Town of Leeds

Town Council Meeting for
April 22, 2015

1. Call to order:
   Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7:02pm on April 22, 2015, at Leeds Town Hall, 218 N 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

3. Pledge of Allegiance by Councilmember Rohr.

4. Declaration of Abstentions or Conflicts: None.

5. Approval of Agenda:
   Councilmember Allen moved to approve tonight's agenda and meeting minutes of April 8, 2015. 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

6. Citizen Comments: None.

7. Announcements: None.

8. Public Hearings: None.

9. Action Items:
   a. Resolution 2015-01 acceptance of the Town of Leeds Road Easement
      Mayor Peterson, this particular road easement would connect Phase II of Silver Pointe Estates, which has a current preliminary plat in place, with Cemetery Road. I got confirmation today from Alpha Engineering that it would connect asphalt to asphalt; it would be a complete connection between those two roads.
      Councilmember Allen, so there is no County property that we need to use.
      Mayor Peterson, it is County property and I checked with the Town Attorney, Gary Kuhlmann

and he indicated that it is acceptable for a Town to be granted an easement for a road through County property. I also spoke with Ron Whitehead of the County regarding this potential route for a second access to the area. He indicated having seen many plans over the years; he thought this was the most workable and a very acceptable plan given the situation.
Councilmember Rohr, asphalt to asphalt means that the easement will run all the way from Cemetery road to Coolidge?
Mayor Peterson, on the preliminary plat, it is known as Coolidge and the easement that has been granted is by a different land owner, Subdivisions Inc., but it is a perpetual easement.
Councilmember Rohr, and does that same land owner own all of the land between there?
Mayor Peterson yes, it is one land owner.
Councilmember Rohr, so when we say the County owns it, it just means it is in the County jurisdiction?
Mayor Peterson yes, it is in the County jurisdiction.
Councilmember Cundick, who is the land owner?
Mayor Peterson, the land owner is Subdivisions, Inc., that is the name of the land owner.
Councilmember Cundick, do we know who the principals are?
Mayor Peterson, the actual easement itself was signed by J. Gordon Casey.

Councilmember Allen made a motion to accept the easement and adopt Resolution 2015-01. 2nd by Councilmember Cundick.

Councilmembers discussed the easement and the potential road further.
Elliott Sheltman, may I ask what the width of the easement is.
Mayor Peterson, the width of the easement is a 66 foot easement and the current preliminary plat has a condition that the road would be built to current Town standards.
Councilmembers discussed the easement further. It was determined that acceptance of the easement does not approve the road. Any road built through there would still have to meet standards the Town requires for building a road.

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

10. Discussion Items:
    a. Local Sales Tax option
    Mayor Peterson, in your packets you have a page that was shared with me at the Dixie Transportation Executive Committee meeting. What this looks at in the left column is the existing fuel tax basis the 2014 B&C distribution. It shows Leeds receiving $44,839 out a total for the County, a little over 6 million dollars in B&C road funds. At the Utah Legislature, they passed a 5 cent per gallon increase that turns into a 12% tax as prices rise, so it is meant to be indexed to higher prices going forward in time and not requiring a resetting of the cents per

gallon tax as time goes by. The actual additional revenue that will flow to Leeds as a result of that is $8,203.00, so it's a little less than 20% more that we would be receiving as a result of what has already been passed. In the right column you see the impact of an optional local sales tax. That is a sales tax on all goods and services subject to sales tax and it is a .25 of 1% addition. Should that be passed, based on the rate of spending that was seen from 2014 and utilizing the formulas based on population, which accounts for 2/3 of distribution and point of sale, which accounts for 1/3 of distribution of these sales taxes; Leeds would receive an additional $7,726.00 if spending remained the same as it was in 2014. The question that is being raised is, this tax is not local to the extent of a Town or City being allowed to determine whether they want it or not. It is a County by County decision that needs to be reached. At this point in time, the County is requesting that each of the Towns in Washington County share their views as to whether or not they think they would be in favor of a local option being passed in order to allow for additional funding.
Councilmember Allen, so the chart we have in front of us somewhat implies with this optional local sales tax, the funds would be allocated specifically to roads. Is that the case, or is this just a .25% increase to sales tax and the money comes in and goes to the general fund.
Mayor Peterson, it would be allocated to roads. It would be coming in with a designation for spending on roads. For some Cities and Town's they already use general fund money, so it may not result in an increase in spending. In many years we do not utilize anything beyond B&C road funds, so for us, it would be an increased spending on roads.
Councilmembers discussed the tax further.

b. DXATC (Dixie Applied Technology College) funding
Councilmembers discussed the $13 million dollar bond for the new DXATC (Dixie Applied Technology College).
Elliott Sheltman, does anybody know how many students they have now.
Mayor Peterson, one thing I believe is they have 24 active certificate programs. Many of them are in medical fields, not as in you become a Registered Nurse but as a Nurse's Assistant.
Elliott Sheltman, it's a Trade School right?
Mayor Peterson, it has Electrician Apprentice and Plumbing Apprentice.
Elliott Sheltman, I was just curious because if you take that number of students and divide it into 43 Million, I would be curious to see what the cost would be for people.
Councilmembers discussed different types of programs the College has to offer.
Mayor Peterson, I do have something here that shows Dixie Applied Technology College student headcount has grown from under 500 in 2002 to over 7000 students in 2013.
Elliott Sheltman, is it a 2 year College so you walk out of there with something?
Councilmember Allen, it is a Trade School.

