

# Town of Leeds

## Town Council Meeting for Wednesday, March 13, 2024

### Regular Meeting 7 PM

1. Call to Order/Roll Call: 7:00 PM

**ROLL CALL:**

	<u>Present</u>	<u>Absent</u>
MAYOR: BILL HOSTER	X	
COUNCILMEMBER: DANIELLE STIRLING	X	
COUNCILMEMBER: RON CUNDICK	X	
COUNCILMEMBER: BRIAN HANSEN		X
COUNCILMEMBER: KOHL FURLEY	X	
TOWN PLANNER: SCOTT MESSEL	X	

2. Invocation: Danielle Stirling

3. Pledge of Allegiance:

4. Declaration of Abstentions or Conflicts: None

5. Approval of Agenda and Minutes Tonight's Agenda

a. Approval of Agenda of March 13, 2024

Councilmember Stirling moved to approve tonight's agenda Second 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	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: BRIAN HANSEN				X
COUNCILMEMBER: KOHL FURLEY	X			

b. Approval of meeting minutes of February 28, 2024 Town Council Regular Session Minutes from the February 28, 2024 were not available due to technical issues. They will be submitted for approval at March 27, 2024 Town Council meeting.

### **Citizen Comments:**

Lisa Hepworth: I am here in regards to the hillside dig on 298 N Silver Meadows Rd. This is the second time in six months the hillside ordinance has been broken, with illegal digging into the hillside. I have spoken with the Mayor, Danny Swenson and John Hanson from Sun Rock Engineering concerning the drainage and issues this illegal hillside dig has caused. What I would like to know is what is the ramification for what has been done, and what is the town going to do to protect me as a

citizen of Leeds? I don't want to be the person responsible for the damages done to the property, by a second neighbor, who has broken the hillside ordinance. The laws in Leeds are put here for a reason, and need to be enforced, this is why we have them. I personally, two weeks into living in Leeds, my backyard and my detached garage, were completely flooded. My husband and I have spent close to \$30,000 getting retaining walls and drainage fixed. I now know that the amount of water that comes off of that hillside, is not guaranteed and neither is the safety of my home, but with what he has removed from the hill, does not guarantee anything. Nothing has been compacted. There was nothing pulled or notified through the city as far as what he's done, and some action definitely needs to be taken.

Mayor Hoster: So typically, Citizen Comments is not a dialog, it's a one-way comment section. We can, if we elect to address it. Otherwise, we would ask you come in and make an appointment to talk with somebody on the City Council. In this circumstance, I'll wait until I have the legal letter from Sunrise Engineering, of what's being done. They were given a cease and desist right away, there are legal actions that are being taken, I'm not so sure what they are at this point, I haven't received everything from Sunrise Engineering, but it does lend into further discussion that should be before the Town Council, of moving forward with an excavation permit, which the Town of Leeds does not have. We have since acquired a copy of Toquerville's permit, that we're going to review. We just got that this afternoon so we couldn't put it on the agenda.

Councilmember Stirling: We do have a grading permit. Even though we don't have an excavation permit, we do have a grading permit. Those that have been doing this, are fully aware of that.

Chuck Bentley: 1337 Silverwood Court I've had a house here since 1996. We need grading and excavation permits before anything is done. We also need that to be in conjunction with SWPPP permit which is stormwater pollution prevention. It's not only erosion, it's also airborne silt. The city doesn't incur cost with that. Only the Committee has to get the SWPPP permit to do the monitoring and to do the compliance. So the city doesn't incur out of pocket cost, most municipalities have SWPPP programs in place. The general guidelines are: more than an acre disturbed required it or if it's in the subdivision it's cumulative, if it's 10 acres and you have 30 third acre lots, you still have to get a SWPPP permit for each lot, because it's in a development that's bigger than one acre, so the cost is minimal but benefits are huge to neighbors, the city, everyone. Also, CC&Rs need to be acknowledged during the permit period, especially as far as setbacks, home size, amount of buildings. I'd like to follow up on those if I could be of any help I'd be happy to do it as a volunteer.

Rochelle Gardner: I just want to encourage all town members to take advantage of the Smithsonian Exhibit. It's eye opening, it's thought provoking, especially about our Town of Leeds. It's talking about the Crossroads and changes that are occurring and have occurred and ,make sure we think because our town is at a crossroads right now. Changes, they can change fortunes, they can affect our live, our families and it's important that we get involved. I want our City Council to know that I appreciate the times that they are going through right now because these are rough times. Things are really moving fast and big changes are coming, some good and bad and without participation from our citizens we can't complain about what happens so let's get involved let's cooperate and get a vision, and see what we can do to make our town the best it can be. Thank you for your efforts.

Mayor Hoster asked if Councilmember Cundick would give some information about the Smithsonian Exhibit.

The Smithsonian is a travelling exhibit out at the museum right now. It opened on Saturday and will be open six days a week through the 27<sup>th</sup> of April. The Museum is open from 10 to 3 each day and the exhibit opens at 11:00, until 3:00. The Smithsonian exhibit has a companion exhibit based on Leeds history located in the bank building which has just been newly renovated.

