Town of Leeds

Town Council CLOSED Meeting Minutes

December 10, 2014

1. Call to order:
   Mayor Peterson called to order the "Closed" meeting of the Leeds Town Council at 6:32pm on December 10, 2014 at Leeds Town Hall, 218 North Main.
2. Roll Call:

ROLL CALL:

	Present	Absent
MAYOR: WAYNE PETERSON	x	
COUNCILMEMBER: RON CUNDICK	x	
COUNCILMEMBER: ANGELA ROHR		x
COUNCILMEMBER: JOE ALLEN	x	
COUNCILMEMBER: NATE BLAKE		x

Councilmember Rohr arrived at 6:35pm and Councilmember Blake arrived at 6:34pm

3. Purpose of the closed meeting was to discuss impending litigation and related matters as allowed by Utah state Law 52-4-205(1)(c)

4. Adjournment:
   Mayor Peterson adjourned the meeting with the intent of reconvening the Public meeting after a motion by Councilmember Rohr and 2nd by Councilmember Cundick. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x			
COUNCILMEMBER: RON CUNDICK	x			
COUNCILMEMBER: ANGELA ROHR	x			
COUNCILMEMBER: JOE ALLEN	x			
COUNCILMEMBER: NATE BLAKE	x			

Time:7:03pm.

APPROVED ON THIS 14th DAY OF January, 2015

Wayne Peterson

Mayor, Wayne Peterson

ATTEST:

Kristi Barker

Kristi Barker, Deputy Clerk/Recorder

Town of Leeds

Town Council Meeting
December 10, 2014

1. Call to order:
   Mayor Peterson called to order the regular meeting of the Leeds Town Council at 6:32pm on December 10, 2014, at Leeds Town Hall, 218 N Main.
   A motion to close the public meeting and move into a "Closed" meeting to discuss litigation; as allowed by Utah state Law 52-4-205(1)(c) was made by Councilmember Cundick, with a 2nd by Councilmember Allen. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x			
COUNCILMEMBER: RON CUNDICK	x			
COUNCILMEMBER: ANGELA ROHR				x
COUNCILMEMBER: JOE ALLEN	x			
COUNCILMEMBER: NATE BLAKE				x

Councilmember Blake arrived at 6:34pm and Councilmember Rohr arrived at 6:35pm.

The closed meeting began at 6:32pm and went until 7:03pm. The public meeting reconvened at 7:04pm.

2. Roll Call:

ROLL CALL:

	Present	Absent
MAYOR: WAYNE PETERSON	x	
COUNCILMEMBER: RON CUNDICK	x	
COUNCILMEMBER: ANGELA ROHR	x	
COUNCILMEMBER: JOE ALLEN	x	
COUNCILMEMBER: NATE BLAKE	x	

3. Pledge of Allegiance by Mayor Peterson.

4. Declaration of Abstentions or Conflicts:
   Councilmember Cundick indicated that on the minutes from November 17, 2014, he was absent and abstained from the vote.

5. Approval of Agenda:
   Councilmember Allen moved to approve tonight's agenda and meeting minutes of November 12 and November 17, 2014. 2nd by Councilmember Blake. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x			
COUNCILMEMBER: RON CUNDICK	x			
COUNCILMEMBER: ANGELA ROHR	x			
COUNCILMEMBER: JOE ALLEN	x			
COUNCILMEMBER: NATE BLAKE	x			

6. Citizen Comments: None

7. Announcements
   a. Main Street Curb and Gutter Project Status
   Mayor Peterson, this is going to result in needing another special meeting; which, I would like to have on Thursday December 18. We did get this morning the paperwork from the State saying they will be providing $11,600.00 additional dollars. We will need to approve that agreement but it is not on tonight's agenda as an action item, as a result we will need to do that. There are also some final numbers on the actual asphalt that got installed which were slightly higher. They estimate when they draw up the plans and then they actually measure it precisely as it gets installed. That's an overage of about 2 to 3 thousand dollars, that number will be finalized and we will be able to look at change order number 003 that will be the final one. The Mayor indicated the project is complete and discussed it further.

