

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, November 08, 2023

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, November 08, 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. Tonight's Agenda of November 8, 2023
 - b. Meeting Minutes of October 11, 2023,
6. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
7. Announcements:
 - a. Dumpster Days, December 15, 16, & 17, 2023 Dumpsters will be located on Cherry Lane
 - b. Appointment for as Planning Commissioner, term ending June 30, 2028
 - c. Annual Wreaths Across America tribute set for December 16th, Sponsor a Veteran
 - d. Christmas tree Lighting event, Held Friday, December 15, 2023 at 6:00-7:30pm at Town Hall
 - e. Dog and Cat Vaccination Clinic, Saturday, January 5, 2023, 1-2PM with Dr. Bice
8. Public Hearings: None
9. Action Items:
 - a. Discussion possible action regarding formal request from Councilmember Cundick to the Planning Commission to evaluate the feasibility of vacating Silver Pointe Estates Subdivision Plat.
10. Discussion Items:
 - a. Possible Town Hall with Mayor Hoster, November 15th at 6:00 PM
 - b. Discussion on Leeds as Spotlight City for the 2024 Washington County Fair
 - c. Update of Leeds Cemetery: perimeter line adjustment, existing irrigation system , tree removal at entrance, and conceptual rocked walkways.
 - d. Vandalism at the CCC camp needing repairs - door broken on Blacksmith building
 - e. First Quarter Budget review
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 provide 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 November 6, 2023 at these public places being at **Leeds Town Hall**, **Leeds Post Office**, the **Utah Public Meeting Notice website** <http://pmm.utah.gov>, and the **Town of Leeds website** www.leedstown.org.



Aseneth Steed, Clerk/Recorder

Town of Leeds

Town Council Meeting for Wednesday, November 08, 2023

Regular Meeting 7 PM

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

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: KOHL FURLEY	_____	X

Town Planner Scott Messel: Absent.

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 November 8, 2023

Councilmember Stirling moved to approve tonight's agenda with correction of date to November 8, 2023. Second by Councilmember Cundick. 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: KOHL FURLEY	_____	_____	_____	X

b. Approval of meeting minutes of October 11, 2023

Councilmember Stirling moved to approve meeting minutes of October 11, 2023. Second by Councilmember Cundick. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

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

6. Citizen Comments:

Linda Horsley: "I would like to recognize Aseneth Steed tonight. I had the great opportunity of working with her in the last year and a half, and she's the glue that holds this town together. I don't think she's appreciated enough, and I just want her to know that I appreciate her. As you know, we all know Antonio left for another opportunity where he was getting retirement benefits, sick leave, vacation, holiday pay, etc. I would hope that the town would look at that for Aseneth. She's working full time for this town. As you look at the budget, it's almost unconscionable that she doesn't get these benefits. I think she's the only clerk in the county that does not get benefits. I know they're expensive, and I know the town doesn't have the money, but I think it's a very, very high priority for this town because we don't want her to do what Antonio did and lose all that knowledge and experience gained. Thank you very much."

Gary Rosenfield: "I live at 415 West Silver Hills Road and am a nine-year resident of Leeds. I love this town. First, I want to apologize to the residents of the town of Leeds, especially my immediate neighbors, for not insisting on proper due diligence as a planning commission member while reviewing the Bed & Breakfast nightly rental for the 'Home Occupation business Conditional Use Permit Application' for 825 North Bonanza Road on October 4, 2020, which culminated in a unanimous recommendation for approval. Apparently, the town council also approved the conditional use permit at their next meeting as well. So, I suspect proper due diligence was not completed by them either. But we were also misled by the applicant.

Based on the proximity to our home, basically across the street, you would think that I would oppose it, but I wanted to be fair and impartial as possible. Even though I was only on the planning commission for about a year, that doesn't excuse my oversight of not requiring all the information from the applicants before making a proper evaluation and recommendation as a planning commission member. I'm going to avoid making any further comments. I'm going to ask some questions if you don't mind about the town council.

The first question is, is there a birth building permit for this recreational facility? Pickleball court, pergola fencing hedge, and lighting on file with the city.

Mayor Hoster: "This is a time for citizen comments, not dialogue."

