

Town of Leeds

Town Council Meeting for Wednesday, May 28, 2024

1. Call To Order/Roll Call: 6:02 pm

ROLL CALL:	<u>Present</u>	<u>Absent</u>
MAYOR: BILL HOSTER	X	_____
COUNCILMEMBER: DANIELLE STIRLING Video	X	_____
COUNCILMEMBER: RON CUNDICK	X	_____
COUNCILMEMBER: MICHELLE PEOT	X	_____
COUNCILMEMBER: KOHL FURLEY	X	_____
TOWN PLANNER: SCOTT MESSEL	X	_____
LEGAL COUSIL CRAIG HALL	X	_____

2. **Invocation:** Councilmember Cundick
3. **Pledge of Allegiance** Mayor Hoster
4. **Declaration of Abstentions or Conflicts:** NONE
5. **Agenda:**

- a. Tonight's Agenda of May 28, 2025
Motion to approve the modified agenda and consent made by Councilmember Furley, 2nd by Councilmember Cundick.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill Hoster	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: MICHELLE PEOT	X	_____	_____	_____
COUNCILMEMBER: KOHL FURLEY	X	_____	_____	_____

- b. Meeting Minutes of May 14, 2025
Motion to approve minutes with modification made by Councilmember Stirling, 2nd by Councilmember Peot.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill Hoster	X	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	X	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	X	_____	_____	_____
COUNCILMEMBER: MICHELLE PEOT	X	_____	_____	_____
COUNCILMEMBER: KOHL FURLEY	X	_____	_____	_____

1. Monthly External Reports:

LDWA – No reports tonight.

HVFSSD – Battalion Chief Butterfield: I just wanted to give you an update on what's going on with the department. Leeds had 19 calls for service last month. Most of those were medical calls, some were fire calls. We are busy training, and we just had the 85th civil support team come down and did hazmat training with us. I do have a question for the council with all the dry hot weather that we have had and the drought if you were going to do fireworks, if you are going to designate a place or outlaw them all together.

Councilmember Furley: I think what you are referring to is a proclamation. As a town what will allow for fireworks and where, every city usually does.

Mayor Hoster: Last couple, we have said park only.

Discussion on mitigation for the Town of Leeds for fire prevention. They are talking about PC, dollars equivalent to the worth of labor and work that the fire district would do that the state recognizes for the use of other equipment and help for other fires that may need to be used during that year for the cities and towns that the district is over.

Sheriff's Office – No report tonight

Solid Waste: Councilmember Cundick: There is a new scale at the landfill, it will be dedicated soon. Now they are requiring the drivers to show driver's license because they were losing a lot of money, every resident is entitled to 2000 pounds a month without charge, if its personal.

Councilmember Cundick speaks about losing several meetings, and that it's important to keep this public comment on this agenda, because that's the main vehicle that we have been hearing from you. I don't want to see this disappear because its abused. It's important to continue this ability to have comments and this course and that's the only way we can hear your thoughts and communicate and express what's going on.

Mayor Hoster: We have a lot of people who want to make comments. We do try to keep the three minutes at the maximum of your comment period to allow everyone to make their comments, but it's also not a dialogue. Make your comments to the council and then we make our notes.

I am going to ask if the council has any objections to moving forward to announcements since the sheriff is not here yet. No objections were made.

2. Announcements:

Danny Swenson: This year I volunteered to assist with applying volunteers to assist with the July 5th Friday fireworks, then our traditional 4th of July morning breakfast on the 5th. I have been soliciting volunteers with propane stoves and ovens to keep things warm and food and clean up. The community Facebook has not been updated. My number for you to text me is 805-603-9158 anytime you want to help text me. For breakfast there is a small fee for individuals and families. Need you there to start helping around 6 that day. We will probably go until 1-2 that day.

Clarification on what date we are doing the fireworks and parade.

3. Citizen Comments:

Troi Hoster: Wanted to thank the town council for your service and the question I get the most in our town is when are we going to ever have a store again. I would urge you to make this a priority especially for the elderly in our town that have a hard time driving and I want to encourage you to vote in favor of the new village commercial and mixed-use ordinance. Hopefully the developers will make it a priority if its passed and we can benefit from the project.

