

Town of Leeds

Town Council Meeting for Wednesday, October 8, 2025

1. Call To Order/Roll Call: 7:08PM

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

2. Invocation: Mayor Hoster

3. Pledge of Allegiance

4. Declaration of Abstentions or Conflicts:

5. Agenda:

Counsel Craig Hall states that the mayor had asked him to address the issue of what's on our agenda every agenda, where it says declaration of abstentions or contentions. State law and city code requires that elected officials file on an annual basis a conflict-of-interest form. Declaring any interest business-wise or otherwise, of boards, committees that they may be participating on that may have interactions with the town of Leeds. On concern that was surfaced in the last number of months, is do conflict declaration of conflict of interest need to be declared more often than just once a year. It would be my obligation to declare during that meeting.

a. Tonight's Agenda of October 8, 2025

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

ROLL CALL VOTE:	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
MAYOR: BILL HOSTER	<u>X</u>	<u></u>	<u></u>	<u></u>
COUNCILMEMBER: DANIELLE STIRLING	<u></u>	<u></u>	<u></u>	<u>X</u>
COUNCILMEMBER: RON CUNDICK	<u>X</u>	<u></u>	<u></u>	<u></u>
COUNCILMEMBER: MICHELLE PEOT	<u>X</u>	<u></u>	<u></u>	<u></u>
COUNCILMEMBER: KOHL FURLEY	<u>X</u>	<u></u>	<u></u>	<u></u>

b. Meeting Minutes of September , 2025

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

ROLL CALL VOTE:	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
MAYOR: BILL HOSTER	<u>X</u>	<u></u>	<u></u>	<u></u>
COUNCILMEMBER: DANIELLE STIRLING	<u></u>	<u></u>	<u></u>	<u>X</u>
COUNCILMEMBER: RON CUNDICK	<u>X</u>	<u></u>	<u></u>	<u></u>
COUNCILMEMBER: MICHELLE PEOT	<u>X</u>	<u></u>	<u></u>	<u></u>
COUNCILMEMBER: KOHL FURLEY	<u>X</u>	<u></u>	<u></u>	<u></u>

6. Staff Reports:

Matt Butterfield: Leeds had 16 total calls for service, 11 of those were EMS, the rest of them were fire-related calls, nothing specific. As a department we ran 478 calls last month within our service area. For burn season

you can call St George dispatch and they will walk you through the process of whether its an open burn day or not and they will issue a burn permit.

Councilmember Cundick: Solid Waste as of January 1st all of the fees will increase by 2.5%.

Craig Hall: Several weeks ago, our office was contacted by the officials of the town regarding some expenditures that seem to be not following town process and procedures. As a result of that, my partner, Mr. Bosserman, sent a letter dated October 8th to the mayor regarding this issue. I'd like to read a portion of the letter. It's quite lengthy, but I'll read bits and pieces of it. In February of 2025, the town council for the city approved a budget allocating \$5,000 for the purpose of renovating and expanding the cemetery located within the town. The council anticipated awarding a contract to a qualified contractor to complete the project following the submittal proposals for candidates pursuant to applicable procurement policies. After following the procedure, the council then planned on sending a qualified contractor to complete the cemetery project within the approved budget, and as engaging an authorized representative to execute the agreement with a selected candidate. Notwithstanding the council's intent, we understand that Councilman Danielle Sterling and the town sexton Doris McNally independently executed an agreement or contract with Landworks purportedly on behalf of the town to complete certain services on the cemetery project. We have learned that the contract price for these services for lab work exceeds the \$5,000 that the town had budgeted for anticipated work on the project. Both Sterling, it's our opinion, and then both Sterling and McNally lacked authorization to act on behalf of the town when they executed this agreement or contract. Now the town is reportedly bound by an agreement that it never authorized that it's contrary and exceeds the town budget. This is in violation of Utah law. Under the Uniform Fiscal Procedures Act, town officers are prohibited from making any expenditures in excess of appropriations set for each department in the budget. In the event the budget needs to be amended, there's a process by which that can take place. Sterling and McNally attempted to engage land work as the contractor to perform services for the cemetery project was contrary to both the Oakland Public Meeting Law and the Uniform Fiscal Procedures Act of Utah. Neither Sterling nor McNally were authorized by the town council to engage in contract with Landworks, nor did they have the authority to bind the town to services that exceeded the already approved budget. Any final action of the town must be made in an open public meeting with the approval of the entire council. And such decisions must comply with the Fiscal Procedures Act. To ensure future compliance with the Open and Public Meeting Act and the Fiscal Procedures Act and the town ordinances, we recommend that the town implement additional safeguards to prevent elected officials, staff, or their employees from acting unilaterally and or in excess of their authority. And we urge the council to take immediate steps to prevent any authorized work from going forward. That's under the signature which is my partner, under which I approve the terms and conditions and the content of this letter.

