

Town of Leeds

Agenda

Town of Leeds Joint Town Council and Planning Commission

Wednesday, May 11, 2022

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council and Planning Commission will hold a **PUBLIC MEETING** on Wednesday, May 11, 2022, at 6:00 pm. The Town Council and Planning Commission will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

Work Meeting 6:00pm

1. Call to Order/Roll Call
2. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting minutes of April 6, 2022
3. Discussion on Ordinance Enforcement
4. July Fourth Steering Committee
5. Discussion on Street Analysis
6. Discussion on Leeds General Plan
5. Adjournment

Interested persons may attend the public work meeting to be held in the Leeds Town Hall at 218 North Main Street. Public comments will not be received or discussed during this session.

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 May 9 2022 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.leadstown.org.



Aseneth Steed, Clerk/Recorder

Town of Leeds

Town Council and Planning Commission Work Meeting for Wednesday, May 11, 2022

Joint Meeting 6:00 PM

Mayor Hoster: We have Mark Rosenthal on Zoom

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
MAYOR: BILL HOSTER	x	
COUNCILMEMBER: DANIELLE STIRLING	x	
COUNCILMEMBER: RON CUNDICK	x	
COUNCILMEMBER: STEPHEN WILSON		x
COUNCILMEMBER: LORRIE HUNSAKER	x	

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
CHAIRMAN: DANNY SWENSON	x	
COMMISSIONER: ALAN ROBERTS	x	
COMMISSIONER: KEN HADLEY	x	
COMMISSIONER: TOM DARTON		x
COMMISSIONER: MARK ROSENTHAL	x	

Councilmember Cundick made a motion to approve the Agenda of May 11, 2022. Seconded by Chairman Swenson.

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: STEPHEN WILSON	x			
COUNCILMEMBER: LORRIE HUNSAKER	x			

ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CHAIRMAN: DANNY SWENSON	x			
COMMISSIONER: ALAN ROBERTS	x			
COMMISSIONER: KEN HADLEY	x			
COMMISSIONER: TOM DARTON				x
COMMISSIONER: MARK ROSENTHAL	x			

Councilmember Roberts made a motion to approve the Work Meeting Minutes with correction on page 5 paragraph 2 striking Councilmembers Sterling and inserting of Councilmember Hunsaker of April 06, 2022. Seconded by Chairman Swenson.

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
MAYOR: Bill HOSTER	_____	_____	_____	x
COUNCILMEMBER: DANIELLE STIRLING	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	x	_____	_____	_____
COUNCILMEMBER: LORRIE HUNSAKER	x	_____	_____	_____

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	x	_____	_____	_____
COMMISSIONER: ALAN ROBERTS	x	_____	_____	_____
COMMISSIONER: KEN HADLEY	x	_____	_____	_____
COMMISSIONER: TOM DARTON	_____	_____	_____	x
COMMISSIONER: MARK ROSENTHAL	x	_____	_____	_____

Discussion on Ordinance Enforcement

Mayor Hoster: The current situation with the town ordinances has been discussed through previous administrations. It surfaced during this administration identifying that the ordinances simply have little to no teeth associated with them on enforcement. The ordinances as they reside civilly are addressed by either the town or the local Sheriff's Department, as in identifying that a violation has occurred, notification to the Violator occurs, and that is the extent of the ordinance enforcement. If there are criminal or civil proceedings that can occur thereafter, the sheriff's office will address any criminal proceedings associated with a violation. Or if there are civil discourse, then it would be between the two residents of the town and then the town is absent from any further engagement of the violation. I open it up to the table for discussion on a couple of attacks. The first is, should ordinances be enforced? And if they should, should the ones that we have on the books be enforced, or do they need to be modified? And if they shouldn't be enforced? How do we address that? Why do we have them? I will open it up for dialogue.