Wayne Peterson: Wanted to comment about the proposed changes to the electronic meeting requirements in the town of Leeds. I was involved as a town official during the time of COVID where we did have to meet exclusively electronically. I've spoken with other officials during that time period, in recent months, and they all agree how wonderful it was to get back to the meeting in person and that there is a great deal that gets lost when there is not in person meetings. When I first got involved, we had one individual on Council who needed to be out of town when the state legislature was in session, and they would skype in dedicated from a hotel room and participate as

best they could. There were some interruptions with the electronic communications at that time. More recently I've observed electronic participation where it has been admitted that they were involved in other activities and needed to step away in order to be able to participate in the meeting. I think it is beneficial to the town of Leeds for the reality and perception of transparency that we have of quorum of whatever public body that is meeting physically at the location and then allow others to participate up to the 2 who are not there. In order to allow them to have some participation as well, but when you have people saying I couldn't hear that I wasn't there, it creates issues, and I just think it is better to have a quorum physically present. I think people who run for the offices of mayor and town council ought to be making the commitment to make every effort to be available for the scheduled meetings and the special meetings that come up, so I would encourage you to leave things as they are and not update to the electronic meeting rules for the town of Leeds.

Lynn Potter: These are copies of the development of Silver Eagle, if you pass them down, all the red shows areas that are over 30% grade and should not have been approved but the town approved it. That's fine because I believe in development. I believe in personal property rights, but I believe the town is dishonest when it doesn't follow its own rules and its own laws. This is a guy's house I road down on Silver Meadows at the end of Silver Meadows down here. That the towns persecuted and prosecuted this past year because he widened his road. His road was existing even before the road that they were widening up there on Silver Eagle development in 1993 he had his road there. The town should not have prosecuted him, persecuted him and I think they fined him. The don't follow their own laws fairly, they'll let the Silver Eagle do one, but this guy, this guy gets punished. That's my problem with the town, they will not follow their laws. This is the development of iconic resorts. They produced a map that shows that a lot of their property was over 30% grade, meaning that they can't develop it. I was approached last meeting at the end of the meeting and reform that I was mistaken and my interpretation of that map, but that's not true. Here it is in black and white. Their lot is not developable under the current hillside ordinance, but the town will not enforce its ordinances fairly and properly, and this is something that I think is important that the town look into trying to maintain its honesty. As a man of the law you know the law, you know that if you vote on something to approve something that's against the law, it makes you complicit in what you're doing. I'd like to see the town just behave by trying to spend a year getting it to try and change the hillside ordinance and instead what was passed was something that was even harder more onerous to deal with, and it was passed because our planning commissioner didn't want the guy next door cutting into the hillside.

Michelle Peot: Lynn I would like a copy of your handouts, please.

Doris McNally: On the 4-23 town council work session what happened was the council decided the work session they were going to put bullets together on commercial village and also mixed-use once they had these together they would give them to craig and he would review them and give his opinion on them to see if they needed to be go once again to planning or to a public meeting. I would like to know if that occurred and what those findings were. I heard a lot of changes in the work sessions the last two times and it seems like it would possibly go back to a public meeting. If you listen to the recording, Mayor Hoster specifically asks you to do that action at 43.38. The next thing is on the bullet points I don't think that the bullet points that were captured on that 4-23 and they don't match what was happening at town council. I would recommend in the future the things that happen in the work session mural what happen in the town council and ultimately become what are work upon bullets. The other thing is on civiclinq I noticed on this meeting there were not civiclinq attachments. So, I am working with older documents, and it sounded like in the work session you have more frequent documents. My first question is there are two sets. There are documents that were written for approval on 4-30 and the same were approved with major changes on 5-12 I am curious on how that happens. As of 5-4 the town has not seen them. The next is a recommendation on 2-26. I met with planning and town council as the sexton and talked about the need for an updated town facilities capital investment and methodology profile. The documents was written, its called Ordinance 9712 written in 1997 and only has a useful life until 2010. In 2010 the demographics were only 254 people, and we were estimated to be 471. Now according to the recent researcher 865 with the potential of The Cove, Grape Vine Wash and sitla it seems foolish that we don't update that document. It is something that we have to legally go by. This is important because it could open the town up to financial liability and also does not give the town to be able to use the funds to support something like the cemeteries. I recommend and suggest that the town take a look at it because in the budget that is proposed that was in the attachment in the last meeting, I don't see any monies in place to do an impact fees studies. I think that opens us up for tremendous litigation. I understand the developers would love it because of dealing with pricing from 1997. The last thing is following up with what Wayne Peterson said on the ordinance on electronic meetings. The way that this ordinance is written is "the mayor determines" and I think that's a little heavy handed. So, I would recommend that you take a look back on that document.