7. Citizen Comments:

Don Fawson: I'm the president of LDWA. First of all, I'd just like to thank Mayor Hoster and those involved in getting that sales tax to put through. I know that's a big item, it really is. Also, I like to sign. I've got friends who hate it. We're still friends. Agree to disagree. Also, I just wanted to mention that we talked about will serve letters and wherever they're attached to a plat. I just want to make it clear of what the policy is for the Leeds Domestic Water Users Association. And that is that a will serve is based on a review of the plot plan and also infrastructure and then is granted based on a format that we all agree upon as far as how it's to be installed and administered. And it's only good for one year, and then without renewal, it has to be done again. Okay, the other issue is that it's only good based on the particular plot plan and that plot plans that have been submitted. And if those change, that has to be renegotiated. I don't know. And that applies to any current plot plans that you're looking at right now. Also, we just had a couple of issues that that I wanted to address. I came, so we found that there was some construction going on a couple of lots down here past Vista Avenue on Boulder Way and Silver Meadows, which is fine. But I came in to get a plot, a plat or a plat plot plan for those and they don't exist. They didn't exist in the city. There's 2 lots down there right now that are being built on. It was also on Silver Meadows. And the problem was, excuse me, is that we have a utility easement through both of those lots. In the one case, they were planning on building into our easement, which is strictly prohibited. In the other

case, they changed the contour of the land by putting about 8 feet of fill on top of our water line. That puts a line down like 14 feet, something like that. And then we're planning to build right up to the easement. And in case of a problem with that water line, that would have been extremely deep. We'd have to go to special kinds of actions to be able to repair that. We have been able to work with the property owners and have been able to mitigate that. They also had their septic system over in our easement. We feel bad for the property owners. And again, we were able to mitigate that. But it's something that is an oversight on the city's part. We just want to make sure that when building permits are issued that there is an appropriate plot plan of where these structures and septic and so forth are going and that they're aware of any easements that might be impacting their property. That's just a request that be added to any future building permits.

Wayne Peterson: I just wanted to make three comments regarding the Peace Planning Commission recommendation that was brought forward as a document. On page 21, there's a section 23.1.7.4 that provides an example that I had raised at the Planning Commission, and I appreciate that there was an effort to try to reflect it. but I think it does need to be tightened up a bit more just to make it clear, because the definitions of unit, a four-family dwelling unit is a unit, but then there's also 4 units within that unit. So the word unit is getting used multiple times. And I just would think before finalizing a document, it'd be made very clear so we don't get into, I meant unit, not unit. Then on page 2. In that same document on page 28, section 23.1.18.2, it speaks about if there is adjacent county land that is zoned mixed-use. that the area that is open space and a variety of other factors could be factored into the requirements of the Leeds mixed-use. And it says may. So I realize that the town would have the opportunity to say no, but it strikes me as just bad policy. If it's adjacent, it would be available for annexation and to have the open space for acreage within Leeds in unincorporated Washington County, I just think leads to unnecessary difficulties over time when there are other alternatives. And then the final thing, although it's a lot more work, the town has a chapter in land use on parking. The town has a chapter in land use on signs. The town has a separate lighting ordinance. And this particular chapter, which would be a chapter of our land use ordinance, carves out special rules for parking, for signs, for lighting. I'm not saying the rules are right or wrong. But I think good process would be to have them in the chapter with the regulations on parking and signs for the entire town as it's currently structured.

8. Announcements: Meet the candidates, Car show, Know the candidates.

9. Public Hearing: None

10. Discussions and Possible Action Items:

- a. Consideration of Ordinance 2025-06 – Amending the Town of Leeds, Various Land Use Ordinance Amending Provisions of the Land Use Ordinance Including Definitions and Mixed-Use MU Zone.