Councilmember Hunsaker: All right, you had said that Craig Hall would be willing to come in and meet with us and go over how we can go about that. I was wondering if we had talked to him or if we are going to? The ordinances, obviously they have been a problem for a while. What I was thinking is that we take the ordinances one by one, and between Planning Commission and Town Council, split them up and just go through them. If they have something that no longer applies or is not relevant, then that person at the next meetings says this is what I have reviewed. They give a staff report on their ordinance for that month and just go down the list and knock them out. If they are no good. If they need tweaking, they get tweaking. This is my thinking on it . Instead of keep going over that the ordinances are bad, let us either try to fix them or remove the ones that are no good.

Mayor Hoster: Good points. Any further discussion?

Commissioner Roberts: Would it be safe to say most of your violations fall under a nuisance category?

Mayor Hoster: Well, I do not believe I have an ability to answer that. Since I have only been in for five months and most of those, 90% of those, are nuisance associated. I do have some that are affiliated with pets that are not being restrained, which falls outside that. But most of them are nuisance ordinances. I have not inquired with previous administration. But Danielle and Lorrie can probably address some of those is they may have experienced. Oh, you were there a Town Council as well. I cannot answer for prior years.

Commissioner Roberts: Yes, most of what we have seen in the past I would consider fall under the nuisance ordinance. Enforcement of ordinances that much easier on infractions, where you are issuing some type of a permit or a license or something like that.

Councilmember Cundick: it is quite subjective as well.

Scott Messel: Some of the enforcement that I saw in my time here that is outside of the nuisance category is a situation with the RV park over there. They had done some construction, some modifications, and they had not received proper approval for that. I remember, previous mayor trying to work through it, and I was involved a little bit. I went over and met with him, but we were having a hard time getting them to come in and come into compliance. Sometimes it has to do with the subdivision ordinance or zoning ordinances and the RV park ordinance.

Councilmember Cundick: Recognizing that the nuisance ordinance involves a lot of subjective judgment on it, I do not think we should shy away from it. That is an area where you have, as we are saying, 90% of our complaints. I do not think we can just ignore that kind of thing. If we set it up with the proper procedure to give notification, and we are going to have to make a judgment call on it and forward. If the person does not feel like they can comply perhaps we have an appeal process, I do not know what to build into it. I do not think we should just not tackle it.

Mayor Hoster: In not tackling it, Councilman do you believe that includes assessing some sort of penalty or negating any kind of consequence? Because that is the concern is that we do address it.

Councilmember Cundick: You can always have civil fines, you can also have misdemeanor on the criminal side, so you are not locked into one or the other. You are going to have both of them, and you may have to use both. I do not know.

Mayor Hoster: Well, right now, we have no punitive assessments associated with the ordinances. If we perhaps address the first layer, being should we or should we not assess punitive damages to a violation that is not rectified? And if that be the case, are all the ordinances that we have on the books ones that we want to fall under that; or is it to the point to where we say, well it is not worth enforcing at this time.

Councilmember Cundick: it seems to me our approach is to get compliance so we should give ample notice to try and get them to comply. Tell them what our concern is, talk to them, whatever the procedure is, and then if they just do not want to cooperate, then you need to hit him with either a fine or misdemeanor or both situations.

Mayor Hoster: In dialogue with our attorney, Mr. Hall, he does have a pathway for us to establish misdemeanor penalties associated with not rectifying an ordinance violation that can be issued by the city. It has more teeth to it. You cannot pay it, and not pay it, not pay it, and for that duration, have a penalty associated with that as well so that penalty cannot be ignored. It can sequentially be a lien against the property before it is ever sold. So, it can be quite serious for the offender. I want to make sure that everyone in this work meeting understands the consequences that are associated with that. Not voicing opinion or persuade or debate. I am just wanting to make sure that

once that is out that we all understand what that means and maybe discuss it, debate it if you wish.

Chairman Swenson: That seems like a big step between good faith compliance request to jump to a misdemeanor.

Councilmember Cundick: You do not necessarily make that jump.

Councilmember Hunsaker: It would go to civil.

Mayor Hoster: If they do not rectify the problem and comply with the civil penalty or the letter or the civil than it progresses. So that follows down the pathway. You have to ignore the letters for so many months and then it can escalate to that.

Councilmember Stirling: We actually have extensive minutes on when Craig Hall approached this previously, and we can review those instead of having to pay him again because he completely spelled it out for us. The problem was that we came to kind of a consensus that I did not feel comfortable in giving someone a felony for basically leaving their trash can out.

