

Town of Leeds

Town Council Meeting for Wednesday, April 13, 2022

Regular Meeting 7 PM

1. Call to Order/Roll Call:

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
MAYOR: BILL HOSTER	<u>x</u>	<u> </u>
COUNCILMEMBER: DANIELLE STIRLING	<u> </u>	<u>x</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 Hunsaker moved to approve tonight's agenda of April 13, 2022. 2nd 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> </u>	<u> </u>	<u> </u>	<u>x</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. Town Council Meeting Minutes of March 9, 2022

Councilmember Wilson moved to approve meeting minutes of March 9, 2022. 2nd by Councilmember Cundick. Motion passed in a Roll Call Vote.

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

5. Citizen Comments: None

6. Announcements:

- a. Leeds Annual Easter Egg Hunt would be Saturday, April 16, 2022, at 9am in Town Park, Ages 0-10

Mayor Hoster: First announcement is the announcement of this Saturday, April 16 at 9am. Over in the town park, we'll be having an Easter egg hunt. The Easter hunt does encourage for all citizens to participate. ages zero through 10 will be participating in the actual Easter egg hunt. There will be activities available and again all are encouraged to join in and participate. I think it'd be a great opportunity post COVID For us to all socialize and get to meet our new neighbors.

- b. Public Hearing for Leeds General and Master Transportation Plan from Sunrise Engineering May 4, 2022, at Planning Commission Meeting and May 1, 2022, at Town Council Meeting.

Mayor Hoster: Second announcement is setting the date for a public hearing for Leeds General and Master Transportation Plan. It will be from Sunrise Engineering. The anticipated and target date of the public hearing is May the Fourth 2022 for Planning Commission meeting and May 11 for the Town Council meeting 2022.

7. Public Hearing: None

8. Action Items:

a. Discussion Possible Action Regarding Leeds Potter Property – 11.94 Acres

Mayor Hoster: The first action item is to discuss probable action regarding Leeds Potter property this is 11.94 acres. This will be out of order as a family emergency has called the interested party away from the meeting and unable to address. We do wish to move this discussion to the Planning Commission for further review before the Town Council review it.

b. Action Regarding Town Website Review and Possible Funding

Mayor Hoster: Second action item will be regarding the town's website review for possible funding. This is a website that was created by a freelancer we're going to go ahead and look at that. Town Council was given the web address which is still private and allow some review of that. I'll go ahead and pull that up at this time. We've got a website that has been cut somewhat customized, after similar websites of municipalities that surround us, we will have access to newsletters, it'll show a copy of the latest newsletters indexed by month, we also have a notification section. This notification section will be something that all of the town citizens can sign up for are encouraged to sign up for and then sequentially you'll receive alerts whenever there's any event that is occurring. So, this would include public meetings, also any announcements, and if there are emergencies, so all of those are components of this service that are built in. We do have one other really cool unique feature I like, which is the fact that we have all of the town ordinances indexed and OCR, where they've been scanned to allow for searchability. If you wanted to, I don't know, I'll just type in animal because I know that's a hot topic. You can take a look. And you can see that any ordinance that mentions animal is indexed and thrown up on here. Any of you all who were here for I think it was last month we and even the time before our last Town Council we spoke with two different companies that wanted to charge starting at about \$13,000 with recurring revenue of about \$35,000 to \$7,000 a year for maintenance and storage. This individual basically prepared all of this and said if you like it, you can buy it from me if you don't, we can go the other route. Here we are, at this point to discuss the before Town Council. If this is something that we want to proceed with, he's asked us to basically pay him what we think is fair. In my email to Council was outlining what the prior services had wanted to charge for a similar site. He is looking for something significantly less. We could have a really good bargain on this. I'm going to open this up for discussion. Enabling any comments from Town Council?

Councilmember Hunsaker: Are we able to access it? Does he we have to put things through?

Mayor Hoster: No, actually, that's a great question, Lorrie. Thank you. So, what we have here is the ability for any authority that we want to give a password to, to add calendar items, to add agenda items, to add any kind of documents, a job board, we can add in on the backend very simply. What he's done to help us he said, he'll provide additional support, but he's provided these walkthroughs so if someone new where to come in and say, hey, I need to add a calendar event, he's added a step-by-step direction. For that same with, you know, the community visitor guide, which editing any page, emergency communications, employment opportunities, and town administration, all of these are pages there on the website that can be editable by anyone within administration

Councilmember Wilson: As far as looking at this right now, is it available for us to pull up and look? Does anyone see it there?

