

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, January 11, 2023

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, January 11, 2023, at 7:00 pm. The Town Council will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

Regular Meeting 7:00pm


1. Call to Order/Roll Call
2. Invocation
3. Pledge of Allegiance
4. Declaration of Abstentions or Conflicts
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting Minutes of December 14, 2022
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
 - a. Leeds Business Licenses renewal deadline February 1, 2023.
 - b. Completion of New Flagpole
 - c. Leeds Entrepreneur Training course to be held on alternate Wednesdays 4 - 5:00pm at Townhall
7. Public Hearings:
 - a. Ordinance 2023-01 Transient Room Tax
8. Action Items:
 - a. (Re)appointment of Leeds Representative to Solid Waste District
 - b. Arbor Day proclamation
 - c. Discussion possible action regarding Ordinance 2023-01 Transient Room Tax
 - d. Discussion possible action regarding Conditional Use Permit for Bed & Breakfast at 480 N. Main
Brian Hansen
9. Discussion Items:
 - a. Discussion regarding contacting Washington County Election 2024
 - b. 2023 Washington County Fair participation
10. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
11. Staff Reports:
12. Closed Meeting- A Closed Meeting may be held for any item identified under Utah Code section 52-4-205.
13. Adjournment

The Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 879-2447 at least 24 hours prior to the meeting.

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

Certificate of Posting.

The undersigned Clerk/Recorder does hereby certify that the above notice was posted January 09, 2023 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.**


Aseneth Steed, Clerk/Recorder

Town of Leeds

Town Council Meeting for Wednesday, January 11, 2023

Regular Meeting 7 PM

Call to Order/Roll Call: 7:00

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: KOHL FURLEY	<u>X</u>	<u> </u>

Town Planner Scott Messel present.
Invocation: Councilmember Cundick
Pledge of Allegiance: Councilmember Stirling
Declaration of Abstentions or Conflicts: None

Approval of Consent Agenda and Minutes Tonight's Agenda

Councilmember Stirling moved to approve tonight's agenda of January 11, 2023.
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: KOHL FURLEY	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Town Council Meeting Minutes of December 14, 2022

Councilmember Wilson moved to approve meeting minutes of December 14, 2022.
Seconded by Councilmember Cundick. 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: KOHL FURLEY	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Citizen Comments:

My name is Mary Ann Hansen. I'm an attorney. And I live in Orem. I made the long trip down here tonight. So, I can talk for three minutes on behalf of Lana Riddle and advocate her position.

Mayor Hoster: You should be familiar with the fact we can't discuss anything on this agenda, which that is a relevant point on this agenda tonight.

Mary Ann Hansen: Okay, so are we talking about the Hansen's conditional use application?

Mayor Hoster: Correct.

Mary Ann Hansen: I believe it is a violation.

Mayor Hoster: Ma'am. Are you discussing anything on this public agenda?

Mary Ann Hansen: Yes.

Mayor Hoster: You're not allowed to do that as public comments.

Mary Ann Hansen: I guess I'm at a loss as to what you mean public comment.

Mayor Hoster: You're in a public comment section of this agenda right now. Not allowed to discuss anything on this agenda. Do you have the ability for three minutes of public comment?

Mary Ann Hansen: Okay. I hope. So, I guess I'm at a total loss. I've been to hundreds of these up in Utah County, I've never been prohibited.

Mayor Hoster: Ma'am, you should know as an attorney that this is a this is an agenda that was posted 24 hours for this meeting. Anything outside of this would require a public hearing for debate for anyone to have the opposition comment of what you would want to stay. So, you are not allowed to speak of anything that's on this agenda at this meeting.

Mary Ann Hansen: Okay, well, then I guess I have nothing to say. I'm wondering what public comment even is not allowed to talk.

Mayor Hoster: You're not allowed to discuss anything that is on this agenda, ma'am. In public comment. We have any other public comments.

Angela Rohr: Since this is the first council meeting of the year, I have a topic and it is about the January 1, 1862, where Lincoln signed the Emancipation Proclamation and spend hundreds 100 days getting prepared for how he was going to do it and if he was going to do it and dealing with the opposition. So, this was January 1. And he had been at a New Year's Day reception shaking hundreds of hands. And his hands were still shaking as he tried to sign the proclamation. He said that never in my life have I felt more certain that I was doing the right thing in signing this paper. And what it said was that on the first day of January in the year of our Lord 1863 60 All persons held as slaves within any state or designated part of a state the people thereof shall be in rebellion against the United States shall be henceforward and forever free. And I think this is one of the most wonderful things that any President has done throughout our grand country. And looking at our situation today, I hope that none of us become slaves to the government.

Announcements:

- a. Leeds Business Licenses renewal deadline February 1, 2023

Mayor Hoster: All businesses that conduct any commerce within the boundaries of Leeds are required to have a business license.

- b. Completion of New Flagpole

Mayor Hoster: If you had the opportunity to notice a new flagpole has been placed in front of Leeds Town Hall. That was done at the contributions of several citizens, Chris Stuttered and Jim Mayor were the contributors of that flagpole, which we are grateful.

- c. Leeds Entrepreneur Training course to be held on alternate Wednesdays 4 - 5:00pm at Townhall

Mayor Hoster: An Entrepreneur Training Course, to be held on alternate Wednesdays from four to five at town hall. It starts on January 25th. It is for Leeds participants between the ages of eight to 18. But if you're close, I'd love to have you. I'll be one of the instructors. We also have several community leaders that will be involved. Commissioner. Adam Snow will be a part of that and we also have some business leaders from St. George, that'll be also participating in that.