Michelle Rest: Because I live up in Silver Reef, we see a lot of pets that get dumped in the National Forest. We just had two kittens dumped out there (they have been re-homed) Perhaps we could put

something in the newsletter, just to remind people that it's very easy and painless to drop pets off at the shelter around here in the County.

### **Monthly External Reports:**

LDWA: None

HVFSSD: Report given by Mayor Hoster: The Board unanimously voted Joe Decker as Permanent Fire Chief. Joe has spent the last year serving as Interim Fire Chief. As Chair of that Board, I was pleased to promote Joe for his dedication, his involvement with House Bill 445 and his leadership within the fire department. There will be internal promotions that domino as a result of this move.

County Sheriff's Office: Nothing new is really happening. They have been monitoring Oak Grove and Silver Reef Rd for complaints of speeding by large industrial vehicles.

### **Announcements:**

Fair Committee announcement from Councilmember Cundick: Leeds has been designated as the Spotlight City for the Washington County Fair. We have to provide a float, someone to sing the National Anthem, a Grand Marshall, a nice exhibit for the fairgrounds, and information for the Fair Guide. Volunteers are needed. If you are interested, contact the Chairwoman, Ruthann Beardsley or call Town Hall to leave your contact information. We also had a Princess Pageant with five young ladies who will be honored at the March 27<sup>th</sup> Town Council Meeting as well as in the parade.

**Public Hearings:** None

**Action Items:** None

### **Discussion Items:**

#### **a) Discussion regarding Leeds zoning and aspects of implementation of SB174**

Mayor Hoster: This is a continuation from the last Town Council Meeting wherein we've identified that SB 174 removes all land authority from the elected officials, town council, to an appointed party; which can be either the planning commission or can be an individual. The elected official can facilitate zoning. Once land is zoned, anything that qualifies within that zoning is allowed to occur, The town council needs to make sure that all of our zoning ordinances are really tight before December 1<sup>st</sup>. Is there any discussion that Town Council would like to have with regard to how we proceed? We don't have the minutes from February 28<sup>th</sup> to really know where we left off, but if there's anything you'd like to add, now is the time.

Councilmember Cundick: We all understand that the Town cannot enforce CC&Rs, but when someone wants to do something to the land, we should require them to state that they have reviewed the CC&Rs and that nothing they are going to do is in violation of the CC&Rs before moving forward. This would take some of the burden off the Homeowner's.

Councilmember Stirling: SB 174 talks a lot about accessory buildings, and from what I understand, it supersedes CC&Rs. I am so frustrated with this Bill, because it's taken 100% of every citizens' rights and given them to developers. I have nothing against developers in general, but this is not right.

Councilmember Furley: At the 2-28 TC Meeting, we discussed breaking up the zoning in chunks so we can review it, it's palpable that way, so we're not taking on the whole entire thing. Is that still in discussion or what is the census on moving forward?

Mayor Hoster: I think that is the best way. We have to look at the overall zoning that exists. Our legend of zoning does not match much of the zoning in the county. We're going to need to work with

Scott to make sure that our Zoning is consistent with what the Town Council determines. Town Council is going to have to have dialog with the citizens to make sure all of this gets the way citizens really want it. As we then start to dissect it into pieces. My opinion is that the areas that are undeveloped that we really need to attack first. Those are the areas that will be managed by development.

Scott Messel: Discussion that we had at the Planning Commission level last week. I started going through definitions. We talked about better defining our terms and updating our terms. I used blacksmith as an example, we don't have too many too many blacksmiths in towns, but we do have people doing metalwork and fabrication. Addressing the citizens, Scott asked that if there are any terms you feel need to be updated or addressed, reach out to an official and help with the process of creating Draft definitions.

Councilmember Stirling: I don't understand what the point of rezoning is? Let's say we do zone residential 1 acre or residential ¼ acre lot the House bill the SB174 says that you can have up to six accessory buildings. So why are we doing the zoning inadvertently, it really doesn't matter because six accessory buildings on ¼ acre lot or 1/3 acre lot. Where is this getting us?

Mayor Hoster: Zoning is the only thing that the legislative body can control. The accessory dwelling units were an effort by the governor to address the housing crisis in the state. I agree that the efforts of our state are in conflict with the purpose of government, and I don't believe that it was a good thing. I've already voiced my opinion with the governor, but I do believe that outside of the accessory dwelling units we do have circumstances with short-term rentals we have circumstances with commercial and we have many other components of zoning that would probably need to address so point well taken I'm not sure how we can really address the accessory dwelling unit there is another zone that's going to be occurring which is going to involve manufactured housing that the governor has put down we don't fall into that right now but if our city were over 5000, we would have to have a zone for these manufactured housings that the state's going to be putting in, so we don't have to deal with those but they could come up with more and you know we don't we don't really have a say in it. We do have the ability with what we have now in the control over now to make it the most representative of our citizens, of what their requests are before the shift in December.

Councilmember Stirling: One question Scott: For the accessory dwellings, does that mean that it's all on one parcel ID? Or can the accessory dwelling be sold off individually?

