

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, October 11, 2023

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, October 11, 2023, at 7:00 pm. The Town Council will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

Regular Meeting 7:00pm

1. Call to Order/Roll Call
2. Invocation
3. Pledge of Allegiance
4. Declaration of Abstentions or Conflicts
5. Consent Agenda:
 - a. Agenda for October 11, 2023
 - b. Meeting Minutes of September 27, 2023,
6. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
7. Announcements:
 - a. Reminder of Huntsman Senior Games cycling Event October 12th from 7-9A.M
 - b. Resignation of Planning Commissioner Gary Rosenfield term ending June 2028
 - c. Donations/sponsors needed for annual Wreaths Across America tribute in December
 - d. October 28th Fall activities detail, Chili-Cookoff 4-6, Zombie Walk 6-7, Trunk or Treat 5:30-6
 - e. Town of Leeds chosen as the Spotlight City for the 2024 Washington County Fair
8. Public Hearings: None
9. Action Items:
 - a. Action regarding Ordinance No. 2023-03, Amending Chapter 21, Section 14, Related To Vacating, Altering, Or Amending A Subdivision Plat/Map
 - b. Action regarding proposed Ordinance 2023-04, Amendment to ORD 2013-03, Street Tree Ordinance
 - c. Discussion possible action regarding updated Amended Subdivision Preliminary Plat for Silver Creek Estates, A Planned Development Community, with SITLA /Aaron Langston
 - d. Action regarding Conditional Use Permit application for Owner Occupied B&B at 825 N Bonanza
 - e. Action regarding Conditional Use Permit application for Owner Occupied B&B at 195 S. Main St
10. Discussion Items:
 - a. Discussion regarding a funding committee
11. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
12. Staff Reports:
13. Closed Meeting- A Closed Meeting may be held for any item identified under Utah Code section 52-4-205.
14. 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 , 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 Meeting for Wednesday, October 11, 2023

Regular Meeting 7 PM

1. Call to Order/Roll Call: 7:02

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
MAYOR: BILL HOSTER	<u>X</u>	<u> </u>
COUNCILMEMBER: DANIELLE STIRLING	<u>X</u>	<u> </u>
COUNCILMEMBER: RON CUNDICK	<u>X</u>	<u> </u>
COUNCILMEMBER: STEPHEN WILSON	<u> </u>	<u>X</u>
COUNCILMEMBER: KOHL FURLEY	<u>X</u>	<u> </u>

Town Planner Scott Messel present.

2. Invocation: Susan Savage

3. Pledge of Allegiance:

4. Declaration of Abstentions or Conflicts: None

5. Approval of Agenda and Minutes Tonight's Agenda

a. Approval of Agenda of October 11, 2023

Councilmember Stirling moved to approve tonight's agenda of October 11, 2023.
Second by Councilmember Cundick. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
MAYOR: Bill HOSTER	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: DANIELLE STIRLING	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: RON CUNDICK	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: STEPHEN WILSON	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
COUNCILMEMBER: KOHL FURLEY	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

b. Town Council September 27, 2023, Closed Executive Session Minutes.

Councilmember Furley moved to approve Meeting Minutes of September 27, 2023,
Seconded by Councilmember Stirling. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: STEPHEN WILSON				X
COUNCILMEMBER: KOLE FURLEY	X			

6. Citizen Comments:

Patrick Collins, speaking on behalf of himself and his wife. As a resident owning property next to Lot number eight, he expressed concerns about the elevation of development project. He pointed out the tight proximity. Patrick mentioned that Aaron Langstone had agreed to work with them during an HOA meeting. The primary concern Patrick raised was related to the "crash gates" on Deer Trail Road and Juniper Circle, which Aaron had reportedly supported during an HOA meeting. Patrick stated that they wished to bring up this matter at a planning and zoning meeting but were not given an opportunity to do so. Patrick expressed a willingness to contribute to the crash gates. He questioned the necessity of additional roads, as he believed that, in the event of an emergency such as a fire, most people would naturally head to Silver Reef Road or possibly west towards Oak Grove Road and the freeway. He noted that there were no internal road connections within their existing development.

