

# Town of Leeds

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## Agenda Town of Leeds Town Council Wednesday, August 9, 2023

**PUBLIC NOTICE** is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, August 9, 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
  - b. Meeting Minutes of July 26,2023
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 , September 1,2 & 3, Dumpsters located on Cherry Lane
  - b. Follow up on Leeds Park Farmers Market
8. Public Hearings:
  - a. ORDINANCE NO. 2023-03, AN ORDINANCE AMENDING CHAPTER 21, SECTION 14, RELATED TO VACATING, ALTERING, OR AMENDING A SUBDIVISION PLAT/MAP
9. Action Items:
  - a. Review of Planning Commissions proposal and action for ORDINANCE NO. 2023-03, AN ORDINANCE AMENDING CHAPTER 21, SECTION 14, RELATED TO VACATING, ALTERING, OR AMENDING A SUBDIVISION PLAT/MAP
  - b. Proposal to Planning Commission to vacate Silver Pointe Estate Subdivision plat under Town Code 21.14.3
10. Discussion Items:
  - a) Discussion regarding Huntsman World Senior Games Cycling event on Oct. 12, 2023, with event Director, Jason Ranoa
  - b) Discussion regarding Chapter 22 and proposed signs at Leeds exits
  - c) Fourth 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 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 Aug. 7, 2023 at these public places being at **Leeds Town Hall, Leeds Post Office**, the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town of Leeds website [www.leedstown.org](http://www.leedstown.org).

  
Aseneth Steed, Clerk/Recorder

**Town of Leeds**

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**Town Council Meeting for  
Wednesday, August 9, 2023**

**Regular Meeting 7 PM**

1.Call to Order/Roll Call: 7:00

ROLL CALL:	Present	Absent
MAYOR: BILL HOSTER	X	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____
COUNCILMEMBER: RON CUNDICK	X	(ZOOM)
COUNCILMEMBER: STEPHEN WILSON	X	_____
COUNCILMEMBER: KOHL FURLEY	X	(ZOOM)
Town Planner, Scott Messel present	X	

- Invocation: Councilmember Cundick
- Pledge of Allegiance: Councilmember Stirling
- Declaration of Abstentions or Conflicts: None
- Agenda for August 9, 2023

Mayor Hoster announced a change to the evening's agenda, citing a clerical error related to an addendum. To ensure thoroughness, he proposed the removal of items eight (A) and nine (B) from the agenda. With those items struck, Mayor Hoster requested a council member to motion for the approval of the revised agenda. Councilmember Stirling motioned to approve the agenda for August 9, 2023. With the removal of items eight (A) and nine (B) from the agenda. Councilmember Wilson 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: KOHL FURLEY	X	_____	_____	_____

Town Council Meeting Minutes of July 5,2023. Councilmember Wilson moved to approve meeting minutes of July 5, 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: KOHL FURLEY	X	_____	_____	_____

6. Citizen Comments:

“Good evening. Council, my name is Brock Riding. I sent you guys some emails this week. And I appreciate the time that you took to review those, hopefully, those were informative. I represent Silver Pointe. As a group trying to develop this property, we have been extremely frustrated. Not because we want everything to go our way. Because we feel like we have not had the opportunity to have a real conversation. And to actually get real feedback and have an opportunity to work together. This has been a long-drawn-out thing, there are very many challenges there. However, we have a recorded Plat that has been bonded, we've kept that bond up, we've continued to try to work with Leeds to move forward there. We stopped at every turn. We would just love the opportunity to be heard and would hope that we can be put on your next agenda so that we can do that. Or that we would be treated professionally, that we could come in and sit down and go over our plans. With our plan, the way it stands, we feel that we should be able to sit down with construction plans and get a notice to proceed or talk over the challenges so that we can move forward. If that’s not the case, I would love for somebody to just tell us you have no intent to let us develop. Some honesty would go a long way and we can quit wasting our time. It also is very alarming to me. I know it was removed from the agenda tonight. But it's alarming to me that a town would create an ordinance specifically targeted at one property owner. There's no hiding that, Mayor. You specifically told me that on the phone and sent a letter directly to us that that said you had every intention to vacate our recorded plat with an ordinance that was not even passed. I think that should give every citizen pause. You know, maybe they agree with what you're doing. But when a when a government entity attacks one property owner individually, that's a dangerous path to go down. So, I hope that as you guys move forward, that we can be treated with respect.”