Scott Messel: No, they can't be split off. It's only considered an accessory dwelling if it's on the same lot as the dwelling.

Councilmember Stirling: So basically it turns into multifamily?

Scott Messel: so pretty much every single family lot in the state of Utah can have you dwellings on it. You can have regulations that say that they can't be rented. If its owner occupied, you can rent out the accessory dwelling or vice versa, and I'll say that there's a widow or empty nesters that have a big house and they can't care for anymore or don't need all that space. They can live in their accessory dwelling and rent out the primary dwelling. But you don't want it to happen short term and we still have we still can regulate that but the fact that there are accessory dwellings we can't.

Councilmember Cundick: What does that do in the flag lots?

Scott Messel: Flag lots are still legal.

Councilmember Cundick: But they aren't under our current regulations right now.

Scott Messel: We have the term flag lot in our code and we can address it whether we're in favor or against them.

Mayor Hoster: SB74 doesn't say we have to authorize flag lots

Councilmember Cundick: but that could also be interpreted as an accessory building.

Scott Messel: It wouldn't because it's on a separate lot than the primary. Anytime the lots split off it's no longer an accessory dwelling.

Councilmember Stirling: So Kohl, are you saying that you want us to divide the town up individually between us and research which zoning would be advantageous as a whole?

Councilmember Furley: Well, we could do that or if we just say we're going to pick the Northwest, the Northeast, and we just divided into chunks, so that we know, this is our group for the next month or two months. That way, we can communicate that with the town and if people have concerns, suggestions, or ideas, we can all work together.

Councilmember Cundick: I think you get a better result if you're working at it as a council, not individually.

Councilmember Furley: I would agree.

Mayor Hoster: As it was mentioned by Scott, the definitions and legends need to be redefined and then from there I think we attack the areas that are not developed. We'll probably have the most impact and then sequentially we can subdivide the existing areas. I know there was a lot of heat before I came into office about zones, so I'd like to leave that at the end and allow us the ability to make sure the important stuff is really done first that could affect the town negatively, and then we can readdress the areas that are already zoned and you know if anybody wants to change them then we can deal with that.

*Request from Mayor Hoster to jump to Discussion item h on the agenda so our guests can speak about the Main Street Project. No objections.*

Whit: I have Steve Newby here, He's the project manager with Landmark.

Steve Newby: OK so we're Landmark Excavating. We're contracted by the Water District to replace the 24" water line. We're getting closer on the North end of town, so there will be some tight spots going through there, so that'll be closed off and on here because of swing radius, safety of the machines. We're a little slower on the South end, probably about another 3-4 weeks before we get in that section. There's going to be some crossings at times, at Vista Lane and down at the interchange offramp as well, to their proposed pumphouse when they get that ready to go. When we get into town, lanes are going to shift to the east. So we won't have traffic lights, no stopping, so you'll have a free lane going south and a free lane going north with that west side over there it's going to be kind of a little rough area. We understand that people live over there, we'll do our best to accommodate people with their services and access. If you have any questions you can always reach out to myself. My phone number is 928 792 6718. Parking lane is going to go away.

Citizen question: Are you involved with the road construction around Quail Creek? or is that a different project?

Whit: It is a different project. I am involved a little bit. Do you have specific questions?

Citizen: I was just wondering what was happening. I got caught in it today. I hadn't heard anything.

Steve Newby: it's tied into this project that we're doing here so it's the same pipeline that you were actually connect down here by Harrisburg and it's gonna enable us to bring water to several wells up in the Anderson Junction area and then our treatment plant is obviously down in the Quail Reservoir. We'll be able to move water either direction with the pipeline there,

Citizen: Do you know when that's expected to be finished?

Whit: They're trying to get that first section to the State Park done by the end of April. In time for the high peak season for the State Park.

Steve Newby: The Main Street Project is expected to be done by the end of July.

Councilmember Furley: We talked a little bit about the pump station we haven't heard or seen anything from the water district yet for their final drawing or concept of what the pump stations will look like or we need to get that at the last minute of that something we're gonna get to see?

Whit: I can check on that. I know it's not designed yet, so they don't have a final one, but I can see where that's at, and let them know you're waiting and looking for that.

Councilmember Furley: That would be good. Last time they came in to visit with us there were some things that we wanted to see different, and we never heard anything else.

Steve Newby: Just an FYI, Monday morning, the South end of the road will be closed for a couple of days because we are doing paving, to get that section done and you can't drive on it for a period of time after we asphalt.

Mayor Hoster: I have one question. Do you know, are they going to be repaving going all the way up to Babylon? Or all the way up to the Zions?

Steve Newby: No, we haven't torn any road up, going up there, but we are doing some patching this next week, on this potholes that work created and a lot of his shoulder where it's pretty rough.

Councilmember Stirling: Did the pump station actually get approved?

Mayor Hoster: No. Not yet.