7. Public Hearings:

- a. Ordinance 2023-01 Transient Room Tax

Councilmember Cundick moved to open the public Hearing. Councilmember Stirling seconded the motion. Motion to 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: KOLE FURLEY	X			

Mayor Hoster: Town of Leeds, Transient room tax imposing a transient room tax in the Town of Leeds, on the occupancy of a space in a hotel, motel, Inn, bed and breakfast, vacation rental or similar place of temporary lodging, whether food drink or other amenities are provided. The purpose of this public hearing is to receive public input on the proposed ordinance which would impose a transient room tax on the occupancy of transient rooms in the town of Leeds, the tax would be in the amount of 1% (The full amount allowable by law) the rent charged for the occupancy of each room. This complies with state code. I have a clarification from the state tax distribution. If anyone wishes to approach the podium and make known their public opinion during this public hearing, they're able to do so again, please approach the podium state your full name and please limit your time to about three minutes. Counsel, you're also welcome to provide any input on this on this notice as well.

Councilmember Wilson: Is this something that was just requested we do this or how did it come about?

Mayor Hoster: For clarification on the TRT, the transient room tax, For the town of Leeds to conduct or receive the transient room tax, it's required that we notify the state. To do that, we must have an ordinance that that regulates what the TRT would be how much we want to collect from that. And then this would be processed through any organization that does have any of the following commerce activities of hotel, motel, inn, bed and breakfast, vacation rental or similar place that they would be charged 1% of the rental fee, which could be collected at that time or quarterly or annually. But we have to advise the state that we want to participate in that going forward.

Angela Rohr: I think this is very appropriate. That's something that should have been happening a long time ago.

Brian Hansen, Just a couple of quick numbers, and I shared them with Planning Commission, the city of La Verkin collects over \$18,000 a month. It goes down in the wintertime, maybe in October was \$4,000 a month. And I don't know if there's any way we could get some of that back from the past. But I also understand you can apply for an extra, I think up to three quarter of a percent with some special ordinances on top of the main ordinance. So, you might want to investigate that. But it's a great source of income, because it's just sitting there. And somebody that has short term rentals, and RV parks, that kind of thing. They pay it. I mean, it goes in, I don't know where that money's gone. But it'd be nice to see we get some of that.

Mayor Hoster: Thank you. for that. I'll add a clarification that the Utah State code does, specifically note transient room tax can be imposed by the county, city, etc., to rent temporary lodging for stays of less than 30 consecutive days. So that's how this would be assessed, but I just wanted to add some clarification that I didn't provide earlier. Are there any other comments for the public hearing portion?

Councilmember Wilson: So, do our RV parks fall into that as long as they're 30 days?

Mayor Hoster: They should be? They would? Yeah.

Councilmember Stirling: I wonder on this ordinance, when it says the municipalities impose a tax and not to exceed 1% on charges for tourist home hotel, motel or trailer court accommodations. If we should name it something more than trailer court because there's a lot of other things that are being rented right now, besides trailers in this day and age. We add a catch all phrase. Services that are regularly rented for less than 30 consecutive days, but it says service is not necessarily any accommodation, because it spells it out home Hotel Motel or trailer court.

Councilmember Cundick: I think this is a catch all phrase here," or similar place of temporary lodging".

Scott Messel: That temporary lodging is kind of an umbrella, you could see something like “temporary housing” accommodations, or lodging 30 days or less as defined in state code.

Mayor Hoster: It could be a tent like this glamping thing, right? That's a good point. Thank you for that. Temporary lodging would need to be added to the whereas. And yeah, that's good catch. So, what yeah, we'll include that. So, before we add those, I see a couple of other things that we might need to add to the clerk first, some simple fixes I'm looking at.

Councilmember Stirling: The public hearing description is adequate, but the ordinance that was written doesn't have that included in it.

Mayor Hoster: And be it noted that those dollars are received for the General Fund, which I think is brought noted earlier, that could be a substantial amount that other cities have been able to realize to help with other expenses in the city.

Councilmember Stirling: Well, the unfortunate thing is in Section 5 it says the use of tax shall be used by the municipality for the promotion and development of tourism not the general fund. I think we need to add that general municipal purposes and then also in section 1 we need to strike out in order to fund the promotion and development of tourism. Is that allowable to do Scott?

Scott Messel: Yes, it is my understanding the funds can go toward general fund use. It's not limited to or designed for tourism promotion.

Mayor Hoster: asked for a motion to close the public hearing. Councilmember Stirling made the motion. Councilmember Wilson seconded the motion. Motion to 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: KOLE FURLEY	X	_____	_____	_____

8. Action Items:

a. (Re)appointment of Leeds Representative to Solid Waste District

Mayor Hoster asked for a motion for the reappointment for Councilmember Cundick to be the representative to the Washington County Solid Waste District board. Councilmember Furley made the motion for approval. Councilmember Wilson seconded the motion. Motion to 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: KOLE FURLEY	X	_____	_____	_____

b. Arbor Day proclamation

Mayor Hoster read the Arbor Day Proclamation and asked for a motion to approve. Councilmember Cundick moved and councilmember Furley seconded. Motion to 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: KOLE FURLEY	X	_____	_____	_____

d. Discussion possible action regarding Ordinance 2023-01 Transient Room Tax

Mayor Hoster said if there was not anymore discussion, he would call for a motion regarding Ordinance 2023-01.

Councilmember Stirling: In the first part, I put, replicate A.. but I think we need to go into a little bit more detail on the transient room description because it says transient room means a room or space in a hotel, motel and Bed and Breakfast, vacation rental or other similar place in temporary lodging, whether or not food drink or other amenities are provided. I think it needs to be included "in which payment is made", because otherwise, I have a ton of people that are temporarily lodging all the time at my house. So, in this definition, I would have to be taxed all the time. That's just a question. And then the only other thing too is in section one, If we cross out "in order to fund the promotion, development of tourism" and on Section five. Cross out the "promotion and development of tourism" as well and then I don't have any other problems.

Mayor Hoster: It's very fair. The tax is 1% of the amount charged. If there is no charge, there would be no applicable tax. What the motion would need to be is: Approval of Ordinance 2023-01. With the modifications noted in Section 1. to remove "in order to fund the promotion and development of tourism" and a Section 5. the same. In the motion

would be to state the need to add temporary lodging in the description and remove “promotion and development of tourism” in sections 1 and 5.

