

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, April 14, 2021

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, April 14, 2021 at 7:00 PM.

If you are interested in participating remotely via Zoom, please contact Town Hall at 879-2447 or email Clerk@LeedsTown.org for the Zoom details.

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 24, 2021
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
 - a.
7. Public Hearing: None
8. Action Items:
 - a. Discussion and Possible Action Regarding Liquor License Application, Casa Tequilana
9. Discussion Items:
 - a. Beekeeping Ordinance
 - b. Parking
 - c. General and Master Transportation Plan Update
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 April 10, 2021 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.**


Acting Clerk/Recorder

Town of Leeds

Town Council Meeting for Wednesday, April 14, 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 10, 2021 at 7:02pm. The meeting was held at Leeds Town Hall, 218 N. Main Street, Leeds, Utah. The public was also able to attend via Zoom.

ROLL CALL:

	Present	Absent
MAYOR: WAYNE PETERSON	X	
COUNCILMEMBER: ALAN ROBERTS	X	
COUNCILMEMBER: DANIELLE STIRLING		X
COUNCILMEMBER: LORRIE HUNSAKER	x	
COUNCILMEMBER: STEPHEN WILSON	x	

2. Pledge of Allegiance: Councilmember Roberts

3. Declaration of Abstentions or Conflicts: None

4. Approval of Consent Agenda

Councilmember Wilson moved to approve tonight's agenda and meeting minutes of March 24, 2021. 2nd by Councilmember Hunsaker. 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			

5. Citizen Comments:

Kohl Furley said the year-to-date call total for HVFSSD is about 1,200, which is up by about 200 calls over last year. Part of the increase is from the increased number of visitors to the State and National Parks. The Fire District is hiring 12 people and, among other things, this will result in the LaVerkin Station being staffed full-time. The burn season is still open. Please use caution. Burn permits are available, issued through a website developed by Washington City. Fires need to be out by 5pm. About 80% of calls are for EMS. Leeds usually accounts for between 4 and 7 calls per month.

Angela Rohr inquired about street repairs; who was overseeing it and would Leeds be coordinating with Hurricane. Mayor Peterson responded that we are endeavoring to coordinate with Hurricane on Old Highway 91 chip sealing and that we are discussing Silver Reef Road and Oak Grove Road chip sealing with Washington County, who might be willing to assist. A follow-up question was asked about edge patching, which would be performed, where needed and possible, prior to chip sealing.

6. Announcements: Vaccine appointments are very much available in Washington County. Anyone wishing a vaccination who is having difficulty scheduling one should contact Town Hall and assistance will be provided.

7. Public Hearing: None

8. Action items:

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

Mayor Peterson indicated that he had circulated to Town Council the signature page with the notarized signatures of all five partners of the LLC, as required for this type of application. Also circulated was a signature page from four different residences indicating support of the application. The applicant was informed that they would have to work with the State if the application was approved by the Town.

Councilmember Hunsaker made a motion to approve the On Premises Beer License for Casa Tequilana. 2nd by Councilmember Roberts. 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	_____	_____	_____

9. Discussion Items:

a. Beekeeping Ordinance

Mayor Peterson indicated the article that Councilmember Stirling wanted everyone on Town Council to read had been circulated via email. Councilmember Hunsaker stated that she had completely read the law review article Councilmember Stirling wanted all of us to read. Councilmember Hunsaker said she could not find anything in the proposed ordinance that did not line up with the law review’s suggestions. She stated the proposed ordinance looked out for the bees and the residents, making sure that contamination of other colonies would not take place. Councilmember Hunsaker was in favor of the change that had been proposed at the last meeting, making the \$100 application fee a \$50 fee, refundable in one year after satisfactory follow-on inspection.

Councilmember Wilson wanted to confirm that proof of the required annual State inspection would be provided to Town Hall. Mayor Peterson stated that the reason for the Town getting involved in this State-regulated activity is that the Town would be in a position to more quickly act in the event of a situation arising.

Councilmember Roberts noted that the proposal was for a standalone ordinance, not part of land use or a larger animal ordinance. He noted it focused on property size and was supportive of the language being consistent with the law review article. He felt it was important to have a distance between the property line and the hive, although he noted bees will fly where they want to fly. Regarding the lot-size relative to the number of hives he believes there needs to be a number, although there may not be a solid rationale for the particular size selected.

Mayor Peterson highlighted that the purpose of this ordinance is not to restrict bees in our community. The purpose is to make sure beehive owners act responsibly so that the bees are kept safely and not found dead due to improper care.

