

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, March 24, 2021

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, March 24, 2021 at 7:00 PM. This will be an electronic meeting.

Topic: Leeds Town Council

Time: Mar 24, 2021 07:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81952452383?pwd=aXZtRDFHNG1ZYjl2UW95R3hmTDRXZz09>

Meeting ID: 819 5245 2383

Passcode: 766719

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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 March 10, 2021
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
 - a. Easter Egg Hunt, Saturday, April 3, 2021 at 9am in Town Park, Ages 0-10
7. Public Hearing: None
8. Action Items:
 - a. Discussion and Possible Action Regarding Preliminary Plat Application, Silver Eagle
 - b. Discussion and Possible Action Regarding Liquor License Application, Casa Tequilana

c. Discussion and Possible Action Regarding Resolution 2021-02, A Resolution Approving an Agreement for Election Services with Washington County for 2021 Municipal Elections

9. Discussion Items:

- a. Beekeeping Ordinance
- b. Parking

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. Roll Call Vote to close electronic meeting

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 March 20, 2021 at these public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pnm.utah.gov>, and the Town of Leeds website www.leedstown.org.



Acting Clerk/Recorder

Town of Leeds

Electronic Town Council Meeting for Wednesday, March 24, 2021

Regular Meeting 7 PM

1. Call to Order:

Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7 PM on Wednesday, March 24, 2021. This was an electronic meeting.

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
MAYOR: WAYNE PETERSON	<u>x</u>	<u> </u>
COUNCILMEMBER: ALAN ROBERTS	<u>x</u>	<u> </u>
COUNCILMEMBER: DANIELLE STIRLING	<u>x</u>	<u> </u>
COUNCILMEMBER: LORRIE HUNSAKER	<u>x</u>	<u> </u>
COUNCILMEMBER: STEPHEN WILSON	<u>x</u>	<u> </u>

2. Pledge of Allegiance: Mayor Peterson

3. Declaration of Abstentions or Conflicts: None

4. Approval of Consent Agenda

Councilmember Hunsaker moved to approve tonight's agenda and meeting minutes of March 10, 2021. 2nd by Councilmember Roberts. 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	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: ALAN ROBERTS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: DANIELLE STIRLING	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: LORRIE HUNSAKER	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: STEPHEN WILSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

5. Citizen Comments:

Joanna Boyd said we have been having complaints about parking on South Valley Road. It has been ongoing since we moved here in 2017. Residents on Valley Road have put rocks in front of their houses to eliminate overnight long-term parking of non-residents. It seems to be a real problem. There is a box truck that has been parking there in the last 4 years on and off. Now recently, he has been consistently parking for 3 to 4 weeks. It seems there is a parking ordinance in creation by the Planning Commission that we have not seen any evidence of for overnight parking. Unfortunately, he is not the only continuing to park there. There have been trailer trucks, sand trucks, trucks with trailers, construction trucks and RVs. Multiple people associated with the RV park are using that area, in front of our house, as a parking area. There is nothing stopping them. I talked to the neighbors in this area, and we are all concerned

about the drainage. This truck is sinking into the ditch that has overflowed a couple of times. Plus, transmission oil is coming from his truck and it is draining into the ditch. He is a non-taxpayer. I have talked to all of the neighbors and we all have the same issue with this truck.

Mayor Peterson said we will have this later on in the meeting as a discussion item. Thank you for that input on parking.

Bud, speaking on Joanna Boyd's connection, said I have talked to you before. We have had issues on the drainage. When the rain comes, and the water is diverted from one side of the road to the other, I have gotten with Antonio to try to eliminate some of these problems. This truck is sitting there diverting the water. I have talked to you before and I have put markers in front of my house. I do not want to sue the City, but if it floods my yard with mud a foot deep again, I am going to have a major problem.

Mayor Peterson said, again, we will be discussing this later in the meeting.

Anahi Jaramillo said I would like to discuss the beer and wine application that we submitted for Casa Tequilana.

Mayor Peterson said this will be discussed later in the meeting. This item is on the agenda.

Eileen Penrose said as someone who walks the neighborhood in Silver Reef, I have noticed several holes in the bridge over Oak Grove. I was wondering if this has been addressed or has anyone noticed it?

Mayor Peterson said it has been noticed in the past. I am unaware that it is evolving again at this time. The Town has done some emergency work. It is technically in the National Forest and I will contact them to make them aware of the problem. If it continues to deteriorate, please notify me. In an emergency situation, we will take steps so it will not become a hazard. We do hope that the National Forest will do the maintenance on their roadway and bridge. Please let me know if this does not get addressed in the next few days.

