. I do not know how we are going to cut costs because everything's skyrocketing.

Councilmember Stirling: Karl, I have a question for you really quickly. We are looking at potentially getting a grant for curb and gutter along Center and Valley. Would this still work with a curb and gutter? If we get the grant to be able to do this?

Karl Rasmussen: Who is the grant with?

Councilmember Stirling: We do not know. We are hoping to find one.

Karl Rasmussen: I would do the storm drain first and keep the other one separate. But when we plan it, we just need to put the storm drain. We are right here where the curbs going to go.

Councilmember Stirling: Is this storm drain compatible?

Karl Rasmussen: That will, with what I had in mind, what you are saying, we will have to look at it because that will or may increase the cost a little bit because I am not sure where curb needs to go. We might have to make some adjustments. I just know there's water on that side. And I hate to have to look at it in the future. Well, we really definitely need a curb here and if water is within two feet, we will have to relocate it. I do not want to have to relocate any detailing because those costs more to dig up and putting them in different spots then it does just to throw a storm drain down there. So, we might want to look at logistics of it because we might want to just put a storm drain if there is nothing like the edge of the asphalt there. There is curb and gutter we just tie it in if they have fittings. Right now, you cannot order a concrete box for storm drain, and have it delivered to your site until it is about six months' time now, just because of products but Nino plastic, you can get those delivered within 30 days. It is an alternative which Ivan's is using. Toquerville is using them, and Hurricanes going to it now.

You are meeting the 23rd? Correct? Well, let us see what we can get drummed up in the next two weeks, we will see what they say.

10. Citizen Comments:

Mark Rosenthal from Zoom, was the NEPA review conducted on all two hundred acres or just the area around the tank?

Mayor Hoster: Frank's understanding was that it was just around the tank that Conservancy had done but you are having the whole area done?

Frank Tusiesina: The only requirement for the NEPA is on federal property not on private piece. I think that the previous NEPA was probably just done in that area where the water tank is.

Angela Rohr: I was glad to hear that an Interlocal talk at least was being started because I thought about since the workshop that if there was some way that Leeds and Toquerville could both make some money for their cities would be probably the best. And since the four hundred odd acres will still be a buffer between Leeds residential, and the resort. motels and hotels and food places on two hundred acres. That is that sounds good. I was still concerned. Although Frank did mention that there's possibility still, of not just having intersection twenty-seven being the only outlet. If you are having five thousand people, they are probably going to have one thousand cars and for 1,000 cars let us say a wildfire comes up and everybody has to evacuate, and you only have one place to get out. Nine north, it was on the books, I do not know if it still was being a four-way exchange. That seems like the best, the best idea. That means that people exiting just normally will have quicker access to the freeway, if there are two intersections that they can go to, as well as for Leeds to have easier access instead of having to drive up Highway 91 to 27. And then, in addition, I did not hear mention tonight about a recreational center that would be for Leeds and Toquerville. That is on the six hundred acres. So, it would be more convenient if there was at least another exit closer to Leeds for people to access this eventual Rec Center.

Michelle: I just wanted to say that I was kind of disappointed that we were really caught off guard with this project. My understanding of the NEPA process is that it is not a done deal until all of that is finalized. And I wanted to emphasize that there is a public comment period that all of us can participate in and includes impact on the local communities as well as whether we agree with the assessment that was conducted by the Environmental Consultants. And I also wanted to respectfully dispute what Councilwoman Sterling said, a lot of us moved to this community because of the rural feel of it, and that there is not high-density development. So, I urge you to consider that before you change any of the zoning laws here. Because I do not consider that a negative thing. I think a lot of my neighbors feel the same way. And it helps to keep our property values up by having that more rural feel in the town.

Bill McLaughlin: This was regarding the codification. Has anyone done any just simple reviews of the companies, the two that are involved and to see what kind of reviews they get?

Mayor Hoster: Yes, sir. We have spoken with other municipalities within Utah

that are affiliated with them. And they are both have really good reviews.

Manuel Goy-Yu-Chin: The property about which you are talking? Is that on the west side of the fifteen freeway?