c. 2015-2016 Budget timeline
Mayor Peterson working backwards, we are required by State Law to pass our budget in June and the actual date is such that we must pass it prior to our second regular scheduled June meeting; therefore, we will be looking to approve the budget at the first meeting in June. We have to have a preliminary budget in place by the second meeting in May, which means if people have ideas and thoughts for any significant changes in how we have been directing our resources, bring them to the first meeting in May. That will allow the process to be worked on by the Treasurer, office staff and myself in order to come up with a set of numbers that seem to reflect what we are looking to do.

d. Discussion regarding Ordinance 2015-02, Land Use Ordinance Chapter 20, Hillside Protection Overlay Zone

Mayor Peterson, in our packets is an updated version of the chapter in our Land Use Ordinance. It reflects what Council last spoke about in section 20.2. What it refers to is, it no longer allows it for a variety of purposes but rather would allow it as a special road designated in the following manner;

> a special exception is granted only with regard to the development of an alternate to Silver Reef Road as an access, to allow the construction and development of an access road, originating near the Silver Reef Catholic Cemetery and continuing through the land covered by and roughly within the easement described in the agreement dated May 5, 2014, between Subdivisions, Inc. and Town of Leeds, attached hereto as Exhibit A.

Exhibit A is what we voted to approve, the actual acceptance of that easement this evening and then it says;

> Despite this special exception, the construction and development of this access road shall be done strictly in accordance with all other terms of this Chapter and all other applicable ordinances, standards and specifications.

What this means is, the road that would be built through there would need to meet Leeds standards. It wouldn't just be a hard packed soft surface, it would be a finished hard surface with the thickness of road base and asphalt as per Leeds road standards.

Councilmember Allen, my only suggestion is, in the section where it talked about an agreement between Subdivision, Inc. and the Town of Leeds; after the Resolution had been recorded, add the recording number.

Mayor Peterson clarified the recommended amendment with Councilmember Allen.

Councilmember Allen, I think we have got to do this where we have got more households on the Silver Reef side of the freeway than fire code allows. Nobody is coming forward with a better alternative for a second access. We now have the easement, or we will once it has been recorded and in the absence of a better alternative, I say we need to be preparing for this access.

Councilmember Cundick, I think part of the problem is we are kind of trying to put together some of the things that fell apart a few years ago. It narrows our options considerably in terms of what we can do and the time frame in which we have to act because of the people that are affected by it. That has been my biggest concern addressing this whole thing.

Councilmembers discussed the road and the Ordinance further. The Ordinance will be updated with the County's recording number, placed on the first meeting agenda in May and on the Town's Website.

11. Citizen Comments:

Elliott Sheltman, I have a couple of issues with the School. The problem is with the premise. $43,000,000 dollars to build a building that is on top of what use to be our Airport. I remember all the things that we were promised about that property. The Airport that we put out in the middle of nowhere, that doesn't drive by a restaurant, or a store, or anywhere, killed those sales on your way to and from the airport. That was going to bring in $270,000,000 dollars a year in revenue. It is not doing that, it is basically a shuttle service for Skywest employees. If you fly on it, you know that. The reason they have 2 flights to Denver is because they have a school over there, a training center. They don't even have a direct flight to L.A.

Councilmember Allen, Skywest does not go to Denver, it is United.

Elliott Sheltman my point is, the plateau area that used to be the Airport, we were told that was going to be industry. Elliott discussed it further and indicated he would like to see the College use an existing commercial building.
Councilmembers discussed the College further.
Elliott Sheltman, one other issue is, on the 30% slope in the road, are we not going to connect that to Silver Reef Road? Is that going to be connected? You said it was going to stop or is it going to go all the way to Silver Reef road.
Mayor Peterson there will be other Town roads that would get you to Silver Reef road over the road that connects at the Catholic Cemetery. It would be one continuous road.
Elliott Sheltman if I remember right, Phase I does not have a 66 foot right-of-way going through Phase I. It is basically a rural residential road which is 50 foot, I think. I am just saying that because you're connecting two major roads.
Elliott Sheltman discussed the roads further with Councilmembers.
Councilmember Allen, Phase I has a 66 foot wide easement on Bonanza Flat road and discussed it further with Elliott.

12. Staff Reports:

Councilmembers discussed the Silver Reef Park. Mayor Peterson will contact SITLA to see if they are willing to lease or deed the property adjacent to the park.
Elliott Sheltman indicated LDWA has irrigation shares if the Town needs water for the park. Councilmembers discussed it and Elliott will get the Town an estimate for purchasing the irrigation shares.

Councilmember Rohr, I hope that each of you will look over Daren Cottam's proposal that was emailed to you. He will be doing a presentation at our next meeting.

Councilmember Rohr and Mayor Peterson discussed the recording of a roll call and the written format of the meeting minutes.

13. Adjournment:

Councilmember Allen adjourned the meeting.
Time: 8:17pm.

APPROVED ON THIS 13th DAY OF May, 2015

Wayne Peterson

Mayor, Wayne Peterson

ATTEST:

Kristi Barker

Kristi Barker, Deputy Clerk/Recorder