Mayor Hoster called 3-minute timer.

Brock Riding Thanked the council for their time.

Michelle Peot expressed her support for harmonizing the proposed amendment with the state laws. She said she confirmed that the state code allows for such an amendment. She also reminded everyone that the development agreement for Silver Pointe had expired in 2018, implying that there should be no undue pressure on the town to proceed with it. Michelle Peot mentioned attending a recent school board meeting that discussed the proposed property tax changes. She pointed out that the brochure distributed about these changes highlighted savings to the tax rate but obscured the fact that the school board was proposing to shift funding for large capital projects away from the usual voter-approved bond process. Instead, they planned to institute a levy with a capped amount, effectively creating a tax rate in perpetuity. Michelle expressed concern about this approach, considering it undemocratic, and noted that the public hearing seemed predetermined and lacked transparency.

Susan Roberts expressed her discontent with the situation and the town council's conduct. She mentioned being aware of petition signing activities related to the issue and questioned the legitimacy of claims about uranium problems in the area. Susan argued that if uranium were genuinely a significant concern, the people signing would be selling their homes and leaving the area, which doesn't seem to be the case. She perceived the situation as deceitful, suggesting that an ordinance should not be approved to target Silver Point Estates despite concerns.

Roberts emphasized the importance of property owners' rights and urged the council to act with integrity. She believed that decisions should not be influenced by personal preferences but rather based on genuine reasons, such as not wanting growth unrelated to uranium. Susan concluded by expressing that this was her opinion on the situation and thanking those present for listening.

Cynthia Neubauer reminded the board and the town that an ordinance prohibiting the emission of radioactivity from certain activities was signed several years ago. She specifically mentioned that Mr. Alan Roberts and Mr. Jered Westhoff were directly involved in that process and had signed this ordinance around 12 years ago. Cynthia expressed this as an important historical point.

Rochelle Gardner shared her perspective on the Silver Pointe development. She clarified that her concern was not about limiting property rights or trying to halt development but rather focused on potential health and environmental risks. Gardner mentioned researching uranium in the dust and questioned the absence of a clear plan for excavation, especially considering activities like digging swimming pools and letting children play in the dirt. She emphasized the need to consider the well-being of the entire community and expressed her support for individual property rights as long as they didn't

jeopardize community health. Gardner concluded by stating her desire for a responsible and safe development that would be affordable for future residents without compromising anyone's health.

Ralph Rohr, a 17-year resident of Leeds, responded to a gentleman from the Silver Pointe development. He offered an open invitation to visit the development with a Geiger counter to demonstrate that radiation levels near the proposed building site were significantly higher than what the development considered safe. Ralph emphasized the importance of open conversation and discussion on this matter.

Julianne Bruley expressed gratitude to the board for their work and decisions, despite sometimes facing criticism. She addressed the issue of signage, mentioning his experience as the owner of Leeds Trading Post. Bruley explained that they initially had signs directing people to their establishment but faced complaints, leading to the removal of some signs. She also mentioned a meeting regarding sign permits and jurisdiction, suggesting that UDOT and the police had regulatory authority over signs. However, they eventually had their signs returned. Julian expressed a desire for the town of Leeds to have jurisdiction over signage, pay for permits, and ensure a neat and legal lineup of signs for local businesses.

Lynn Potter offered a suggestion regarding the issue of signage. Recognizing the challenges of obtaining control over state property for signs, Lynn proposed an alternative solution. He suggested that the town could consider selling or renting space around the existing town sign to local businesses. This space could be used for classy business signs positioned beneath the Leeds town sign, potentially addressing both the need for signage and the town's control over its display. Potter wished the town luck in implementing this idea.

Mayor Hoster addressed the public comments, asserting that everyone has the First Amendment constitutional right to express their opinions. However, he also emphasized his role as mayor and voiced his determination in calling out false accusations and embellishments. He expressed frustration with false claims about the city council targeting or denying anyone and mentioned that accusations embellishments were not helping anyone. Mayor Hoster indicated a willingness to hold individuals accountable for making untrue statements during public comments. He asked if there were any further comments from the public.

