

# Town of Leeds

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## Agenda Town of Leeds Town Council Wednesday, June 26, 2019

**PUBLIC NOTICE** is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, June 26, 2019 at 7:00pm. The Town Council will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

NOTE: IF YOU WISH TO SPEAK DURING CITIZEN COMMENT, PLEASE SIGN IN WITH THE RECORDER.

### **Regular Meeting 7:00pm.**

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Declaration of Abstentions or Conflicts
4. Consent Agenda:
  - a. Tonight's Agenda
  - b. Meeting Minutes of June 12, 2019
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
7. Public Hearings:
  - a. Resolution 2019-05, Open and Amend 2018-2019 Budget for General Fund
8. Action Items:
  - a. Resolution 2019-05, Open and Amend 2018-2019 Budget for General Fund
  - b. Resolution 2019-06 Adopt Final 2019-2020 Budget
9. Discussion Items:
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 Jun 20, 2019 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.leedstown.org](http://www.leedstown.org).

Peggy Rosebush, Clerk/Recorder

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# Town of Leeds

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## Town Council Meeting for Wednesday, June 26, 2019

### 1. Call to Order:

Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7 PM on Wednesday, June 26, 2019, at Leeds Town Hall, 218 N Main.

#### ROLL CALL:

	<u>Present</u>	<u>Absent</u>
MAYOR: WAYNE PETERSON	x	
COUNCILMEMBER: ALAN ROBERTS		x
COUNCILMEMBER: DANIELLE STIRLING	x	
COUNCILMEMBER: ELLIOTT SHELTMAN		x
COUNCILMEMBER: NATE BLAKE	x	

### 2. Pledge of Allegiance by Councilmember Blake.

### 3. Declaration of Abstentions or Conflicts: None.

### 4. Approval of Agenda:

Councilmember Blake moved to approve tonight's agenda and Meeting Minutes of June 12, 2019. 2<sup>nd</sup> by Councilmember Stirling. Motion passed in a Roll Call Vote.

#### ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
MAYOR: WAYNE PETERSON	x			
COUNCILMEMBER: ALAN ROBERTS				x
COUNCILMEMBER: DANIELLE STIRLING	x			
COUNCILMEMBER: ELLIOTT SHELTMAN				x
COUNCILMEMBER: NATE BLAKE	x			

### 5. Citizen Comments: None

### 6. Announcements:

Mayor Peterson said we have 4<sup>th</sup> of July festivities planned. The newsletter should be in your mailbox today or tomorrow. We will begin with a breakfast from 8 AM to 9AM served in the Peach Pit Pavilion. At 11 AM, we will be having the Fire District here to hose down the youth of the community. And at 6 PM we will have a hot dog dinner served in the park followed by music and dancing. Fireworks will conclude the evening at 10 PM.

Mayor Peterson asked Council if they have any other announcements.

Council said no.

7. Public Hearing on Resolution 2019-05, Open and Amend 2018-2019 Budget for General Fund

Mayor Peterson said we are near the end of our fiscal year that ends on June 30<sup>th</sup>. Our Treasurer noted that due to the inflows and outflows related to the 150<sup>th</sup> Celebration, we needed to update the actual budget to reflect that money coming in. It is listed under Wild West Days. Community Celebrations is what we are going to be looking to change that to. Over the course of the activities, we ended up taking in \$44,794.22. We previously budgeted \$500 for income from community events. On expenditures, we have a like amount. We are still finalizing the installation of the pavers and I recommend that we should set aside in the Capital Improvement Fund, which we will be addressing at our next meeting, whatever balance we have remaining just to make sure we have the money to maintain the pavers should anything develop over the 10 years that we promised they would be maintained at a minimum. The hope is to be able to maintain them far longer than that. At this point, we need to have a Public Hearing to make sure the public has no comments related to that. Can I have a motion to open the Public Hearing on Resolution 2019-05, Open and Amend 2018-2019 Budget for the General Fund with the only changes being those that I just noted?