Councilmember Hunsaker: It is a class B misdemeanor, not a felony.

Councilmember Stirling: No, that is the problem. When we talked to Craig Hall who was either criminal or civil, and in this particular thing, and help me with this because we were on this together, but Alan Roberts and I were the ones that motioned and second, the fact that we didn't feel like in the town of Leeds with the fact that it's very small and we have good rapport with our neighbors, for the most part that I didn't feel like the town... This area right here this Town Council right now has good rapport with our neighbors. But what if we pass this and in the next 10 years, individuals come in that feel like they are a homeowner's association, and they are going to pass these laws, that property rights are not in the property owners favor, and they want to be able to have stipulations on the front yards or stipulations in this. And then they pass these ordinances that say, look, if you do not abide by this, then we are going to hit you with a criminal or a civil suit. We felt like for the most part in Leeds, a letter gets pretty far. I do not know if I am 100%, for doing something criminal on the entire blanket ordinance or on certain stipulations. Hillside ordinances I think is very important, because it is putting the health safety and welfare of everybody below it. That would be one thing. But if you leave a trash can out or if your yard is a little bit shabbier than what the neighbor

thinks it could be a fine. Is that really something that should be a civil or criminal act. We have discussed it for quite a while and Craig Hall probably got a pretty good check for what he contributed, which he should, he did a great analysis, but I really think that we should probably pull up those minutes. And I know that they were taped as well. We could listen to it instead of reinventing the wheel and buying him another boat.

Scott Messel : I have some comments if you are interested. Many jurisdictions have the same debate. Do we go civil? Maybe they are not giving a response. In fact, some jurisdictions are dealing more with short term rentals than the town of Leeds is, and what some of those jurisdictions have found is people that are doing short term rentals, because they are able to make so much money, the fee just a part of business. They are paying the fines, and they just keep going. When it is set up civilly, to bring them into compliance, it almost comes where you have to file a lawsuit, and to move that forward. I am throwing out some ideas, you could start out with a letter, hey, it has come to our attention to the town that your property may be in violation. We have done a site visit. These are the items that are against code right now. Please contact us and let us know what is being done. Let us talk through a solution. The town is working with people, maybe I can tell you, I had one in my other role where the individual, her property was quite messy, but she was in the hospital. We are not booking her into jail because she is in the hospital. She contacted code enforcement, and the code enforcement has just been talking with her and also with the neighbors, because you end up on the other side to the neighbors are nuisance enforcement and code enforcement. It does not happen quickly. They are like, what is the town or the jurisdiction doing? It still looks junky over there. You never want it to get where you are writing out a ticket or sending someone to jail because of a garbage can. What you end up doing is you create a process. It is very clear to everyone. We start out with a letter. If you do not get a response, then after so many days to rectify it or no response maybe the next step is a certified letter. That takes it to the next level and what you can do is keep progressing it down to the point where it could start out civilly, but the worst of the worst could be criminal. It is common to hear in the meetings and discussions comments like you mean everyone that has a junk car in town is going to be a criminal now when that is not the case.

Mayor Hoster: Those are good points. I am very aware of the difference in civil and felon and criminal law but also with respect to misdemeanor versus felony. If you will address that for just a second, because felony is not in even

in the discussion here, you have to, we are talking punitive damages that are monetary Not felonies.

Councilmember Cundick: If you are going to kill somebody we will talk about felonies. I do not want to even think about felonies.

Mayor Hoster: Yeah. I think maybe Craig had made mention of that at some point in the prior minutes and brought that up. I just want to make sure everyone is clear; this is not a felony.

Councilmember Roberts: Craig's approach was either civil or from the criminal side, which could never approach a felony level. No, no, it was always a misdemeanor. It is kind of difficult to mix the two. Scott, you know, we say that because ultimately, it comes down to okay, how far are you going to take it from civil point and until it triggers. That becomes an arbitrary decision. It is by whoever is making that decision at the time that you legislate it.

