

Town of Leeds

Town Council Meeting for Wednesday, December 13, 2023

Regular Meeting 7 PM

1. Call to Order/Roll Call: 7:02

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

2. Invocation: Stephen Wilson

3. Pledge of Allegiance:

4. Declaration of Abstentions or Conflicts: Kohl Furley indicated a conflict of interest related to Action Item e, as they are employed with the Hurricane Valley Fire Special Services District.

5. Approval of Agenda and Minutes Tonight's Agenda

a. Approval of Agenda of December 13, 2023

Councilmember Stirling moved to approve tonight's agenda. Second by Councilmember Wilson.

Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
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>

b. Approval of meeting minutes of November 8, 2023

Councilmember Wilson moved to approve meeting minutes of November 8, 2023. 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: KOHL FURLEY	X	_____	_____	_____

6. Citizen Comments:

Mayor Hoster clarified the purpose of the citizen comments portion, emphasizing its intent to allow community members to voice concerns or discuss relevant matters. He highlighted the limitations regarding action items, as discussing those without opposing parties present could require a public hearing, for which no prior notice had been given. They invited individuals interested in making public comments to approach the podium, stating their full names for the record, and aiming for three-minute remarks.

Julieann Bruley: "I just have some questions. Could you provide an update regarding the pump station that Washington Water District proposed to install at the south end of town? Then we were hanging Christmas lights up here, and I noticed there was no paint left on the handicap handrails coming into the town hall. Also, I noticed the garbage cans were full. I am just wondering, and I know from the store, we cannot offer public restrooms. So, I send people down here, and then I get comments that the public restrooms are not being maintained. So, I am just wondering, who is in charge of maintaining these things? Additionally, I am wondering about a survey we had, it was last year, that the entire town participated in. I am just wondering if the council ever refers back to the desires expressed in that survey. I know I took a lot of time and attention to fill that out, and I am sure many others in the town did the same. So, I am just wondering if that survey is ever reviewed and looked at. Thank you for your time."

Councilmember Stirling addressed Juley Buley's comment. She expressed a lack of knowledge regarding the pump station, highlighting it as a question they share and intend to address. She reflected that the purpose of the survey was integrated into the Town General Plan, acknowledging a potential gap between community desires and the rights of landowners. Stirling stressed the importance of responsible growth, recognizing that while landowners have the right to use their land, the council's role is not to dictate land use but to listen to landowners' intentions and incorporate them into General Plans guidelines. She emphasized the need for a balanced approach that respects landowners' rights while aligning with community charm.

Bruley: "Personally, if something ever happens to that little pink horse on Main Street, I'll really miss seeing it. I'm not sure who owns it, but that feeling of driving through Main Street and experiencing what makes living here special, I hope that remains unchanged."

Mayor Hoster clarified that the survey findings were integrated into the general plan, which the council had voted on. He highlighted the council's commitment to components consistent with this plan. Regarding the public works officer, Mayor Hoster said, "We're implementing changes this week because the upkeep has not met our standards. Thank you for raising these concerns; others have also brought this to my attention. The pump station is not currently on our agenda, but I will share what information we have. The Washington Water Conservancy holds eminent domain authority over the property, but they have engaged with the town to discuss their plans instead of immediately exercising that power. They have proposed distinct options for the property, seeking input and feedback from the town. While nothing is finalized, it appears a pump station is likely, and its final design will depend on the town's collaboration and suggestions. With continued cooperation, I am optimistic for a positive outcome."

Councilmember Furley inquired about the approval process for designs related to the pump station. Scott Messel, the Town Planner, explained that these designs first go to the Planning Commission, with the council then voting on approved designs for final authorization. Messel also discussed upcoming state-level changes affecting land use application approvals, indicating a shift in the decision-making process towards the Planning Commission or a designated land use authority.

Doris McNally suggested a procedural improvement during meetings, noting occasional disconnects between the Town Council and the Planning Department's awareness of each other's actions. She proposed allocating time on the agenda for representatives from both groups to provide regular reports at every meeting, aiming to enhance transparency and understanding of the processes for the townspeople. Mayor Hoster pointed to Scott Messel, indicating him as the potential individual for this role. McNally emphasized the importance of formal reporting to mitigate frustration and enhance transparency. She recommended brief recaps from both groups, fostering better communication and understanding within the community.

Mayor Hoster acknowledged the distinction between two different benches—Planning focusing as land use authority and Town Council on ordinances. He mentioned Scott's role in bridging both benches by attending and providing context for votes or situations in the planning commission. Mayor Hoster appreciated the comments made and Scott Messel committed to making improvements. After checking for additional comments, they

concluded the citizen comments section and announced the transition to the announcements segment of the meeting.