Councilmember Blake moved to open the Public Hearing on Resolution 2019-05, Open and Adopt 2018-2019 Budget for General Fund. 2<sup>nd</sup> by Councilmember Stirling. Motion passed in a Roll Call Vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x			
COUNCILMEMBER: ALAN ROBERTS				x
COUNCILMEMBER: DANIELLE STIRLING	x			
COUNCILMEMBER: ELLIOTT SHELTMAN				x
COUNCILMEMBER: NATE BLAKE	x			

Mayor Peterson asked if anyone from the public would like to comment on the budget for the fiscal year ending June 30<sup>th</sup>.

There was no response from the public.

Mayor Peterson asked for a motion to close the Public Hearing

Councilmember Blake moved to close the Public Hearing. 2<sup>nd</sup> by Councilmember Stirling. Motion passed in a Roll Call Vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x			
COUNCILMEMBER: ALAN ROBERTS				x
COUNCILMEMBER: DANIELLE STIRLING	x			
COUNCILMEMBER: ELLIOTT SHELTMAN				x
COUNCILMEMBER: NATE BLAKE	x			

8. Action Items:

a. Resolution 2019-05, Open and Amend 2018-2019 Budget for General Fund

Mayor Peterson asked for a motion to approve Resolution 2019-05, Open and Amend Budget for General Fund for the Town of Leeds.

Councilmember Stirling moved to approve Resolution 2019-05, Open and Amend 2018-2019 Budget for General Fund. 2<sup>nd</sup> by Councilmember Blake. Motion passed in a Roll Call Vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x			
COUNCILMEMBER: ALAN ROBERTS				x
COUNCILMEMBER: DANIELLE STIRLING	x			
COUNCILMEMBER: ELLIOTT SHELTMAN				x
COUNCILMEMBER: NATE BLAKE	x			

b. Resolution 2019-06 , Adopt Final 2019-2020 Budget

We had a Public Hearing on the 2019/2020 budget at our last meeting. The only change or changes that are in the budget is that the County did finalize the actual tax revenue that will be coming in from property taxes. It went up about \$290 from last year. As a result, that number is now reflected as \$64,147. This is a \$170 increase from last year. Just as an explanation, while people might think they have seen increases in their assessed values, Utah has a hold constant formula that is if the assessed value of a community goes up, and there was no new construction, they will adjust the actual rate that they charge so that the tax dollars will remain the same. The \$170 reflects the Town's portion of taxes that are paid that are coming in from new construction that has been assessed by the County. The other change is for a transfer that comes in and it is a transfer from our accumulated surplus, and in this case, we will be bringing in \$45,431. This reflects the CCC Camp Grant that we have, a roof on the townhall that we have set aside money for previously, but did not spend it this year, codification that we hope to finalize, parks money where we have had money coming in through the RAP tax and we will be looking to spend it in future fiscal years. That was adjusted by a couple hundred dollars from what we originally had. Now we know final numbers. The end result that you see is that the budget for this year calls for a surplus of \$22,975. It's not that we are planning on a surplus. If you look at income, our impact fee income budget for the year is \$22,975. The State requires us to run that through our general fund budget, but since we are not anticipating spending any of the impact fees this year, they will be transferred to the restricted funds as required. They actually get directly deposited when they are paid, but we do have to reflect them. It would be erroneous for us to have a truly balanced budget with those impact fees coming in if we are not going to be spending any and this is why that particular amount is there. It is a balanced budget that we have. With those 2 changes, everything else remains the same. Is there a motion to approve Resolution 2019-06, Adopt Final 2019-2020 Budget?

Councilmember Stirling said the only concern I have with the budget is the amount we will be spending on Silver Reef Road. I have a problem with that only because it takes almost 100% of our road budget. Can you help me see how much we have in the budget versus how much we will be spending on that?

Mayor Peterson said one of the things with the road budget is, with B and C road monies, it is recommended that you include them in your budget every year. This does not obligate you to spend them, but we will have Class C road funds in the way of new revenue totaling \$60,000 that will be coming in this year from UDOT. That covers Class B and C roads which are pretty much everything except Main Street. And then we will be earning some interest on the B and C road funds as well. We do have another component to it. There is an additional, and this gets deposited directly, \$65,000 because we did not spend B and C road fund monies this fiscal year so we do have additional monies that we could reflect in the budget right now. Above the General Fund total contributions and transfers, there is \$75,000, not the \$65,000 just mentioned, that is coming in. Above that line are the additional new monies coming in this year, is \$60,000. And then what we are showing for Class B and C road expenses for this year is a total of \$135,000. That just shows the money being spent. We are not obligated to do that, but by showing it in the budget, it would allow us, if anything unexpected comes along, we will as a Town Council be reviewing proposals for work being done on Silver Reef Road. From previous experience with road work being done there, we should not need the \$135,000 for Silver Reef Road. With the comment you are making, and I share the view, it does not make sense for us to get down to zero in our B and C road funds. We have had culverts that have collapsed at times and we absolutely had to repair them. With this, we want to make sure we have some cushion available. It would not be a total expenditure of the \$135,000. My recollection from the last time we did work on Silver Reef Road, it would be about half of that amount we would be spending. We would still have a cushion of about \$70,000 that would still be in the B and C road fund.