Councilmember Stirling moved to approve Ordinance number 2023-01 With the changes of: first paragraph, replicating A for the definition. In Section 1 omit “in order to fund the promotion and development of tourism”, and in section five also omit “the promotion and development of tourism”. Councilmember Wilson Seconded the motion. Motion to 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: KOLE FURLEY	X	_____	_____	_____

Councilmember Wilson asked if people will be notified. Scott Messel clarified the notification was included in the permitting application.

- a. Discussion possible action regarding Conditional Use Permit for Bed & Breakfast at 480 N. Main, Brian Hansen

Mayor Hoster: This is an item that I've had to do a little bit of research on. I did dial in to the Planning Commission discussion before this was raised to Town Council when a public hearing did occur or rather public comment was made by both the applicant and neighbors and before us we have the minutes from that Planning Commission findings. If you weren't able to attend, you've got diagrams from aerials. You've also got written description. Just for the audience to understand that council is going to take a moment to review the documentation before us. So, there will be a moment of uncomfortable silence, we will allow for some dialogue to occur.

We can also have further commentary from the applicant and from a participant that is not a property owner. However, she states that she has an interest in the property owners Trust, which is unqualifying, but they've asked that a statement is read, which I don't have any objection too.

Scott Messel: The Planning Commission was requested by the applicant to review the request for a bed and breakfast. It was properly noticed and scheduled for last week's meeting. A bed and breakfast are a permitted use under our home occupation residential zones. The home occupations are classified as different categories and they're handled as a conditional use. State code says that a conditional use when being reviewed, even if it is the legislative body that is reviewing it is still an administrative decision, and that no public hearing is required. In the last Planning Commission meeting we did take comments from members of the audience and neighbors and the applicant. You can see here, the parcel bits highlighted and red it is the applicant's property. Coming from Main Street down to the property, there is an access easement to the property. In many ways,

it functions as a flag lot, although typically with the flag lot, the access to the property is part of the property rather than just an easement over neighbor's property. But this was classified as a flag lot prior to the new interpretation of it, and now, the latest town code is that we flag lots are not permitted ones that are in existence are grandfathered in, but you can't create new one. The Planning Commission wanted the applicant to go into detail about the number of people that would be staying in the bed and breakfast and the area percent of the home that would be used for the bed and breakfast. The applicant submitted this floorplan showing the 1200 square foot portion of the basement that would be used as the sleeping quarters for those staying at the bed and breakfast. This is an existing home. See, I'll go down right there. Here's the access to the property through that easement. There's a picture of the home zoomed in a little bit. This is a little bit older picture from two or three years ago. You can see the access to where the designated parking for the guests would be. There was some discussion about what was in the appropriate number of individuals that could stay there. There were concerns addressed about the health department. The septic's size is calibrated by the number of bedrooms is far as how they come up with the size. The Planning Commission felt that the number of occupants or guests should fit in the bedrooms. After reviewing what the applicant submitted, they made a motion to move the conditional use to Town Council for approval.

Councilmember Stirling: Well, the parcel ID did not change. So that's not actually warranted. They just bought f and I did my research quite extensively on this, they bought other land, which does not mean that it changes the parcel ID in question.

Scott Messel: no, I'm not talking about the parcel ID, the number can stay the same. But when parcel is grandfathered in the parcel and the use. If there are changes made to it by state code, it can lose the nonconforming or grandfathered in status. Since the town doesn't allow flag lots anymore. It could be argued that by changing it, the town couldn't agree to having changes made to the flag lot because then it wouldn't be grandfathered in because our code currently doesn't allow.

Mayor Hoster: So, Scott, is the conditional use altering the use then of that property? As described for access of this easement. I guess is my question.

Scott Messel: In my professional opinion is that it does not because it was approved as a residentially zoned parcel, and home occupations are allowed in residential zoned parcels. Anything that is a home occupation could be permitted on residential.

Councilmen Cundick: I guess my question is whether the intent of outlining the flag lots was to make sure that those properties that were in flag lots were only used for residential and not for anything beyond residential. And it seems to me that that's an issue. I don't know. I don't know the answer.

Councilmember Stirling: I'm going to read from the "Bible" of ground rules. It says the decision as to whether the US is appropriate in the zoned area and has already been made by the municipal council or county legislative body. When an application is filed for the permit, the time has passed to determine whether the proposed conditional use is

appropriate in that zone. If the use can be conditioned in a manner that mitigates the negative aspects of the use, then it must be so conditioned to approve the conditions need only mitigate those negative aspects. So, I guess I'm asking what are the negative aspects then?

Scott Messel: The negative things or the things you should look at would be possible concerns about traffic noise, disruption to the residential neighborhood? That doesn't mean when in the state code when it says that the municipality should mitigate any conditional or any concerns about a proposed conditional use doesn't mean that it makes it go away. So, you couldn't come in and say, well, traffic's an issue. So, no traffic can come here. And that that's the only way you could approve it. That's not the case.

Councilmember Cundick: let me ask you this. Do we have Do we have any other flag lots that have business licenses?

Scott Messel: Off the top of my head? I do not know, but I don't think we have very many flag lots in town at all.

