Town of Leeds

Town Council Meeting for
June 10, 2015

1. Call to Order:
   Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7:00pm on June 10, 2015, at Leeds Town Hall, 218 N Main.

ROLL CALL:

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

2. Pledge of Allegiance by Councilmember Cundick.

   Councilmember Allen arrived to the meeting at 7:01pm.

3. Declaration of Abstentions or Conflicts: None.

4. Approval of Agenda:
   Councilmember Rohr moved to approve tonight's agenda and meeting minutes of May 27, 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			

5. Citizen Comments: None.

6. Announcements:
   a. Monthly community pot luck barbecues, Last Friday (monthly through September) at 6:30pm in the Town Park
      Mayor Peterson, there is a community pot luck barbecue on the last Friday of the month at 6:30pm in the park. Bring what meat you want to cook and a salad to share.

   b. Wild West Days, September 11th and 12th
      Mayor Peterson, the Wild West committee, beginning tomorrow morning, will start to meet weekly on Thursdays at 10:00am. Anyone interested in attending is welcome.

7. Public Hearings: None.

8. Action Items:
   a. Resolution 2015-03, Adoption of 2015-2016 Final Budget.
   Mayor Peterson asked for a motion to approve Resolution 2015-03, Adoption of the 2015-2016 Budget.
   Councilmember Cundick, I so move. 2nd by Councilmember Blake.

   Councilmember Rohr, at this point, it looks like we will be having a Municipal Election which we have not had for years. The cost on that will be about $1,600.00; have we planned for that as part of the budget?
   Mayor Peterson, I believe it is not a specific line item that we budgeted for but it is a category into which there is a roll up that does have funds within it. Is it administrative Bob Goldsberry or not?
   Bob Goldsberry, the Clerk/Recorder, it is part of administrative. I did call the Clerk's office and asked them to estimate the cost. They called back and indicated about $1,300.00. We do have some options here, between now and November we could have a Candidate drop out and then it will not cost anything, or we could take funds from another category.
   Mayor Peterson, actually I am looking at it and under elections it does show a current year approved appropriation of $1,048.65 and it is showing that in the roll up item 1.4 on the expense side. It is in the same general category as things such as other professional services, so the other $250.00 I think we could probably work it out and it will make it appropriate, relative to the budget. Is there any desire to amend that or are we comfortable with it being within $250.00 of the estimate.
   Councilmember Rohr, I am comfortable with that.

   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 regarding development of Long-Range Capital Improvement Plan.
   Mayor Peterson, I shared with the members of Town Council at the last meeting the Impact Fee Ordinances that established the Impact Fees to describe what was included within them. Having looked over the Parks one, it appears that one of the items we were considering including in a Long-Range Capital Improvement Plan was covered by the park Impact Fee; So, that probably should not be overlapped in the Long-Range Capital Improvement Plan. Just as a reminder, we are looking at this because we are likely to have a surplus that will put us slightly above the State Maximum that is permitted by about $25,000. It could be a little more or a little less; we will be getting the final number on that for our next meeting. We were required to complete our 2015-2016 at this meeting because the 24th would be too late for that; however, we are able to amend the 2014-2015 Budget,

set up the reserve and move the money to it. That will require a Public Hearing, which we would need to advertise. In order to have a firm number, I spoke with Ensign Engineering and they have indicated that for $1,000.00 they could prepare a budget for the project covering the rest of Main Street, so that we would have curb and gutter on both sides and sidewalk on one side of the street. As a result, I would like to discuss with Council on going ahead with that. Since it is less than $1,000.00 and we still have engineering fees in the budget, there is no real need for action here; however, I would like Councils agreement on it because if we are going to go down this path, we will need to advertise for the Public Hearing by the end of this week.
Councilmembers were all in agreement to go ahead with the Long-Range Capital Plan.

9. Discussion Items:
   a. Discussion on Land Use Ordinance 2012-03, Chapter 7, Conditional Uses.
   Mayor Peterson, we have three Land Use Ordinances that at last week's Planning Commission meeting were passed. We have here tonight Bob Nicholson, the Town Planner and I would appreciate it Bob if you could give us a back-ground on why these were updated and for what purpose the updates were done.
   Bob Nicholson the Town Planner, I think that what got this started was at our Planning Commission meeting in May. We had a request from the RV Park here in Town to build a new club house. The Contractor and the Park Manager came to the Planning Commission meeting and while looking at the Ordinance, it is a permitted use. It is in a commercial zone and a RV Park is a permitted use. The club house is part of the RV Park and a permitted; however, when we looked into the Ordinance it says that in a commercial zone, all construction regardless of if it is permitted or not has to go through a conditional use process. That didn't seem to make a lot of sense to me or the Planning Commission members. It was less than 1,000 sq. feet and the club house would have been a nice addition to the RV Park and to Leeds. Well that kicked it back and I think it also required a Public Hearing, all for a very minor use that was actually listed as a permitted use in the zone. After the applicants left in frustration, we talked about it and that it was not a very appropriate process. Planning Commission said "well let's make some corrections", so I looked at the code and came up with basically three changes. Let me go over the first one. It is under Chapter 7, Conditional Uses under 7.5.3.4 and it says:

   ~~7.5.3.4 All construction in a Commercial zone including alteration, modification, new, structural, and non-structural.~~