Wayne Peterson, a resident of 975 Bonanza Road and former Mayor of the Town of Leeds, raised a matter discussed in a recent planning commission meeting. The zoning in question was R-1-5, with an overlay labeled as L-40. Wayne directed attention to Chapter 12, Section 2.2 of the land use ordinance, which specifically addressed properties of 40 acres or more with 10 or more lots. He highlighted that the plan unit development specified that the "L" value should not exceed 25%, resulting in a reduction.

Furthermore, Wayne emphasized that the overlay on the map was designated as L-40. He recommended that it would be prudent for the Town Council to consider updating the land use ordinance. The rationale behind this update was to ensure that the town's ordinances were consistent with this situation. This situation was unique as it pertained to an area with an alternative method of land use, such as the SITLA development, which covered over 40 acres and included more than 10 lots. The proposed update aimed to align the Town's approval with a 40% reduction, effectively allowing for three-acre lots.

Wayne clarified that the area marked as R-1-5 on the map was the last remaining five-acre zoning in the town of Leeds, and it had not yet been developed. He stressed that this update would not necessarily alter the proposed acreage but was intended to ensure the consistency of town ordinances with the approved plan, preserving good order.

Addressing the zoning, Wayne explained that the current town ordinance indicated the zoning as R-5, while the application from SITLA requested a different zoning designation known as R-3. Wayne clarified that there was no actual R-3 zoning; instead,

there was an overlay that allowed for a reduction in acreage under specific conditions, subject to the town's approval.

To ensure compliance, Wayne recommended updating the Planned Unit Development (PUD) chapter of the land use ordinance to permit a maximum reduction of up to 40%, as the current cap stood at 25%. He noted that the cap percentage varied depending on the zone, as specified in the PUD chapter of the land use ordinance. Councilmember Cundick inquired about the map, observing that most of the lots appeared to be smaller than two acres. Wayne clarified that each lot was one and a half acres in size. Although not explicitly stated on the legend, these lots could be permissibly zoned as R-1-2-L-25, allowing for a 25% reduction to achieve the desired one and a half-acre size.

Expanding on the zoning information, Wayne pointed out that the area marked in pink on the map was zoned as R-1-5, adjacent to the five-acre properties. He noted that the zoning did not align precisely, as there were green areas within the orange zoning on the map. Wayne provided an estimate of the total acreage being developed by multiplying the number of five-acre lots by five and the number of one and a half-acre lots by one and a half. This calculation revealed more acreage than indicated in the map legend, particularly in the one-teens.

Mayor Hoster sought clarification regarding the relevance of the 30% or 40% reduction, to which Wayne explained that it pertained to the reduction allowed in the minimum acreage required. This provision was outlined in Chapter 12.2.2 of the land use ordinance. Although he was not aware of any parcels in Leeds with this specific zoning during his time on the town council, Wayne emphasized that the ordinance allowed for its application in this case.

Mayor Hoster further sought clarification, asking if Wayne's intention was to bring this matter to the council's attention as a request to address the absence of R-1-3 zoning and to ensure that the parcels within the pink area, originally plotted for three to four acres, did not proceed with that zoning change.

Wayne clarified that his preference was for the town to rezone these parcels with the overlay, aligning them with town ordinances. His goal was to prevent this situation from setting a precedent where anyone could request a reduction in acreage for their parcel. Mayor Hoster expressed appreciation for the clarification and apologized for the numerous questions, to which Wayne responded that it was not a problem.

Doris McNally, serving as the Secretary-Treasurer of the Silver Highlands Homeowners Association, addressed the council to bring attention to an inconsistency on the current plat map submitted by Aaron. She expressed her gratitude for Aaron's cooperation and efforts.

Doris pointed out a specific inconsistency on the map, the light green area extending towards the museum, which she believed should be removed from the final plat. She noted that this area was solely under the control of the Highlands Homeowners Association and not within Aaron's jurisdiction.