Gary Rosenfield: "So I can't ask a question?"

Mayor Hoster: "That's correct."

Councilmember Stirling: "You can ask. We just do not answer."

Gary Rosenfeld: "Okay, question number two. Does the Pickleball Palace resort and recreational facility at 825 North Bonanza have a valid business license? So, these are things for you to consider. Okay. You don't have to answer. My third question is: Did the applicant for the Pickleball Palace resort and recreational facility at 825 North Bonanza attach a plot plan drawn to scale of the property involved showing the location of all existing buildings and plans and descriptions of the proposed use of the property with plans for all proposed buildings, including the site plans, elevations, existing proposed buildings, parking loading areas, and other pertinent information as required in the conditional use permit application? I just quoted that from the application. Something to consider.

My last question is: Did the applicant at 825 North Bonanza Road submit stamped address envelopes for all property owners within 300 feet of the affected property, and again directly from the application?"

Michelle Peot: "Firstly, I wanted to quickly advocate for Rochelle Gardner to be seated on the planning commission as a full member. She regularly attends meetings, does her homework, and I believe she would represent the town well, ensuring all citizens are represented.

Secondly, I wanted to share some updates regarding Silver Pointe because the plat map vacation is under consideration. They violated Utah State solid waste laws in their analysis justifying why these laws didn't apply and how they conducted their sampling. I'll provide an electronic copy with references. I spoke to someone at DEQ and solid waste; typically, contaminated soil can temporarily stay during cleanup, but it must be moved within 30 to 60 days. There's a similar issue in Park City with the school district, where lead-contaminated soil was left for years. This needs examination; they violated these rules.

Moreover, they breached zoning events by establishing an unpermitted solid waste repository. Additionally, the contaminated soil repository is in Angel Springs' drinking water protection zones, which is why the solid waste rules apply due to potential harm to human health and the environment. This repository wasn't fully lined like a standard municipal landfill. Thank you."

Daryl Lewis: "As you're all aware, that last city council meeting we had was canceled. And a couple of days ago, I received an email from Aseneth. It is a copy of an email that the mayor sent to Aseneth. And it reads: 'Please advise those who requested to be on the agenda November 8, 2023, regarding the C.U.P. 825 Bonanza due to a recent flood of complaints regarding this specific situation, the research associated and resources

necessary to ensure thoroughness, I am removing the item from the agenda.' We come to this meeting, and we are allowed to make comments. But I've lived in this town for eight years. And I'm very aware that in years past, this has not been a shutdown comment period. And I think all of you people know that it has not been a shutdown and comment period. There has been dialogue that has taken place in these comments as sessions.

My question, I have a question regarding it. The email because as I thought about it, I thought to myself since October 23, which is over two weeks ago, this complaint was received by the city. And I was never contacted by any one of you regarding my complaint in that over two-week period. And then to read that research was necessary. And resources were necessary. And thoroughness was necessary. Evidently, before anybody could take any action on any complaint. And it seemed rather... don't want to use the term that comes to mind. But I will read in my complaint, the first ordinance that I cited in my complaint was 24.2."

Mayor Hoster: "You have hit the three-minute mark, can you wrap up?"

Daryl Lewis: "I'm sorry?"

Mayor Hoster: "You've hit the three minutes; can you wrap up?"

Daryl Lewis: "You must have been counting while I was waiting for you. Yes, I'll wrap it up. The purpose and intent of 24.2 is to allow the residents of the town of Leeds who comply with requirements of this section and are issued a license to utilize a portion of their resident premises as a place of business. Such business shall only be operated by the residents in the home and shall not be of such nature or skip of scope, that the operation of the business disrupts the neighbors or distracts from the residential character of the neighborhood in which it is located."

Rochelle Gardner: "I reside at 405 North Silver Hills. The citizens' request to present issues regarding 825 North Bonanza was avoided by cancellation of the last town council meeting and has been removed from tonight's town council agenda. Allowing citizens to present issues that may affect the town, as well as individual citizens, in a cohesive, organized manner, allowing more than three minutes, provides transparency. Citizens of the town should have the opportunity to learn about issues that may affect their quality of life in Leeds. Allowing citizens, a voice in no way hinders or affects ongoing research, resources, or thoroughness on the town's part.