### **b) Discussion about Grapevine Wash development – water, sewer, zoning**

Mayor Hoster: I did not invite the developer here intentionally. Many years ago, was a big lawsuit associated with Grapevine Wash, a lot of things that occurred with Grapevine Wash with zoning, with the amount of houses they could do, and then settlements. So I will tell you and I shared this on social media as well. I want to advise everyone that the project has been funded they are moving forward. They're looking to start turning dirt very soon, and so we're talking weeks that they want to start to do that. That being said, they have to do a lot of stuff with the Town first. So, I haven't been able to promise them any kind of a timeline. They have to go through our planning commission, they also have to go through here, and we have, no staff. So that element is being addressed with them as well to try and facilitate. Time is money, when these guys don't have anybody living in the door that they built. The other component is they are tying into the Washington Water Conservancy's water and so that water out there will all be with Washington Water Conservancy. We'll have an annexation with Washington Water Conservancy agreement that will facilitate their being able to put water within our boundaries of Leeds. That is also going to segway into their sewer of which they have identified an MOU with Ashcreek Sewer District. The Ashcreek Sewer District is going to require body politic whether it's them, or the Town of Leeds or the SSD. They are an SSD out there, so they can make these negotiations on their own. A Special Service District is an SSD. So they have the authority to go ahead and make those negotiations on their own they have instead asked us if we would prefer to be the authority for their SSD. They have the right to take it out away from us and I've said that I would present that to our town council when the time comes and we can give that consideration and not cause any problems. If the town so desires, we can also run the water company for Grapevine Wash through the town or we can let it run through the Washington Water Conservancy. Traditionally, according to Washington Water Conservancy and Grapevine Wash developers, they have identified that it's best if it does go through the town. It is some revenue for the town. Economies of scale, allows those other resources to help in other functions of the town. It's something that the town council needs to give consideration to. Same with the sewer. This also segways into the zoning issue that we're going to be dealing with as a town council on an undeveloped area. This area has currently been approved for some commercial, for some residential. They're looking to maybe switch some things around with the residential and with the commercial and also trying to they've got some considerations for a high-end restaurant to be going in out there and so all of these things I want to make sure that everyone is aware of because I don't like surprises. But, it's not a yes or no. It is something that they're coming to the table and saying "We're looking at doing these things." This isn't consideration, and so we will look at those things, we'll share with them what our current ordinances are, what the town's general plan is and then we have the dialog of well these are the things that are absolutely off the table and then they present to the Planning Commission then they present to the town council knowing those things. So it's a little bit of a procedure, where they want to try start

turning dirt right away. I don't think that's going to happen but I can't tell you that they're very anxious to get started and I do want to make sure that the town council is aware of these things as they're starting to come up. It's a hit and miss. I can tell you that the new owners of this property are not any of the old owners who are associated with the prior litigation and that they've got some international people who are associated with this as well. So council, this is just a discussion, and no action. So please feel free to pipe up and I'll share you what I know, or what I can answer. Councilmember Stirling: Have they conducted a traffic study yet?

Mayor Hoster: A traffic study has come up, and no. The idea is that they're going to have 940 rooftops out there. Given consideration of how many people live under a rooftop, it's typically 3 (it can be 5, it can be one) on the average, it's three. So, we're looking at almost 3000 people who would be moving into the Town of Leeds. Not tomorrow, but you know over maybe 10 years. So take into consideration the amount of traffic and the current construction of Leeds is that we have an entrance here we have an entrance here to I-15. Main Street is the corridor, the conduit for I-15. I have brought this up at the MPO and the executive committee meeting for the Department of Transportation. So, as a result, we've had discussions about, they have to have a traffic study to justify putting an interchange on I-15 and they don't have the traffic yet, but they've also got this really obnoxious mayor in Leeds who says, well we're not having traffic going up and down Main Street. So, they're looking at trying to preempt this by saying, hey developers, will you pay for all of the ramps? And if you'll pay for all the ramps, then we'll pay for the bridge and making it all work. If that would be the case, it would move from a 20 year forecasted project, to probably a three to five year project for the UDOT planning. This isn't the only project that's going in. We've got another project, Solara which is North. It is not in Leeds yet. This used to be Zion's Landing. They went bankrupt. It was a hard money lender, the hard money lender took the property back over. He's a very influential individual. He was in the State Senate and so he's able to make some rocks move and they are talking about trying to do eminent domain. They're trying to put a secondary access up to Silver Reef, and again that obnoxious Mayor of Leeds is saying "no no no no " So now that interchange is getting priority because of those things, and also Solara, putting in money and trying to make that interchange facilitated because that gives them their secondary access.

Councilmember Stirling: Would it be Exit 25 ? So there's 23, 24...

Mayor Hoster: Yeah, it would be right about there. Right at about that 9<sup>th</sup> North, it would have to be north of that a little bit because they have to have a thousand foot set back and so they would try to facilitate this in an engineering plan that would involve that, but right now as it stands where the frontage road is, it's not a 1000 feet from I-15 and so they would have to move it to be 1000 feet away from I-15.

Scott Messell: They're also looking, because of Fireside and Darcy Stewart's project even though it's in Toquerville, their access to the freeway into everything would come along that same route possibly through Grapevine and tying in on that 900 to a possible new interchange so there's a lot of rooftops happening around us yeah.