Doris emphasized that the intention was not to hinder or delay the process in any way but to ensure accuracy in the final document. She concluded by expressing her thanks.

Jim Thomas, of Juniper Way, began by acknowledging that the proposed subdivision was the second half of the one he currently resides in, a detail he was previously unaware of. He expressed his support for the proposed subdivision, commending the work done so far.

Jim then shifted his focus to the safety concerns of the existing residents, particularly regarding the narrow roads, ditches on each side, and the sharp turns within the subdivision. He suggested a potential solution to address these safety issues. Instead of installing one-armed bandit gates, which are prone to breakage and create emergency access problems due to zoning, codes, and vehicle laws, he proposed the implementation of double-pair speed bumps.

Jim explained that double-pair speed bumps would serve as a means to slow down traffic effectively and ensure the safety of both new and existing residents. He emphasized that such measures could help mitigate the impact on the roads currently in use.

Jim appealed for consideration and support for this proposal, emphasizing the need to mechanically slow down traffic and improve safety without residents having to constantly monitor the situation.

7. Announcements:

- a. Reminder of Huntsman Senior Games cycling Event October 12th from 7-9 A.M

Mayor Hoster gave the first announcement is a reminder of the Huntsman Senior Games cycling event happening tomorrow morning from 7 to 9 at the park. It's usually a well-attended event, and participants typically park at the church. Please be mindful that there might be some traffic changes tomorrow morning due to the event.

- b. Resignation of Planning Commissioner Gary Rosenfield term ending June 2028

Mayor Hoster announced the resignation of Planning Commissioner Gary Rosenfeld. Gary's term was scheduled to end in June 2028. Information regarding his resignation has been provided to the planning commission, which is currently considering potential alternatives to fill his position. While they have the option to select an alternate, they may also choose someone else for the role. Mayor Hoster took the opportunity to publicly express his gratitude to Gary for his excellent service during his time with the commission.

- c. Donations/sponsors needed for annual Wreaths Across America tribute in December

Mayor Hoster discussed the need for donations and sponsors for the annual Wreaths Across America tribute taking place in December. He mentioned that contributions could be made at the meeting location. Additionally, he stated that Doris, who was present at the meeting, could provide further information about making donations.

The Mayor then inquired about the various methods for making contributions, asking if they could be made at the meeting location. He also mentioned the possibility of using a website or Venmo for donations.

He invited someone to provide additional details, indicating that they buy wreaths, and they can clarify the process for making donations.

- d. October 28th Fall activities detail, Chili-Cookoff 4-6, Zombie Walk 6-7, October 31 Trunk or Treat 5:30-6

Doris McNally, speaking on behalf of BLOOM, explained that they have identified 55 veterans in the area and determined the need for a number of wreaths, which is around 65. They are currently working with Ken Haley to validate this order, which will eventually be placed by the town. Once ordered, the wreaths will be sent to a location that they haven't yet identified. They plan to invite people to participate in placing the wreaths on the graves.

Doris also mentioned that the donations they receive will cover the cost of the wreaths. As information, she noted that a standard wreath cost around \$17 each. They are looking to gather contributions from the community to cover the expenses.

- e. Town of Leeds chosen as the Spotlight City for the 2024 Washington County Fair

The Town of Leeds has received the news that it will be the spotlight town for the 2024 Washington County Fair. This is a significant honor, and the county recently contacted them to share the news. While more details are forthcoming, it's expected to be a major event. There will be various responsibilities, such as creating a float, with plans to have Danny ride on the float and greet everyone. The town anticipates receiving more guidance and will likely form committees to help organize and showcase their contributions to the Washington County Fair. This is seen as an exciting development for the town of Leeds.