Councilmember Stirling: The other thing I wanted to share with my research on this is that there was case law Davis County versus Clearfield city that says, basically, Davis county proposed using remodeled home as a center for the treatment of those suffering from substance abuse. and they denied it and they took it to court said in stating that the denial was arbitrary, capricious and illegal. The Court of Appeals stated that nowhere in the transcripts is there believable information or evidence on which the Clearfield City Council could have rationally believed that the proposed mental health facility would pose any special threat to Clearfield City's legitimate interest. And so, it continues on it says the denial of a permit is arbitrary when the reasons are without sufficient factual basis, the consent of neighboring landowners may not be made and criterion for the issuance or denial of a conditional use permit. The opposition of neighbors is not one of the considerations to be considered when determining whether to issue a development permit. Local government must rely on facts and not mere emotion or local opinion in deciding. If you intend to deny a conditional use application, make sure that you have evidence to support that you cannot mitigate the significant anticipated detrimental effects. And so, in reading this again, my question, I guess, for the applicant, if we'd like to talk to the applicant. In following the ground rules, do you see any negative aspects that you can't mitigate? And if you do see negative aspects, what are those that you are going to mitigate?

Brian Hansen: I think one of the challenges that our neighbors have this traffic. It is all the people coming up and down that road. And I believe this will cut down on the traffic significantly. If it doesn't, I will shut it down. I'll turn in my alternative My Bed Breakfast application.

Last night, my son I had to go down to church for an activity and he was late. So, I drove and came back, and he drove and came back sort of four trips up and down that road. I believe the bed and breakfast you'll probably have maximum four trips a day, you'll go Zion's and come back, you go out to eat and you'll come back. I rent it to a family in that

home. The last five, six months, they had four cars and five when the dad was there, they saw pine nuts. How many trips up and down that road you think they had every day? I mean, if you have an active family, I've got six kids. I mean I'm constantly up and down. I road. I had the family that rent the other house next to me had two kids in school, they would walk out the road, walk back there would walk up, I mean, two different bus routes. So, I think it will cut down a lot on the traffic. And I know that's one of the big concerns is the amount of traffic going up and down that road. Noise.

Mayor Hoster: Does that expand the use of the easement?

Voice: Yes, it Does!

Mayor Hoster: Ma'am, please, please don't.

Voice: May I get an opportunity to speak?

Mayor Hoster: Yes, ma'am. You will have an opportunity. Please don't be out of order. Thank you. Scott, please answer.

Scott Messel: As Danielle read the, the town has already made the decision as to what is a home occupation in a residential zone. And it has not called out whether it's on a flag lot. But that all of those uses that are listed as home occupations are appropriate in a residential zone. I'll use an example a little bit easier than this one. For instance, like someone doing swim lessons at a pool in their backyard, or daycare, a preschool, there may be hours of the day, that there might be parents coming and dropping off their kids and leaving, but the rest of the day other than the time the classes where it would, there wouldn't be much of an issue. Some jurisdictions on something like swim lessons would say, okay, because of concerns about the number of kids that are swimming in the parents blocking neighbor's driveways or the streets narrow would require that like we had one in the county where the owners had a big enough drive driveway that was one of those loop driveways or circular driveways. So, they were able to stage all of the parents picking up their kids on their own property and off the road. And that was how the county mitigated the conditional use for the business license for the swim class.

Mayor Hoster: In your opinion, it does not expand the easement.

Lana Riddle: Twenty something years ago, when Mr. Walton made that easement, it had one purpose. That easement was made to get to a residentially zoned area. Mr. Walton had only one purpose and that was to get the easement to go back to what was one of Brian's houses now. Okay. So since then, it's now twenty some years later, I'm 82. I feel never has there been a problem with Brian's family. He's raised his family there. Hasn't been a problem. But now I have a collection of schoolchildren that gather in front of my gate every school morning. And I have cars that line my fence with their children in. That's a concern to me now that my easement that was meant for residential is now going to be commercial. Number one at 82 and alone, I recently lost my husband, I don't feel secure that I have strangers in my yard. If there's mitigation and let's say there is, then is it only

that I don't have any mitigation. The thing that about this situation I was not contacted, notified, informed that the town was deciding concerning my easement. I was not notified. I drove against by doctor's orders here because I found out from a neighbor. My property was being disgust. This man tells me they're really property rights are vague. I don't believe that's true. I don't believe property rights are vague. So that then one of the councilmen said to me, which I found offensive, that my concern with that easement is that I don't like Brian. That was uncalled for. He, that Councilman later came down after the vote was taken and apologized to be for what he had said, to me, it was sexist. It was elder abuse. Because he's, he said, You're against this, because you don't like Brian. Had nothing to do with that. I have a private, you could see on the sheet, little house, I've had for 20 some years, and I have loved it. Now, that little house, with school children standing in my driveway is now going to be commercial. And, and I object to that. I feel that then if that's if that's the mitigation, I will pay, I will sell my right of way for \$50,000. to Brian. And if he fences all of his yard, because I have people in my yard all the time. That's my concern is that A, the fact that I was not even contacted or notified, this action was taking place regarding my property. And this man tells me, property rights are just vague and don't have much value. I was never, and I still, I was not notified ever. This is the third time in these 20 years that this Bed and Breakfast has come up. And it has been denied. So, I don't have a problem with Brian's family never have had, he has a great family. I have a problem with people in my backyard, I have a problem now that I must worry about school children standing in my driveway, to catch the bus several times during the day. I have a problem that I live alone now. And I don't want strangers in my backyard. And I think those are legitimate concerns that have been completely overlooked. From my point of view, including from this man who told me property rights are vague. They really don't have any value. We you didn't need to notify me that you are deliberating over what to do with my property. And it will end there.

Mayor Hoster: A couple of things. The procedure for this action is that the town has two different committees, if you will, we have the city council. And we also have the Planning Commission. I understand that your reference, if I understand correctly, you're referencing the Planning Commission session they discussed about your property. Scott, if I understand correctly, public notice was given for the discussion. There's no public hearing required for that.

Scott Messel: Right. There is no public hearing or requirement by the state that says that she must be notified.

Mayor Hoster: Now, ma'am, I just want to make sure you understand that's just one phase of a conditional use permit. Property rights are very important everywhere. That one phase enables that political body to assess everything and then to the best of their knowledge and perspective they decide if they believe that it can come to us, the city council. Now before it comes to the city council. We also must give public notice, but it's not in a public hearing. This is not a public hearing action because it doesn't modify an ordinance. It's not a tax. It is it is a land use, which does require us to give public notice of it being on the agenda. And so, I just want to make sure am I missing anything here on

the law with that because I want to make sure you understand no intent was made to disregard your property rights.