Mayor Hoster: It's not all happening tomorrow. I think Fireside is a 10 year project. There's also supposed to be a connection between the Babylon Road out here and the Toquerville bypass road and that is over five years out, if I'm not mistaken for that connection to occur. So, you won't see Fireside people going to St George by going up to Anderson Junction and back down. They'd be coming down Babylon Road. So, versus having them going anywhere near Leeds Proper, they would be going on that interchange and just getting on I-15. Now, I don't know what they would do with the existing interchanges. I don't know if they would close them down. My suspicion is they would definitely close this one down right here at Silver Reef probably not 22, that's been the guess. So, folks, these things, we can have them happen to us or they can happen with us. My hope is that we have a seat at the table and so we're in a position to help identify how this best fits with Leeds. They are a Special Service District, they can kind of do what they want and they have not done that.

They realize that they can do that, and they've said how can we work with Leeds? So, I anticipate you'll probably see them at the next Town Council meeting where we will invite them, we'll put them on the agenda, they'll be giving a presentation, and it is intimidating for anybody to be doing that. But, I can promise you that they are not amateurs. The person who's running this was the prior attorney who was involved in the lawsuit with the Town of Leeds, and so they're very educated on all of these things they have come in and said "look that's water under the bridge, we want to be partners with Leeds." So, I would make sure, if you have questions and you want to attack them, that you realize who and what you're talking to. We want to keep it as civil as possible and make sure that this is something that that works with us. I guarantee none of us on the Town Council went out looking for this to happen, that property was sold many times over the last eight years.

Councilmember Cundick: I would just like to comment, with the thought that 900 homes plus some commercial buildings being built, that's just almost a steady stream of trucks up and down on this Main Street. I mean you see how many we get for the little bit that's going on right now. If it's a three to five year project and they have to always use Main Street, we're just gonna be a mess. I mean noise and dust and traffic concerns and safety. So somehow, we need to see if there's a way that they can bypass Main Street. Get off further up someplace so that everything's not going through Main Street, because they'll just disrupt everything totally, cause we have no options here.

Mayor Hoster: That's a very good point.

Scott Messel: It reminds me of what happened to Lehi, when Saratoga Springs and Eagle Mountain started developing. Everyone went through Lehi's Main Street to get out to there and it kind of became a freeway. After the fact, they've done some expressways to get out to Saratoga.

Mayor Hoster: We're in a good position. They are listening to us. We have a great relationship with the county, with the MPO, and even UDOT. So I just want to emphasize that we can lean on that relationship a lot to mitigate some of these inconveniences to the existing residents and I don't want to use it I couldn't think of another term inconvenience, it's a pain in the you know when these things are presented to us so nonetheless I just want to make sure that Council, if you have any other concerns I did see someone out in the audience raise their hand, if council was okay, we don't have citizen comments coming up next you know but if you want to entertain them.

Lynn Potter: Specialist Service District, are you talking about running a line, or bringing in ponds?

Mayor Hoster: They can do either.

Lynn Potter: Okay, thank you.

### **c) Discussion and possible action of Valley Road Culverts**

Mayor Hoster: I have had the opportunity to only speak with a handful of the residents that are still with large ditches in the front of their homes. We've got 5 and I've only spoken with two of them to identify if we can put in that piping. Mark sent me the price on the piping, it's \$500 for each piece and so it would be \$1000 in all. Councilwoman Sterling brilliantly addressed, maybe if they can't afford it right now, set up a \$10 per month with their trash bill, so \$30 every quarter. With the two that I spoke with, they like to having the ditch covered up. So, the town would do the labor at our expense, but this is something that I would need action from the town council to approve. For again, 5 homes, we would be carrying the debt for most likely five years, considering that non- interest payment from those property owners.

Councilmember Stirling: What size is that pipe again?

Mayor Hoster: It's an 18 inch, but I believe there's two that have to go in per property, probably 10 foot lengths or 20 foot lengths.

Councilmember Stirling: It's 18 inch pipe?

Mayor Hoster: 18 inch diameter

Councilmember Stirling: What is the size of what they're pulling up?



Mayor Hoster: I asked him about those, if we could do that. Those are 14 inches and engineering wise we asked Carl and Sunrise, they said you're asking for trouble if you're going from large too small. You can go small too large, but if we go from large to small, those will probably end up backing up and creating a silt issue, and they'll get plugged up. I said "What if we try to put 2 of them together?" and they said they would look at that and see if we could do that for nothing. The challenge I see is that we have for people already, who put in the 18 inch and we kept them to that.

Councilmember Cundick: Is this is all or nothing? If there are holdouts on this, does it make sense or do you need to do the whole thing?

Mayor Hoster: No, we can do parts and I've only been able to get a hold of two and I would still continue to try to get ahold of the other three. It is on an easement, the town is obligated to keep a ditch there, or we can put in the culvert. It is a flood issue that we have to address and the people that have had that ditch reopened, the two that I have talked to, did not want that ditch open. They've been parking on it or whatever reason. I can't blame them. I'd like to see it filled for them too. I would need a motion for the town to carry that debt for these residents, and that would have to be something that we would execute before July which would be a new budget and so if we approve that, I will put it on next agenda for a budget alteration. We will have to move some items in the budget and we'll also be having a budget review in that meeting too.