Mayor Hoster: No one can see it but us. It's on this secure website that the URL that you're all sent. I just sent it like this afternoon when he finished the last touches on it.

Councilmember Cundick: When we reviewed some of the offers for codification, as the mayor mentioned, they were fairly expensive. We have a number of items right now that we're working on to include potential annexation measures and other things that are going to be expensive. And so, our thought was that we didn't want to incur the be expensive codification at this time, if we could use our resources for things that are more pressing. And in addition to that, we know that there'll be a number of changes in our ordinances in the next year, so upgrading and some modifications and new ones. We don't think we lose anything, as far as having the information available to the community by doing it this way, because you can search them and they are indexed and that allows us to, to use our current resources on higher priority projects. And then if we decided to codify later, we'll be in a better position because we will have more of the ordinances updated and current. So, we feel this, it'd be a smart move financially, as well as functionally for the community to do this.

Councilmember Wilson: So, you're saying this one here's the one you're saying is a smart move?

Citizen: I'm just saying it seems to me like it's a bargain. I mean, you know, you look at the cost of a website, and this guy is willing to work with you on price. A no brainer.

Mayor Hoster: A fair price for this. When I threw it out on a freelancing website, was anywhere from about 3500 up to six grand to be done and he said, if we came in and offered him three grand, he'd be delighted. So yeah, it's a pretty good steal for us. Certainly, a big upgrade. One of the other components. We've worked with our town planner Scott Messel, who has provided a plethora of PDFs that we can put on here for any kind of application for building permits and any of those things. So hopefully, reducing the overhead actions that have to occur manually right now. We can have them digitally prepared and available immediately to anyone that's trying to do additional developments in those things.

Councilmember Hunsaker: So, under the request Per burn permit with that automatically send the link over to Hurricane Valley Special Service districts.

Mayor Hoster: What's cool is we can do almost anything we want with it. So, we could do that if they gave us an address to send that to, after the PDF was created or the form was created, they could we could have it sent right over to them. I haven't been on their site, but I don't think accepts that. But I know that Carrie over there would probably be the person receiving it. So, we could just send it to her email address. What I want to do at this point is ask Town Council to review this, as, as it stands right now with the assurance of the developer that any kinds of additions, changes. And certainly, I've received some feedback from the people who are more familiar with our historical elements, with our tourism elements, who want to add things, all of those things will be added at no additional charge for us to bring this to exactly how we want it. I would ask town council at this time is to take a look at this if we can avert having to spend a large amount for the codification and for their development of the website, and instead have this product before us for around 3000 I think it's a significant savings to the town. And I also think it's a very beneficial service and tool for the community. And so that is that is basically the action and discussion of this question.

Councilmember Hunsaker: For the ordinances, was he able to scan in all of them? Or just what's in the land use?

Mayor Hoster: Aseneth, will you address that, because I had you speak with, with James on that.

Aseneth Steed: Just the Land Use and Zoning Ordinance book so far. We are going to decide whether we were going to include the Index and then scan all those in all those books based on this decision.

Councilmember Hunsaker: Okay, just want to know if that was included as well.

Mayor Hoster: We can do that. I can do it.

Councilmember Wilson: Will it be additional cost?

Mayor Hoster: No

Councilmember Hunsaker: And is there a maintenance fee to maintain the website?

Mayor Hoster: Once we set it up on AWS, it'll probably be less than \$5 a month for our subscription.

Aseneth Steed: What is the possibility to add the ability to pay utility bills on from the website.

Mayor Hoster: Yes. That's a great question. I failed to mention. So, we can set up online payment with this for no extra cost. All that can be automated on here, the trash and everything like that. It goes through our own merchant account. And then it just sends the report automatically to Aseneth to put in our QuickBooks system. The amount of data that they assess we would have is so minuscule they said it's going to be less than that. Probably five \$7 month range. Okay, well, then what I'll ask is if Town Council will take a look at this, review it if we could come to conclusion, I'd like to do a contingency motion, that if we find that this meets our needs, Town Council doesn't find any complications or contraindications for any of the other proposals that we would move forward with authorizing a payment to the developer retaining this having it flipped over on to AWS for us and switching out the old town website to the new one, which would be in the sum of \$3,000.