When can the citizens of the town expect this issue to be on the town council's agenda? When was or has the town council been apprised of the issues? We haven't heard anything. What is the timeline for the town to acknowledge when a complaint has been received? What research must take place and what resources must be expended before the town council and citizens are allowed to hear citizens' complaints/issues that may affect the town and the individuals in the town? Is the town planning on talking to all parties involved?

Personally, have the property owners at 825 North Bonanza been asked to cease operation of the private recreational facility until the issue has been fully resolved? Did the Planning Commission and town council have the correct and full documentation to ask the correct questions regarding the intended use and issuance of the conditional use permit? Does the private recreation facility at 825 North Bonanza have a valid town of Leeds business license? Is it the proper license for the intended use? I did come into town and ask about that and never received an answer. Was the structure and associated lighting and spectator enclosure included on the town of Leeds building permit and site plan? If there is a building permit on file, does it include all outdoor lighting plans along with evidence required by 6.1? A through C? And is there any record of how or if the planning commission/City Council voted on allowing you to construct this building construction structure? Thank you."

Wayne Peterson, 975 Bonanza Road, addressed a couple of topics. "I know that the SITLA (School and Institutional Trust Lands Administration) property, Silver Creek Estates, is not on the agenda. But I would encourage the Council, as it does move forward, to look at Section 12.2 regarding overlay zones. This will ensure consistency with any reduction permitted. Regarding that project, they are collectively requesting R-1-5 and R-1-3 zoning. While the parcel is collectively zoned as such, it isn't precisely in line with the current zoning. For good order, even though SITLA isn't obliged to follow local zoning ordinances, I suggest going through the process of rezoning to precisely reflect their intentions. Understanding the historical progression of such matters is essential as time goes by.

Mayor Hoster: "Would you clarify the reductions?"

Wayne Peterson: "Certainly. The reductions involve an overlay for parcels of 40 acres or more, allowing a 25% reduction if the overall density criteria are met. SITLA, however, is aiming for a 40% reduction on five-acre parcels. Although SITLA has the authority to disregard local zoning, I believe aligning with local regulations is advantageous. Also, I want to ensure public and town council awareness that effective May 3, 2023, accessory dwelling units became enforceable under legislation passed by the state legislature. According to State Code 10-9-530 Internal Accessory Dwelling Units, section 1.a.3, 'internal accessory dwelling unit' means an accessory dwelling unit for long-term rentals of 30 consecutive days or more. The town is mandated to permit every residential property to have an accessory dwelling unit, not necessarily for short-term rentals."

Doris McNally: "Just following up on what Wayne Peterson was saying regarding the SITLA property and the zoning that came with the last planning meeting, I would recommend that you listen to and read the minutes from the last planning meetings. Also, it was discussed that considering SITLA is a unique situation, changing the ordinances of

our town to accommodate a unique situation could cause more problems and not help the situation. So, I just wanted to get that on the record."

Jim Gardner: "I live directly across from the so-called Pickleball Palace, which, from all outward appearances, has been promoted as nothing less than a commercial sports facility. Large groups can rent spacious accommodations boasting private kitchens and big groups on pickleball courts. It has an indoor pickleball court and a lighted outside pickleball court. It presents itself in a way that lights up the whole neighborhood, creating a glaring aesthetic and acoustic nuisance for nearby residents. It's roughly 60 feet from my front yard and blatantly violates the natural beauty, charm, and character of our neighborhood and Silver Reef. Not to mention its effect of potentially decreasing surrounding resale property values, which could be up to 10%. Apparently, nobody wants to live across the street from a pickleball court, especially with the constant drumming of the balls bouncing and the paddles, not to mention the annoying bright lights at night. My wife and I filed a complaint.

My question is, is there an established protocol for handling and resolving complaints? If so, what is it? Who is ultimately responsible for the resolution? Have you contacted all the involved parties to make determinations and resolutions? Are you aware that the Pickleball Palace does not meet requirements for bed and breakfast? How did such a facility progress to the point of escaping scrutiny by the Planning Commission, the town council, and the mayor? A member of the planning commission drives past this every single day; it's hard to ignore. Many Leeds residents feel alienated and defensive about their property due to unenforced ordinance violations, affecting their quality of life and resale property values."