Michelle Rutherford: As a citizen of this town and a recently wrongfully terminated clerk, I'm concerned that our mayor feels he's above the law and he is untouchable. I spoke in front of this council on May 14th, I did so, so that my side could be known, and at 2 minutes and 48 seconds the mayor's timer went off and I was told to sit down. The fact that he times certain people and allows others to speak for as long as they would like is my first concern. The other concern is that mayor probably needs another phone because its broken. There are not three sides to this story listen to the recording and time it. I was told that I was out of order but no Mr. Mayor you were out of order. The events that followed when you shut down people are a direct result of your actions and your attitude. Also, the towns social media account should not be used for one person's political gain or to promote oneself. That account should be used to advise the citizens of events and facts not your personal opinions. As for the budget that is up for review this evening I would like to publicly say that I did not contribute to its content or form, it is not accurate and it is not in the required format to be voted on and adopted, I did make several attempts to help with the budget before I was terminated but I was ignored. As of a draft resolution 2025-05 it's a complete fabrication one of the town clerks jobs is to maintain compliance within the town council and planning commission, we are not just secretaries that can be told to stay in our lane, or be forced to act unethically because the mayor says so. I would not and I feel that this is the real reason why I was fired.

Laurie Sullivan: I would like to recommend Ron, because I feel this is important for Leeds, is to have a clerk that knows what needs to be done and I felt like Michelle was one of the greatest helps for me on the planning commission because there was so much I didn't know and I could ask Michelle and I don't feel like she was unethical, I don't, I really feel like she should be reinstated, and I would love to see that happen. If we could, I don't know the legalities or anything, but I think it would be a great disservice to Leeds to not rehire her.

Rochelle Gardner: I would like to make a comment on the electronic bill, I do not agree with that, I think that city council members need to be present. Citizens are present, I take every effort that I can to be present to see what's going on and to listen to the citizens and to listen to your comments and what's happening. I feel that electronically it's alright to have one or two but not the majority of you. You need to be here if you have something else going on maybe it's more important than this. Maybe it's not. If you are voted in and you're offering your time then you need to be here. You need to be present where I can see you. I can see your eyes. I can hear your voice. Not maybe something that's cut out here and there and that I can't hear electronically.

Travis Naef: I would like to thank the city for the flags that are put up every holiday. I take a lot of pride in that. I appreciate being able to drive down the city and see them.

Robin Snyder: This is to you Bill, mayor, when you first came around to everyone's house, if you vote for me I'll get things done, you never, the person that got things done was Michelle, and that was to make the neighbors move their containers off my property line. Another thing is that when he called you on Super Bowl Sunday, you was right out like that, to do what he wanted you to do. When I complained about him, you wouldn't do nothing. I had a meeting with you and him. The first thing that you said was, well he does things for the church. You did say that, and you know what and there's three persons that knows that right now, that's me, you, and God. I go to church, I'm just not a Mormon, so excuse me, but that's exactly what came out of your mouth. You could shake your head all you want and roll your eyes back. You know that was the truth.

Susan Savage: This isn't anything you can do anything about. We are in irrigation season now and we go up once or twice a day to clean the stream and when I go up on my atv, I stay right over the outside stripping, I try to watch behind me and wave people past in the safe place. Many times, people pass just as they get to the top of the hill and there's no way that we can avoid a disaster at that point. You can't see somebody coming. They are going clear over to the other side of the road where there would be a collision. I just would hope that people would be careful in some of those places where its hard to see.

Jodie Chubak: Here on behalf of Brian and Shelly Hanson: How great the zoning would be for many of us and for new people moving in. It would provide a lot of opportunities and growth for all of us.