8. Public Hearings: None.

9. Action Items:
   a. Discussion and possible action on approval of Arbor Day Proclamation.
   Mayor Peterson, last year we decided to take the steps to become a member of Tree City USA designation by satisfying the requirements of that. This year we are in a position to qualify again; however, we need to have an Arbor Day and an Arbor Day Proclamation. What I would suggest, is that we go about having a tree planting ceremony. I have spoken with Antonio who will identify a place in the park where we could put a tree in at this time. We would be able to water and take care of it as necessary so it would survive and we hope thrive. We were looking at doing it on Saturday, December 20. In order to maintain our Tree City USA status, we are required to have in our budget a $2.00 per resident of Leeds expenditure on park and tree-related projects. We more than satisfied that with volunteer hours and spending that we did with regards to upkeep with our parks without having to expend any specific money. So that is something that is not costing us anything and we are going to be eligible for different grants that can be utilized. There is value in continuing to be a Tree City USA Town.
   Councilmember Blake, can I ask a question? On the 20th, is that because we have to have it by the end of the year?
   Mayor Peterson, yes, we do need to have a 2015 Arbor Day and in the future. I don't think it's the best time to be planting a tree. It was further discussed with Councilmembers.

   Mayor Peterson asked for a motion to declare December 20, 2014 as Arbor Day in the Town of Leeds and that we will be having an Arbor Day ceremony involving the planting of a tree that morning at 10:00am.

Councilmember Cundick, I so move. 2nd by Councilmember Blake. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x			
COUNCILMEMBER: RON CUNDICK	x			
COUNCILMEMBER: ANGELA ROHR	x			
COUNCILMEMBER: JOE ALLEN	x			
COUNCILMEMBER: NATE BLAKE	x			

b. Discussion and possible action on Leeds Town Park restroom improvements.
Mayor Peterson, where this sprang from is a couple of things that went through my mind. One is that we have Park impact fees, it's not that I just want to spend money, but it's the kind of thing that if you don't utilize those Impact fees, you don't get to use them and they get returned. It's not a benefit to the Town at all to follow that path. The other thing is, that I have noticed with nealy every merchant window in Town, there is a sign about restroom's are for customers only. I spoke with Antonio and asked him to look into all-weather restroom so it could be available 24 hours a day, 7 days a week. As a result, he did get a list of items that needed to be done. The idea is that it would be heated to about 40 degrees to keep the pipes from freezing. The one thing that isn't included in the bid is directional signs, but can be included at a later time. The bid that Antonio got is from Diversified Contracting Inc., whose principal is Alan Roberts. Alan has done a lot of work and he is a licensed Electrician. He did a lot of work on a complimentary, basis to the Town upgrading our services for Wild West Days. The work that he has done, from what I can tell, has always been good quality and done properly. Technically the way our process reads is, that for something that is over $1,000, we should be putting it out for bid but if we want to follow that route, we are going to have to not proceed, and winterize the bathrooms here because we would never be able to get it done in time. I think that given that it does say that Council can under circumstances deemed appropriate waive the requirement for multiple bids and as I look at this seeing the work that is going to be done, there is going to be insulation put in, soffits are going to be installed around the outside, electricity will be brought in to support electrical heaters, electrical heaters are needed as well and while the work was being done, some exhaust fans will be added. The total cost is $4,139.00, and Alan said he would be available to start immediately and it will be done in 30 days. Portable heaters will be used until the project is complete.
Councilmember Rohr, I think this is a very good idea.
Councilmember Blake, I agree and think all the numbers look good and fair.
Councilmember Cundick, I support the program and the numbers will testify. My concern is if there is someone else out there that is going to say we got side tracked because he was the former Mayor and we went sole source on it. As long as we prepare for that kind of a challenge to come out, I think that if we don't get it done fast, we lose the benefit for this year doing it and we really don't have a lot of time to do it, but that is potential criticism and you may have to deal with as a Town Council. I have no problem with the project, I think the numbers are fair and I think he would do a good job. I just wanted to express that for the record. There is a potential criticism out there.
Councilmember Blake, the profit margin on this job is probably not going to be any more than $1,000 on this job and to be real honest with you; you're not going to get a lot of people outside of Alan Roberts who is here in Leeds to do a job like this. I would never do a job this small.

Councilmember Cundick, that is important to me to hear you say that because you are a contractor.
Councilmember Blake, if you're going to hire someone from another area, it's going to cost you double that, so I don't think you're going to get any complaints from anybody.
Councilmembers discussed the bid and project further.