Mayor Hoster: Yes, it is.

Manuel Goy-Yu-Chin: So you have just one road to get out to your development areas is on exit seventeen. I heard there was a road being connected to our Leeds area?

Councilmember Stirling: Not at this point. Basically, at the DTAC meeting, they have a map of which Washington County plans the transportation, like how it's going to continue to go and so they've had on the map for I don't even know how long 15 years that 900 north, the road that goes down to the river, is inevitably going to have some type of collector and they wanted to go ahead and put another overpass there at one point but it's just a map. Basically, they put on there to decide how can Washington County be able to be transported like all of the transportation. How is it going to be best done. So, they I do have talks about putting an overpass there as well, to collect that, but it just depends on funding. When I went to the meeting last week, they said it would be impossible because we have the town businesses like Casa Tequilana. We have all of that area right there. That would not want to eminent domain that to put in another off ramp or on ramp. So, they said that that was not an actually an option. But nine hundred North was where they potentially have another off ramp.

Manuel Goy-Yu-Chin: I know that they do use a, you are going to put up a sports field somewhere there. That means at night there will to be bright lights.

Frank Tusiesina: Not necessarily we are very sensitive to the dark sky.

Manuel Goy-Yu-Chin: I have a lot of corner but Toquerville allowing those four billboard out there. In our house, we can see this billboard, like bright cars coming forward, you know. And if they can cut that lights down, they will be much appreciated. We want that dark sky out here. Because we like to look up in the sky with our naked eyes. And all those lights, I mean, we have been up already with Hurricane it looks like it is Christmas all year round, you know, his lights going on. So be big very careful of those things, you know, because traffic would be a problem already, very much.

11. Staff Reports: None

Councilmember Stirling I just attended the Washington County Transportation, meeting. The one thing that they reiterated is there is a map with a lot of different roads, potential roads, but it is basically based on development. And if the development does not come, the roads do not get built, because the

development has to pay for those roads, inevitably. And so, all of the maps that you see they do have potential roads all over the one biggest that will impact us, as Toquerville right now is putting in a little belt route that completely takes you off of the Main Street to preserve that area. And they do have a road that will be connecting into nine hundred North, it is not necessarily going to be tomorrow, because like I said, it is all based on development. And developers will have to be able to pay for that road to be connected into nine hundred North. And so, I think one aspect about that development is that I understand that Leeds is a rural community. But unless we are responsible for what we take on our plate, to be able to not necessarily control but to be able to continue to have responsible growth, we can sit here and pretend that we want to have a rural environment. And we can pretend that we want to just be in a Happy Valley bubble. But until we actually realize that there is growth all around us, and we need to take the responsibility to either grow up and become a town that can responsibly allow that growth, to be able to increase what Leeds is, instead of pretending that we want to be a rural community and have everybody around us just suck us into them. And inevitably, we will not be a town in the end. And so, my point with the DTAC meeting that I went to, as well as seeing that growth that is coming completely around us. We have that opportunity at this point to be able to work together and not just as a town but Interlocally with Washington County to be able to understand that it is coming, they have built it and they have come, and we need to understand that. Yes, we love to be rural, but we can still maintain that rural if we have the opportunity to all work together to be able to responsibly allow others hopes and dreams to come in in a in a responsible way.

Mayor Hoster: Well Said. I think those comments could not have been said better. My staff report is Hurricane Fire Service District, I did attend their board meeting this this last month and they are in the process of acquiring a new fire truck. This will be a standard ladder truck. They are also about to graduate about thirty candidates from their fire training. And also, some of them are doing medical training as well. My understanding is that the communications for the service district is expanding. We were able to allocate something that communicates one software service with another that is supposed to increase the response times. But that is the extent of my staff report. If, if there are no further comments, we will go ahead and adjourn. Leeds Town Council. Thank you very much everyone for attending.

12. Closed Meeting: None

13. Adjournment 8:43 PM

Approved this 13th Day of April 2022.



Bill Hoster, Mayor

ATTEST:



Aseneth Steed, Clerk/Recorder