7. Announcements:

The first announcement tonight, though not on the agenda, is a heartfelt expression of gratitude towards Council Member Stephen Wilson, as it marks his last night serving on the Leeds Town Council. Mayor Hoster acknowledged Wilson's dedication over the past four years, praising his outstanding service to the town. While recognizing Wilson's decision not to continue due to personal commitments, Mayor Hoster commended his efforts, acknowledging the sacrifices made in balancing volunteer work, family, and other responsibilities. Everyone extended sincere thanks and applause for Wilson's valuable contributions to the community.

- a. Dumpster Days, December 15, 16, & 17, 2023 Dumpsters will be located on Cherry Lane

The next announcement is regarding Dumpster Days, scheduled for December 15th, 16th, and 17th. The dumpsters will be placed on Cherry Lane, but it is important not to dispose of hazardous materials there. For any queries on proper handling, individuals are encouraged to reach out to the town hall. Someone suggests a helpful tip regarding appliances. Both the landfill and a local organization will remove appliances for free upon scheduling, saving residents money and effort. Mayor Hoster acknowledges the significance of this information, especially concerning the limited space in dumpsters.

- b. Annual Wreaths Across America tribute set for December 16th, Sponsor a Veteran

Moving on, Wreaths Across America will have a ceremony at 10 am on December 16th at all three town cemeteries—the LDS, Protestant, and Catholic ones in Silver Reef. Donations are welcomed to support the wreaths' expenses.

- c. Christmas tree Lighting event, Held Friday, December 16, 2023, at 6:00-7:30pm at Town Hall

This is being facilitated by the Events committee in association with religious organizations in the town. It is anticipated to be held on a Friday, December the 15th 2023, from six to 7:30pm at town hall. I am not sure what the agenda is going to be for that. But last year, it was cold, but there was an amazing turnout, and we had a lot

of fun. And so, I hope we can get a good turnout again, Susan savage read to us some history of the town of Leeds, and it was it was really an impressive event.

- d. Steering Meeting to Launch Spotlight City project at Townhall January 9th 4:30pm

The announcements include Leeds being selected as the Spotlight City for the upcoming county fair in the summer. Councilmember Cundick will oversee a steering committee for this event, and Alan Roberts will participate. A meeting on January 9th at 4:30 pm will initiate the planning process, aiming to gather ideas and volunteers.

- e. Dog and Cat Vaccination Clinic, Saturday, January 5, 2023, 1-2PM with Dr. Bice

A dog and cat vaccination clinic by Dr. Bryce Bice is scheduled for January 5th from 1 to 2 pm, aiming to increase pet registration for better community support.

- f. Business Licenses expire on December 30, 2023, Safety inspection is mandatory for renewal.

Business licenses expiring on December 30th, 2023, require safety inspections for renewal, conducted by the Hurricane Valley Fire District for \$75. Home businesses, like bed and breakfasts, might also need these inspections, which can be scheduled through the district's website or by contacting the Townhall.

8. Public Hearings:

- a. Declare a parcel of land as surplus, this portion being the land gap of the east side of Leeds LDS Cemetery, adjacent to the Property, on the southern border.

Councilmember Stirling made a motion to open the Public Hearing to Declare a parcel of land as surplus, this portion being the land gap of the east side of Leeds LDS Cemetery, adjacent to the Property, on the southern border. Councilmember Wilson seconded 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: KOHL FURLEY	X	_____	_____	_____

Public Hearing is regarding a parcel of land next to the Leeds LDS cemetery.

Councilmember Stirling opened by explaining the town asked Karl Rasmussen to survey the property. He found a parcel on the east and south side where the property description was not correct. The property description was also incorrect for the other adjacent landowner. Along Cemetery Road, UDOT gave us a sliver of property on the left side of the cemetery. She referred to where the map juts in and said, Leeds owns it all the way ten feet from the road and down. We are able to have a little bit more land. Lorrie Hunsaker was instrumental in speaking to UDOT and coordinating that. What UDOT inevitably did was give that land to the county and then the County Quit claimed it to Leeds and that is why there are three Documents.

Mayor Hoster verified the parcel survey revealed inaccuracies in the property descriptions, leading to the discovery of additional land adjacent to Cemetery Road, acquired through cooperation with UDOT and the county.

Councilmember Stirling acknowledges the complexity of the documents, clarified by the survey that uncovered discrepancies in the property descriptions and the acquisition of additional land through UDOT's cooperation. After understanding these aspects, the council proceeds to close the public hearing.