Councilmember Stirling said I am wondering if we might be able to go to the County and ask them to foot half of the bill. With the influx of attendance to the County owned museum, it has created quite a disaster up there. From what I understand, they were anticipating 20,000 visitors up there. With that amount of people going up that road, we do not receive any tax-based revenue from the museum, and we have not received any tax from the museum events or the store. It has never gone through the Town for a permit for the Shoot Out in a residential neighborhood. It is on property that is zoned residential land, and the whole time we have discussed short-term rentals, it is a repetitive concern over and over that people bought homes in residential neighborhoods because they want it quiet. Looking at the fact that we do not receive a base for any aspect of that tax revenue, the County believes they own it. Well, they own it, but I am not sure they believe it is in the Town. I do not know what the intention is of the fact that we do not get any type of tax base. We should get something for the road. I am wondering if we might speak with them to see if they will meet that because it is the influx of the museum that is creating the road to deteriorate as fast as it has. I have spoken to 3 different individuals who live in the Silver Reef area and they said since that museum has come to be, and I am not saying anything bad about the museum, my point is the creative marketing that they have done, it is wonderful and a great aspect for the Town, but not so much for our roads. I would like to see if maybe you could talk to the County to see if they may put in some money.

Mayor Peterson said I wish we had managed many years ago to continue with an agreement. That was unincorporated Washington County originally, and when the roads were initially put in, they were put in by the County. They received that land in exchange for putting in the roads and they agreed to maintain those roads in perpetuity. When the Town annexed, that issue did not get addressed. I have raised this with the County and they, not surprisingly, took the view that the annexation ended their perpetuity maintenance of the roads. I think we can certainly speak with them before we actually enter into a project on that and address the issues that you have raised. The one thing about how it was zoned, when it was brought in in the annexation, it was brought in as zoned in unincorporated County, which was

commercial. It appears from what I have been able to trace that somewhere in a General Plan there was an update of the zoning to residential. The County says they were never notified of any intent to change that zoning. There is, I think, a little bit of grey area as to how that was zoned, is zoned and should have been zoned. This something we need to make 100% sure that we address in the update of the General Plan which we now have funds to do. In support of what you are saying, I will talk with the County and bring them in before voting on any decisions about what kind of work to do on Silver Reef Road.

Councilmember Stirling said thank you.

Mayor Peterson said relative to other roads in Town, just for those in attendance here, with the exception of one oversight on Pecan, we did a slurry seal that pretty much covered the rest of Town except for Oak Gove and Silver Reef Road. We did focus a lot on the other roads in Town, but certainly we do not want to spend every last nickel. We want to have a cushion there. All of those comments, I very much agree with.

Mayor Peterson asked if there were any other questions or comments from Council on this. Seeing none, can I have a motion to approve Resolution 2019-06, Adopt Final 2019-2020 Budget, and that is for both the General Fund and the Capital Improvement Fund?

Councilmember Stirling moved to approve Resolution 2019-06, Adopt Final 2019-2020 Budget. 2<sup>nd</sup> by Councilmember Blake. Motion passed in a Roll Call Vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x			
COUNCILMEMBER: ALAN ROBERTS				x
COUNCILMEMBER: DANIELLE STIRLING	x			
COUNCILMEMBER: ELLIOTT SHELTMAN				x
COUNCILMEMBER: NATE BLAKE	x			

9. Discussion Items: None

10 Citizen Comments:

Lynn Potter said I think that is a really good suggestion about the County paying some of that. By any chance, do you know how many people live in Silver Reef and how many of them use the road daily? Have there been any traffic studies?