Why does it seem like there's no enforcement in Leeds of ordinance violations? We need to enforce long-standing beneficial ordinances and not randomly amend them to accommodate a few. Another question is, are you planning on amending the existing ordinances to accommodate the Pickleball Palace Bed and Breakfast?"

Manuel Goy-Yu-Chin: "I live at 1042 Bonanza Road. I can sympathize with the people who live across from that pickleball court. I thought they always, when they built a big house there, to add the indoor pickleball court. I thought that's already kind of an eyesore in a way because it's just a humongous house that now looks like a building instead of a residential place. And then, later, they added this outdoor pickleball court. To me, aesthetically, it looks like an animal cage out there, you know? I mean, it seems like they're planting trees now to cover it up, but I don't think that's going to cut it.

The neighbors are complaining about all this bright light and noise. We live in a nice residential place, and we don't want that. I'm surprised that they got the permit to do it and went ahead and did it anyway. So, I hope you guys can do something to change that, whatever they're doing there, because later, it could mean more traffic and more cars on

the side of the road. It's a narrow road already to start out with. So, if you have a car parked on the side of the road, it's going to be a big mess. We don't want that in the town of Leeds. Okay, so thank you very much."

Alan Cohn: "I thankfully do not live next to what I'm just going to refer to as a monstrosity. But I guess the council, going forward, and I'm not going to try and tell you how to do your job or whatever, must be mindful of the fact that we have developers squeezing us from every direction, as we know. And what is to stop this from turning into Washington Fields, if you've seen that whole vacation community there? So, the town really needs to be mindful of scrutinizing the ordinances when these kinds of things come in. What we don't want is a whole community of pickleball palaces, obviously. So, that's just a comment on that. Thanks."

Angela Rohr: "So, aside from the current focus on this, we already allow a monthly rental that a homeowner can do. But to have it maybe become a business where it's like weekend after weekend, there's a lot of noise and people entering the streets who are unfamiliar with our town. One of the things that most people love about being here is it's quiet and safe. We feel safe. And I think if this spreads out, not just one, but many, many, it will not be the comfortable place that we'd like to be."

Lorraine Rosenfield: "I live at 415 West Silver Hills Road. Just to reiterate, we requested the matter of 825 North Bonanza Road be put on the agenda twice now, and it was removed from tonight's agenda. We would like to know when the citizens of the town could expect the issue to be placed on the agenda. We would also like to know exactly what reserves, research resources, and thoroughness were necessary to hear citizens' complaints and concerns. There's no research nor thoroughness without hearing all the parties involved and the full picture. We've been here for over nine years. We invested in this town based on the general plan and ordinances that are currently in place. We need people watching out for our investments. Bringing down property values is a main concern. The other issue is having to listen to the noise. Having people, you know, 10 to 20 people over there on pickleball courts screaming, you know, just feet from our front porch. We hear it in the front, we hear it in the back. You know, there's no getting away from it. When summer rolls around, it becomes a nightly thing. We have no peace. And we'd like to know, is there any record of how the planning commission or city council voted on the building of a recreational facility, including the court, the lighting, the fencing, the pergola, and the hedging? Have the owners of the recreational facility been asked to cease the operation of the resort until the issue is put on the agenda and resolved?"

Linda Horsley: "Well, I'll just keep it very short. I just want to reiterate the concern that the citizens have about what's happening in the town. I hope that the town council looks

at the town's general plan again to see if this is the direction we want to go in our town because it looks like it isn't. I don't know if the Gardeners are my sister and brother-in-law. They visited us several times after we moved to Leeds, and they love the community. They love their area. So, they bought a lot, sold their house in Washington State, built their dream home. And now they can't even use their bedrooms at night with the lights. It's very sad what the situation is. I don't know what the solution is, but I hope we can find one that works for everybody. We just want to be heard and understood. We would like to get on the agenda and present a positive situation of what's really coming so you have a clear understanding. Okay."

Mayor Hoster: "Okay, I think we've had everyone in the room. No, Daryl, you've already been up here.

Daryl Lewis: "Oh, limiting it to three and no more?"