Susan Savage expressed her appreciation for the professionalism displayed during the proceedings and the process. She acknowledged the efforts and care that had gone into addressing the issues at hand. Savage humorously noted that if the intention were to prevent growth, she would be the only person in the room and she would be lonely but

that she wouldn't have needed to stop irrigating and prepare herself to attend a town council meeting. Susan extended a warm welcome to newcomers to the area and appreciated the town council's responsibility in ensuring the safety, health, and welfare of the citizens. She concluded with a heartfelt thank you.

7. Announcements:

a. Dumpster Days, September 1,2 & 3, Dumpsters located on Cherry Lane

The mayor began the announcements by informing the community about Dumpster Days scheduled for September 1st, 2nd, and 3rd. The dumpsters would be placed on Cherry Lane. He acknowledged that last year's event went over budget because the dumpsters were filled to capacity, which was not a problem. However, the mayor emphasized the importance of not toppling over items or dumping hazardous materials into the dumpsters. He urged residents to report any issues, either by contacting the town hall or using his cell phone number for prompt resolution.

b. Follow up on Leeds Park Farmers Market

The second announcement pertained to the Leeds Park farmer's market. The mayor noted that they were trying to determine how to make it available at the town park. There had been discussions about whether to charge for vendor spaces. The mayor pointed out that if the area were left in good condition by vendors, it would save costs on cleaning, repairs, and maintenance. The town was open to starting the market without charges if possible and had considered having one day a month where non-agricultural items like arts and crafts could be included, with the other days primarily focused on agriculture. Mayor Hoster invited recommendations from the townspeople and mentioned that while it might be too late to effectively launch this year, planning now could make it a great addition to the town in the spring.

Mayor Hoster reiterated that due to the removal of items eight and nine from the agenda, there would not be a public hearing during the meeting. He mentioned that the action items initially scheduled for discussion had been adjusted, and the meeting would now proceed to the discussion items.

8. Public Hearings:

~~a. ordinance no. 2023-03, an ordinance amending chapter 21, section 14, related to vacating, altering, or amending a subdivision plat/map.~~

9. Action Items:

~~a. Review of Planning Commissions proposal and action for ordinance no. 2023-03, an ordinance amending chapter 21, section 14, related to vacating, altering, or amending a subdivision plat/map.~~

~~b. Proposal to Planning Commission to vacate Silver Pointe Estate Subdivision plat.  
under Town Code 21.14.3~~

10. Discussion Items:

a. Discussion regarding Huntsman World Senior Games Cycling event on Oct. 12, 2023, with event Director, Jason Ronoa

Mayor Hoster introduced Jason Ronoa, Huntsman World Senior Games coordinator for the cycling event scheduled for October 12, 2023. He invited Jason Ronoa to address the council.

Jason Ronoa expressed his appreciation for the cooperation of the town of Leeds and their positive experience the previous year. Jason explained that last year they had a last-minute change of plans due to road construction, which affected their permits. This year, they aimed to make slight changes to the route to improve traffic flow. He presented a map of the proposed route and discussed the plans for parking, which included the use of a local church and Main Street parking. Jason also mentioned that they would bring portable restrooms to accommodate the participants. He assured the council that the event would not be overly disruptive, with around 250 participants, and the activities would not last all day.

Mayor Hoster and Council asked a few questions, including whether the speed bumps on Valley Road would be an issue. Jason believed they would not be problematic, as participants would be traveling uphill and could be slowed down with additional speed bumps if necessary. They also discussed the need for volunteers, and Jason indicated that he would provide contact information for those interested in volunteering. Lastly, they discussed parking and confirmed that there had been enough space at the church the previous year.

The council expressed their appreciation for the event and the positive impact it had on the town. Jason Rinoa thanked the council for their support and cooperation, emphasizing their desire to be a positive addition to the community.

The discussion concluded with Mayor Hoster expressing his gratitude to Jason and the council members, indicating that there were no further questions or concerns regarding the event.

b. Discussion regarding Chapter 22 and proposed signs at Leeds exits.