6. Announcements:

Mayor Peterson said there will be an Easter egg hunt this year. It will be held in the Town Park at 9 AM on Saturday, April 3rd. There will be 3 separate age groups that will be set-up – 0 to 3, 4 to 6 and 7 to 10. We will also set-up the candy canyon for the older children. The area where we used to hold their Easter egg hunt is no longer available.

7. Public Hearing: None

8. Action items:

a. Discussion and Possible Action Regarding Preliminary Plat Application, Silver Eagle

Mayor Peterson said we have the applicant with us this evening. We had a meeting at the site, which the applicant, Fire Marshall and I attended. It was addressing the concern of the Fire District with respect to the length of the cul-de-sac. The information that came back after the Fire Marshall did some investigating after looking at the site and the map was that it would be workable if all of the properties there had sprinkler systems. The applicant has indicated his willingness to do that. I ask him to confirm that now. Is this accurate?

Steve Laski said that is correct.

Mayor Peterson said we had a Public Hearing on this on February 24th. The Planning Commission sent it forward recommending approval and at this time this evening we should be discussing it and, if appropriate, take action on it. Is there any discussion from Council?

Councilmember Stirling said is that going to be in the developer's agreement that it will specify every single home has to have a fire suppression system?

Mayor Peterson said the Fire Marshall has indicated that there would be a final report and it would be indicated in there that there would be a requirement for that. And I believe that would also be noted on the plat so there could be no confusion.

Councilmember Wilson said the only question I have is on the road width. Will the road width be 32 feet, or will it be wider to make sure there is space for parking and for the fire trucks?

Steve Laski said we do anticipate 32 feet with 2 feet curb and gutter on each side. We would anticipate no parking on the road.

Councilmember Hunsaker said how will that be enforced if it is 32 feet? How will that work?

Mayor Peterson said the road would be dedicated to the Town. It would be a public road. It would be something where we would need to post it accordingly if it was going to be from a fire standpoint restriction on parking. The enforcement would be the Sherriff's Department.

Councilmember Stirling said did the Fire Marshall bring up that point that it is a narrow road and there is no egress or ingress? Did he look at that?

Mayor Peterson said he specified that it is satisfactory from the Fire District's standpoint in regard to the road width but indicated it would require no parking.

Councilmember Roberts said 32 feet is extremely narrow and there will be some on street parking that will happen. That will become a problem for the Town. I do not care what people say, somebody will park in front of a house when they come over to visit. Let us turn to the access on the hillside there. I know we are talking about a preliminary plat so there is preliminary or speculative engineering that has gone into this, not full-fledged engineering. What type of a width are you anticipating on the entrance?

Steve Laski said right now we anticipate 32 feet with 2 feet curb and gutter on each side.

Councilmember Roberts said that is even on the hillside where you would enter into the development?

Steve Laski said yes.

Councilmember Roberts said are you thinking about maintaining that 32 feet all the way through to the cul-de-sac?

Steve Laski said yes.

Devin Anderson, one thing to note, and I agree there will be a risk of people parking there, these are 3 acre lots. The driveways will be pretty long. I think the people parking on the street will be very minimal.

Councilmember Roberts said from the Town's perspective the less blacktop there is, the less maintenance we will have to deal with over the long term. But there has to be sufficient blacktop to accommodate the needs of what could potentially be in there. Granted, this is a much smaller development than what was originally anticipated.

Steve Laski said the Fire Marshall needs 20 feet, and with us being at 32 feet, he could pass a vehicle even though we need to have this regulated as no parking allowed.

Councilmember Roberts said we had a little bit of discussion before when we were talking about the potential of having to evacuate that area. The roadway would need to be sufficient enough to maintain 2 vehicles side-by-side to get them out of there. What are your thoughts on progressing on the project? I know you are not the same applicant that was here before. In the past it was to get that entrance remedied before we allowed any substantial development. A lot of large equipment will be headed up there.

Steve Laski said our intention is to, hopefully, get approval to move to the next phase. Then we will fully engage engineering. Right now, we have been working with an engineering firm called Kuma Engineering. They will produce the plans that we would submit with all of the rest of the requirements to go to plat. If and when we get to that portion, we would engage a contractor to come in and put in the infrastructure. We are not looking to start building on top until the infrastructure is in. They would be starting at the bottom and would work their way up the hill. I do not know yet what contractor that will be. We have reached out to 3. Does this answer your question?

Councilmember Roberts said it does.