Mayor Peterson asked for a motion to approve the proposal put forth by Diversified Contracting Inc. for the Leeds Town Park restroom improvements.
Councilmember Cundick, I so move. 2nd by Councilmember Rohr. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x			
COUNCILMEMBER: RON CUNDICK	x			
COUNCILMEMBER: ANGELA ROHR	x			
COUNCILMEMBER: JOE ALLEN	x			
COUNCILMEMBER: NATE BLAKE	x			

c. Discussion and possible action on amendments to the Land Use Ordinance 2011-01, Chapter 22, Signs.
Bob Nicholson the Town Planner and Councilmembers discussed the amendments and made the following additional changes:

Under section 22.2.1.13,

Town Established Wayfinding Signs.
The Town may establish Wayfinding signs to direct the public to significant historic, civic, or business locations within Leeds Town~~. The wayfinding signs shall be similar to the sign shown in exhibit 'B' attached and shall provide the name of the site, distance to site in miles, and a directional arrow.~~ No other advertising message shall be contained on the wayfinding signs. Only businesses that cater to the travelling public such as gas stations, restaurants, hotels, convenience stores and similar businesses shall be placed on the wayfinding signs.

Under section 22.2.2.1.1,

Bob Nicholson the Town Planner will bring in some examples of signs 10% vs 20% of the building front wall area before a decision is made on the size.

Under section 22.2.2.2.1,

The monument sign including the base shall not exceed 80 sq ft for a multi business sign and 48 sq ft for a single business sign with the top of the sign no more than 10 ft. above the highest ground elevation adjacent to the sign. The sign shall be within the property for which it advertises, and shall not encroach into any public right of way or public property. ~~For commercial property with more than 100' of frontage on a public street, the size of the sign may be increased at a rate of one additional square foot of sign area for every two feet of public street frontage in excess of 100' up to a maximum sign area of 120 sq ft for both base and sign area.~~

Councilmember Blake left the meeting at 8:04pm.

Sections 22.2.2.2.2, 22.2.2.3, 22.2.2.4.2 were deleted.

Under section 22.2.2.5.1,

~~Banners are considered a~~ Temporary banner signs ~~and~~ may be authorized to be displayed in a commercial zone (business banners) or on Town property (civic or community banners) only.

Under section 22.3.1,

Other sign materials such as plastics may be approved by the Town Council~~. or their designee.~~

Section 22.3.7 was deleted.

Under section 22.4.2,

~~The Town Official may consider the substantial effort toward completion in extending a permit, if the sign is not completed in the allotted time.~~

Under section 22.5.3,

No sign permit application shall be accepted which is substantially the same as an application previously denied, unless twelve (12) months have elapsed from the date of the final decision on the application and appeals thereof, and new evidence or proof of significantly changed conditions is furnished in the new application.

Under section 22.8.8,

Pornographic or Obscene Signs.

Section 22.8.3 needs to be researched on verbiage for adding feather flag signs.

Definitions and tables were updated to reflect the amendments that were made and Councilmember Cundick will work on standardizing the Town Officials thru out the Ordinance. No action was taken.

10. Discussion Items:
    a. Sale of Police Equipment and related items.

    Mayor Peterson, before Councilmember Blake left, he indicated that having the Police car parked where it is has a deterrent value and is meaningful. Mayor Peterson discussed it further and would like to make a decision soon as to if we are going to sell the car or not, it is not going up in value.

    Councilmember Cundick, can the equipment be stripped from it and is it worth the stripping from it? I understand the equipment is fairly expensive. If we decide we want to keep the vehicle as a deterrent value, we are not going to drive it, it will just sit there. Would it be worth keeping it and then stripping it?

    Mayor Peterson asked Bob Goldsberry the Clerk/Recorder what he came up with on the research of pricing. Was the value in the car or the contents?

    Bob Goldsberry replied it is in the contents.

    Mayor Peterson, Ok then it's unlikely that whoever buys it perhaps would even use the car; they would just take the parts out.

Councilmember Cundick, the car isn't going to look any better as the years go by; it's going to become a museum piece. I just don't know by hanging on to it we will get that many miles out of it because within a year or two, you're not going to want it sitting out there. Is it worth another year or two for whatever deterrent we get?
Councilmember Allen, I still to this day when I see that car, I hit my brakes and I know there isn't anybody there.
Councilmembers discussed it further and it was decided to keep the car and move forward on the sale of the equipment.

Councilmembers and Bob Nicholson the Town Planner discussed Toquerville's meeting tomorrow night where the Annexation Plan is on the agenda. Councilmember Rohr will attend the meeting to represent the Town.

11. Citizen Comments: None.

12. Staff Reports: None.

13. Adjournment:
Councilmember Allen adorned the meeting.

Time: 9:31pm.

APPROVED ON THIS 14th DAY OF January, 2015

Wayne Peterson

Mayor Wayne Peterson

ATTEST:

Kristi Barker

Kristi Barker, Deputy Clerk/Recorder