Ron Whittmer: I married into the family 45 yrs ago into a local family, a very special local family. Leeds is a special place, this is a special place Mayberry, we are small town. Small town politics has always been that way, and we've had some mayors in the past that struggled, I don't feel that way now, in the last number of years, I really appreciate Leeds and it's a lovely place to live. Would you guys like to go someplace else? I bet you wouldn't. It's a lovely place. What I came up for is I hope our town doesn't get sucked into speed bumps, there is a little talk oh

valley road has speed bumps will you put one on Boulder, will you put one on Vista. We're not children, the frontage road going north, the frontage road going south, do people speed? Yeah, they speed. Do people speed in town, yeah but it's not 90%. I doubt if it's even 50%, I doubt if it's even 10%. Please don't get sucked into speed bumps. I avoid Valley because of the speed bumps. I know contention happens and I know there's contention, but let's treat our town like it's a special place, which it is. I've worried about people moving in and I worry about it more than ever.

Ken Hadley: I would like to thank all those who took time to clean the cemetery for the Memorial Day and especially Bill Stone, he spent a lot of time with that. Talking about flags on the street, Michelle put a lot of time in doing that, she helped at the cemetery. Doris and her husband worked on that also. Thank them and all the town people that took the time to clean all the grave sites. Is there a committee put together for the 4th of July. Danny Swenson is in charge of breakfast. Who is in charge of the parade, the activities and the fireworks of that day. I will share it and put my name up there and call me and text me, Ken Hadley 801-803-9565. Also, we are trying to get the CCC camp straightened out, we've got doors getting close to being ready. Once the doors are ready, we will secure the site. Once we have funding we will put security up there. Motion detector lights and I want to get a fence around it, so we are not getting 4wheelers in and out that shouldn't be there. Also, for volunteers to help me with the CCC camp.

Devin Anderson: I just want to say thank you, when Joanna and I first started looking at moving here, it's been 5 years now, you were a pretty intimidating crowd. What's nice is over time, I feel like there's many of you that now, I could call my friends. Now I see y'all aren't getting along really well sometimes, but I still consider y'all my friend. I really want to say I appreciate the comments on the flags; I appreciate the comments on volunteering and helping out. I love to see positivity and I think everything can be accomplished when we get together and try and figure out together. So I just wanted to say thank you.

4. Discussions and Possible Action Items:

a. Purposed ORD 2025-05 - Mixed Use (MU) Zone Tabled on 2-12-25

Mayor Hoster: We were in a work session with great input from many prior work sessions, Councilmembers spending many hours trying to come up with the final version of this modification that exists.

I would need a motion to accept or against, is to accept the mixed-use as provided with the following modifications. 23.1.6 impact analysis study include language, analysis shall accompany developers agreement, 23.1.11 parking, strike #4, add parking per resident shall be quantified at 2.5 spaces per residence, 2 spaces per unit, .5 as aggregate for overflow, 23.1.14, site furniture slash artwork strike #4 public art as defined, 23.1.15, outdoor lighting site the precise city code for reference. Those are all the modifications that I have documented.

Councilmember Peot: I had one more and that was under the impact analysis that was supposed to also include an assessment of parking capacity, 23.23.1 That was actually two work sessions ago, where it says shall provide a thorough traffic impact analysis, including parking capacity. Then from a point of order perspective, Doris brought up a point of whether the number of changes here would constitute a new requirement for public hearing, can we speak on that.

Legal Counsel Craig Hall: Let me answer that, the answer is no. The planning commission sends a recommendation to you and you have the complete discretion to modify it or throw it away and start over. What you have done is made minor modifications to the original text, and I found the form May 12, went through the drafts both ordinances, and found that the form is fine. The decisions you tentatively made in the work meeting were policy decisions, not form decisions. So I'm comfortable with what you did in the work meeting did not change the form.

Councilmember Peot: Danielle and I talked about this on the break; I think we had wanted to make that section required to do the traffic impact analysis and not discretionary.

Mayor Hoster: It says shall right now.

Councilmember Stirling: It says upon request by the town when circumstances warrant, and I think we need to delete that and add it shall provide without the above sentence.

Mayor Hoster: So, it is your proposal to strike upon request by the town when circumstances warrant. Council, do we have any discussion on that? We will strike 23.1.6 subsection and one traffic impact analysis shall stay upon request by the town, when circumstances warrant shall be struck.

Councilmember Stirling: There is one more sorry. The other number part 2 I'd like to strike upon request by the town when circumstances warrant that the community and economic impact analysis as well, I think we need to have that as approval in the mixed-use zone shall provide fiscal impact analysis as well.