Mayor Hoster: "That's correct.

Daryl Lewis: "Really? You know—

Mayor Hoster: "Just have a seat, please. Thank you.

Mayor Hoster addressed the citizens saying, We've received numerous complaints about the pickleball courts, and I'd like to address a few aspects that might not have been considered. One key issue is why these concerns weren't on our agenda. For clarity, any matter on the agenda restricts public commentary as we require a formal hearing to address agenda items by law. That's why you were encouraged to provide public comments instead. I've heard requests to include these issues on the agenda, and I've taken note of your feedback. You're welcome to share your complaints and information through emails or with our newly established ordinance hearing officer. We have due process in place to handle ordinance violations.

Regarding your concerns, it's essential to understand that every situation involves different perspectives and interpretations. As mayor, I aim for fairness, acknowledging multiple sides and seeking the truth amidst varying accounts. We're bound by legal frameworks and the challenge of avoiding property right infringements while addressing complaints.

Upon receiving complaints, we don't have a specific timeframe for response, especially if the issue is easily resolved. Our resources are limited, and we diligently examine each matter, consulting legal experts, county officials, and planning departments. The Planning Commission evaluates matters before presenting them to the town council, and we make informed decisions based on their recommendations.

I empathize with your frustration; I see particularly amid social media conflicts and neighborly disputes, and it saddens me. It's crucial to ensure fairness and legality in all actions taken by the council. We've acted on valid complaints, avoiding making judgments based on partial legal understandings.

The recent interest in SITLA land, for instance, stems from concerns about future developments affecting property values. While respecting property rights, we're striving for a thorough investigation to prevent any legal liabilities for the town or individuals.

I understand that these matters are challenging and have brought tension within the community. Our goal is to navigate these situations without legal complications, ensuring fairness and justice for all. The process involves careful legal scrutiny and must follow a vetting process by the Planning Commission.

I commend the concerned citizens who have voiced their grievances and acknowledge that those complained about are also valued members of our community.

Councilmember Wilson expressed appreciation for the mayor's comments and commended everyone for attending and sharing their perspectives through comments, acknowledging that it's an appropriate avenue for discussion. However, he emphasized that the process is complex and not something that can be instantly resolved, echoing the mayor's sentiment. Wilson recognized the importance of understanding the impact on people's lives, highlighting these concerns as areas needing attention and resolution. He thanked the attendees for their presence and contributions as the council moves forward. Mayor Hoster then shared personal involvement, mentioning the purchase of meters and thorough checks being conducted. The council is actively engaging the city attorney and planner while considering legal implications. Emphasizing the complexity of the process, the mayor reiterated gratitude for the comments and contributions from attendees.

7. Announcements:

- a. Dumpster Days, December 15, 16, & 17, 2023 Dumpsters will be located on Cherry Lane
- b. Appointment for as Planning Commissioner, term ending June 30, 2028

Mayor Hoster voiced We have an appointment for Planning Commission, which is going to occur, the term ends for June 30, 2028. We're anticipating the chairman of the planning commission to provide that information to us shortly.

- c. Annual Wreaths Across America tribute set for December 16th, Sponsor a Veteran

Next is the annual Wreaths Across America tribute. This is set for December the 16th. This is a sponsor of the veteran option. Anyone who's interested in donating to that cause it's a wonderful, wonderful thing we do also, as a town, donate to that.

- d. Christmas tree Lighting event, Held Friday, December15, 2023 at 6:00-7:30pm at Town Hall

The annual Christmas Tree lighting is being facilitated BLOOM (Beatification and Leeds Outreach committee) in association with religious organizations in the town. It is anticipated to be held on a Friday, December the 15th 2023, from 6 to 7:30pm at town hall. I'm not sure what the agenda is going to be for that. But last year, it was cold, but there was an amazing turnout, and we had a lot of fun. And so, I hope we can get a good turnout again, Susan savage read to us some history of the town of Leeds, and it was it was really an awesome event.

e. Dog and Cat Vaccination Clinic, Saturday, January 5, 2023, 1-2PM with Dr. Bice

This will be on Saturday January 5, 2024, From 1 to 2pm with Dr. Bice just an FYI on how this works, he comes in and basically does these for cost giving your pets vaccinations. So, it's a great way to make sure that they're vaccinated, get your license renewed.