Mayor Peterson asked Town Council if they wanted to see it as part of the land use ordinance or as a standalone ordinance. Councilmember Hunsaker thought it made sense outside of land use, as part of the animal ordinance. Mayor Peterson expressed concern that there was ongoing work being done by the Planning Commission on the animal ordinance and that as a standalone ordinance the beekeeping ordinance could be put in place for the current bee season.

Councilmember Roberts was supportive of it being a standalone ordinance focused on making beekeepers behave responsibly with an annual check by the State entity responsible for the activity. He believes the fee should be in the consolidated fee schedule of the Town. Responsible people will be fine with an annual State inspection, which will be provided free of charge by a designated individual within the County.

Mayor Peterson offered to circulate a revised draft in advance of the next Town Council meeting.

b. Parking

Mayor Peterson said this topic had been on the last meeting's agenda as a discussion item. Discussion did not take place due to the vile interruption of Zoom bombers. Concerns had been raised regarding the parking of one particular truck as well as the general idea of vehicles being parked and not moved from public streets for extended periods of time. The topic had been previously sent forward to Planning Commission, which did not see an urgency related to the issue. The complaints and comments have continued, so it is up for renewed discussion tonight. Mayor Peterson noted that once you start putting up No Parking signs in specific areas, others want similar signs by their properties. The suggestion that Mayor Peterson had raised previously was a No Overnight Parking rule.

Councilmember Hunsaker said she has continued to look for ways to address the issue and does not see anything other than the overnight parking ban that seems to work.

Councilmember Roberts indicated he is not supportive of that approach because it is intrusive on individuals who are responsible. As an example, if someone has a shindig where street parking is needed, there comes a time when the overnight parking prohibition kicks in. The Mayor will get calls

about this when it occurs. Mayor Peterson responded that a way to address this would be to allow for residents to obtain a number of overnight passes in advance of a specific event or if work is being done on the driveway, such as sealing.

Councilmember Roberts asked where in Town it would apply. Mayor Peterson suggested all of Town and stated that UDOT was supportive of a Town decision that applied to Main Street, as long as it applied equally to the rest of Town. Councilmember Roberts said he would call the Mayor to report a semi parking across from his house in the middle of the night. Mayor Peterson replied that signs would be posted regarding the parking situation with the hope of avoiding such calls. Mayor Peterson also stated that we would need to run the ordinance by the Town Prosecutor to make sure it was worded in such a way to allow for successful prosecution.

Councilmember Hunsaker stated that she thought the permitting process would work to address the rare instances where overnight street parking would need to take place.

Councilmember Wilson indicated it was unfortunate that the perceived need was driven by one truck, but in the future there will probably be others. He also understood the problem it caused for the nearby property owners.

Councilmember Roberts said that currently licensed vehicles are permitted to park on public roads. Mayor Peterson highlighted that the Sheriff's Department would investigate a licensed vehicle that does not move for an extended period of time, but if that investigation turns up no unusual issues, it is permitted to remain.

Mayor Peterson asked if Town Council would be supportive of Councilmember Hunsaker drafting a parking ordinance for consideration. Councilmember Roberts indicated he would consider it, but would not necessarily be in favor of it.

Councilmember Hunsaker brought up the rocks remaining an issue beyond the ordinance. Councilmember Roberts suggested the hard-nosed approach of spending tax dollars to remove existing obstructions, but charging landowners for the cost of removing any future obstacles/hazards that appear.

Mayor Peterson mentioned addressing navigation hazards in rights-of-way in the recent Town newsletter and suggested following up with notification that if they were not removed by the landowner by a certain date the Town would remove them. We currently require homeowners to maintain sidewalks that are in front of their property and he believed we could write the ordinance to make landowners responsible for navigation hazards in front of their property. He does not like having to specifically address this type of activity, but it has been an issue since before he joined Town Council over eight years ago.

Councilmember Roberts stated that the Town is liable for these encroachments causing problems and needs to address them. Mayor Peterson said he had confirmed that liability with the Town Attorney.

Councilmember Wilson stated he thought some landowners did not know exactly where the right-of-way began. It was suggested that as a general rule fire hydrants and power poles provide an accurate indication of the edge of a right-of-way. Mayor Peterson said that removed navigation hazards could be stored for a time, in case the landowner shows they were on private property. The Mayor would

also follow-up the newsletter item with individual letters to landowners suspected of having hazards in the right-of-way. Councilmember Roberts indicated this must be addressed on a timely manner. Mayor Peterson indicated that by the end of month everyone should have paid their trash bill and had the opportunity to read the newsletter.

c. General and Master Transportation Plan Update

Mayor Peterson provided an update on the General and Master Transportation Plan Update process. An online mandatory meeting for submitters of proposals was attended by thirty people at the end of March. Some participants commented on the large number of attendees and indicated they would not be competing with so large a field. The deadline for submitting a proposal was April 12 and two proposals were received, from Jones and DeMille Engineering and Sunrise Engineering. Mayor Peterson suggested forwarding those two unopened proposals to Scott Messel, Town Planner, and have him suggest how to proceed at the next Town Council meeting. There was no objection to that approach from Town Council.