Scott Messel: There's been a lot of iterations of drafts for this. What happened at the last Planning Commission, the Planning Commission took the recommendations and a draft that was presented to the Planning Commission felt that it was the best to work with. The Planning Commission recommended approval of this ordinance. This change to the ordinance with several additions and just changes one of which was brought up earlier and called the public that there examples, I don't have the page number in front of me but that they're under 23.1.6 seven, density and dimensional standards. #2, one thing that needs to be changed is that it's 9,000, the planning commission wanted it to be 9,000 square foot lots for the, and then 12,000 for the two family. And further down, we have this example of proposed building containing 4 family dwelling units under one roof, then there must be 4 single-family dwelling units in the development. And so dwelling units is defined and the four, sorry, and a four-family dwelling unit is defined. It was requested that we have this clarification. We'll take under advisement what was brought up as confusion. The intent of the graphic there is to decrease confusion, not increase it. If it doesn't make sense to the general public, the town council may want to look at making an adjustment as recommended. I'll back up just for clarity so everyone knows that the

copy that you have with all the strikethroughs, that is the adopted ordinance that the town currently has. Then everything that has been added is underlined. The Planning Commission recommended a density of a proposal for the 4.25 units to the acre. There was quite a bit of discussion on that. I understand that there are those with different opinions as to what the density should be. There was an area added that with attainable housing additional density can be granted by the town. The Planning Commission spent a significant amount of time prior to this meeting and leading up to this talking about just the overall design and what the scope that they want to have and what they want the projects to look like that are under the mixed-use zone. I'll go ahead and go to 23.1.9 pedestrian and vehicle circulation. This is one of the other items that the Planning Commission wanted to make adjustments to, and that it is 6 foot sidewalks and 6 foot trail. This is the Planning Commission's recommendation for you at this time.

Councilmember Peot: Had a couple of suggestions. There was a definition change for a lot, which does comply with state code, but we mentioned lots throughout our land use code, so we probably should confirm that we don't have conflicting interpretations throughout the land use code for the for the planned development. It'd be helpful to have criteria that is covered in there in terms of what's expected as the specifications for the development agreement for a planned development. You might look at like the planned unit development just for some bullets out of there. Because this is kind of a special zoning and there's different configurations, it'd be helpful if we can define what we expect to see in that packet.

Mayor Hoster: I've got a couple of conditions if I'm able to receive a motion. Legal's ability to modify for codification. I confirm that the definition of lot is consistent throughout other code, as well as plan development with the master development agreement. And I think that's it. I do have a recommendation about the open space, but that was that was on the definition of units and then on the others of open space, but that would, I think, be tied into the NDA, so that should be that should be fine, but the other on unit clarifying that definition.

Councilmember Peot: For the planning and development, it was just to specify what the base requirements were for under this, because it's a planned development and we have motion development and it could be flexible, we should say this is the minimum requirements that we expect to see in that packet.

Motion to approve 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			

b. Consideration of Zone Change of Parcel L-2-D

Paul Morris: And then the next item on the agenda is to rezone the property to the new zone with three changes. And then the zoning, the chapter does not allow us to do anything without a development agreement. So then on October 22nd, I'm going to send you a draft of the development agreement and then the development agreement if it's acceptable. That's where we put that we agreed to withdraw the disconnection petition.

Mayor Hoster: Now we'll move on to that second component, which is our point B of discussion of possible action, consideration of ordinance 2025, tax 07, zone change of parcel L-2-D. This is going to be assigning the parcel L-2-D, the mixed-use that we just approved.

Councilmember Peot: I think for modifications we just had to check if there's any impacted adjacent property owners possibly.

Mayor Hoster: Yes, at the public hearing that was presented

Motion to approve 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. Bed and Breakfast Code

Mayor Hoster: Last item on the discussion and possible action item is the bed and breakfast code. This was brought to the council. I want to give a little history on it. Back when we were modifying 174, it was compiled in. We ended up kind of pushing it down in priority. We've been asked to surface it again on the council agenda, which we're doing tonight. And we have one of three options. The code that was presented, we can motion to accept, deny it, or table it. I will give my observations of it, and then you can do whatever you want. My opinion and position on this is that, as was kind of explained tonight, any new developers agreement, which is anything new in the town, is not going to have the option to exercise bed and breakfast or short-term rentals. That's going to be a condition of every developer's agreement going forward with the town. We're talking about existing homes right now. I can tell you for a fact that we have some residents in the town of Leeds who rely on this, who follow the law, but they rely on it for their income. I don't want to see a zoning kind of negatively impact those people. Some of them are widows who rely on that to stay in their house. My third component is if it ain't broke, don't fix it. I don't know that we have a problem. All I do know is that we did get a program from the county and we had someone who started calling and trying to identify violations. There weren't issues. It was a proactive effort that was really against everything we're about. We're reactive. If there's a problem, we'll deal with it, but we don't go out hunting for it, which brings me into the fourth option. We don't have a way to monitor this. We don't have a way to control it. We don't have a code enforcer right now dealing with all the other issues. To try and say that we're now going to implement more costs on the town to try and address what's probably a single issue between some neighbors could be something that within our current code addresses. Until it becomes a problem, I don't see a reason for the town to try and modify a code for it. I'm certainly, one opinion of five but I did want to put it on the agenda tonight at the request of a good friend, and so that is the case. Again, our options are to table it, reject it, or vote on it, but it's on the agenda if you have any other comments or discussion.