Mayor Hoster introduced the next discussion item, which pertained to Chapter 22 in the ordinances and codes of the town of Leeds, specifically regarding signage options for Leeds exits for businesses. The context provided was that the current land use ordinance, which dates to 2008, essentially prohibits certain types of signs. The mayor expressed the need to reevaluate this ordinance to assist local businesses in enhancing their commerce and attracting tourism.

The mayor mentioned that discussions with the Utah Department of Transportation (UDOT) were underway to explore options through an easement agreement. He also noted that Michael Jackson, the owner of a local vineyard, had valuable artistic input that could be beneficial in designing aesthetically pleasing signage.

Councilmember Stirling pointed out that the existing ordinance (Chapter 22, Section 3.6) already allowed for business signs on town property with the written approval of the town council. She suggested fine-tuning the ordinance but didn't believe it needed a complete overhaul.

Mayor Hoster sought feedback from the council on whether there should be enhancements to the ordinance, particularly regarding sign size and any disqualifications to prevent bias. Councilmember Stirling agreed that fine-tuning was necessary, but the existing framework allowed for facilitating signs for businesses in Leeds.

The discussion focused on using the existing ordinance to facilitate signage for local businesses while ensuring fairness and an aesthetically pleasing approach.

Councilmember Wilson brought attention to a potentially vague statement in the ordinance, specifically the last sentence in Section 3.6. The sentence mentioned that requests for signs on town property would not be granted except under extremely unusual conditions. Councilmember Stirling clarified that the unusual condition referred to the fact that UDOT owns Main Street and there's limited space available for signage, as the town doesn't own additional property where signs could be placed.

Councilmember Wilson expressed agreement with the need to support local businesses and find an aesthetically pleasing way for them to advertise. Mayor Hoster added that the wording of the ordinance would need to be refined and suggested that the Planning Commission could take on that task.

#### 11. Citizen Comments:

Lynn Potter, a participant in the meeting, offered further input. He emphasized the importance of strictly defining the aesthetics of the signage, similar to the process of building a structure. He also suggested that while lighting could be considered, it should be self-contained and at a low level, resembling the gentle illumination of a Thomas Kinkade painting. Potter acknowledged that implementing these changes would likely come with a financial cost and require a significant investment of time.

Frank Beardsley shared an idea during the discussion. He mentioned that when traveling on freeways and nearing a town, there are often big blue exit signs with listings of different businesses. Beardsley suggested that the town could explore the possibility of having businesses listed on a sign like that if it adheres to UDOT and county regulations. This could provide visibility for local businesses without the need for individual signs.

Mayor Hoster expressed appreciation for the suggestion and noted that such options are worth exploring.

Julianne Bruley expressed concern about the cost of signage, mentioning price estimates ranging from \$400 to \$1,200 per month for a sign. She discussed previous meetings where property ownership, maintenance, and setbacks were issues to consider



when placing signs. Bruley suggested using totem-style signage with consistent sizing and a way to lock and secure individual business signs. She emphasized the need for legal permits and the importance of being seen by tourists.

Anahi, the owner of Casa Tequilana, supported the idea of finding a legal way to obtain permits for signage to help local businesses.

Roxanne from Mainly Pizza stressed the importance of following the law and obtaining the necessary permits for signage.

Mayor Hoster liked the idea of using a totem-style structure for signage, connecting it to the existing town sign to avoid property issues. He also expressed support for balancing business visibility with aesthetics and lighting considerations.

Councilmember Furley echoed Councilmembers Stirling and Wilson's support for local businesses while maintaining a balance between aesthetics and signage needs.

Mayor Hoster expressed gratitude for the feedback provided during the discussion item about signage for businesses. He indicated that they are on the right path and mentioned the possibility of involving Michael in the design process. He emphasized the need for collaboration, financing, and ensuring that the signage benefits both the businesses and the aesthetics of the town. The mayor thanked the participants for sharing their input during the meeting.

#### c. Fourth Quarter Budget Review

In the discussion on the fourth-quarter budget review, Mayor Hoster presented an overview of the town's financial situation. He highlighted various factors affecting the budget, such as funds allocated for specific projects like Main Street and B&C road funds, increased legal fees (partially covered by insurance), improvements in auditing waste management accounts, and the use of donations for cemetery activities.