Mayor Peterson said Silver Reef Road, not just the museum, but every other road that goes off of it, there are a little over 140 rooftops, maybe getting closer to 150 with some of the recent building. Of those, I would say it is about 35 or so that are actually in the museum proper area.

Lynn Potter said 2 trips a day, maybe even 3, for a year, would you say 10,000 trips and the museum is getting 20,000....

Councilmember Stirling said I would say less than that because a lot of the individuals up there are not driving a lot.

Lynn Potter said right. They are empty a lot, right? We should at least propose that they pay for 2/3's of it.

Mayor Peterson said the one suggestion that I would also make is that we are doing our General Plan and will be updating our Master Transportation Plan and doing certain things along the line of traffic studies and that would be one to very much focus on. Thank you for that suggestion.

Lynn Potter said you could divide it so you can tell how much is going where on all of the different roads. If they will not play ball with us, then we must pass a museum tax.

Susan Savage said I have 3 things. What a nice gesture for the Town to send out the Leeds history books that Pat Hadley did. I realize this is not a water meeting, but LDWA is doing some major improvements on the maintenance on the water system. I have seen what they are doing, and I think it is really wonderful what they are doing. The third thing is about the traffic. It would be interesting if we could put one of those strips to count traffic above Silver Reef. My family owns the Danish Ranch and one afternoon while they boys were working there, they counted 45 cars to pass. One day when I went up there, there were over 30 jeeps that came down the road. I do not like to go on my 4-wheeler anymore because it is so dangerous with cars flying by. There is a lot of traffic going up into the forest area. It does not seem fair for Leeds to fund something that is being used by so many other people.

Councilmember Blake ever since they put Oak Grove on the map, I will not let my kids take the Razor up there because there are trucks flying up and down that road.

Susan Savage said you cannot see people coming and they are driving so fast. One day, I went up there and had to wait for 7 cars to pass in order to turn around.

Councilmember Stirling asked if it is Forest Service and BLM up there.

Susan Savage said it is Dixie National Forest when you get above Silver Reef.

Mayor Peterson said I am making a note to contact the Forest Service when we are doing our work.

Councilmember Blake said I would say that is as much traffic, if not more, than the museum.

Bill McLaughlin said they also have a place where they park to hike up Red Hills.

J W McKain said I would like to put together a misting system for the pavilion. Would I need safety equipment and insurance?

Mayor Peterson said I have inquired about this and our insurance company said if you are doing it truly as a volunteer with the Town's knowledge, and we are in agreement with that work being done, then you are covered. If you get compensated, then it becomes a whole other issue where we have to reflect that through payroll and all of the different supporting taxes. So, if it is done on a truly volunteer basis, the Town's liability insurance would cover you. If I could ask that you put together a proposal that we could at our meeting on the second Wednesday in July address it and officially approve it as Town Council. We cannot take action on anything that is not on the agenda at least 24 hours in advance. And if you could put off doing it until then, we could do it properly. My preference would be to do that instead of the other extreme.

J W McCain said I would be happy to put it off, but I was trying to get it up before the 4<sup>th</sup>.

Councilmember Blake said so if someone volunteers without the Town's knowledge to put up a misting system....

Mayor Peterson said without the Town's knowledge it is no longer that they are volunteering for the Town.

J W McCain said I want to make sure I do not make anyone mad. And I would also have to follow certain rules for building things, compliance issues.

Mayor Peterson said this is where it would be helpful if you presented what you would need to do. We could ask our building inspector to notify us if there is anything we need to be mindful of and we could have Antonio work with you to make sure it will not conflict with anything in the way of water flows or electricity that he knows of.

J W McKain said if it is your recommendation that I wait then I am happy to do that.

Mayor Peterson said I appreciate your anxiousness to get it in by the 4<sup>th</sup> of July, but I think waiting would be better. We will be meeting on the 10<sup>th</sup> of July and that would allow us to get it in for part of the summer.

J W McKain said would you like to see a plan?

Mayor Peterson said sketch it out. It does not need to be complete blueprints and the like. Is everyone else in agreement that would be sufficient?

Councilmembers said yes.