10. Citizen Comments

Lynn Potter sent a chat box message asking if Leeds requires an excavation permit if the slopes are under twenty percent. Mayor Peterson said it was his understanding that for slopes under 20% on residential property that excavation work could take place prior to a building permit being obtained. On commercial property a site plan needs to be submitted before any excavation work takes place. Councilmember Roberts confirmed that information.

Kerry Bennion wanted to follow-up on experiences relative to the bee ordinance. He supported the standalone ordinance, the \$50 fee, the annual inspection and State registration. He was concerned with the proximity of the hive to the property line and the size of the lot. The placement of the hive significantly impacts the number of bees congregating either on the hive owner's property or a neighboring property. Councilmember Hunsaker confirmed that the proposed hive setback was 25 feet from the property line, or a six-foot high flyway if the hive is within a specific distance of the property line. The flyway encourages the bees to approach the hive from the beekeeper's property. There is also a water source requirement on the hive owner's property.

Ange Rohr was glad to hear of hive setbacks, preventing dogs and kids from disturbing hives. She mentioned that in Salt Lake City they had a 3-day limit on cars parked and not moved in their ordinances. Additionally she inquired about the continued existence of a 10-car or more parking permit required in Town for an event. She noted that some rocks that are quite large are in rights-of-way because nature put them there. She also inquired about rocks in the park strips between curbs and sidewalks and gravel and small rocks along pavement. Mayor Peterson responded that park strip rocks being beyond the curb were not navigation hazards. Councilmember Roberts said all navigation hazards, regardless of how they got there, need to be addressed. Mayor Peterson confirmed the 10-car permit requirement, but clarified that it only applied to cars at least partially parked on paved surfaces. Mayor Peterson also stated that at a previous meeting it had been noted that gravel and small stones at grade with the edge of the paved surface tended to protect the edge from breakage and were desirable from the Town's perspective. Ange Rohr recalled a 10-foot requirement for hard surface at the end of driveways. Mayor Peterson confirmed that new construction requires a 10-foot hard surface connecting a driveway with a paved road.

Joanna Boyd sent a chat question about drainage ditches and parking that obstructed them. Mayor Peterson responded that if it was blocking drainage it would be addressed, but not if it was straddling

drainage. Following up on the earlier mention of a 3-day limit, Mayor Peterson expressed concern about enforceability, with vehicle owners claiming they moved the vehicle at some point during the 72 hours.

11. Staff Reports

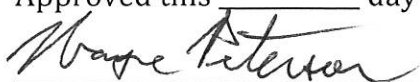
Mayor Peterson commented on what took place not only at our previous meeting, but also at a couple of meetings earlier on. He does not participate in Facebook, but has relatives who share screen shots with him. He does not think that anyone attending the meeting this evening, in-person or electronically, took part in any of the instances. However, he asked everyone in attendance, that if they saw anyone posting a totally baseless claim, which has become far too commonplace in our country, we don't have to tolerate that here in Leeds. We can call people out and say "what is your source for that?" Allegations that money has changed hands over a particular agenda topic have no place when there's no basis for it. It doesn't bring about good community spirit. If it doesn't have any basis, don't say it. If there is a basis go to the proper legal authorities and pursue it. You have an obligation to do that. If it is totally baseless, though, you also have an obligation to not post it. It is, unfortunately a no holds barred, no rules environment that has developed in our country and in the world. I would ask everyone involved in the meeting tonight to do what you can by calling your neighbors in that online community on things where there is no basis and say "what is your source, why are you making that statement?" Because when it goes unchallenged it gets repeated and when it gets repeated it gets believed. It becomes the big lie and the bigger it is the more believable it seems to become. So I don't speak with anger towards anyone who is at the meeting, I only speak with real passion about a desire that Leeds not follow the lead of the rest of the country and the world and actually go out and start treating our neighbors with dignity and respect online as well as in person, and if someone chooses not to do that, step up and challenge them on that. I would greatly appreciate that.

Mayor Peterson noted that Zoom details were required to be requested from Town Hall for tonight's meeting. It was generally believed that the Zoom bombing of our previous meeting was the result of the details being posted on a public Facebook page by a resident. Mayor Peterson requested feedback on how the online participants found the process to work.

12. Closed Meeting: None

Meeting was adjourned at 8:01 PM.

Approved this 28th day of April, 2021.



Wayne Peterson, Mayor

ATTEST:



Aseneth Steed, Clerk/Recorder