The mayor also mentioned the need for a new vehicle for streets and parks, with available funds of \$6,000 and the possibility of community donations. He proposed moving some funds to facilitate the purchase, totaling approximately \$4,600.

During the discussion, there were questions about the mileage on Antonio's truck and the possibility of using it for parts or sale.

#### 11. Citizen Comments:

Rochelle Gardner requested that the budget be included in the published meeting minutes for easy access and transparency. Mayor Hoster confirmed that the budget spreadsheet would be included.

Angela Rohr took a moment to express appreciation for Antonio, acknowledging his excellent work as a Public Works Officer for nearly 13 years. She also inquired about

finding a replacement for him. Mayor Hoster explained that they have someone on probationary status, and Antonio will continue to work part-time during the transition.

Brock Riding, representing Silver Pointe Estates, expressed concerns about the Mayor's earlier comment that he found to be misleading or dishonest. He asked for clarification and mentioned the development agreements related to a plot and the efforts they have made to meet environmental requirements.

Riding said, "The last line of the letter that you sent me said the Town of Leeds plans to move forward with vacating the plot. You specifically called me out at the end of the last citizen comment, and I'm not sure what you're referring to. Development agreements are meant to get a plat recorded. Once it's recorded, it means that you have met those standards, or they are recorded on the plat to show that you meet the standards. We do have the Department of Environmental Quality that has put together a plan for us. We've done what they required, and they've put together a document of nearly 100 pages, although I don't remember the exact length, detailing the requirements we need to meet for construction. We've been extremely mindful of these requirements.

I think that if the environment is truly a concern, which it is and should be, considering the significant investment we've made in the cleanup, there are other properties in this area that probably should also be looked at and cleaned up. I believe this is something that should be addressed by the town, as it's important to ensure everyone's safety. That's our hope.

Again, I plead with you to give us a chance to be heard at your next Town Council meeting. We would love the opportunity to present what we believe are our rights and concerns and to have our voices heard. Thank you."

## 12. Staff Reports:

Mayor Hoster clarifies that the town is currently involved in legal discussions with Silver Pointe Estates and emphasizes that there are legal processes being followed. He addresses concerns raised earlier and reiterates that the town is not attacking anyone.

Councilmember Sterling: Councilmember Sterling discusses her experience with farmers' markets and mentions that she has contacts in other towns that run farmers' markets. She plans to gather applications from these contacts to review potential requirements and regulations for starting a farmers' market in Leeds.

The Mayor invites council members on Zoom to provide staff reports, but there are no additional reports.

Councilmember Wilson asks about the piles of black rocks stock piling at the I-15 south exit and is informed they are being stored by UDOT for road resurfacing.

13. Closed Meeting-None

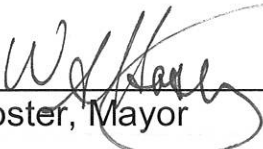
14. Adjournment:

Mayor Hoster thanks everyone for their participation and asks for a motion to adjourn the meeting. Councilmember Toke makes the motion to adjourn, and the meeting concludes.

Please let me know if you need any further information or assistance.

Meeting closed at 8:08pm

Approved this thirteenth Day of September 2023.

  
\_\_\_\_\_  
Bill Hoster, Mayor

ATTEST:

  
\_\_\_\_\_  
Aseneth Steed, Clerk/Recorder

# Town of Leeds

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## Town Council and Planning Commission Work Session for Wednesday, July 26, 2023

### Work Session 5:00 PM

#### ROLL CALL: TOWN COUNCIL

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

#### ROLL CALL: PLANNING COMMISSION

	<u>Present</u>	<u>Absent</u>
CHAIRMAN: DANNY SWENSON	X	
COMMISSIONER: ALAN ROBERTS	X	
COMMISSIONER: TOM DARTON	X	
COMMISSIONER: KEN HADLEY		X
COMMISSIONER: ALT. ABBY STUDDERT	X	
	<u>Present</u>	<u>Absent</u>
TOWN PLANNER: SCOTT MESSEL		X

Oath of Office for Abby Studdert as Alternate Planning Commissioner term July 2023 to June 30, 2028.