Councilmember Hunsaker said I have a question. You were saying that you were possibly, at the cul-de-sac, going to put in a viewing area. As it stands now, it is private property and people should not be going up there. If you were going to put in a park area, I am wondering where they would be able to park.

Steve Laski said after our last meeting and hearing the comments, we actually love the idea. Between Lots 4 and 5, we would like to come off of the actual paved road and put some parking spots right there and then put in a trail from there all the way to the edge and build a gazebo up there. We have not designed it yet, so I do not know if that is 2 parking spaces or if it needs to be 3. I think that could be worked out later. The drawing on the screen now shows where it would be.

Devin Anderson said of course, we would work with you guys on the gazebo.

Councilmember Stirling said one concern I have, if you donate that back, you would have to donate the access to it as well and you would have to coordinate with all of the ordinances for a park. It would have to have a paved road and liability for the Town. I think it is a great idea, but we need to do more research in donating the gazebo or donating the land.

Steve Laski said we can work with you. It would be there just for people to use, not necessarily something the Town would have to maintain. We could take care of it with our HOA and that would require us to have insurance. This way would be easier for everybody.

Scott Messel said it could be something like a trailhead or a pocket park. We would want to make sure and define more as if that space is going to be provide access to the other land. That land may never be developed. We do not want the lot lines to go right up to it. We could have an agreement with the HOA for them to maintain it.

Steve Laski said we can do it where the HOA maintains it and puts insurance on it.

Scott Messel said if it is going to be access for the public, and with it being a public road, we definitely will need off street parking in that space since parking will not be allowed on the proposed road.

Steve Laski said we were thinking 2 spots, but it needs 3, we will need to talk more about it.

Councilmember Stirling said one other thing that we need addressed is the spot that is actually the easement to the 2 other lots below. Is there an access easement on the initial plat that you recorded with those 2 lots? If there is then we are not going to be able to put parking on that particular easement. Is there an access easement granted to that parcel between 4 and 5 that does not block the 2 parcels that are not being built on at this time?

Steve Laski said I am not sure I can answer the question.

Councilmember Roberts said let me summarize what she is asking. She is asking basically about access to those properties. Yes, Danielle, it would require that there is access to those properties, an easement that is there. It does not have to be developed at this time, but it is there.

Steve Laski said it is possible that land may get absorbed into other existing lots. Lot 10 may also get absorbed in other lots. There is a big drop off there and it is not practical to get there.

Councilmember Roberts said we would not want to interfere with your ability to incorporate that property into the others if you wanted to. I'm just telling you, you will have to address access to it if you leave it as separate parcels. This could be done through your platting process. It does not have to be done right now.

Steve Laski said this seems like a great place to put the gazebo.

Councilmember Stirling said I agree. I think it is a great idea. Unfortunately, what we are doing is creating a larger problem for us in the future if you did use that as your access to those other 2 lots.

Devin Anderson said it makes sense.

Councilmember Hunsaker said are Lots 4 and 5 facing on the main roadway? Do they have access from the main roadway?

Devin Anderson said they do.

Councilmember Hunsaker said I do not know why they would need a secondary access.

Councilmember Stirling said I was talking about the ones below, not 4 and 5. If you follow between 4 and 5 all the way to the half circle, there are 2 other lots below that, 15 and 16, are not on there but are

potential for Phase 2. My concern is making sure that there is access to that, but not utilizing that access as some kind of parking until they decide what to do with 15 and 16 because it would create a problem for the future.

Steve Laski said we are comfortable including those in our 2 personal lots.

Devin Anderson said that is our intent.

Scott Messel said if Town council wants to approve this item then a condition of the approval would be adjusting that lot line however you are going to have it.

Devin Anderson said the lots we would absorb them from are 2, 3 and 4 if we were to absorb the land. That is where we would absorb it.

Councilmember Stirling said we are not trying to tell you what to do. You do not have to do that.

Steve Laski said we were thinking we would probably do this anyhow. The people who live here could walk around it. We could plant some trees.

Mayor Peterson said I would entertain a motion to approve the preliminary plat for Silver Eagle and I would also suggest a motion that that is subject to final determination by the applicant whether to add Phase 2 land to parcels 2, 3 and 4 or to continue with the existing preliminary plat as presented.

Councilmember Wilson said I so move. 2nd by Councilmember Roberts.

Councilmember Hunsaker said before you move on, can I have some clarification. It sounded like you mentioned 2 different things in the motion. Is it to absorb it? Is that what we are voting on?