Councilmember Cundick: I do not think anybody here is going to give a citation for criminality for garbage can I mean.

Councilmember Stirling: Well, here now.

Councilmember Cundick: My point is, you have always got these extremes and if the town operates, that way, they will sue. I mean, I just do not think that is going to happen.

Mayor Hoster So as a solution associated with the ordinances that they are classified into the progress that could occur for an infraction?

Chairman Swenson: the hard part is between the initial contact of the person with the problem, good faith, fix it, to everything Scott talked about up to the misdemeanor, which is the hard part is all that in between, up to the point where it begins to be a misdemeanor, because that is everything you have talked about is in between that.

Scott Messel: I think if you outline the process, clearly, then it does not come across that it is arbitrary and capricious, all you are doing is your outline it. You are saying, okay, the first letter in we give people two weeks to come to contact the town and talk about a way to resolve it. If you do not hear from them in that time period, then another letter is sent out, and then you have a period of time, you know, you could work through it like that, and then say, have at some point have a fine start assessing. Or once we get down to this

point, then you could do the civil or you could put a lien against the home, but just outline it in the code so that it is clear. And it is not that you are just grasping at straws to try to clean up,

Chairman Swenson: What Danielle has said, as a lot of that has probably been presented already. That a lot of work, at least on the legal side, that would be behoove us to pull all of that up, and then fill the gaps.

Councilmember Roberts: We have had a lot of discussion on this.

Councilmember Stirling: Tremendous and correct me if I am wrong, Alan, but I remember I recall Craig Hall saying that 99% of the time, you spend a tremendous amount of time to get to court. And usually they are thrown out, or usually the judge says, oh, my gosh, we are here for a truck or something, and there is no real bite. When he talked about the criminal part, that's kind of where I drew the line. I just do not feel comfortable with that living with neighbors. Now I understand that there is always going to be situations where there needs to be some type of bite. I just do not believe that. At this point, that we need to do a criminal blanket clause over all ordinances.

Councilmember Cundick: Well, I do not totally agree with you. I agree. I do not want to be prosecuting people, I do not have to. But first of all, I do not want to have to put the burden on neighbors to enforce this civil thing. They should be able to come to town and get the town to act if it is warranted, and not have to worry about how they are going to sue their neighbor to make good enforcement, because that is just not right for the neighbors to have to go through that. And we see that in HOAs all the time. It is a nasty situation, and I do not want to encourage that at all. But I think you can have civil fines; you do not have to go to a criminal fine. That does not get you a criminal record but hits your pocketbook and gets your attention on it. And then if you got somebody who just absolutely, my theory is that at some point in time, you have to have a hammer to come down on people if they are just going to put you push off.

Councilmember Roberts: But civilly it only hurts me Ron if I pay that fine. I may push back and say yeah, well now what are you going to do to me now? Well, now we just doubled the fine. Okay, what do I care?

Councilmember Cundick: For example, if I had a vacation rental situation, I would have it structured so if you do not pay the whatever the fine is, I take your license. If put you out of business, I do not let you continue operating.

Councilmember Roberts: Agreed. When you work through permitting there is a difference. That is why I asked initially what most of the complaints are that you see. Those violations that come through permitting or a licensing are easier to put a little pressure on individuals to come into compliance. It is these others. I have to agree with Danielle. And most of me says, look, you push very hard on some of these, what I am going to call are insignificant infractions. And I am not supportive of getting real tough on them. There are people in this town that would think otherwise. Well, if you have that ordinance, then why don't you enforce it? I do not know. I am not telling the mayor, anything he has not experienced, he is going to get the compliant.

Councilmember Cundick: Nothing's happening here. The town's not enforcing that. He is why aren't they? And all I can do is tell them to do it. And that is not satisfactory.

Chairman Swenson: One of the problems that this town has is that it is not a new town. If you started with the ordinances from scratch, it is one thing we are talking some of the things like animals, it is generational. It is to two three generations. Right?

Councilmember Cundick: So now you are saying shoot the dog?

Chairman Swenson: yeah. Well, now you are saying that we have to go back two generations, because that is, that has been happening all along. And it is against ordinance now. Right. So where does that fit in?