Councilmember Cundick motioned to close the Public Hearing seconded 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: KOHL FURLEY	X	_____	_____	_____

9. Action Items:

- a. Discussion and potential action of Resolution 2023-04, Cemetery Gap

Councilmember Stirling identified that inaccuracies in the property descriptions on the east and south sides were Discovered. They elaborated on UDOT's contribution, granting a portion of land near Cemetery Road, extending ten feet from the roadside. This acquisition was made possible through Lorrie Hunsaker's efforts in communication and coordination with UDOT. Eventually, UDOT transferred the land to the county, which then

officially transferred ownership to the town, resulting in the presentation of three related documents. This Resolution authorizes Mayor Hoster to sign the documents representing the town so they can be recorded with the County Recorder’s office.

Councilmember Stirling made a motion to approve Resolution 2023-04, Cemetery Gap. Councilmember Wilson seconded the motion. Motion passed in a roll call vote:

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
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>

b. Discussion and potential Action on Ordinance 2023-04 Meeting Calendar

Councilmember Furley made a motion to accept Ordinance 2023-04, 2024 Meeting Calendar. Councilmember Wilson seconded the motion. Motion passed in a roll call vote:

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
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>

c. Action regarding applicants’ withdrawal of Disconnect Request, parcel number L-3181 for Barbara and Craig Rental

Scott Messel addressed the request for disconnecting a piece of land from the town's jurisdiction. He clarified that the red-shaped parcel, currently within the unincorporated county, was the subject of the disconnect application. After feedback from the Planning Commission, which was against the disconnect, the applicants decided to withdraw their request. Messel proposed acknowledging this withdrawal formally, ensuring a clear record of the decision, as it is good practice for future reference.

Councilmember Stirling sought clarification on the location of the parcels, which resulted in a correction indicating that the orange witch's hat-shaped piece was in the unincorporated area, while the other was in Leeds. Upon understanding this, a motion

was proposed and seconded to accept the withdrawal of the request. With no further discussion, a roll call vote was called for to conclude the matter.

Councilmember Cundick made a motion to accept the applicants' withdrawal of Disconnect Request, parcel number L-3181 for Barbara and Craig Rental. Councilmember Stirling seconded the motion.

Motion passe 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: KOHL FURLEY	X	_____	_____	_____

d. Discussion and Potential Action o Extension of Silver Eagle Estates Subdivision

Steve Laski represented the Silver Eagle Estates developers. There was a review of the progress made in resolving water and development agreement issues. Laski updated the council on where they were waiting for final approval from the state on a combined wastewater system. The council delved into details, discussing past approvals, changes to the plat, and the time frame for extensions outlined in town ordinances. There is discussion on the specifics of the extension and the limitations outlined in the town's ordinances as it is all agreed it is definitely essential to follow the rules while also accommodating the applicant's circumstances.

They discussed potential interpretations of the ordinance and ultimately agreed on a 12-month extension with a requirement for the applicant to provide an update within six months. There was also some discussion about what happens if they fail to provide that update within the stipulated time limit and the consequences for not meeting that requirement. It is a tricky balance to navigate between following regulations and being flexible enough to accommodate the unique circumstances of individual cases.

They debated the nuances of the town ordinances, past extensions, and potential repercussions if the applicant failed to comply within the given time limit. The discussion aimed to balance the need for progress with adherence to the town's regulations. The council ultimately decided to extend it but with a conditional check-in within six months to monitor progress.

Councilmember Cundick moved grant a 12-month extension with a six month follow up by the applicant. Councilmember Stirling seconded the motion.

Motion passed in a roll call vote:

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
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>

e. Discussion and potential action regarding Leeds HVFSSD Fire board member

This agenda item involved appointing a representative from the town council to the Hurricane Valley Fire Special Service District board, a position that expires every two years. Mayor Hoster is the current representative and is the HVFSSD board chair.

Mayor Hoster nominates himself for reappointment. Councilmember Cundick seconded to the nomination. Motion passes in a roll call vote:

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
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>

f. Action of Conditional Use Permit application, B&B at 281 N Boulder Way, Ruthann Beardsley

Scott Messel mentioned the absence of Ruth Ann Beardsley, the applicant, and the reported the Planning Commission recommended approval. He provided an update on the review conducted by the Planning Commission regarding the proposed bed and breakfast. The Commission discussed concerns related to parking, noise, and access, as these aspects must be addressed to mitigate any negative impact on the surrounding neighborhood. Scott emphasized that while the town code permits a bed and breakfast with conditions, addressing these concerns is critical for the Town Council to feel comfortable with the proposal.

Following this update, a neighbor, Lewis Merrill, expressed concerns about potential noise disturbances and an increase in unknown visitors and parking issues if the bed and breakfast were approved. He mentioned past incidents involving noise from parties at the location, highlighting his worry about it turning into a regular occurrence if the proposal went through but mentioned not filing any sheriff reports.