Councilmember Cundick moved to pay the developer and authorize the developer to exchange the Leedstown.org website to the new website, flipping it over to AWS contingent on no reason for a different action by Town Council. Councilmember Wilson 2nd the motion.

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	_____	_____	_____

9. Discussion Items:

a. Presentation from Michelle Poet Regarding Citizen Concern about Zions Landing Resort and Toquerville ARC Sports Complex

Mayor Hoster: And Michelle Poet is here to present a PowerPoint. While she's getting prepared, I will turn off our lights.

Councilmember Hunsaker: I want to make it clear this is a private citizen that is making this presentation. That it was not sponsored by the town.

Mayor Hoster: Okay, before we get things started, I do want to make a call to order that there aren't going to be any opportunity for asking Michelle Poet questions until the end and if Town Council feels that the question is out of order. It will be noted, and the question will be removed. As Councilwoman Hunsaker pointed out, Michelle Poet does not represent the Town of Leeds. She approached the town to present some research she was able to compile and therefore it was it was brought before the Town Council. Go ahead Michelle.

PowerPoint Presentation

Michelle Poet conclusion: I'm asking the communities both of both Leeds and Toquerville, Toquerville would not allow me to present this but given the high risk to both of our communities. I asked that you appoint an investigator to look into Frank Tussiaina and his relationship with Mike Morley as part of our project sponsorship due diligence, also asking that Tocqueville or whoever annexes the private land should require the developers to be bonded to guard against financial risk to the city or town and cover any damages and lawsuits for mismanaged projects. I also ask that the overseeing municipal jurisdiction implement zoning restrictions to prevent abuse of federal lands should that go through, but also protecting our water resources and maintain the quality of life or for us.

May I ask if there are any questions?

Citizen: Have you presented this to Toquerville?

Michelle Poet: I was not allowed to, but I gave the handouts to the Council last week and I wanted to say I really appreciate the folks from Toquerville who are here.

b. Main Street Project Update from Karl Rasmussen

Mayor Hoster: The next item is the Main Street project update from Karl Rasmussen. This will also be out of order. As Karl Rasmussen was not able to attend tonight. We do anticipate information from him. After this week with regard to the floods, zoning, modification legal agreements.

10. Citizen Comments:

Mayor Hoster: This closes the discussion items and at this time we will allow citizen comments again says and comments are asked to be pertinent left to three minutes per person and processes to please come up to the podium and state your name clearly, clearly for the record.

Alan Cohn: Just want to say without mentioning names, specifically that I understand that there are certain parties, maybe in Toquerville that have some vested interests in that project, which we'll just leave it at that.

Tina Dryoff: Did any of the Town Council know about this information? Has the Town Council looked into this project and development?

Mayor Hoster: I'll go ahead and answer that. So no, the Town Council was not privy to this information. And our investigation has been with other authorities within the county.

Rhonda McLaughlin: My question is to Michelle, what did Toquerville give you as an excuse not present this?

Michelle Poet: I was not given a specific reason. I was told the mayor would not approve my presentation one. And then I was also told that I was not allowed to give a public comment as a nonresident, which was not in the bylaws. So, I did anyways, they gave me the city manager gave me a number of reasons why should not speak including that the developer should be president before I bring up any information that it was, they tried to downplay the significance of the BLM land memorandum of understanding, saying that they didn't really intend to work with the developers. But what I underscored at the Toquerville City Council Meeting as by signing that memorandum of understanding and proceeding and green lighting every step of the way, it then gave them momentum to present to investors that you know, this was happening and then get the investment money for the resort purchase.

Rhonda McLaughlin: Okay, thank you. I appreciate all the time you have put in.

Anita Deblinger: I just wanted to know how all of you felt about this. If it's okay, for you to answer. I think she did a spectacular job. She spent a lot of time on this. It shows something very negative going on in these communities. And I wanted to know if you had an opinion on what was going on.

Councilmember Hunsaker: I know for me that I would like to fact check. I need the time to look that over and verify it before I make any opinion. I think that's only fair, but the amount of work you put into this and giving the public record court cases as you did keeping your opinion out is really helped and now, I'm going to go down the list. I really appreciate the work you put into it.