8. Public Hearings: None

9. Action Items:

- a. Action regarding Ordinance No. 2023-03, Amending Chapter 21, Section 14, Related To Vacating, Altering, Or Amending A Subdivision Plat/Map

Mayor Hoster introduces the first action item of the evening concerning Ordinance 20-2303, which aims to amend Chapter 21, Section 14, regarding the vacating, altering, or amending of a subdivision plat. The Planning Commission has reviewed and approved the proposed amendment, which is now presented to the Town Council for a vote.

The ordinance begins by citing relevant sections of the Utah Code Annotated that grant municipalities the authority to enact ordinances regarding the approval and recording of subdivision plats. It states the town council's desire to harmonize the town code with the Utah code in relation to amendments or vacation of a subdivision plat or map. The ordinance clarifies the town council's authority to vacate subdivisions.

Council members are encouraged to take a moment to review the proposed changes to Section A, provided in the redline version of the ordinance. The town council is then asked to make a motion to approve the resolution, and after the motion, any discussion is welcomed.

During the discussion, it is clarified that the proposed amendment primarily addresses the process and not whether the town council has the option to vacate a subdivision plat. It streamlines the process by eliminating the need for a board of adjustment, thereby making it more efficient.

Councilmember Stirling moves to approve regarding Ordinance No. 2023-03, Amending Chapter 21, Section 14, Related To Vacating, Altering, Or Amending A Subdivision Plat/Map, and Councilmember Furley is second. Motion passed in a roll call vote.

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
MAYOR: Bill HOSTER	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	_____	_____	_____	X
COUNCILMEMBER: KOLE FURLEY	X	_____	_____	_____

b. Action regarding proposed Ordinance 2023-04, Amendment to ORD 2013-03, Street Tree Ordinance

The next action item on the agenda is related to proposed ordinance 20-2304, which is an amendment to ordinance 20-1303, the street tree ordinance. Scott provides an overview of the proposed amendment, which aims to provide clarity in the code for the proper care and maintenance of trees, especially those adjacent to or overhanging public rights of way.

The amendment is designed to place the responsibility on property owners for the maintenance of trees. It clarifies that the town can take necessary enforcement action if required and ensures that the town isn't financially responsible for tree maintenance. The town council has reviewed this amendment, and it has been through the Planning Commission, which recommended its approval.

The mayor calls for a motion to approve the ordinance, and a council member makes the motion, which is seconded. There's a brief discussion about Section C for enforcement and the role of the town enforcement officer. It is clarified that the intention is not to inspect properties regularly but to allow inspection when issues arise, such as hazardous trees or those impeding rights of way.

Councilmember Cundick makes a motion to approve Ordinance 2023-04, Amendment to ORD 2013-03, Street Tree Ordinance. Councilmember Stirling seconded. Motion passed in a roll call vote.

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
MAYOR: Bill HOSTER	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	_____	_____	_____	X
COUNCILMEMBER: KOLE FURLEY	X	_____	_____	_____

Councilmember Stirling proposes a change in the agenda in order to address items d. and e. before the longer subdivision discussion. Mayor Hoster and the council agree to this change, and they proceed to discuss the conditional use permit applications.

d. Action regarding Conditional Use Permit application for Owner Occupied B&B at 825 N Bonanza

Mayor Hoster proceeds to agenda item D, which involves the consideration of a conditional use permit application for an owner-occupied Bed and Breakfast at 825 North Bonanza. He says, "You should all have received their application documents. The property owners are represented by Chris Stuttered, who, unfortunately, is not present tonight. However, they did attend a previous meeting with the Planning Commission and addressed their queries".

Mayor Hoster asks Scott Messel if there is any essential information we should be aware of? Scott replies No, the primary concern was ensuring that there's adequate off-street parking available. The Applicants Chris and Abby Studdert submitted the application that was reviewed by planning Commission on October 4, 2023. The commission recommended the application to Town Council for approval as a resident-managed Bed and Breakfast facility compliant with the regulations set forth in the Land Use and Zoning Ordinance Chapter 24 by the Planning Commission

Councilmember Stirling voices gratitude to The Planning Commission for thoroughly reviewing the matter.