In all the other processes that we've done this bed and breakfast routine now three times 2013, 2019, Prior to that, then I was noticed. I did not know about it. I only found out now because the neighbor got word of it. And so, then I drove down here. I came, I came down, because I had no idea what was happening.

Mayor Hoster: I can imagine that would be frustrating. It's very understandable if something that's on your property you, wanting to be notified. The town is required by law to make sure that we, we publish this agenda in the public paper here at townhall and we also have it on the state website, we also have it on the town's website, and then we post it over at the post office. But in circumstances like this, we don't send out individual letters to any adjacent properties on like we would be doing with a property realignment or, or some sort of a public hearing. And so I want to just make sure that you know that there was no intent to try and violate your rights.

Lana Riddle: Just before I left, I had to go to North for this specialist. Three-month recovery. I told them that I was going up there to have surgery, then I find out that my easement, my privacy, my fence, all of that is been discussed. And I don't know. I haven't a clue.

Mayor Hoster: I understand. Well, I'm very glad you're here because it does matter to everyone who is associated and affiliated with this. However, I'd like to also point out that no matter what the opinion is of this council, it will not be based on anecdotal or neighborly preferences and things of that nature, which were noted by Councilman Stirling with regard to the landlord minutes Bible that we all kind of share. I'm glad you're here, though, because it's very important from all sides and we rely heavily on our expert, the town planner, on these matters as well. And so, thank you for your comments.

Lana Riddle: I guess as an 82-year-old woman, alone now, I see the world a different place. And my privacy, and my safety is critical to me now. And hopefully, people would understand how that feels, not to have a commercial entity at the very base of your property.

Mayor Hoster: I understand, ma'am. Thank you for sharing that with us. And I think it's very important for the council to hear that.

Lana Riddle voiced her concern for the safety of the children and parents at the bus stop by her fence. She feels protective.

Mayor Hoster: I think it needs to be clarified. Scott, would you clarify with us? We're not changing this from residential to commercial.

Scott Messel: That is correct. It is a home occupation, home based business in a residentially zoned area on a residentially zoned property and so the use is not changing to commercial. The primary use of the home is still residential.

My name is Mary Ann Hansen. I'm an attorney and I live up north. (Letter from Kimberly Cook)

Sir, Leeds Mayor and Leeds Town Council,

I am sending this letter regarding Item 8. Action item. Discussion and possible action for Conditional Use Application, Brian Hansen.

I am Kimberly Cook; I am Lana Riddle's daughter, and I am part of her Trust. I cannot attend the meeting tonight but wanting to have this letter read. I need to have this read by those acting before the meeting. It contains pertinent information. I will be attending via Zoom.

1. Notice. We were not told by Leeds that it is not required that anyone be notified in writing about any of these meetings concerning this application. This is an easement over private property, and you are not required to notice even the property owner? I would ask that this matter be brought to the attention of your town attorney.

2. Due process. Lana Riddle has not had due process of law in this matter. According to ombudsman this action has not even been noticed according to law. This is not a simple matter of Brian having his own easement. It's an easement that is owned by someone else.

3. Easement Expansion. That conditional use permit expands the right over the easement. This easement was established in 1953 for the purpose of easement for a flag lot for one residential property. Then again in 2001, the property was subdivided again by Brian Hansen. This easement now serves as an easement for two flag lots on residential properties. This is an easement for residential use.

Councilmember Stirling: She said the easement was established in 1953. It says 1993 Just to make sure for the record, okay, thank you. Go ahead with your comments.

Mary Ann Hansen: I am kind of perplexed. I have a statute right here. It's Utah Code. I can pass these along to people out there. I'm kind of confused as to why this is not required.

Scott Messel: This involves a notice for a public hearing not a public town meeting.

Mary Ann Hansen: And public meetings?

Scott Messel: The town met the requirements for the public meeting and Conditional Use Application does not require a public hearing.

Mary Ann Hansen: Okay. I'm not an expert on this, but it talks about each notice of public hearing shall be mailed to each affected entity.

Scott Messel: This isn't a public hearing, though. It's a public meeting. There's a difference between a public hearing and a public meeting.

Mary Ann Hansen: Okay. I stand corrected. This is not my expertise. I've been to lots of these meetings, but not on this thing. I think the primary concern here is that home

businesses are allowed, however, the application of Mr. Hansen is expanding the use of his easement. I think that's the primary concern here. Originally, the easement that was granted to his property was for residential use. Now suddenly, he's expanding the use of that. There's clear Utah case law that prohibits somebody from expanding the use and scope of an easement. I think it's abundantly clear that if his application is adopted, that it will be violating Mrs. Riddle's property rights because the easement is expanded. There's clear law that says you can't exceed the scope of the easement.

Earlier on, they were talking about two parking spaces. I don't think that's even possible. This is Leeds. People come to Leeds with trailers, toys, toy trailers. All these things. They don't come down in just little cars. Where's all that? There are the two parking spaces. It is not going to be sufficient. I don't think there's any way that Mr. Hansen can comply with that two parking spaces limit. Is he going to tell everybody who wants to come down here for recreation, Because this is why you come to Leeds. I come down here all the time and it's to recreate and I bring my toys and my trailers. Where's that going to be? So, this just isn't as simple as Grandma and Grandpa driving down in their little Volkswagen, they're going to be quiet. There's been lots of problems on Mrs. Riddle's easement in the past of ATVs going up and down the driveway fast. Because people are on vacation, they show up and what are they going to do? The kids need to stay close to the property and they're going to be zooming up and down that road. It really is expanding the use of her easement. It's her property rights. The case was clear that you're not to expand the use of an easement. When that easement was originally established just for residential purposes. I understand it's still going to be classified as residential, but it's not. It's for commercial use. People come on vacation, and they act crazy and they're going to be violating her expanded the easement.