Councilmember Wilson: I both items are new to me, obviously it's new to all of us. So, I appreciate this presentation. I can't say that I formed an opinion positively one way or the other exactly, but it's great to get all this information out there, talk about it, discuss it, and see what's best.

Mayor Hoster: What I will state is that one, Citizen Comment periods are not for a Q&A. Second, that I think the information that's been presented here is a lot of homework that Michelle has done voluntarily. I think he made more than I do on this one. But the effort is very appreciated. We're certainly considerate of all the dynamics that are that are shifting and moving with regard to Toquerville's actions as well as Leeds. I can assure you that we are in dialogue with Toquerville, I have met with their mayor several times, discussed elements that are not confidential, but are of concerns of some of these components, as well as the impact on both communities. We spoke with Ash Creek, Washington County Public Health District, we have spoken with the Washington County Water Conservancy, and we have a meeting with the BLM. All of this, unfortunately, is we don't have staff to go out and kind of research these things for us. And so, as we as we receive this information, and as parlayed into the community to therefore, make assessments of how they want us to move on these things. My opinion doesn't matter, ma'am. I represent this Town and what they want is my role. As we have identified, a lot of these things are up in the air and moving constantly and until we have direction for the town to make motions of which they'd like to do, then we really have no decisions to make. But this information has been extremely helpful.

Anita Deblinger: Thank you.

Mayor Hoster: Yes, ma'am.

Councilmember Cundick: Well, I would echo what the mayor said. I think it's important for us to understand that we as a Town Council can't do all the due diligence work that needs to be done. We don't have the resources or the time or the focus for it. And so, we really depend on the input from citizens or anybody else that has input. And as long as that input, as was tonight, as long as that input is from public sources, so that we're not getting people in here who were prejudiced for a particular side or particular cause, then we welcome it. Obviously, there are other people who would have a different take on this and have their own ideas of what they want to do. But by sticking to public records, those records may

or not be true, but they're public. And so, we'd like to have them and any other due diligence that is done by the public, we would like to receive and so we appreciate that. And obviously we're we got it. We're new at the end this particular project, we're just find out about it. But I think I would call this a pretty substantial red flag to look at.

Mayor Hoster: Yes, ma'am. Welcome.

Kathy Benson: Yay. I appreciate what Michelle presented. And I just thought I'd add that one of the comments I made in our last meeting was that there was a Master Plan done five years ago and Toquerville. And the results of that showed that the residents five years ago did not want development. There were percentages of 72% saying we're happy to go out of town to go to the grocery store. They didn't want anything. So, things may have changed five years a lot can happen. But the last Master Plan said they didn't want development. And that was the majority way majority was saying that. So, it's very puzzling how it's just this feeling of everybody saying, well, we can't help it. It's happening. But it seems like somebody can help it if it's happening. If nobody wants it, then I would think someone needs to speak up and I don't know if it's our city council, which seems to be doing nothing or if it's you guys. I think the thing is if the people in the community don't want it, why are we doing this? Thank you.

Commissioner Hadley: Whether the development goes through or not, are you still going to annex that 200 acres?

Mayor Hoster: The 200 acres that are in question are in the General Plan for annexation by Leeds and are being pursued as such, no matter what happens to that project.

Citizen: Then if Toquerville didn't want a lot of development, how come they getting 4000 homes put in? Question.

Angela Rohr: I've had the opportunity to spend some time with this. When I was first seeing it, I saw the map of where the projects are. And that man lied to us on that first meeting and giving us a huge spiel, saying that it was 600 acres of BLM land. And then there was 200 acres, that would be your resort. And that thing, there was horse property. That was going to be a buffer zone, basically, between Leeds and the project. And it's right up next to our border, according to this map.

Michelle Poet: Can I clarify on that? So, there is actually a total of 600-acre parcel, and I put the dotted lines, because I didn't have the child parcel map. They only purchased 200 of the 600-acre parcel. So that's not representative in size, it was just kind of to show approximately where it was, but I didn't have a child map.

Bill McLaughlin: I did a little research myself. And it was really questionable when they said they were going to have the charter school. I don't know if you're all aware of St. George, or Washington has the Academy. And they have struggled to

stay open under the guidelines of the state. They have a hard time getting 300 students. Frank brought up 700 students for their academy up here. And it's just not feasible. So, thank you, Michelle, for all the work. And I just hope Toquerville opens their eyes a little more, and the citizens speak up. Thank you.