Councilmember Cundick: We also have neighbors who have been unhappy for many, many years, because nothing has happened. The problem is that goes back away too and they are complaining about a town that does not enforce its ordinances. You cannot ignore that.

Councilmember Stirling: Right. That is true.

Mayor Hoster: I have tried to maybe give this the most time in our meeting. And we are at the halfway point. We have a couple more items that are on the discussion. I want to give this maybe five more minutes if we could, and then move on.

Councilmember Roberts: How about we review the discussions that we have had with our legal counsel, Craig Hall in the past, send those documents to

your Planning Commission on your Town Council members and let them review that discussion and then get a better understanding.

Councilmember Hunsaker: He outlined what we needed to make them prosecutable.

Councilmember Sterling: We taped the meetings, and we had pertinent discussion in almost every question that has even come up here as well. And it was not just one meeting. It was not two meeting. I think we I mean, that was on the agenda forever. And it is we are just reinventing the wheel. If we do not read it.

Councilmember Roberts: Legal counsel did not steer one way or the other, he just say, you guys have to make a decision of how, how you want to approach this.

Mayor Hoster: This is how it happens this way. And this how happens. I like Councilwoman Hunsaker's comment about reviewing the ordinances because I think that influences how we made me proceed down the pathway and identifying ordinances that are just probably not worth being on there. But that can be you know, addressed, or amended or removed. Okay, so I have my marching orders to get the minutes out to town council planning commission from the Craig Hall presentation. I will find the date on that and get that out. Or do we have anyone who would support review of the ordinances regardless, to be able to facilitate this? Or would you rather do that at the next work meeting and make that assessment?

Councilmember Hunsaker: We need to go through them all. Because otherwise, we end up and then boom, here is this one that it applies to, and then we have to go back.

Councilmember Roberts: I agree. You need to be methodical.

Councilmember Cundick: I agree on that, but we got to have a number of items that we need to give attention to, and I do not want to get sidetracked on some of those things that are heavy on us right now. We have water problems, we got annexation problems, we have a number of other things that I think should have priority. I am not I am not against having a list of priority. That is the best way to approach it. I am not sure that all of these go even to be addressed.

Mayor Hoster: And so, if we give this a timeline that may be extended, but we do make it on the agenda to be done to have a plan.

Councilmember Roberts: I was just going to suggest the sign at all of Scott Messel but hey.

Councilmember Hunsaker: Yeah, I am, I am for it. Right.

Scott Messel: Motion failed.

Councilmember Stirling: Well, one last comment on this. I 100% believe that there are ordinances that that need that vital criminal I do. There is some that are crossing the line for individuals that know better, developers, you know, individuals that are doing this for a living. They come into the town and know that they can just basically walk all over and do whatever they want, because we are small community, and they do not believe that we will enforce it. I do believe there's ordinances that do need to be enforced that way. But on the other side of that, this is where I believe that each of us taking one of the ordinances and reviewing it to facilitate which ones need the bite, and which ones need a letter. I would be completely okay with starting that ordinance review, and each one of us on Planning Commission and town council just read one at a time and make our notes put it on an agenda just for a review of possibly a staff report. I am okay with that.

Commissioner Rosenthal: I apologize for coming in a lot of technical difficulty this evening. This question is for Scott. And I just typed it in my chat box. But Scott sounds how do other towns around us to handle this issue of code enforcement or enforcement of ordinances?

Scott Messel: It is a pendulum that is never in the middle of it. You know, you will St. George was making the newspapers a couple of years ago for what was being considered heavy handed enforcement. It is always heavy handed for the people being enforced on, but the neighbors are the ones that are Hey, why isn't this junkyard next door to me being cleaned up? It is about trying to find that sweet spot, some use code enforcement officers. I think a lot of them are civil but then when you do deal with the perpetual offenders it is hard to have the teeth. You have someone living in RVs in the backyard, and they are not hooked up to utilities. And you know, you can try to use health code.

Councilmember Hunsaker: Health, safety and welfare is when St. George seems to get more of a bite on your ordinances.