8. Public Hearings: None

9. Action Items:

- a. Discussion possible action regarding formal request from Councilmember Cundick to the Planning Commission to evaluate the feasibility of vacating Silver Pointe Estates Subdivision Plat.

Mayor Hoster shifted the focus to action items, starting with a discussion on a formal request directed to Council Member Cundick, asking the Planning Commission to assess the feasibility of vacating the Silver Pointe Estates subdivision plat. Mayor stated, You should all have a copy of the letter in your packets.

Councilmember Cundick said, I initiated this request due to concerns about the procedural aspects slowing down the process. The aim is to expedite and avoid getting caught up in unnecessary hurdles. Therefore, I'm seeking a prompt recommendation from the planning commission to enable us to proceed efficiently.

Which I'll read for the record:

Town of Leeds
218 N Main St.
Leeds, UT 84746 November 8, 2023

TO: Mayor Hoster and Town of Leeds City Council
FROM: Councilmember Ron Cundick
RE: Request to Initiate Process to Vacate Silver Pointe Estates Phase 1 Plat

To the Town of Leeds Mayor and City Council:

As you know, on June 30, 2016, a plat for the Silver Pointe Estates Phase 1 development was recorded in the Washington County Recorder's Office as Document Number 20160023327. Pursuant to Chapter 21, Section 14 of the Town of Leeds City Code, I formally request that the City Council begin the process to vacate the plat for the Silver Pointe Estates Phase 1 development.

Kind Regards,

Ron Cundick, Councilmember

Leeds, UT

Mayor Hoster summarized; this request marks the beginning of the process to vacate the plat for the first phase of Silver Pointe Estates. Once we receive the planning commission's recommendation, the town council will have the opportunity to vote on initiating this process. So, at this juncture, I invite any motions or discussions on this matter.

Councilmember Wilson: " I want to understand a little bit better why we need this? I am trying to fully understand why we need to have a vacated plat."

Mayor Hoster: "I can answer that. But Ron, go ahead."

Councilmember Cundick: "Well, we don't have to have it. That's the answer. But should we, have it? We feel like we should."

Mayor Hoster: "According to legal counsel, the purpose for proceeding in this direction was that the condition of the recording of this Plat was not met and the contract between the town and the developer had expired. Therefore, leaving kind of a half-built step, which could impede future development or render the development that's in process right now, and compromise associated with some of the EPA issues that might be a of concern. Our Town attorneys have made the recommendation that we reverse the process, which is very consistent in all other towns and cities throughout the state, once recorded plat is not going to be developed under the agreements that were set. That would be the reason why we would recommend this down to the planning commission."

Councilmen Wilson: "So it's commonly done, and our attorneys suggested this as a method we know about it?"

Mayor Hoster: "That correct. That would also it will also entail a public hearing before the vacating of the plots can occur. "

Councilmember Cundick: "I made one more comment on that, too. We've learned a lot since this plan was originally filed. And I think it's in the town's best interest. I will put it this way, that the developers are always free to propose a new plan. But we know a lot more about the situation now that if we were to get a new plan proposed, we could put

better conditions on it that are safeguards that we don't have right now. If we don't vacate this one, and we're kind of stuck with what we have not saying we're stuck, we kind of are."

Mayor Hoster: "Well, it could benefit the developer as well. I don't think it's one sided."

Councilmember Cundick: "I'm not stating it is, but my primary concern is considering the Town's interests. It's important that we integrate the insights gained from this process and ensure they are documented in the plan as much as feasible. That's my focus."

Mayor Hoster asks for any further deliberation on this potential action related to recording or the formal request about vacating the Plat.

Councilmember Stirling: "I've done hours and hours and hours of research into the past and I highly recommend that we move forward."

Councilmember Stirling made a motion to formally request the Planning Commission to evaluate the feasibility of a vacating Silver Pointe Estates subdivision plat. Councilmember Cundick seconded the motion.