Councilmember Furley: The question I have is, What if somebody agrees to do this and then either doesn't pay or they sell their house. How do we go about getting the town's money back?

Mayor Hoster: It is a legal debt. We can put a lien on the home.

Councilmember Stirling: it's just basically the price of the pipe?

Mayor Hoster: Correct. We're gonna cover the labor. We covered labor for all the rest of them too. We used B&C funds on that.

Councilmember Stirling: I'll make a motion then, to go ahead with the Valley Road Culverts and purchasing the 18 inch pipe and then adding the price to the quarterly trash bills for \$10 per month until paid off.

Councilmember Furley seconds the Motion.

Mayor Hoster: So we have a motion and a second to finance for 5 years the \$5000 for these 5 homes.

**ROLL CALL VOTE:**

	Aye	Nay	Abstain	Absent
MAYOR: BILL HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: BRIAN HANSEN				X
COUNCILMEMBER: KOHL FURLEY	X			

The motion will carry. We'll add this to the next agenda.

**d) Discussion of Cemetery Road annexation**

Mayor Hoster: I had a call with UDOT, the County, and Councilwoman Sterling, I'll ask Councilwoman Stirling to bring us up to date.

Councilmember Stirling: We spoke with everyone involved and there are 28 people that had to sign off, so it may be a while. Anyway, there's 28 people at UDOT to be able to turn that road over for Leeds, so that we'll be able to have more parking and also grading and a water mitigation plan so our cemetery will be a little bit more esthetically pleasing in the end. So we'll keep you appraised when the 28 people get back to us.

Mayor Hoster: So efforts are going forward on this, I don't anticipate any delays. They were pretty candid with us. They understood it was just to let's get it done sort of thing. Some signatures do need to occur on it. Something else, that's also associated with the cemetery. We're going to have to readdress some of the ordinances that are associated with it: selling of the plots and such but we do have to have a restriction on this deed that we're not able to sell it, so this is only going to be for parking. This will be bolstered with a retaining wall, and just allow extra parking up there. It will certainly be so much more esthetic and facilitating.

**e) Discussion of Easter celebration activities**

Councilmember Furley gave an update about the Easter Celebration.

March 30<sup>th</sup> at 9:00am at the park

Doris designed a really nice flier that is posted on the website

The Easter Bunny will be making his grand appearance

Easter egg hunt and lots of activities for the kids

Volunteers are needed to help wrangle the kids and limit the chaos.

Kids will be split up into 3 different age groups.

The Bloom Committee is trying to improve the experience for everyone.

Councilmember Stirling suggested hiding empty eggs and having the children return them for a prize or candy. You get your eggs back and every child gets the same amount, no matter how many eggs they collect.

**f) Discussion of Clerk and Bookkeeping positions**

Mayor Hoster: Our clerk for last 2-1/2 years has been Aseneth Steed. She tendered her resignation on Friday. She's going to take the week off and then she's going to come back for a couple weeks to do some training for us. She's looking at a possible move. We really wish her the best of luck with everything. She just needed to, I think, find some new challenges. It's a prerogative of the town to hire from within before posting, so that's we offered the position over to Michelle Rutherford and she accepted. So we're working with Roger Carter, our new Part-time City Manager, to try help get her trained and also Aseneth is going to be working with her. Michelle was working with her for almost two months prior to that, learning a lot of the ins and outs. So this should be a very smooth transition. We will be posting, the vacancy of that position, which is the bookkeeper position. So, we'll be actively trying to seek that out.

**g) Discussion of Road Chip & Seal projects**

Mayor Hoster: Kohl, we spoke about this, you're just gonna start to identify some of the roads that have some wider splits, getting them in priority.

Councilmember Furley: I'm speaking with the last contractor that did our chip seal over-layment. They said that the best thing to do would be to look at the cracks, the seal coat, and everything, and then measure the distance in between and that's one of the best ways we can gauge it. There are some roads in our town that have shoulders that are deteriorating, from parking and heavy traffic. So we'll identify those, but that's going to need more than just an over-layment, we'll have to contract some heavy work to be done there. So, yes that's my intent to go around and identify those roads and come up with a prioritized list of which ones need the greatest help.

Mayor Hoster: A constituent, resident of Leeds, reached out to me the other day about a home being built right by me, on Quail Court, and they were bringing in truckloads of fill dirt and big big trucks. They would turn the corner going North and then back up into the cul-de-sac to drop their load. As a result, they broke off a large section of concrete on that road to where it's not repairable with just patch, and so it's got to be all redone. I don't know how we would actually proceed doing that we don't have anything in our ordinances or our code. I didn't talk to the contractor and let

them know that they did that and that we would anticipate that they are reimbursing for it. So when we do that maybe we can have them bid that out and then we can pass that on to the contractor.

Doris McNally: Just for knowledge, that was brought to our attention at the HOA. We approached the homeowner and they said they would make restitution to fix that as they move forward, so they're aware of the damage that has been done.