Councilmember Stirling: Do you have a copy of that easement by chance?

Mary Ann Hansen: I do not.

Hello, my name is Megan Stead, I am Brian Hansen's daughter, thank you for letting me speak even though it's not a public hearing. I just wanted it known that the only reason that Lana knew is because my mother called her. My mom called her before any of this happened to let her know. I know that there was a public notice and she could have seen it online. She could see the newspaper, she could have seen it in the post office, but she doesn't spend much time at the house. So, my mom called her to make sure that she knew.

Lana Riddle: That is not correct, and I want Shelly to tell me that she called me.

Voice: she texted you.

Lana Riddle: That is not true at all.

Megan Stead: Sorry, she texted. My bad. So, I guess it was written.

Lana Riddle: I have the text if anyone wants to read the text that I got from Brain. I was not contacted by anyone.

Mayor Hoster: Notice is irrelevant currently.

Megan Stead: Also, I just wanted to note that the use of the easement is not expanding, because the use of the easement is simply to access the homes. It's not changing. The homes are still going to be accessed. The easement is not really changing. It's not expanding. If anything, that's shrinking, because there's going to be less cars. We have lots and lots and lots of properties you can see there, there's plenty of room to park ATVs or park a trailer, my dad has a ginormous backhoe that drives all around that yard. If that changes anything, there's plenty of room for people to park their toy haulers if needed. I just wanted to note that. Thank you.

Mayor Hoster: So, I think the only thing that really kind of befuddled me a little bit is just the expansion of use. And I just want to make sure that I'm understanding that crystal clear because I'm I think slower than the rest of this council. And so, I just need to understand, really, you know, are we expanding the use of that, of that easement under its description. Do we have the description of that easement as it was recorded with the county?

Lana Riddle: It says that if it's expanded beyond what the intent was.

Mayor Hoster: That's why we need to see what the record is.

Scott Messel: One of the things, and I was misquoted earlier on saying that land use is vague. It is not vague, but easements often are. That's one of the challenges with them. I believe that the last meeting, we had a copy of the easment if I remember, right. There was someone here sitting next to you who had it. Was it your son? I don't know his relationship to you. There was a guy there.

Lana Riddle: You really are mistaken; I do not have a son.

Scott Messel: I don't know his relation. There was a guy there. I was trying to be helpful. I don't know her relation to that man.

Lana Riddle: He was here to help me in the building.

Scott Messel: The list of allowable home occupations has already been established by the town, and Bed and Breakfast is permitted in a residential zone. The easement just said access. It didn't really go into much detail. If I remember, I could be wrong if it had more detail, but the width of the easement isn't changing. The legal description of it isn't changing.

Councilmember Stirling: I'm going to go ahead and jump in here. First, Mrs. Riddle, I understand that you have a concern about the school bus. I'd like to validate that. Would

you like the town to contact the Washington County School District and see if we can move that for you? Would that be advantageous for you?

Lana Riddle: No Ma'am. I believe that the priority here would be the safety of the children. And I don't, okay, I'm not suggesting that those children or the buses need moved.

Councilmember Stirling: Okay, I wanted to make sure. I totally understand your concern. I wanted to validate your concern on that.

Then the second thing is, I'm going to read this, again. If you intend to deny a conditional use application, make sure that you have evidence to support that you cannot mitigate the significant anticipated detrimental effects. So, what I've heard tonight is that the negative aspects are noise, parking, strangers, and not enough parking. I believe that the applicant could potentially mitigate the noise. The parking, when I did the research on it, I came up with Hansen's had about seven acres of continuous property. So, I think not enough parking, they could potentially park over here if they wanted to. And it's still provided us with the original property. The strangers, I believe that the applicant is responsible enough that we would not have evidence to support that he could not mitigate the significant anticipated detrimental effects of that, because there's just not the evidence to show. I'm only going off what I did my research on. I'm not using any opinion whatsoever. It's just what is in this book. So if we are talking about negative aspects, I can't find anything that can't be mitigated.

Councilmember Cundick: I'd like to make comment them. To me, the issue isn't the noise or the traffic or, or the lack of notice. Those kinds of things. The issue is whether the easement is being expanded or not. That to me is the issue. To me, and the only issue really is that I'm concerned with and I'm not to say the other things aren't concerns. But to me, the only issue for this particular application is whether there's been an expansion of the unlawful expansion of the right of way. And I don't know if our attorney has had a chance to look at that or at all or not. I don't sense any activity that can't be mitigated as far as the actual use by people. I think that's well under control. But whether there's a right to do that. I am concerned about that. I really think, all though I hate to get attorney involved in this I think Probably we need to ask him to review that to see if in his legal opinion there an expansion has been or not the right of way. That's kind of where I am on it.

Councilmember Wilson: To listen to you, I understand your concern, particularly the one of not knowing who's back there. You've known Hansen's for a long time. I've known them the whole time they're here. And I really believe in communicating, they're not going to let people come they're going to be a problem. Of course, that's debatable, I guess. So, I appreciate your concern there. I really do. The thing I want to point out too, though, is you're concerned about expanding the easement. And your property right wasn't used there. I think there's probably two sides to that, too. They have an easement that gives them the opportunity to have an access to their property back there. Well, it is a residential property and under our code, at least in my view, it allows for these things to take place in a residential property. So I'm not sure even expanding the easement, in my mind anyway, is that big of an issue, because they have their right as a residential property as

well, which these fallen? I'm not saying it shouldn't be checked by an attorney. Maybe so but I think there's hope there, and I don't see anything that couldn't be mitigated either. You seem like a reasonable person Hansen's I know are reasonable I know them better than I know you. I've only met you once or twice here. That's where I'm at. I agree that I don't see anything that could have been mitigated.

