

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, June 23, 2021

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, June 23, 2021 at 7:00 PM at Leeds Town Hall, 218 N. Main Street, Leeds, UT 84746.

If you are interested in participating remotely via Zoom, please contact Town Hall at 879-2447 or email Clerk@LeedsTown.org for the Zoom details.

Regular Meeting 7:00pm.

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Declaration of Abstentions or Conflicts
4. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting Minutes of June 9, 2021
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
7. Public Hearing: None
8. Action Items:
 - a. Discussion and Possible Action on Habitat Conservation Plan, Resolution 2021-05
 - b. Discussion and Possible Action Regarding Leeds CARES Grant Awards
 - c. Discussion and Possible Action on Application of Hillside Ordinance to Parcel L-3-1-7-1110
9. Discussion Items
 - a. Fiscal Year End
 - b. Fourth of July Festivities on Saturday, July 3
10. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
11. Staff Reports
12. Closed Meeting: A Closed Meeting may be held for any item identified under Utah Code section 52-4-205.
13. Adjournment

The Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 879-2447 at least 24 hours prior to the meeting.

The Town of Leeds is an equal opportunity provider and employer.

Certificate of Posting: The undersigned Clerk/Recorder does hereby certify that the above notice was posted June 21, 2021 at these public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town of Leeds website www.leedstown.org.


Aseneth Steed, Town Clerk/Recorder

Town of Leeds

Town Council Meeting for Wednesday, June 23, 2021

1. Call to Order: 7:01pm

Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7 PM on Wednesday, May 12, 2021.

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
MAYOR: WAYNE PETERSON	x	
COUNCILMEMBER: ALAN ROBERTS	x	
COUNCILMEMBER: DANIELLE STIRLING	x	
COUNCILMEMBER: LORRIE HUNSAKER	x	
COUNCILMEMBER: STEPHEN WILSON	x	

2. Pledge of Allegiance: Councilmember Stirling

3. Declaration of Abstentions or Conflicts: None

4. Consent Agenda:

a. Tonight's Agenda

b. Meeting Minutes of June 9, 2021

Councilmember Hunsaker moved to approve tonight's agenda and meeting minutes of May 26, 2021, correcting the spelling of Stirling in Item 6, Announcements. 2nd by Councilmember Roberts. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
MAYOR: WAYNE PETERSON	x			
COUNCILMEMBER: ALAN ROBERTS	x			
COUNCILMEMBER: DANIELLE STIRLING	x			
COUNCILMEMBER: LORRIE HUNSAKER	x			
COUNCILMEMBER: STEPHEN WILSON	x			

5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).

Dianna Powell indicated that she had with her plans for the house they planned to build on their lot, which had been the subject of questions at previous meetings. She said the home is essentially a one-story home with a basement walkout. She offered to make the plans available for review. Mayor Peterson asked Dianna to leave the plans on the table, should Town Council wish to review them when the topic is discussed later in the meeting.

Acia Roberts inquired about the status of the Fire Department and its adequacy, given changes since they last lived in Leeds five and a half years ago. Mayor Peterson indicated that we did have adequate coverage, provided now by Hurricane Valley Fire Special Service District. Several years back there was a consolidation where the Leeds Fire Department consolidated into Hurricane Valley. At about the same time Hurricane City itself also consolidated in. Since then, Springdale and Rockville have also become part of Hurricane Valley Fire Special Service District. The equipment which usually responds to calls in Leeds usually rolls from the Coral Canyon Station at Exit 16 on I-15 in Washington City. We do have equipment in Leeds. We reached the point where the Chief in Leeds indicated there were not sufficient volunteers to be able to provide the necessary coverage just from within Leeds and he felt it was best at that point to consolidate into Hurricane Valley. Acia asked if it was going to stay that way due to lack of volunteers. Mayor Peterson replied that training requirements for volunteers had increased significantly over the years and it became harder and harder to get people to volunteer for that activity. Hurricane Valley has paid people staffing the Coral Canyon Station 24/7, which makes it quicker than having to wait for people to respond to that station and then head out. Acia said they recently had a fire, and one person came and had to pump the water from the truck. Mayor Peterson reminded people to always dial 911 – if the Chief is directly contacted, they would dial 911 to activate the system and get the resources coming.

and Patrick Collins, Silver Reef Highlands HOA President, understands that several weeks ago the parking of trailers and the placement of rocks on easements was discussed. He was wondering if that issue would be discussed or if it had been resolved. Mayor Peterson responded that parking is permitted on streets where there is no curb, with up to two feet of the vehicle on the paved roadway. It has to be a licensed vehicle. If it is a trailer it has to be licensed itself or attached to a licensed vehicle, but it then may be parked on Town roads. There was an extended discussion, and it was decided not to go into any overnight parking restrictions, which was one of the alternatives being considered. With respect to the boulders, we have done an inventory and are in the process of contacting people asking them to voluntarily remove the boulders and, failing that, will be removing those that are deemed to be navigation hazards that are within the Town right-of-way, which usually extends beyond the paved surface. Patrick Collins said the person parking this particular trailer has it by Patrick's home and across from the Vice President of the HOA's home for weeks on end and it is there now. The trailer owner has boulders and rocks on his easement, preventing him from parking it there. Patrick says the owner of the trailer is only doing it to provoke him. Patrick has no problem with people parking for a period of time when needed but thinks parking a trailer to provoke your neighbor isn't the right thing to do. Mayor Peterson agreed from a good neighbor standpoint, but from a Town ordinance standpoint there was nothing preventing it. Patrick indicated if he spoke with the individual, they would be angry. The HOA has been enforcing a CC&R against 7 neighbors and the other 6 have complied, but not the trailer owner. Patrick said that as President of the HOA it is his job to enforce the CC&Rs and to make the neighborhood an attractive place to live.