Councilmember Stirling makes a motion to approve the application for the owner-occupied bed and breakfast at 825 N Bonanza Road as recommended by the Planning Commission. Councilmember Cundick seconds the Motion.

Motion passes in a roll call vote:

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
MAYOR: Bill HOSTER	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	_____	_____	_____	X
COUNCILMEMBER: KOLE FURLEY	X	_____	_____	_____

- d. Action regarding Conditional Use Permit application for Owner Occupied B&B at 195 S. Main St

The second application is for an owner-occupied bed and breakfast at 195 South Main Street, where the property owner, Tiffany Jones, is present. The Planning Commission has also reviewed this application and recommend approval as compliant with Land use and Zoning Ordinances.

Councilmember Stirling moves to approve the Conditional Use Permit application for Owner Occupied B&B at 195 S. Main St , which is seconded by Councilmember Cundick. Motion passes in a roll call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: Bill HOSTER	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	_____	_____	_____	X
COUNCILMEMBER: KOLE FURLEY	X	_____	_____	_____

- a. Discussion possible action regarding updated Amended Subdivision Preliminary Plat for Silver Creek Estates, A Planned Development Community, with SITLA /Aaron Langston

The discussion then moves to the updated amended subdivision preliminary plat for Silver Creek Estates, a planned community development with SITLA (State Institutional Trust Lands Administration) and Aaron Langston. Aaron Langston is present to address any questions or concerns from the council.

Scott Messel also explains that recent changes in state code limit the number of public hearings regarding a subdivision, which affects the public's ability to comment on the project.

Councilmember Stirling addresses concerns regarding the proposed subdivision. She mentions that she conducted research dating back to 2003 and found that SITLA (State Institutional Trust Lands Administration) created an engineered plan that specified roads for various phases of development from the beginning even when the development was called Cibolo Estates and Silver Creek Highlands. These engineered roads fall under Utah Code Transportation Title 72 Chapter 5 Part 1, which restricts closing or blocking traffic on such roads. Highlighting that the roads were established to ensure the safety and welfare of the residents in the area, and closing or blocking these roads would be illegal under Utah law. She emphasizes that the intent of the roads was to create a functioning road network that connects different phases of development.

The town planner, Scott Messel, supports the idea of maintaining an interconnected road network for the town and recommends against creating a network of dead-end roads.

Councilmember Stirling clarifies that her research was to find a way to help and not to

work against the council's or residents' wishes, but she believes in making decisions based on facts and what is right for everyone involved.

During the discussion, there are several points raised and clarified.

The open space issue: Councilmember Stirling brought up the issue of open space that was erroneously noted on the preliminary plat. This space was intended to be moved to a different location, and the matter was resolved.

Drainage ditch and water ownership: There's a drainage ditch with water flowing through it on the land in question. There are multiple owners of this water, and an easement is being worked out to allow water to flow through these lands for irrigation.

Homeowners' Association (HOA): The plan involves a restrictive HOA and CC&Rs (Covenants, Conditions, and Restrictions). There's a discussion about whether the existing HOA would annex these lands or if a new HOA would be formed. The developer typically records CC&Rs on the property before selling it or partnering with others. Aaron states the purpose of CC&Rs on SITLA projects is that it helps maintain uniformity in the neighborhood and can include design guidelines. However, changes to CC&Rs are possible, Scott Messel clarifies that state statute supersedes CC&Rs. Concerns are raised about the potential impact of CC&Rs on trails and other aspects of the development. It's noted that any concerns related to trails or common areas can be addressed with conditions when approving the project.

Trail system: The possibility of incorporating a trail system within the open space is discussed. The developer is open to the idea and willing to work with the town on development for trails to improve safety for pedestrians. There is a discussion about creating a small common area or path along Silver Reef Road on the west side, allowing pedestrian access and preventing driveways. It's suggested that this could be a condition of approval.

Silver Reef Road and speed limits: Concerns are raised about the speed limits on Silver Reef Road and the safety of pedestrians. There's a suggestion to consider creating walking trails on both sides of the road within the open space area.