Scott Messel: I do not know if I answered your question or just rambled

Mayor Hoster: Attendees just so you are aware, Mark is on the Planning Commission and part of the meeting.

Commissioner Rosenthal: (difficult to hear) It certainly seems to be something of a broad target. I was able to get quite a bit of the earlier discussion on the issue and the phased approach to enforcement seems the most reasonable way of approaching the issue. The you know, hey, you know this is our ordinance. It would really be nice for you to follow it, in my words, to we are now here to lien somebody's property if they do not comply with the ordinance. Just some thoughts.

July Fourth Steering Committee

Mayor Hoster: Right. Good comments. Were at that point where I was hoping we could move forward with the rest of the discussion. I will just ask really quick if anybody has anything else they would like to contribute. We will get one more minute left.

Councilmember Hunsaker: This will be on the next work meeting. Right? I
Mayor Hoster: Yes, ma'am. Okay. If we do not have any further comments on the ordinance enforcement, we have a good direction to go on this. Again, it is a methodical process that gets a lot of careful thought and, and good minds, you know, addressing it with intent for the for the best of the town. So, good comments. The next item is the Fourth of July steering committee. I will mention some information with regard to that. I have met with Tom Kuhlman, the fire chief for the Hurricane Fire Service District and then Steve Harris, was a captain, I believe with the fire department and Tom has delegated to Steve to facilitate for us what we need. He has offered a plethora of ideas. I would like to kick these up at this time. The first is, after discussion with our liability insurance company for the town, we can execute having fireworks. If the fire department concurs that we do not have a drought situation that is of concern or dry grass situation with drought, that can be endangered with high winds or things like this. They will be on site, and they can call it off at any time and say, Nope, got to stop, right up to the minute to win, or even halfway through. I have had that explained to me, we have to have someone who has a pyro tech certification, this individual will take a short course and then take an open book test. I have had several people offer to do it through the town. And I have not received word back that anyone is confirmed to do that. Or our vendor is willing to provide that for a fee. pyrotechnic specialist who is certified, but those qualifications are required by our insurance.

Chairman Swenson: I think there's numerous people in town and have not already. Steven does.

Mayor Hoster: That could be. Great. Yeah, if they are willing to do that.

Commissioner Roberts: Mayor, every teenage boy.

Mayor Hoster: I was surprised we did not just have a line; you know, people want stuff up, right? Location. So that is the second point. In talking with Kevin Harris, he suggested a couple of locations that are private property, I will have to speak with those private property owners identify if that is an option to them, explain to them the potential for some debris that will not damage their property. But it could be paper as Mr. Ayers explained to me, that could be left on their roof, or it could be on their grass or something like that. But it is within like, 300-foot radius, that it could drop the paper from the explosives. We need to look at that if the if the if the board has any recommendations on locations. But first, let me back up on to the date. So, we have kind of a unique situation, we are in the Fourth of July falls on a Monday. And we have you know, the weekend kind of thing happening right before where I haven't looked to see what any adjacent towns are doing, if anyone's going on Saturday or if we want to go on Saturday, but I wanted to kind of get some thoughts maybe discussed about this because we do have you know, some monies available for providing you know, some type of town social within the park for this as well as the fireworks. If we wanted to do that, I think a Monday would be very difficult if we wanted to just do the fireworks and maybe a small social, you know, with I do not know some sort of snack or something. That is an option. But that is the information.

Councilmember Hunsaker: Pancake breakfast, it is all there is. Do not care about the rest. The pancake breakfasts.

Chairman Swenson: Well, I suggest shooting fireworks off a barge on the lake, by the way.

Mayor Hoster: Oh! That sounds awesome. I do not know how well we would be able to see them from here.

Chairman Swenson: No, you would have to go down to the lake. Everybody would be on the road. We have done that in California. At Bass Lake, they

shoot them off a barge every year and it boats. It is pretty spectacular. It is beautiful. Not to worry about grass

Councilmember Cundick: Who has to approve that for it to happen?

Chairman Swenson: Well, I would go to Lake for one, the National State Parks. It is a pretty big event. It is pretty fun. And it is pretty safe.