Chairman Swenson open the discussion by informing the officials that the current consolidated fee schedule dates back to 2016, specifically December 15, 2016. This is the current fee schedule that we are working with, and it's available on the front page of the document packet. The existing fee schedule we currently have is outdated and needs to be updated. We can examine the fee schedules of neighboring towns such as Ivins, Hurrricanes, LA Verkin, Springdale, and Toquerville. Our objective today is to modernize our fee schedule, as many of the existing rates may be considered obsolete or lower than they should be.

Ultimately, the information we discussed will be integrated into the consolidated fee schedule document, specifically in Section Five, which pertains to civil penalties for ordinance violations. The changes we make will replace the current values in the existing consolidated document.

Given the abundance of information, we have a couple of approaches we can take. We could systematically go through each item on the list for discussion, or we could divide sections among individuals to analyze and then come together to compare

findings in about ten minutes. What approach do you find most productive, and what would you prefer to do?

The response is that going through each item one by one, considering their lack of knowledge about other matters is preferred, all concur, suggesting that going through each item individually would be the best approach. The discussion then progresses to specific fee items such as certified mail, copies, and maps, with input and suggestions from different participants on adjusting the fees based on comparisons with other towns and external sources. Some items, like electronic copies and larger maps, are discussed in terms of feasibility and equipment limitations.

Throughout the conversation, the participants aim to reach a consensus on updating the fee schedule based on information from various sources and considering the changing landscape since the last revision in 2016.

Excavation fees discussion was based flat rate per permit or on volume removed from the site. However, a cubic yard measurement would need to be determined, which can be complex and time-consuming. It might be more practical to consider a flat fee or a fee based on the scope of the project rather than attempting to calculate cubic yard measurements. The goal is to ensure fairness and simplicity for both the town and the individuals or contractors seeking permits.

It was agreed that charging based on the amount of space occupied is truly the most equitable approach available. It's the most practical method I'm aware of, as it's already a calculation undertaken by engineers and mandated in the building codes. According to the Leeds regulations, if the excavation area is less than a quarter or half an acre for residential properties, no excavation permit is necessary. This exemption applies unless the lot exceeds half an acre, at which point the situation changes.

Lynn Potter asked if he could offer his viewpoint. He said he owns 12 acres, but his strategy involves carrying out excavation on only half an acre at a time. This is why I'm proposing an excavation fee. This fee aligns with the ordinance's provisions. If any alterations are desired, it means revising the existing ordinances.

He said, This stands as a distinct category and is a valid point to consider. However, I disagree with this approach because it seems like you're trying to add various aspects under these conditions. It's akin to transforming our town from a small one in Utah to a small one in California, which doesn't sit well. We're already mirroring the practices of a larger California town. For example, putting up a sign within the town entails adhering to specific colors and size guidelines. I wouldn't recommend calculating fees based on volume; I'd suggest a flat rate for the excavation fee.

Chairman Swenson said The primary goal of an excavation fee is to ensure that individuals who intend to move earth on their property go through a process that defines what is permissible and what might infringe on others. This ties into the permitting process and isn't about generating revenue for the municipality.

Commissioner Roberts observed, The idea behind the consolidated fee schedule should be to cover the true expenses incurred by the town for overseeing permits within its jurisdiction. It doesn't seem fair for taxpayers to fund something administrative that individuals want to do. This is why, particularly in terms of professional fees, it makes sense for individuals to pay whatever the town incurs as expenses. This aligns with the concept that permits exist to help individuals understand the regulations they need to follow for excavation. Consequently, the associated fee should realistically represent the

town's costs in issuing that permit. This includes any inspections required, as seen in our building permit package. Thus, fees should also encompass the town's expenses in conducting those inspections, whether by contracted inspectors or town staff.