Motion passe 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: KOHL FURLEY	_____	_____	_____	X

10. Discussion Items:

- a. Possible Town Hall with Mayor Hoster, November 15th at 6:00 PM

Mayor Hoster is considering a town hall meeting, feeling it's an opportune moment two years into the administration. The idea is to bypass the constraints of formal council sessions where everything is recorded and follow strict legal guidelines. This town hall, scheduled for November 15th at 6 pm in the Town Hall, would facilitate a Q&A session, allowing open discussions solely conducted by the mayor to avoid violating Open Meeting acts. There's encouragement for public participation, answering queries, and discussing the town's current and future. Some express support for the idea but suggest time limits to ensure efficiency and fairness, which aligns with the three-minute mark often set for discussions to allow everyone a chance to speak.

- b. Discussion on Leeds as Spotlight City for the 2024 Washington County Fair

Leeds has been selected as the Spotlight City for the 2024 Washington County Fair. The designation implies prominent participation in the fair parade, a substantial presence in the cultural center to display the town's unique aspects, and the selection of a Grand Marshal for the parade. To prepare adequately, there's a discussion about forming a committee dedicated to this event.

Council members discuss the significance of the designation, including having a place in the parade, setting up a detailed exhibit, and electing a Grand Marshal. They consider showcasing the town's attributes, uniqueness, and community involvement in voluntary efforts. The idea of having a committee to manage the fair preparations gains support, although there's recognition of the limited timeframe, especially with the holiday season approaching.

Efforts are underway to form a committee to organize the town's representation at the fair. They initiate discussions on potential themes for Leeds' spotlight, emphasizing looking towards the future and acknowledging effective volunteerism. While seeking an initial report on the progress, there's acknowledgment of needing time to consolidate ideas and resources. The next town council meeting in December is identified as a checkpoint to assess progress and plan for the fair.

- c. Update of Leeds Cemetery: perimeter line adjustment, existing irrigation system, tree removal at entrance, and conceptual rocked walkways.

There were discussions about adjusting the perimeter line at the LDS Cemetery, improving the existing irrigation system, removing trees at the entrance, and creating conceptual rocked walkways. Efforts were acknowledged regarding expansion and legalities of the cemetery, including donations for fence repairs. Mayor Hoster highlighted Lorrie Hunsaker's initiatives in expanding Leeds LDS cemetery, collaborating with various entities. After Lorrie's departure, Council Member Stirling took up the responsibility and collaborated with legal counsel, town planners, UDOT, and the county to deed the expansion properly to the town. The legal process was successful, and Councilmember Stirling is furnishing additional information to the county's attorney. Mayor Hoster expressed gratitude for Councilmember Stirling's efforts and offered an opportunity for her to add any details to the discussion.

Mayor Hoster added that yesterday he had checked on the place and made sure all the water was off for winter. I also want to commend Doris McNally for the incredible cleanup there, it looks fantastic, thanks to the hard work. However, there are some additional tasks beyond volunteer work. For instance, the irrigation system needs some upgrades to support the large trees there and prevent any of them from dying. We have a couple of dead trees at the entrance that might require professional help, for which isn't currently budgeted. I estimate it could cost around \$1,500 per tree, and I'll need to find

funding for this from our general fund as it's not allocated in our current budget. We might need to consider bids for this and assess the cost for conceptual rock walkways. These efforts aim to enhance the beauty of the sacred cemetery. I hope we can restore the character and maintain it for generations forward. The improvements should give us about, it was 18 More plots. So that should be good to help with some long-term residence.

Councilmember Cundick talked about the Silver Reef Park, "Originally, there was supposed to be a park, up there, an acre. SITLA was going to contribute, which they have. So, they contributed half of that. And the other half according to the plan was supposed to be contributed by the HOA. The HOA dug in and refused to do it. And even though the plat says they will do it, they're not interested in what the plat says. So that's the situation, it's supposed to be a park, eventually about an acre. And it's very hard to develop as a park. So that's why it's on hold and whether it should be developed in the near term, I don't know. But probably in the long term, it's going to be one of the few places back there. So that may not affect whether you turn the water off right now. But citizens need to be aware of that there. There was a plan for a park, and it's been half, halfway completed, and the other half is being held up by you, HOA.