Anita Eaton, I happen to live in Toquerville. I find it very interesting the comment where you said that Toquerville would not let you speak. I've been in meetings here in Leeds, and I was requested not to speak. May I say one, one project that was here in Leeds that is probably a black eye on the city or the town of Leeds, and that is the Grapevine Wash project. I sat here many, many months being the only individual in this room, aside from those at the table and the attorney listening to what was going on. Now, why would I do that? Because I own property that was adjacent to, next, neighboring that project. I think that to call, to badmouth either community is not a favorable thing. I also think it is inappropriate to expect one community to let another community know what projects they have on their docket. I'm not saying that there needs to be any secrets but I'm just saying that for the City of Toquerville or Springdale, or, or Hurricane or Ivan's to make a trumpet announcement and to show up in every single community and say, oh, by the way, we're putting in a subdivision, we're doing a road, we're building something, we have somebody who's approached us, that is erroneous. That is incorrect. And the reason I'm here tonight is because I saw it on your public notice, which I have been watching for the last nine or 10 years of every notice that comes through, for Leeds. I watch Toquerville, I watch Hurricane I watch a number of them, and I choose to show up and listen to hear what happens. So, for those residents of Leeds or Silver Reef or their surrounding community to expect an adjacent community to come into your community and present. You are, you are living a pipe dream. If you want to know what's happening in other communities, then you by all means can subscribe, should subscribe, and should go to those other communities and listen and be being a listening ear. That's all I have. Thanks.

Cynthia Neubauer: Leeds. In response to, thank you for your comment. When Frank first hang to the working meeting and propose the project, he specifically stated that Toquerville told him to keep it under wraps, and not discuss it with the Leeds community. So, it is from Frank's on month that the project was not to come to the Leeds community.

Julianne Bruley: I have a question for Michelle. Do you know what this 200 acres sold for?

Michelle Poet: Were you going to say something?

Mayor Hoster: It is public record. Go ahead.

Michelle Poet: I do not know actually.

Julianne Bruley: Another Question. The BLM has or has not sold this land to Toquerville.

Michelle Poet: No. So, that goes through this this R&PP process. So, the application has been submitted. And then the next phase, if they approve it to proceed is called public scoping, which means they're going to put a public announcement saying, this is what the project is proposed. Here's how we're going to go about doing an assessment to determine whether it should move forward. They have to do environmental assessment on these areas, etc. Then there's a public comment period, and then once that's greenlit it would go to the environmental assessment phase. They will do all of the endangered species, assessments, etc., then if that's approved, then they would greenlight the project.

Julianne Bruley: Okay, so then this announcement would be on the BLM website.

Michelle Poet: Hypothetically, yes. So, we've been in touch with the BLM to make sure that it gets reported on the planning website. And as soon as I see it or hear any updates, I'm happy to inform the citizens of Leeds and Toquerville.

Mayor Hoster: Any other further comments? Okay, very good. We're going to go ahead and close public comment session at this time. In closing, I'm going to make the comment that it settled a little wrong with me, I want to make sure. There is no pitting one community bad or good. We are very cordial with the community of Toquerville, and they're our neighbors. And we want to be good neighbors to them as much as I know they want to be good neighbors to us. I'd like to just express I've had wonderful conversations with their mayor, who has been very willing to work with me and we're all striving to make sure that no developers try to come in and pit us against each other. That is of the up most concern for us as government leaders that we do not get played against each other and side doesn't know. We all did it when we were kids with their mom and dad, right? So, we're trying to make sure that that doesn't occur with any developer, whether it's Frank, Tom, or Jerry. We are in good conversation and communication. I want to assure that those attending and for the public record, that all efforts are trying, as much as possible to be exerted in and making sure that both communities are well protected with the spirits in which they intend to exist. With that, I'm going to go ahead and adjourn tonight's meeting. And thank you everyone for your attendance and comments. And Michelle, thank you for your work.

13. Adjournment

Approved this 27 Day of April, 2022.

Stephen Wilson, Mayor Pro-Tem

ATTEST:

Aseneth Steed, Clerk/Recorder