   We didn't think that was right; in fact, what is listed there "all construction" is not even a use. It is an activity, not a use. It really does not comply with the requirements from the State on how conditional uses are supposed to be administered. That is change number one, to delete that section.
   Town Council and Bob Nicholson discussed chapter 7 amendment. No additional changes were made.

   b. Discussion on Land Use Ordinance 2012-03, Chapter 17, Commercial District.
   Bob Nicholson, the next one is the Commercial chapter and there are a few changes to it. The first change is similar to the one we just talked about, it is under 17.3 and it reads:

   ~~17.3 All new or modifications to the exterior of a structure will require a conditional use permit even if the intended use is authorized.~~

Bob Nicholson, so it seems a little confusing. It's the same thing we just talked about. The proposal there was just to delete that phrase. Under 17.3.3 Impound Yard that was an old issue that has been resolved previously; Council said no to those changes, so they were taken out. The next section was added under 17.4.4 and it says:

17.4.4 Site Plan: Must meet the requirements of the Commercial Site Development Plan Chapter 26 (Chapter 26).

Bob Nicholson, the following sections were added a couple of years ago at a prior Planning Commission meeting. They revisited it again and recommended approval on the following landscaping standards:

17.4.5 Landscape Standards: Leeds Town encourages water-wise landscaping (xeriscaping) and the following landscape requirement is intended to promote town beautification and water conservation. The minimum landscape requirement consists of a landscape strip outside of the street right-of-way along the front of the property. The landscape strip shall have an average width of 10', but no less than 6' at the narrowest point. The driveway area may be excluded from the landscape area calculation for the purpose of determining the minimum required landscape area. The Town Council may approve an alternate landscape location if the applicant can demonstrate that the front of the property is not feasible to be landscaped. Also, along Main Street the Town Council may allow up to one-half of the landscape area to be located within the street right-of-way, provided that written permission for such is obtained from the Utah Dept. of Transportation (UDOT).

17.4.5.1 At least one-half (50%) of the required landscape area shall be covered with live foliage consisting of shrubs, trees, or ground cover. Landscape areas shall be provided with a permanent automatic irrigation system. The landscape area and irrigations system shall be maintained in good condition.

17.4.5.2 The landscape requirement applies to all new development within the commercial zone, and the remodeling or expansion of existing development where there is an increase in the building's floor area by 50% or more.

17.4.5.3 Landscape definition: Any combination of living plants, such as trees, shrubs, ground covers, flowers, grass, or other plants that are generally not considered to be weeds or noxious plants, along with non-vegetative ground cover such as rock or stone.

Bob Nicholson, the last change is under 17.10.1 and it says:

17.10.1 All material and merchandise, except vehicles in running order, shall be stored in an enclosed building or within an enclosure surrounded by a sight-obscuring fence or wall of not less than six (6) feet in height and no material or merchandise shall be stored to a height of more than the height of the enclosing fence or wall~~. The fence or wall if adjacent to residential property may not exceed six (6) feet in height without a conditional use permit. The fence or wall must not be closer than fifty (50) feet to~~

~~any street.~~ Where commercial development abuts residential property the commercial property developer shall provide a 6' tall solid masonry wall along the property line separating the commercial and residential properties. Within a front setback area along a public street the Town Council may require a wall up to 4 feet in height.

Town Council and Bob Nicholson discussed chapter 17 amendments. Mayor Peterson asked Bob Nicholson to work on the language on fencing requirements.

c. Discussion on Land Use Ordinance 2012-02, Chapter 26, Commercial Site Development Plan.
Bob Nicholson the Town Planner, Planning Commission recommended one change under section 4.2.2 and it says:

4.2.2 Public Hearing
For major projects, the Planning Commission shall schedule a public hearing to hear discussion on the proposed development and Site Analysis. For purposes of this chapter, a major project is defined as a commercial, mixed-use, or multi-family project which involves new construction of a 10,000 sq. feet or larger building.

Town Council and Bob Nicholson discussed Chapter 26 amendments. The following additional amendments were made:

2 Authority
The Town Council upon receiving the recommendation from Planning Commission, ~~with the subsequent approval of the~~ and the Joint Utility Committee, ~~is authorized to~~ may approve a site development plan~~s~~ for development as provided in this Chapter.

4.2.2 Public Hearing
~~For major projects,~~ The Planning Commission shall schedule a public hearing to hear discussion on the proposed development and Site Analysis for ~~purposes of this chapter, a major project is defined as a~~ any commercial, mixed-use, or multi-family project which involves new construction of a building of 10,000 sq. feet or more.

10. Citizen Comments: None

11. Staff Reports:
Councilmember Rohr on roads, Daren Cottam was wondering if he could meet with you and I to see if we are going to do anything this year because the timeframe is disappearing for any projects.
Mayor Peterson I am just trying to follow, is this year before June 30th or before December 31st?
Councilmember Rohr, I was thinking before it gets cold.
Mayor Peterson, Ok, I think it makes sense having had that study done, to look and come forward with a proposal for what we are looking to do. I would be happy to meet with you and Darren.

12. Adjournment:

Councilmember Blake moved to adjourn the meeting.
Time: 8:22pm.

APPROVED ON THIS 24th DAY OF June, 2015

Wayne Peterson

Mayor, Wayne Peterson

ATTEST:

Kristi Barker

Kristi Barker, Deputy Clerk/Recorder