Another neighbor, Gwen Mosher, echoed these concerns, mentioning disruptions caused by noise and expressing that a bed and breakfast would not align with the neighborhood's peaceful atmosphere.

When questioned, Merrill indicated that both the property owners and their guests contributed to the noise issues, citing an instance where numerous cars were parked in front of the property late at night. Mosher confirmed experiencing disruptions due to late-night music but mentioned not filing any sheriff reports.

The concerns voiced by the neighbors centered around the potential for increased noise and disturbances if the bed and breakfast were approved, highlighting a desire to maintain the tranquil nature of their neighborhood.

During the meeting, Steve Van Arnam from Boulder Way referred to the Vista View Estates' CC&Rs (Covenants, Conditions, and Restrictions), emphasizing their aim to maintain the property for residential purposes and prevent commercial activities or nuisances. He stressed that the community moved there expecting a peaceful residential area and expressed concern about potential speculative investment and short-term rentals impacting the neighborhood adversely.

Mayor Hoster sought clarification if this was within an HOA, and Steve mentioned it has CC&Rs with details available. The council requested a copy for review.

Laura Mirable, a resident near the property in question, echoed similar sentiments, emphasizing the safety and peaceful nature of their community. She cited concerns about potential disturbances from loud music and unknown guests if the property was used for nightly rentals.

Mike Webb, residing across the street, shared concerns about enforcing residency requirements for rental properties and questioned the potential impact of increased traffic and large families staying in the area. He recalled previous discussions implying that the property owner needed to be present during rentals.

The discussion delved into the specifics of the CC&Rs, including occupancy requirements and restrictions on commercial activities. There were inquiries about specific parcels

covered by these regulations, and it was noted that certain parcels may not be part of these provisions.

The council acknowledged the complexity and potential conflict between the proposed conditional use permit and the existing CC&Rs. Given the need for more thorough review and consideration, a motion was made to table the discussion for further evaluation.

Councilmember Cundick made a motion to table the action on the conditional use permit application for the property at 281 North Boulder Way. Councilmember Stirling seconded this motion.

Motion passe in a roll call vote:

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
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>

g. Discussion and potential Action regarding quote for cypress tree at LDS Cemetery

The discussion was about the Cypress tree removal at the LDS cemetery, but thankfully, the cost has been covered by a generous community member's donation. The removal is set to commence a week from now.

10. Discussion Items: None

11. Citizen Comments:

Doris McNally voiced appreciation for the efforts of BLOOM members, Julie Burley and Larry Bruley and Kohl Furley for their work on lighting up the town hall with Christmas lights. Councilmember Furley also acknowledged Doris McNally's involvement in these efforts.

12. Staff Reports:

Councilmember Stirling opened her staff report with an introduction and acknowledgement about Doris McNally's incredible work at the cemetery, where she updated information on every marker, connected them to Find a Grave, included details about veterans, and even attached photos and scanned deeds. Council Member Stirling proposed appointing Doris McNally as the sexton of the cemeteries due to her exceptional

dedication. This role would be voluntary and there is currently no one overseeing the cemeteries. While there was some discussion about the duties and potential guidelines for a sexton, it was suggested to appoint an interim sexton before outlining specific procedures, with the intention of addressing this formally in the future.

Eventually, a motion was made to appoint Doris McNally as Sexton, seconded, and then put to a vote. Vote passed.

Council Member Stirling sought clarification from Mayor Hoster on two developments—Grapevine Wash and Silverpoint Estates—concerning the town's outlook for 2024. Regarding Grapevine Wash, Mayor Hoster indicated that the funding is expected to be finalized before 2024. Once secured, they plan to present the previously approved project to the Planning Commission without significant alterations.

Regarding Silverpoint Estates, Mayor Hoster mentioned that the subdivision had a conditional agreement between the town and the developer, which expired without an extension. As a result, the Planning Commission motioned to vacate the subdivision plat but tabled the decision pending further information. The town aims to provide additional details to the Planning Commission for reevaluation at their next meeting.

Mayor Hoster addressed ongoing administrative changes, including the search for new part-time Public Works personnel and a bookkeeper. The previous bookkeeper rescinded their position due to health reasons, prompting the reopening of the hiring process. The mayor intends to contact previous applicants and potentially repost the vacancy if needed.

13. Closed Meeting: None

Ending the updates, Mayor Hoster called for a motion to adjourn the meeting.

14. Adjournment 8:27 pm

Approved this 10th Day of January 2024.

Ron Cundick, Council Member

ATTEST:

Aseneth Steed, Clerk/Recorder