Mayor Hoster: Any objections to that? Looks like everyone's in consensus with that one too. For the record 23.1.6 impact analysis study subsection 2 subsection 1 upon request by the town, when circumstances warrant shall be struck from the first paragraph.

Motion to approve with modifications made by Councilmember Furley, 2nd by Councilmember Cundick.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			

b. Proposed ORD 2025-04 - Village Commercial (VC) Zone

Mayor Hoster: Does anyone else have any changes or modifications that need to be addressed before that motion is made.

Councilmember Peot: Danielle and I also notice during the break that the language here we were going to align the language with mixed-use for the impact analysis section and in Village Commercial that currently has old language where it still says planned center development. We'd like to align the language the same as it is for village commercial where it makes sense.

Motion to approve with modifications made by Councilmember Cundick, 2nd by Councilmember Furley.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			

c. RES 2025-05 To Adopt a Policy for Electronic Meetings of the Town Council.

Legal Counsel Craig Hall: The proposal here allows the Town Council to have participated in the members that can vote on a matter even though they are remote. There are circumstances that come out where you cannot attend and that's certainly understandable. What's in front of you allows remote participation, it does eliminate the present ordinance and provision that quorum has to be present to conduct city business. This is a resolution. What is before you conform with the state code it allows mayor to call special meetings in accordance with the provisions giving the best notice required. It's the realization of reality in this virtual world.

Mayor Hoster: To my understanding to put this on the agenda was that it would bring us up to State code.

Legal Counsel Craig Hall: It does.

Councilmember Peot: I work remotely, so I fundamentally don't have a problem with electronic meetings. The way this resolution is written states that we had a unanimous vote on April 30th and that was a work group meeting, and we can't vote at a work group meeting. I think this needs to be rewritten because it references things that didn't happen as far as us voting on this resolution.

Motion to table this until next meeting made by Councilmember Furley, 2nd by Councilmember Peot.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			

d. Tentative Budget for FY 2026

Mayor Hoster: Before Town Council is a tentative budget, this budget is supposed to be reviewed by the Council. This is not the final budget. This is the tentative budget. What we do is make sure that we have a left and a right to balance and that all of the GL codes the General Ledger codes align on this and are areas that we have allocated funding for. This is not the final budget the town approves this and then goes into work session, allocates the funding separately into which items are of priority and then it goes before a public hearing. After the public hearing it goes to a vote for final approval. This is not the final budget.

Councilmember Peot: My understanding is we're supposed to have a column that shows last year's budget as well in order to review this.

Mayor Hoster: The budget in the yellow column is that of the prior year, the fiscal year budget to the right is the tentative one that's proposed. Now keep in mind Council that we do have savings accounts, PTIF accounts that are aggregate funds that are savings for projects that during our work sessions will also be able to address.

Councilmember Peot: I still think this is missing last year's budget. Just for comparison, it's hard for me to make informed comments on this without saying how we spent money last year and how we tracked the budget.

Mayor Hoster: Motions would need to include the public hearing date for the budget.

Councilmember Stirling: Asking when she can talk about the funding for the cemetery.

Motion to approve the tentative budget adding 2023-2024 as well for the public meeting to be on June 25, 2025 at 7:00pm made by Councilmember Stirling, 2nd by Councilmember Cundick.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			

5. Staff Reports:

Councilmember Stirling: Mosquito Abatement said that if you see a mosquito, you can call them and they will come out and spray.

Mayor Hoster: D-tech and my understanding is the interchange assessment study has been completed there will be another meeting schedule next week. June 10th at the Cosmo. They are sending out notice for this.

- 6. A Closed Session may be held pursuant to Utah Code Section 52-4-204 & 205 to discuss the character, professional competence, or physical or mental health of an individual.

Motion to go out of public meeting into closed session. 8:16PM
 Motion made by Councilmember Furley, 2nd by Councilmember Cundick.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			

Motion to go out of closed session into public meeting.
 Motion made by Councilmember Cundick, 2nd by Councilmember Peot.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			

Motion to open public meeting.
 Motion made by Councilmember Furley, 2nd by Councilmember Cundick.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			

- 7. Adjournment: Motion to adjourn 8:55 pm

Approved this 11th Day of June 2024.

 Bill Hoster, Mayor

ATTEST:

 Cari Bishop, Deputy Clerk