Councilmember Wilson: "So did that require a tap fee be paid for that time? "

Councilmember Stirling: " No it didn't, in the background of it was when the irrigation company decided to their pressurized irrigation, that used to be the ditch. LDWA, as well as other individuals put forth the pathway for that to be. In fact, Martha Ham was instrumental in trying to save the trees down there. And you had it open for quite some time. And then you got the bill and realized that there were some extra zeros or something?"

Marth Ham: "we put in a little water fountain there and installed a drip system to try and save the trees, the trees must be flooded. You cannot drip cottonwood back to life. So anyway, the water was just not used. That was really more the situation that we didn't see a way forward until better organized."

Councilmember Stirling: " The town's been paying on that for quite some time. And it has I don't believe it's been opened. We haven't used the water for like 11 years. "

Mayor Hoster suggested, "Danielle, if you're comfortable with that plan, we've documented it. Why don't we take steps to proceed with shutting that off?"

Councilmember Stirling promptly agreed, stating, "Absolutely. I believe I can reach out to early LDWA tomorrow, and they should be happy to assist with that."

d. Vandalism at the CCC camp needing repairs - door broken on Blacksmith building.

The door of the Blacksmith building at the CCC camp was broken, requiring repair. Discussions involved possible solutions and repair strategies. Councilmember Wilson offered to assist in repairs of the wooden door.

e. First Quarter Budget review

The council reviewed the budget, potentially reallocating funds from the princess pageant to another area. A question was raised about continuing curbside recycling due to concerns about its effectiveness and costs. Council member Cundick responded that the town's involvement in recycling is mandatory for residents, with about half currently participating. Despite efforts to recycle, there are challenges. While recyclable materials are sent to a large facility in Las Vegas, nearly half end up in the landfill due to its non-recyclable nature. Recycling is viewed as a well-intentioned but economically burdensome initiative. Many citizens disregard recycling guidelines, contributing construction waste to regular landfills, increasing costs for sorting. The district raised fees for commercial use to cover expenses, but non-compliance remains an issue. Instances of misunderstanding, like placing non-recyclables in recycling bins, have led to confusion and negative publicity. Although progress is observed in meetings, numerous unsolvable problems persist. The recommendation is for those using recycling bins to continue, as the program's costs and inefficiencies are likely to persist, and non-participation could lead to alternative, potentially less favorable, solutions being implemented.

11. Citizen Comments

12. Staff Reports:

Councilmember Wilson inquired about the recent fire in South Town and the cleanup of fallen trees at the entrance of the town. Mayor Hoster mentioned speaking with the Department of Transportation, who clarified that the property owner is responsible for the fallen trees' removal. Due to the owner's recent busy schedule with a family event, the cleanup was delayed, prompting the mayor to wait before helping. Wilson acknowledged the situation and thanked those involved in managing the aftermath of the fire. No further matters were raised.

Councilmember Stirling expressed, "Regarding the citizen complaint forms, I want to clarify their purpose. These forms aren't meant for public shaming or instantly condemning someone based on a complaint. Their essence lies in providing us with a chance to review, analyze, and maintain a record, ensuring fairness. While these forms capture individual opinions, it's crucial to recognize that they don't become a public forum. We appreciate these submissions, yet we handle them with discretion as a board. They don't get shared publicly or used as a tool against any individual. We aim to protect

everyone's interests and understand these concerns. Rest assured; we don't disregard these complaints; they play a role in our considerations."

Mayor Hoster provided updates during the staff report, mentioning the change in Utah's election day to the 20th or 21st due to Governor Cox's declaration. Only two people applied for the two open seats on the city council, making those positions uncontested. The mayor clarified that the election would solely involve voting for CD two. He highlighted the options available for voting, including the Dropbox available until 5 p.m., mailing in the ballot (which must be posted on the election day), or voting in person at the county building. Regarding the fire district, the budget review indicated readiness for the upcoming year. However, the anticipated sales tax for funding the fire department hasn't materialized, prompting ongoing discussions with county commissioners to explore alternative solutions. With the staff reports concluded, the meeting moved forward.

13. Closed Meeting: None

14. Adjournment 8:35

Approved this Thirteenth Day of December 2023.



Bill Hoster, Mayor

ATTEST:



Aseneth Steed, Clerk/Recorder