Commissioner Darton observed, There might be a need to revise the ordinance if it currently states that there's no charge for excavations on lots half an acre or smaller. Usually, you'd pay based on inspections. If an inspection needs to be repeated due to errors, an additional fee would be charged. This is the ongoing practice. Now, regarding your question about tearing up your backyard for a garden, it wouldn't typically require an excavation permit. Landscaping endeavors like creating a garden, even if it involves moving a significant amount of soil, aren't typically considered excavation. For instance, constructing a swimming pool necessitates a permit due to the excavation involved. So, if you're just engaging in gardening or landscaping, you likely wouldn't fall under the excavation permit requirements.

Councilmember Stirling agreed with the others on the concept that government should not interfere with individuals' landscaping activities. Scrutinizing or quantifying activities like gardening with fees and permits doesn't seem appropriate.

Commissioner Darton added that these considerations are typically covered under building permits, not landscaping or gardening sections. The discussion here pertains to substantial earth-moving activities that are part of construction, not routine landscaping like leveling your lawn or adding a patio.

The conclusion was to table the decision because charging by volume, especially for landscaping, isn't the right approach. Our goal isn't to charge based on volume; rather, the fee structure should primarily cover the costs associated with processing and overseeing permits. It's generally best to calculate fees based on what's needed to cover the administrative aspects of permitting, rather than focusing on the volume of earth moved.

The key points of these fee categories were as follows:

#### Excavation Permits and Fees:

- The idea of having flat fees for residential and calculated fees based on volume for commercial excavations was discussed.
- The need to cover costs for inspections and potential unforeseen challenges was acknowledged.
- There was a suggestion to table the discussion and gather more information before making a decision.

#### Impact Fees:

- Impact fees were discussed in the context of development, with the understanding that they need to be reasonable and justified.
- Different types of impact fees (e.g., for roads, parks) were mentioned, and their purpose was explained.
- The importance of having a reasonable basis for impact fees and avoiding overcharging was emphasized.

#### Cemetery Plots:

- The discussion focused on whether the town should buy back cemetery plots at the original cost or a different amount. State code requires the plot buy back amount match the original purchase price. The \$100 fee is a compensation for town expenses.

- Different viewpoints were presented, including the idea that the town shouldn't profit from reselling cemetery plots.
- A need for clear language and fair policies for open/close grave service was discussed and it was concluded that the town contracts Brett Comas who uses his own equipment and is not on town payroll there for therefore the elevated cost over other municipality is justified. .

#### Liquor Licensing:

- Different tiers of alcohol licenses (categories) were discussed, with suggestions for license fees coordinated with the category.
- Clarification was sought regarding the differences between full-service licenses, restaurant wine and beer licenses, and other types.
- It was agreed to keep the fees reasonable and in line with the work required for processing licenses.

#### Animal Licensing:

- The importance of encouraging responsible pet ownership and vaccination was highlighted.
- A discussion followed about fees for spayed/neutered and unspayed/unneutered dogs, kennel licenses, and late fees. It was focused that the current policy may be construed to discourage spayed/neutered pets license over unspayed/unneutered pets.
- The need for balance between promoting responsible pet ownership and avoiding excessive fees was acknowledged

#### Late Fees:

- There was some confusion about whether the late fee was meant to be an additional fee on top of the original license fee or not.
- It was clarified that the late fee is indeed an additional fee applied if the license renewal is not done on time.

#### Conclusions:

- The members agreed to adopt a \$5 flat fee for dog licenses, regardless of whether the dog is spayed/neutered or unspayed/unneutered.
- The members agreed to charge a \$25 fee for a kennel license, with an additional \$5 fee for each dog.
- The late fee for license renewal was clarified to be an additional fee rather than a separate fee.

Overall, the participants recognized the need to balance revenue generation with encouraging responsible behaviors and keeping fees reasonable. Many topics required further research and in-depth consideration.

It was agreed to have another Work Session on September 6 at 5:00pm before the standard 7:00 pm Planning Commission to gather more information before making final decisions. It was also noted that some fee adjustments might require changes to existing ordinances. The conclusion emphasized the importance of thorough deliberation and clear communication.

Meeting adjourned: 7:04

Approved this Sixth Day of September 2023.

\_\_\_\_\_  
Kohl Furley, Councilmember

  
\_\_\_\_\_  
Danny Swenson, Chairman

ATTEST:

  
\_\_\_\_\_  
Aseneth Steed, Town Clerk/Recorder