Safety and pedestrian access: The importance of safety and pedestrian access is emphasized. Aaron states that SITLA is open to collaborating with the town to address these concerns.

The question of toxic materials in a specific area of the common space is brought up. Aaron is working on addressing environmental concerns in that area and expressed they hear the concerns and he is working with 2 engineers to create a maintenance plan. The possibility of testing is considered. Councilmember Stirling brings up the idea of testing the common area for toxic materials to ensure the safety of residents.

Aaron Langston addressed the concern and said that Michelle Poet raised the same concerns, and she has collaborated with Aaron to address the issues. Michelle brought to SITLA's attention a potential breach in the area, possibly caused by recent rainstorms. As a response, Aaron mentioned that SITLA have engaged two environmental engineers to rectify the situation. They are currently in the process of

creating a plan for the affected area. One of the tasks that SITLA requested from the engineers is the development of a maintenance plan that can be easily understood by the general public to identify any future issues. Aaron emphasized that they are taking this step to ensure that they have a plan in place for ongoing maintenance and safety. They also expressed their commitment to conducting tests in the common area if it can be done safely. Even though the area may be transferred to another entity it is most likely to remain under SITLA’s management. Aaron said SITLA’s aim is to address concerns regarding potential toxic materials, acknowledging that they are not experts in environmental matters. Their pledge is to take remediation recommendations based on the experts guidance to ensure safety.

There was some confusion about the proposed turn lane on Silver Hills Drive as it relates to the location. It was clarified that SITLA did not own that area in question.

The possibility of a roundabout was briefly discussed.

Aaron again emphasized the developer is open to working with the council on these matters.

Councilmember Stirling motioned to approve the Amended Subdivision Preliminary Plat Application for Silver Creek Estates, A Planned Development Community, net development area 102.5 acres located in a portion of the Northwest quarter of section 6, Township 41 South, Range 13 West, S.L.B.M., and the Southeast ¼ of the Southwest ¼ of the section 31, Township 40 South Range 13 West, S.L.B.M , conditional upon the following changes and findings:

1. Omitting from the map the portion of common space indicating Silver Reef Park.
2. Adding open space west of Silver Reef Drive for trail use.
3. Reviewing the CC&RS provided by SITLA to ensure no driveways on Silver Reef Road.
4. Conducting a review of toxic sampling in the open space area.
5. Exploring the potential for a roundabout at Silver Hills and Silver Reef Road.

Motion passed in a roll call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: Bill HOSTER	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	_____	_____	_____	X
COUNCILMEMBER: KOLE FURLEY	X	_____	_____	_____

10. Discussion Items:

a. Discussion regarding a funding committee

In a meeting held on Monday of the previous week, the Mayor discussed their interactions with the governor's office. They informed the town council that the governor's office has been receptive to the requests and concerns raised by small towns like theirs, especially those lacking dedicated staff. As a result, the governor's office has established a funding portal that consolidates various funding opportunities into one accessible platform. The Mayor mentioned that they have reached out to Doris McNally and other individuals, including Michelle Poet, for volunteer assistance in reviewing these funding opportunities. The goal is to identify relevant opportunities and collaborate to secure resources for the town by collectively applying for state and federal funding. They emphasized the importance of these funding avenues for the town and encouraged anyone interested in participating in this effort to get in touch with them or Doris McNally.

11. Citizen Comments:

Wayne Peterson from 975 Bonanza provided some important insights. First, he clarified that the reference to Chapter 8.3 pertained to plan unit development. He then addressed the tree ordinance and expressed his desire to have it documented that several residents are willing to assist individuals facing physical challenges in maintaining their properties. He shared an example from a previous town he lived in, where a woman was forced to sell her house because she became physically unable to meet an adopted ordinance of clearing snow from sidewalks within a required 24-hour timeframe. He emphasized the importance of community support to prevent such situations in our town.