Mayor Hoster: OK thank you. So, with chip seal, my conversation with any of the other cities, it's kind of touch and go. They end up with their contracts and sometimes they'll let us in and out. We may have enough to constitute a discount, but it doesn't seem to be a significant discount. So, we can also talk with the county about options that we can do there.

Councilmember Stirling: Can we talk to the Main Street Project when they're doing that? They're gonna have to come back and completely redo it. Hopefully we can piggyback off that?

Mayor Hoster: Yeah, we can see if they do chipseal also. I think it's the conservancy that's contracted that. What do you think Chuck?

Chuck Bentley: That's normally different contractors. Chipseal specialty, there's a few guys that do it, you get the best price. So guys that do overlay and patches aren't usually chipseal guys.

#### **h) Discussion of Main Street drainage project**

Mayor Hoster: We have a problem on Main Street. UDOT owns Main Street. UDOT put in Main Street after the homes were there, to connect the two interchanges. Those are facts. As such, there was negotiations and consideration made for trying to resolve the issue, multiple times. The last time, they kicked out of several hundred thousand dollars, the town kicked up a match of some sort of like \$70,000. This is all sitting in an interest bearing account, so don't think it's just sitting there. It's actually making us some really good money right now. Nonetheless, we identified that when this road is torn up, that 14 inch line is still available to the town, and possibly could we put in catch drains and run all the water that collects along Main Street into these catch drains and out at the UDOT property that's owned at exit 22. So, we have had a lot of challenges associated with this to the point where it is almost almost to the point of lawyers. So, my discussions with UDOT have been that you own this this is your problem and their response has been well we're not going to do it you need to take full responsibility for any damage that this pipeline could possibly cause. So, we can pull completely out of that 14 inch pipeline thought and say hey then you guys can spend millions in trying to resolve this problem on your own, we just serendipitously have access to this 14 inch line that the Conservancy has allowed us to use as a drainage system, Keep in mind, the 14 inch pipe was pressurized for all the water being fed up all the way up that way and it will be a passive, downhill drain and have catch drains every 1000 feet if we were moving this. I talked to the engineer on this, who has said there is very little chance this could cause any kind of rupture of that line. The only reason there was any damage to the line was the chlorine in it from before, which would be repaired, obviously, before we would employ the drainage project. I just wanted to bring Council up to speed up on that. My last letter to their attorney was, hey this is your problem, we're just offering a solution. If you don't want to take it, you need to offer some plan B, but we're not going to compromise the citizens along Main Street, and we'd love to avoid a class action lawsuit against you. So, that's what's been going on with the Main Street drainage project. Any other comments or thoughts?

Councilmember Furley: My concern is that 14 inch would not be big enough when you consider the amount of water that comes down with the debris, the trash, the leaves, etc. So, I'm trying to figure out, if we say that this goes through and then the Department of Transportation says yeah okay, we're gonna go along with it. Are they gonna be responsible for bringing out a back truck and rodding out that line when it becomes full of silt and debris? Or how is that how's that fall as far as our responsibility?

Mayor Hoster: So my understanding is that there they would be responsible for maintaining it. I would insist on that and typically the way that would run is they would blow it out with probably a pressurized line from a fire hydrant or so, and that's why we have the every 1000 foot catch drain, so that we can do that, and then catch the silt in those catch drains. That's what I've been explained, but I'm not an engineer.

**Citizen Comments:**

Doris McNally: Questions, but I know you don't have to answer them, is with developments and this is kind of a water company question, Can you give us an update on both the Silver Eagle Estates? What you know there, and also on Silver Point Estates? Both of them are developments we can talk about, and I was just wondering if there's any update from town on those?

Lynn Potter: Lynn Potter: If I may offer some advice with some of the things you've gone over tonight? You probably know these things already, but typically what a town, to get people to pay up on something that's been broken, is that they would hold their final occupancy certificate. People will move and they'll get things paid off and taken care of, but you make sure that you get a check from them and it clears before you sign off, and then make sure that if there's a problem you talk to your building inspector ahead of time, and that's how you take care of that. If there's weak points that line, there's a fiberglass system that you can line it with. It'll just blow through it and give it a liner. The trick to keeping it clean is really large catch basins and some of those can be underground or off to the side.

Mayor Hoster: Thank you for that.

Susan Savage: My understanding is I-15 is a Federal Highway?

Mayor Hoster: yes

Susan Savage: How does that work into the conversation with UDOT over whatever happens out here?

Mayor Hoster: So UDOT holds jurisdiction for us on the federal highway and facilitates with the federal dollars and the state dollars that are associated with anything that happens on the highway. Now, they have a project plan of, I think, 30 years that they share with the federal government on which projects and how much they're sharing of the cost and the federal highway department is sharing at the cost, but that's it. Are you asking if the federal department is going to give consideration to the interchange?

Susan Savage: My understanding in past conversations with UDOT, is that it's just a lengthy process.

Mayor Hoster: Because it is a federal highway, they'll have to sign off on it. It would also have to have environmental impact studies, sound studies, all the components the federal highway department would require.