Mayor Hoster: It is a groovy idea. I love that.

Councilmember Cundick: That solves a lot of problems. So that is one what would be to on a second location and date and time. So, would you recommend on Monday?

Chairman Swenson: I do, for the fireworks.

Councilmember Hunsaker: Just as long as we have the pancake breakfast. That is all I care about.

Chairman Swenson: That has been pretty popular. It is pretty busy. It is quite involved but they are pretty popular.

Mayor Hoster: Do you think we would have success of that with on a Monday?

Chairman Swenson: I think I maybe do it on Saturday. You basically have a three-day weekend you are looking at here so there is no reason not to spread it out you want to parade on Saturday. A breakfast Saturday morning.

Mayor Hoster: A parade was offered as an option from the fire department to help, you know, provide vehicles and things and then we would have to certainly facilitate that. I have not surfaced that. The parade is an option. A dance is planned for I think the fourth at the barn. I should find that out.

Councilmember Cundick: Dancing at night, sometimes.

Chairman Swenson: It is always nice to have everything local. We do not see the facility for the fireworks anymore. Right.

Councilmember Cundick: I like that water idea.

Councilmember Stirling: I do too. Absolutely.

Councilmember Hunsaker: And then if we could possibly throw in a car/tractor show that could participate in the parade? So yes, that is exactly what I was thinking.

Mayor Hoster: Yes. So, parade Saturday with a pancake breakfast, right?

Councilmember Hunsaker; And then the cars after the parade could go over to, I am going to volunteer the Comas property, they would look right up there. I do not think there is a problem with that, is there? No problem? Outstanding! There you go.

Mayor Hoster: Cool. I will reach out to the State Park and see if there is an option of doing quail Lake. Do we have an option two for recommendation that I can investigate?

Commissioner Roberts: Hurricane city, two years ago, they started implementing their fireworks at Sand Hollow just on the shore there. I do not know how they worked out a deal with the state park on that.

Mayor Hoster: I can call and ask them about it.

Councilmember Stirling: It is so dry. The potential of that fire that we had last year or the year before where we had so many people that were quite stressed. I do not want to be a part of the reason for any kind of type of fire in this area again.

Chairman Swenson: I will volunteer to help with organize the pancake breakfast, but I will be gone the whole week. Out of state. It can be set up and I will get somebody. I will be happy to help do that.

Councilmember Cundick: I can help with planning, but I am going to be in France.

Mayor Hoster: Okay. If I, have you two to facilitate and chair the committee and assign people to tasks, then if you need those people to report to somebody, they can call me. I will help rebound if there is a problem.

Chairman Swenson: I will get the volunteers and the work for the cooks and all that, then somebody will be on site.

Councilmember Hunsaker: Are you going to be in town Danielle?

Councilmember Stirling: My daughter's senior. So sorry.

Commissioner Rosenthal: I have been listening to you. And really the final call will be the fire department. Given a or day, and it could be last minute, which was obviously a huge disappointment.

Chairman Swenson: If you are able to do it on the lake, through the state parks, you are also going to want to talk with whoever the jurisdiction of the frontage road around the Lake, because it is going to be lined with cars as it gets out there. Whether there will be a permit required for that, or, or just signage I do not know.

1. Discussion on Street Analysis

Mayor Hoster: The next item for discussion is the street analysis. Lorrie was able to identify from our last meeting, a list of priorities that were done by our prior administration. That was emailed out. According to that, I understand there were a couple of concerns about maybe some missing streets. Allow me to update you on some dialogue with the county I did surface that at the last meeting that our budget would probably allow for today's fees or costs associated with Chip and seal for a driveway that we could hope we could do.

Councilmember Hunsaker: So exciting numbers

Mayor Hoster: Yeah. Gratitude to Mr. Scott Messel. He spoke with his counterpart at the county, I went and met with them, they have refused to assist any small towns with labor and equipment today. But in realizing that Silver Reef Road to Oak Grove, both of those roads are heavily trafficked by people going to the museum and also Dixie National Forest so they have said they will do that road for us. Going from I-15 all the way up probably to the Y split would not all the way up to the bridge, but they are supposed to meet with me and come out and look at the road from that Y up to the bridge and identify if they need to do.