Wayne Peterson also raised awareness about home business occupations, particularly related to the bed and breakfasts in town. He highlighted that there's a current limitation of 25% of a home's use for business purposes. Wayne encouraged the council to ensure this limitation is maintained or communicated to prevent a precedent of exceeding this threshold.

Lastly, Wayne brought up safety considerations. He mentioned that, during his involvement with the Hurricane Valley Fire District, properties with more than 10 occupants in Airbnb rentals were required to have sprinkler systems. He requested that the town investigate if this requirement also applies to bed and breakfast establishments to mitigate potential liability concerns in the event of an unfortunate incident.

Doris McNally expressed her gratitude towards the planning department, her HOA members, and the council for their attentiveness during the meeting. She also provided a constructive recommendation. Doris pointed out that during the initial public meeting, there wasn't enough time to educate everyone on the background, and she commended Danielle for her informative presentation during the current meeting. To improve the process and community understanding, she suggested that in any future public meetings, there should be a 15-20 minute segment dedicated to providing background

information. Doris recommended the availability of a preparatory document, possibly with a map, to be provided at the meeting or in advance. She believed this would enhance communication, reduce neighbor concerns, and ensure greater transparency between the community, planning, and the council.

Susan Savage provided an explanation to the factors affecting the presence of water in a ditch, specifically concerning the concept of water rights and usage. The discussion revolved around the "point of diversion" for water, which is where water is taken from its original source, and the "point of use," which refers to the location where water is actually utilized.

Susan Savage detailed that the ditch in question has its point of diversion at the same place as the irrigation company, chosen because it was the nearest farmland to their original homestead. Unlike naturally flowing mountain streams, the water right associated with this ditch is different; it allows for the use of water when there is an excess. This means that the availability of water in the ditch is tied to the irrigation company's water rights and depends on excess water in the stream.

The explanation also touched on issues related to the cleanliness and availability of water in the ditch. Debris and silt, particularly after a flood, can impact water flow. There is a sand trap in place to prevent debris from entering the ditch. However, cleaning the sand trap can take several days, during which there might not be water in the ditch.

The availability of water in the ditch depends on the trash and other factors such as the level of excess water from the source. This can result in variations in water flow from year to year, and sometimes, there may be extended periods with no water in the ditch due to the cleaning process.

12. Staff Reports:

Ron Cundick attended a solid waste meeting where the committee approved a two and a half percent increase in fees across the board. The details of the fee adjustments have been made available on the town's website, allowing residents to check how they will be affected. The increase is set to take effect on the first day of the upcoming year, and preparations will be necessary to accommodate this change.

Councilmember Stirling inquired about the status of the siren activation and the reverse 911 system. While the matter of the siren was mentioned, it was clarified that the use of the reverse 911 system is contingent on residents updating their information, such as address and phone number when renewing their driver's licenses. This information is managed by the dispatch system, and when necessary, it can be utilized to contact specific groups of residents based on location.

Councilmember Stirling also expressed interest in discussing the activation of the siren on a future agenda, as opinions on its use vary among the community.

Mayor Hoster provided updates and information during the meeting. She discussed dog license notifications and reminded residents to register their dogs annually and present rabies vaccination records every three years. Additionally, a veterinarian would be available in January to facilitate this process.

She also mentioned that the Silver Reef Road had been resurfaced and thanked the county commissioners for their support in making the upgrade possible. The museum located on Silver Reef Road was highlighted as a factor contributing to the decision to improve the road.

Mayor Hoster informed the council that the post office is a franchise of the US Postal Service and introduced Derek Stirling as the new franchisee. She encouraged residents to cooperate with the new management and allow time for adjustments.


The Mayor concluded the meeting and inquired about the need for a closed session, to which there was no need.

Before adjourning, the Mayor asked for clarification on the "s

13. Closed Meeting: None

14. Adjournment 8:47

Approved this Twenty-fifth Day of October, 2023.



Bill Hoster, Mayor

ATTEST:



Aseneth Steed, Clerk/Recorder