Lana Riddle: Perhaps there are things also that we're not bringing up tonight. Like people land in this beautiful orchard and they start picking fruit. Two neighbors tonight have told me that doesn't work when people are roaming around in there making a basket of fruit, whatever. And, and that's, that's life. So perhaps Brian as part of his mitigation is he could even fence his yard away from all of us. Because it's open, it's all open.

Mayor Hoster: Miss Riddle, If I were to maybe give some further clarification and ask Mr. Messel to help me with this a conditional permit can be revoked by the city at any time. And if we did find that there were circumstances even beyond what you described, this isn't a permanent change regarding that. I want to maybe get further explanation from Mr. Messel who is our professional on this and who we pay to provide the outline of these laws for us. But just for understanding, if Mr. Hansen were to receive a conditional use permit, it's not a permanent thing. It's something that can be revoked by the city at any time.

Lana Riddle: And Councilman that came up afterwards. It was apologetic for how he reacted or said or whatever he said, he told me that as well. And this is what I said to him. I'm not sure. I want to be reduced to counting the cars that go into Brian's driveway. Right and struggling. I don't I think that's taking it to a level that's just. I understand I have that right.

Mayor Hoster: Yes, ma'am. I just want to give clarification, because, again, I'm the densest one on this panel. And I get to I have to get taught these things too. So, I rely on these guys to help me understand what's what on these decisions. So Council, it seems that this currently, you know, we have before us an action item to discuss the possible action regarding a conditional use permit for a bed and breakfast at 40, north main residence of Mr. Brian Hansen. We've heard excellent information. Given the ability to review this circumstance, we have several options that we can make at this time. We can make a motion to approve it, we can make a motion to deny it. We can also make a motion to seek further counsel from our or legal counsel to identify, indeed, if there is an expansion or we can also make it conditional. And so just because we've got some newer people on the council, I just wanted to point those things out. And I'll leave it up to the council to either identify if we need to have further discussion, or if we're able to make a motion.

Councilmember Cundick asked Scott Messel to weigh in with a professional's opinion if approving the conditional use application would be considered expanding the easement. Scott said in his experience that it doesn't expand that use. He recommended if the traffic was an issue that it could be mitigated by restricting the number of guest the applicant could accommodate.

Councilmember Stirling moved to approve the Conditional Use Permit Application for a Bed and Breakfast at 40 North Main, Brain Hansen. Councilmember Wilson Seconded the motion. Motion to 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: KOLE FURLEY	X	_____	_____	_____

Mayor Hoster: Thank you. I invited James to join us. He didn't know that we were having a Town Council meeting tonight. I did have a meeting with him about their anticipation of purchasing that property called The Grapevine Wash. I met with him and his brother several months ago, and multiple meetings about what they had intended to do out there working with the current owners, for the time being, and I've been just really pleased with the dialogue and the acceptance of what is the town want has been the dialogue. Then, they were apprised by prior Councilwoman Hunsaker of the history which they didn't have any idea. They looked at a lot of those things. I know that the history is thick for that Grapevine wash area. I wanted to allow Mr. Monson to put a face with the place and to allow the Town Council and citizens to identify who we're dealing with, property owners. He is looking to work with the town and whatever developments they're trying to work with. I want you to know that we have the full respect of that. So, thank you for joining us tonight.

Discussion Items:

a. Discussion regarding contacting Washington County for Election 2024
 I'm going to ask that we just strike this. I played phone tag with the county election contact person, Melanie, and she called me as I was pulling into Town Council tonight to get further information. Again, this is a discussion item about does the town of Leeds contract with the county or do we go with third party vendor on election processes. And so, I don't know anything about this, other than the fact that they have made it known they will not change any of their processes, machines, or any means and ways of which they do their elections. So, I can't answer to anybody's questions about what Another alternative would be if we needed one. But in my understanding and years, many years past, we have done just this had a contract with the Washington County to conduct our elections. And so, if anyone else would like to have, you know, questions that I can ask the, the county, about on this, please, you know, surface them at this time, I'll write them down. I do have a call scheduled with Hertel at one o'clock tomorrow. And I am hopeful that we can have more information but any questions.

b. 2023 Washington County Fair participation
 Kurt Ivey, Council member for Washington County has provided a letter to myself in the city in the Town Council, and I will read it.

It's my privilege to reach out to you as an elected liaison serving the Washington County Fair Board. It's just over 100 days to the 2023 Fair. The Fair begins on April 14 and runs through April 22. This year's spotlight city is beautiful Santa Clara. The theme this year is "If I can dream". It is the goal of the Fair Board to have every town and city represented at the fair with a display that represents your city's attributes historical uniqueness, or some other defining characteristic that identifies you from other cities in the county. Traditionally, each city and town has created a seed picture for the Washington County Fair. However, other ways to display are welcome. Each community will be provided with the same area to decorate a 10X10-foot area. If you're creating a seed display, please transport the final project to the county fair by Thursday, April the sixth from twelve to four. If you're doing another display, perhaps a historical display of your city or town, maybe a Then and Now picture scene or something educational, please decorate and set up your display by Tuesday, April 11. In the harmony building located at Washington, county Legacy Park and Hurricane. Please RSVP by April 3 so proper accommodations can be made. Like each of you my heart swells with pride as our community comes together to celebrate each other, our history, and to plan, with some hometown excitement and fun. Look forward to seeing you at the Fair!

Kurt Ivie, Washington County Fair Board.

This discussion item is for the town of Leeds to participate in the county fair for 2023. Any thoughts anybody wants to do it not want to do it? It seems like a good opportunity and something we should participate in. We'd have to obviously identify a board of some sort or counsel of some sort to facilitate this, as described.

Councilmember Stirling: I'm wondering if the entrepreneurial kids might want to do something like this to further Well, further their expertise in this as well as get to know a lot of the people in the county, because they'll be able to meet quite a few of the Washington County Fair Board which are predominant people as well.