Chuck Bentley: I have a little conversation with the Mayor, afraid Leeds was going to get run over by developers. We have, from what I can tell, I haven't really been involved, really no safeguards in place. I mean traffic study is the first thing that's required, with any development. Payment Bonds and Proforma Bonds are also required. If the city approves a subdivision, allows them to transfer Title on lots, they don't finish the infrastructure, the city is on the hook for it. That's a real deal, and it's easy to be enforced. I don't even know if we have an inspector that would inspect site utilities and stuff for conformity for finals. it's just seems like we're almost on the verge of being behind the 8 ball. The way you learn all that, is the hard way. So, I don't know if we need to maybe have a consultant. I think we need to strive within our budget constraints, but we need some outside help. Mayor Hoster: Definitely

the effort of the finances we're securing in advance with this, to hire the personnel we have to have, or they're going to be stuck.

Chuck Bentley: That makes me feel better.

Lex Howard: Actually, my house is just in the county, just outside of Leeds, but I have a question. I'm curious if Leeds celebrates Constitution Week? Is there any kind of celebration that happens here?

Mayor Hoster: So, typically we can dedicate to that. We don't have anything right now.

Lex Howard: Like a Resolution or something? I would love to help with that. Personally, I would love to make that happen. I love Leeds, and I know that each 4<sup>th</sup> of July that I'm in church is one of the coolest church celebrations that I've ever been in. I'm from St George originally, but Leeds does such a good job of being patriotic. I think it would be really cool to grab onto Constitution Week.

September 17<sup>th</sup> is Constitution Day, and then there's that whole week. Then the other one is that the 250<sup>th</sup> birthday for America is just a couple of years away, and I think it'll be a really fun to create some kind of committee in Leeds, to already start getting ready for that, and I would love to be a part of that too.

Mayor Hoster: While you're here. Lex Hower helped with an Introduction to Systemic Politics class that's going to be held here. It's gonna be March 28<sup>th</sup> at 7:00 PM here, at Town Hall

Lex Hower: So, Thursday, March 28<sup>th</sup> at 7:00 o'clock there's a group called Center for Self-Governance. It's a really neat group. It's a nonpartisan group, it's not Republican, it's not Democrat. I actually educate about 700 people every month, in St George. I have a guy fly in from Washington State, that gives civics education. It's activated me and hundreds of my employees to get more involved locally and to help understand what we can do as citizens to better participate and know how we, as I would call it, hold the office of citizenship. It's free, I'm covering the bill.

Mayor Hoster: Thank you for doing that Lex.

### **Staff Reports:**

Councilmember Stirling: The Leeds Residents for the cemetery. The residents have one rate and non-residents have another rate. We've come to a situation where somebody that lives in the county but their address says Leeds. They don't pay into the Leeds property tax, and so I guess an individual on the planning commission said no no no they can go ahead and have it for the resident rate. I need direction from the council to understand that the Leeds resident rate is? Is that considered those that pay into property tax or is that considered those that have a Leeds address? Because I'm thinking, if you don't pay into the Leeds property tax then you're probably not actually a resident.

Councilmember Cundick: What if you are a renter?

Councilmember Stirling: That's a good point. I'm just wanting direction.

Mayor Hoster: Here's my assessment of this. I talked to Doris earlier about it, and I'm familiar with the situation. The ordinance is so nebulous that it could be interpreted either way and I'll bear the burden as the Town, for not having a better ordinance, defining those elements, and so I hope that we'll have an ordinance modification by next town council and going forward, have that direction very solid, so that we're not penalizing someone for our nebulous ordinance. We will work with those individuals up to that point and then have a new pathway going forward that does not involve anybody's opinion, it's very black and white. That component will be decided on by the council, not anybody else.

Councilmember Stirling: I appreciate that.

Councilmember Cundick: Nothing

Councilmember Furley: Nothing

Mayor Hoster: I will bring up a couple of points. So the roads belong to the town. The town will make sure that they're repaired, and that anybody who has caused damage will give reparations to the town. Sequentially, we also had issues with the dumpster. We had people coming in from all over filling up our dumpsters, and so they filled up within hours. So, there was some confusion between our Public Works and the prior Clerk about having another dumpster out there. We had arrangements made, and then it was canceled. So, we apologize for that. If there is somebody who needs some help with getting something removed from their property please contact the town. We have a trailer and will help you to resolve the issue. We can go to the dump for free and drop that off. In the meantime, we are also working diligently to remove all of the tumbleweeds that have collected under the I-15 and other places. Please be patient with us, we have just one person able to do that and I'm trying to help him as much as possible. In regard to the Fire District, we lost our money with the sales tax and so we are working right now to try and identify a pathway. I'm working with our Representatives, our Senators, and I'm also talking with our County Commissioners and some Representatives in other districts. I can assure you that right now there is zero possibility that we intend to have anybody laid off or cut back services of any sort and so these efforts are top priority, and I am pushing every envelope possible to make sure that essential service, of what government was designed to do, continues.

Scott Messel: None

Citizen Comments on Zoom: None

Adjournment: 8.24 pm

Approved this 27<sup>th</sup> Day of March, 2024.



\_\_\_\_\_  
Bill Hoster, Mayor

ATTEST:



\_\_\_\_\_  
Michelle Rutherford, Clerk