Councilmember Cundick: Do you mean they would only do one road up to the Y nothing beyond it on either road?

Mayor Hoster: They'll go up to the Y and then go all the way to the museum. But not from the Y up to the bridge.

Councilmember Cundick: There's actually more traffic on the other road.

Mayor Hoster: That's why I have asked him to come out and look at that with me. And as you get past that bend is where I think a lot of the four wheelers...

Councilmember Cundick: There is steady traffic all the way up.

Mayor Hoster: I think we will get we will get it all done. But that has been, you know, the result of Scott's conversations with them and, and their generosity toward understanding our predicament. That part is helpful, but we have the remaining dollars of the B&C for the dollars to facilitate the rest of road repairs. We will start going out for bid on those in the priority that was set by the prior administration. Unless there's objections. And if there are objections, and you find, hey, this one is worse than that one now, or something that we need to change, let us know and then we can circle it back into this table. And you know, throw it up for discussion. And if there is no objection, then we modify the priorities.

Councilmember Cundick: Who was the fellow from Toquerville that helped prepare the initials study?

Commissioner Rosenthal: Mayor, this is Mark. The list of the roads that were on that list, Shinarump Circle was not. It is town responsibility. I may be mistaken there. The county certainly does not say the responsible for it. It did not appear on that list. The population and number of houses up here is more than doubled, probably tripled. The company down this road is significant. I would offer up that we should look at what to do with this road is indeed it is our responsibility.

Councilmember Cundick: What I am referring to there was a person in Toquerville, and his name will be on probably on that sheet. He did the analysis, he set up a rotation every so many years on what to do on it. And he had some very good connections on people to do it. I think we should at least talk to him and see where he is on this thing, because he could say he could save us a lot of work if he is still around.

Councilmember Hunsaker: And since this one went through 2022, we are due to have another analysis maybe would further set up for the rotation. would offer up that we should look at what to do with this road is indeed it is our responsibility.

Commissioner Roberts: Scott, are you aware of the county ever trying to petition in the order of public lands for roadways, maintenance, that access to those public lands, not on the public land themselves, but the roadways that access it?

Scott Messel: I know that the whole RS-2477 lawsuit with the BLM all of that had to do with access and what was perceived as historic access to different areas. It was quite an extensive litigation. And back then it was like an attorney and a roads guy, and they were meeting with old farmers and old ranchers, they were going up goat trails and just trying to go through every possible access and then classify them. Some of them end up being the B roads. I am trying to think of any off the top of my head where they have partnered with doing the improvements on, but I cannot off the top of my head.

Chairman Swenson: The forest was going to put monies in repairs on the bridge.

Mayor Hoster: That is correct. The status of that is that I helped them in writing the endorsement for the grant for infrastructure bill funds and they are anticipating that to occur, but they will not begin construction until probably the end of summer into the winter of next year. They are not going to repair the bridge or replace it.

5. Adjournment 7:02 PM

Approved this 22nd Day of June 2022.



Bill Hoster, Mayor



Danny Swenson, Chairman

ATTEST:



Aseneth Steed, Town Clerk/Recorder

Penalty For Violation Of Ordinance:

A. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of the ordinances of the town shall be guilty of an infraction unless the violation is made a misdemeanor by ordinance.

B. 1. Except in ordinances where a different punishment is prescribed by any ordinance of the town, any person convicted of a class B misdemeanor for violation of an ordinance of the town is punishable by a fine of one thousand dollars (\$1,000.00), or by imprisonment not to exceed six (6) months, or by both such fine and imprisonment.

2. Except in ordinances where a different punishment is prescribed by any ordinance of the town, any person convicted of a class C misdemeanor for violation of an ordinance of the town is punishable by a fine of seven hundred fifty dollars (\$750.00), or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment.

C. Any person convicted of an infraction for violation of an ordinance of the town is punishable by a penalty of not more than seven hundred fifty dollars (\$750.00).

D. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the ordinances of the town is committed, continued or permitted by any such person, and such person shall be punishable accordingly.