Mayor Hoster: So that's a great idea. Yeah. We don't have to decide tonight on this. We have to RSVP by April 3. So, we are in a discussion. I think it's something to give some consideration to, I think it'd be advantageous if we did it. I love that concept of maybe, you know, bringing it up to the entrepreneurial kids. We don't have a big turnout on that yet. I think we have four kids that are attending that. So hopefully we get some more.

Citizen Comments: item.

Angela Rohr: On this county election stuff, is that for just the municipal In other words, what our town when we have our elections just for our town people,

Mayor Hoster: yes, we must contract and pay for that.

Angela Rohr: I remember there was one year where we didn't have a board that was the one did it was because it was the only people that signed up for it. Oh, yeah, I didn't say this \$2,500. But that was some time ago, I'm sure it was a lot more expensive now.

The county fair. I worked with it. I can't remember when, some long time ago, and it was a seed project, and it was wonderful. It did not win. Um, but it was certainly the best one there. It would take somebody who's very creative, and the person doing it that I was just helping with, was that kind of person.

Staff Reports:

Angela Rohr: The biggest thing coming up is February 7, the MPO, which is the municipal planning organization, and it deals with the roads all over the municipal area, not the whole county, though. And this is something that is done every year. It is a big event. It's a way to understand where we are going with our roads. In the county. It is not just individual towns. UDOT is also very involved with it. I don't have the times yet. We didn't meet this month. I will put it on the post office board. The times in the past it started like at 9am and went through six. I never went any later than that. But it might be extending late.

Scott Messel: Its usually full the whole time. It's very popular. It's at the Dixie center.

Councilmember Stirling: The first staff report I have is on roads and streets. I got a call from Don Fossen, who requested that we implement our ordinances, the specifications of roads as like Boulder Way. It has a concrete frame asphalt and then another three-foot concrete frame. He said it keeps the asphalt in good repair. And because we are in the beginning of having quite a few developments come in. He requested we have Planning Commission include that in our ordinances because it is a really good idea. I think Boulder Way is probably one of the best roads that has stayed and maintained well, since it was made. I also contacted Hurricane Valley Special Service District to review Col-da-sac on Silver Reef Dr. Kohl Farley was nice enough to be able to implement that we just wanted to make sure that we didn't have a complaint, we want to make sure that that was looked into. And then I also wanted to just say that with the particulars of the Planning Commission, I wanted to tell the Planning Commission, how much I appreciated all the work that they went into this on the short-term rental. I think it was it was very well thought out. The only thing that I think that we need to talk about with the Planning Commission is their recommendations probably need to go into like a carte blanche on short term rentals instead of just one individual having to have their septic checked, which is what they wanted in the conditional use for them. So anyway, I just think we need to have that investigated Planning Commission for across the board not just one applicant. And that's it. Thank you.

Councilmember Cundick: The solid waste council has approved about a \$9 million loan at about 2% With CIB, to upgrade the facilities out there and there'll be more details later, but they're going to be got to make another cell. The one they have right now this is filled up. They can't make any higher or do much more with it. So, they've got to have another cell. And so, they're going to have another cell and they're going to move the scales on their location when they do all this. So that's all in the next couple of years. We'll be doing it. But the funding has been approved now for a \$9 million loan.


Councilmember Furley: At this point, were at 124 calls for service this year. We did not meet the 5,000-call mark that we had anticipated. But that can change rapidly with the amount of people that you know, obviously traveling to our area. We are in the process of taking delivery for a new fire engine that was purchased and built by the Pierce manufacturing company, it will be demoed at the Utah Fire and Rescue Academy, which will be held next week at the Greater Zion Welcome Center. We're really excited for that. It's going to help replace some of our outdated equipment. And by allowing them to demo, it gives us a discount in the build process that will be rotated into service just as quickly as we get it outfitted with equipment. And we're really excited to have that.

Mayor Hoster: Thank you. Appreciate that. I'll go ahead and get my report here. Did have the mayor's meeting yesterday, when we talked about some of the concerns of the water, the Department of Interior has demanded from the state of Utah and more specifically the southern basin area that they reduce their pull from the Virgin by almost 1/3. This is not a done deal. They're pushing back in for an appeal. But that's a significant move that could have significant negative impact on the area. So that was disclosed yesterday. And I've got a meeting with the director over there next week. Roads in the area of Leeds. We didn't do any road improvements last year, because prices were through the roof. And so, we're in dialogue. Right now, we're trying to piggyback with some neighboring municipalities to try and mitigate those costs and also start to target the roads that need the most improvement. As Danielle brought up maybe improving the way that we do, those will be advantageous before we start to call for bid. So, I'm hopeful we can do that. But we are prioritizing roads that will have repairs done on them for 2023. We can start to leap into that we have all the funding available, and we have seen the prices start to come back down.

Development updates, the Zions Landing, has paused their application for annexation. And my understanding is that has been discussed with working with county to facilitate what they're looking to do. I'll be in dialogue with the management of that development as well as Scott Messel to identify the best pathways to move forward. And, the Wright's have paused their annexation. This does seem to be temporary by both parties, and we're hopeful that resolution can be expedited to assist them in their in their process. So just an update on those things. And again, I want to you know, emphasize that we're so grateful for all the people who've been stepped up and helped in the in the community with all the events that we have going on. We are just Mayberry here, essentially. And we've got such a need for volunteers to come in. I really wish to express also my gratitude to the Planning Commission and all the efforts that they plan in and attendance Mis Rohr, I appreciate your help. And certainly, the city council and all members who give gratuitously of their time and Ken, I'm so glad you're here and all the efforts that you've given us as well. So, ladies and gentlemen, with that, we'll go ahead and ask for a motion to adjourn.

Adjournment: 8:45pm

Approved this twenty-fifth day of January 2023.



Bill Hoster, Mayor

ATTEST:



Aseneth Steed, Clerk/Recorder