Mayor Peterson said the vote said it will be subject to the determination by the applicant whether they want to go with that as proposed to us tonight or to modify it where the Phase 2 land is completely absorbed by Lots 2, 3 and 4.

Councilmember Roberts said that was my understanding when I seconded it. It leaves those 2 options for the property owners to make that determination.

Mayor Peterson said may we have a roll call vote. 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: LORRIE HUNSAKER	x	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	x	_____	_____	_____

b. Discussion and Possible Action Regarding Liquor License Application, Casa Tequilana

Mayor Peterson said I will share a couple of things that were pointed out to me by members of Council. One is the actual LLC has another name listed with the State with respect who the authorized representative is. One of the requirements is that all members of the LLC need to sign off on an application such as this. We are going to need additional signatures with respect to the application. How many are there with regard to the LLC, the ownership structure listed with the State?

Anahi Jaramillo said there are 5.

Mayor Peterson said it will require all of those 5 people to agree that they are in support of the application. The other thing that was pointed out is with the residents that are providing reference. It is limited to only one from a given household. We will need signatures from residents who own land in the Town. All of the people on there do own land, but they are from 2 separate households, not 3 or more. With those things being said, I would ask Council if they would like to discuss it further this evening or should we take it up at the April 14th meeting when, I presume, we will be able to have all of those 5 parties' signatures notarized and add a signature from a resident.

Anahi Jaramillo said do we just add those signatures?

Mayor Peterson said you need to add those signatures on the application. It is not 5 different applications. Just a notarized signature in support of the application from each of those LLC members.

Mayor Peterson said does it make any sense to discuss this this evening, or would you rather discuss it on April 14th?

Councilmember Stirling said I would rather have the application complete before we discuss it.

Councilmember Roberts said I do not have a difficulty with that but help me understand when we look at individuals who are signing in acquaintance with the applicant. It says each of the owners of property within Washington County ... never mind, I reread it.

Mayor Peterson said you could have a second or third member within a household that is part of the ownership or you could have sole ownership. It does require that they be an owner of land in the Town.

Mayor Peterson said if we could have a motion to table Item 8b until April 14th or such time as the completed application with all of the signatures is received.

Councilmember Stirling said I so move. 2nd by Councilmember Hunsaker. Motion passed in Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	<u>x</u>	_____	_____	_____
COUNCILMEMBER: ALAN ROBERTS	<u>x</u>	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	<u>x</u>	_____	_____	_____
COUNCILMEMBER: LORRIE HUNSAKER	<u>x</u>	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	<u>x</u>	_____	_____	_____

c. Discussion and Possible Action Regarding Resolution 2021-02, Resolution Approving Agreement for Election Services with Washington County for 2021 Municipal Election

Mayor Peterson said at an earlier meeting this year, we did approve the preliminary budget that was provided by the County for serving as our conductor of municipal election. This resolution is to approve the Interlocal Agreement with Washington County where they are providing the municipal election services. That agreement would need to be approved by Town Council as to form. Craig Hall has already reviewed it and he is comfortable with it. Our purpose tonight is for Council to decide whether or not we are and whether we are ready to approve Resolution 2021-02. Just to mention, we will be electing 2 Town Councilmember and 1 Mayor in the 2021 municipal election. Is there a motion from Council to approve Resolution 2021-02?

Councilmember Hunsaker said so moved. 2nd by Councilmember Roberts. Motion passed in Roll Call Vote.

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: ALAN ROBERTS	x	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	x	_____	_____	_____
COUNCILMEMBER: LORRIE HUNSAKER	x	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	x	_____	_____	_____

9. Discussion Items:

a. Bee Keeping Ordinance

Meeting was interrupted by Zoom bombers.

Mayor Peter said please make a motion to table discussion items until our next meeting.

Councilmember Hunsaker said so moved. 2nd by Councilmember Wilson. Motion passed in Roll Call Vote.

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: ALAN ROBERTS	x	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	x	_____	_____	_____
COUNCILMEMBER: LORRIE HUNSAKER	x	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	x	_____	_____	_____

Zoom bombers continued to interrupt meeting.


Mayor Peterson said we will adjourn this meeting at 7:46 PM. Roll Call Vote, please

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: ALAN ROBERTS	x	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	x	_____	_____	_____
COUNCILMEMBER: LORRIE HUNSAKER	x	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	x	_____	_____	_____

Mayor Peterson said this meeting is adjourned at 7:46pm.

Approved this 14th day of April, 2021.



Wayne Peterson, Mayor

ATTEST:



Aseneth Steed, Clerk/Recorder