Councilmember Peot: I would like to just acknowledge how much time was spent preparing this. I know that we'd have to pull out the bed and breakfast portion, but this was a very thoughtful process. I mean, to be honest, we probably spent years discussing this multiple work group meetings. I don't know why it has not yet been brought forward. We had a public hearing. It was the Planning Commission recommendation. I personally think, given all of the time that went into this and the public hearing and the opportunity for input that it should be approved as is obviously that the internal AD things to be taken out. But this wasn't a knee-jerk ordinance.

Mayor Hoster: Yeah, I don't think anyone thought it was a knee-jerk. I do think it's addressing a problem that doesn't exist.

Councilmember Peot: I would disagree with that, and part of the reason I say there is an issue with affordability, and a lot of towns have addressed it by putting in rules around bed and breakfasts, so that it

doesn't prevent anybody from having long-term rentals. You can still rent out your basement if you want. It just has to be 30 days or longer. It's intended for folks that are going to stay here and not for tourism. That helps address issues with housing affordability. It helps residents, it helps family members, versus if we don't have guardrails around this, then it's just affecting-- it benefits more for tourism. It's not stopping anybody from doing longer-term rentals for a new generation.

Councilmember Peot motions to approve the bed and breakfast with the ADU removed but there was no second.

Councilmember Furley: The part that I have a hard time with is just not being able to enforce it. We keep coming back to the same thing, which is hopefully why we get moving with the Silver Cliffs, but we don't have the staff in our town to accurately patrol it, file complaints, follow up on the complaints, and so then who do we turn to? I'm not in favor of it right at this moment until we can get further staffing.

Councilmember Peot: What's the point of having ordinances if we if you just say, oh, we don't have enough people, of course so why have any ordinances for a place? Yes, might there be goals who slip through the cracks? But I think the majority of people try to follow rules that we have in place. And again, this is a very thoughtful long dry out process to get to where we are.

Motion to table 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			

Discussion on the town's current water situation and the challenges of meeting new water requests, especially for subdivisions. The LDWA is nearly at capacity and cannot support major new developments. Therefore, any new subdivisions will need to get water from the Conservancy, which now requires that recipients also be connected to the sewer system. This means the town would need to negotiate agreements with both the Conservancy and Ash Creek. The proposed plan would involve the town purchasing water wholesale from the Conservancy and then selling it to users, potentially generating revenue for the town. Maintenance and repair could be contracted out, possibly to LDWA, but the goal is to keep revenue within the town. Keeping sewer funding private to avoid burdening residents who already have septic systems. Discussion moves to the complexities of bringing a sewer line project through town, including funding and the impact on taxpayers, especially those on fixed incomes. There are many options being considered, but nothing is finalized yet, the council wants to simplify the process and get public support before making any agreements. They mention that if Ash Creek is involved, they would want flexibility in placing sewer lines, and developers might be required to fund the project rather than relying on state funding. Legal counsel will be needed to clarify these issues. Additionally, if state funds are used residents within 300 feet of the sewer line would be required to connect, with some flexibility on timing. The council encourages public feedback and aims to resolve these matters before December. There is also a concern about liability if the town becomes the retailer for water and cannot guarantee supply to developers. Discussion of challenges of issuing building permits when water availability is uncertain. They emphasize that developers must be informed upfront if water is not available, and that the town cannot approve building permits without sufficient water supply. There is a distinction between "old water" currently in use and "new water" potentially available for development. The conversation also touched on the unpredictability of water resources, the need for good communication with county water authorities, and the complexities of planning for future water and sewer infrastructure. Additionally, there was mention of the financial challenges of expanding sewer services throughout the town, which would require significant funding and possibly a bond. They stressed the importance of transparency and keeping developers and residents informed about water and sewer limitations and responsibilities.

11. Adjournment: 8:26pm

Approved this 22nd Day of October 2025.



Bill Hoster, Mayor

ATTEST:



Cari Bishop, Clerk