J W McKain said I did discover that Leeds is the 152<sup>nd</sup> largest town in Utah. Out of 245 towns, we are the 152<sup>nd</sup>.

Councilmember Stirling said if you would also include where you got the actual mister system so we will know when we need to repair it.

J W McKain said I am just buying parts and putting it together.

Mayor Peterson said if you could list what the parts are then down the road if there is a need to make repairs it will be helpful.

J W McKain said he will make the receipts available.

## 11. Staff Reports:

Councilmember Blake said I do have an issue with the misting system. The misting system will be blowing mist on the pavilion. It is not construction. Basically, it is pex piping with a mist blowing out of it.



Mayor Peterson said so there is no need to worry about electricity or plumbing.

Councilmember Blake said no. You tie into a water line.

Mayor Peterson said I would still like to coordinate with people like Antonio just to make sure that the water line tie into and everything is understood and works properly.

Councilmember Stirling said we just put 2 of them up at our center. We had a professional company to come in and they said the biggest thing you have to be aware of is that if you have mist blowing into wood then it could be a huge problem. I think it is a good idea to have it reviewed so we are not ruining the pavilion.

J W McKain said this would not be blowing all of the time. It would only be turned on for events.

Mayor Peterson said I still think this is the kind of thing that needs to be addressed and we are comfortable with it before we move ahead. I will put it on the agenda, and ask the clerk to please remember as well, for our July 10<sup>th</sup> meeting.

Mayor Peterson said that I went to a COG meeting last evening, Council of Governments. The County has decided to add another ¼ percent sales tax to support transportation specifically with a focus to be able to introduce a St. George to Springdale bus service that will serve both workers who are employed up there as well as tourists. The State is projecting to double its population by 2050. UDOT is providing \$15 Million in funding over the course of 5 years to support this initial effort. Their reasoning is that they cannot meet the demands of doubling the population by just paving over more of the State. Their desire is to get some mass transit going. The Council of Governments is the 3 County Commissioners and the 14 Mayors of all the municipalities in Washington County. We each have a vote on that particular body, and we will report back to our Councils and the like about anything being proposed there. It is something that exists right now for right-of-way acquisition in the County and it was viewed as the most effective way to be able to oversee the establishment of this mass transit line which will either be private, public or some combination of the two. Nothing has been ruled out with regard to exactly how it will be operating. This will be unfolding over the next year or year and a half so there will be a lot of focus on that in the County.

Mayor Peterson said another thing I would like to briefly mention is at our next meeting we will be needing to open up our Capital Improvement Budget. Currently, we have our Main Street curb and gutter that we have been doing in phases. Over the past year and a half or so, suggestions have been made that we should add to the capital improvement plan the acquisition of cemetery land, the acquisition of future park land and also some of the monies towards park expenditures and we would need to decide which. A misting system sounds like it may happen at a very economic rate. There have also been suggestions of having a pickle ball court put in and I also had a suggestion a few years back from one of our youth to put in a skateboard park. I am not sure our insurer will be as enthused about that one as they are about some of other things. I would like at the next meeting to open- up our capital improvement plan and then we will be needing to transfer money into that budget. The State allows us to maintain an accumulated surplus up to 75% of our revenues. We have been having some major projects done in Town, and as a result, our revenues were higher for a period of time. They will be coming down a bit. As a result, that 75% will be of a smaller number. In addition, we have accumulated some monies through the RAP tax and through some staffing changes that were not intentional here where we have a very part-time

treasurer as opposed to a part-time treasurer. So, we have been accumulating some money and we will be looking to move it. I do not think it is imprudent for the Town to have more than that 75% cushion. In case something was to happen to Town Hall here that 75% of total revenues would not cover the kind of expenses that we could incur. I do not think it is imprudent to have this capital improvement fund, but we will be needing to take some steps relative to that. I wanted to bring up the kind of things that could be included. If people can think of other items that should be included, we could look to do that. It is not for paying salaries or the like, but for taking on projects that are not doable in a very short period of time or because of funding that is not available just from an annual general budget.

12. Closed Meeting: None

13. Adjournment:

Meeting was adjourned at 7:33 PM.

APPROVED ON THIS 10<sup>th</sup> DAY OF July, 2019



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Mayor, Wayne Peterson

ATTEST:



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Peggy Rosebush, Clerk/Recorder