Gene Roberts heard they are building on hill above Vista. He wanted to know where the water was coming from for the homes. Mayor Peterson answered that they have a will serve letter from the LDWA.

6. **Announcements:** Saturday, July 3 will be Celebration of Fourth of July

7. **Public Hearing:** None

8. Action Items:

a. Discussion and Possible Action on Habitat Conservation Plan, Resolution 2021-05

Mayor Peterson reviewed that the three alternatives being discussed at the previous meeting with respect to the Habitat Conservation Plan ("HCP") were to not participate at all (the status quo), to participate fully or to agree that we would require new building permit applicants to provide proof of participation in the HCP directly with the County. Mayor Peterson asked Cameron Rognan, the County HCP Administrator to address what would happen if the Town did not participate at all. Cameron responded that there would be the risk that a tortoise would be found on their property and could result in them violating the Endangered Species Act ("ESA"). The HCP has a 25-year term and was designed to help developers and municipalities comply with the ESA and still be able to develop land where tortoises were found. The ESA would apply to existing undeveloped parcels and new subdivisions.

Councilmember Wilson asked if a tortoise walking across the property would create an issue or only if they had a burrow on the property. ESA states you may not harm, harass, or kill the animal. Harassment requires more than a minor disturbance and must cause significant harm to the animal. Walking across the property would not qualify as harassment but eliminating a burrow would.

The fees are 0.2% of the estimated construction cost. There used to be a per acre charge, but that has been eliminated. Construction costs are reviewed and approved by the Town's Building Inspector.

All tortoises relocated in the reserve are tagged. However, it is estimated that 10%-20% of the tortoises in the Leeds area are offspring of relocated tortoises that are not tagged. For the last 28 years all of the relocated tortoises have been brought to the area near Leeds in the reserve. This will continue for at least another year, or two as other alternatives are considered to the translocation program.

When asked by Councilmember Hunsaker about who would be responsible for notifying the person doing development if the Town did not participate at all, Cameron brought up that a municipality issuing a building permit might be held liable for breaking the ESA if a problem arose. Cameron said the safest approach would be to make sure the permit not be issued until the agreement was entered into with either the Town or County.

Councilmember Stirling said her father-in-law never saw a tortoise in Leeds until the relocated tortoises were brought to the Babylon Road area. In effect the HCP created an Endangered Species land. Councilmember Stirling wanted to know why Leeds wasn't entitled to protection since the HCP activity created the issue in Leeds in the first place. Cameron acknowledged that there weren't tortoises there 28 years ago and that it was thought that they wouldn't survive when they were relocated there, but would gradually die off. Additionally, there have been members of the public illegally relocating tortoises there, further adding to the population. National Fish & Wildlife Service still sees all of the tortoises as endangered and looks to protect them. Councilmember Stirling thinks a protection zone from violating the ESA for tortoises should be granted to the entire Town of Leeds. The charging of a fee of 0.2% is not fair in addressing an issue that was created by actions of others in relocating tortoises on Leeds's border. Tortoises

were not observed by Leeds residents for at least the last 120 years, until the relocation program began.

Mayor Peterson asked Cameron if he was aware of any such protection zone anywhere due to the flourishing of relocated animals. Cameron indicated that the tortoises were never acknowledged by the County as being native, but the Fish & Wildlife Service said it was a moot point because they are now in southwest Utah. That position resulted in the original HCP entered into 28 years ago. Cameron said the Town could try to negotiate with Fish & Wildlife, but he stated further that he expected that would be a difficult road, given the County's experience with negotiating with Fish & Wildlife.

Cameron indicated there was no specific timeline on Leeds reaching a final decision, but sooner would be better. Town Council requested Fish & Wildlife be approached. Cameron agreed to provide contact information. Cameron closed by indicating that tortoises found near the reserve had, on a few occasions, be relocated to a nearby portion of the reserve, but all other tortoises found have been brought up to the Leeds area.

b. Discussion and Possible Action Regarding Leeds CARES Grant Awards

The State extended the time that money from the initial CARES awards could be spent locally to June 30, 2021. Town Council agreed to open the grant process up to those local businesses with business licenses as of March 31, 2021, and demonstrable losses and expenses as a result of Covid-19. Two applications were received from RCH and Family Matters and reviewed by Mayor Peterson and Councilmember Hunsaker for completeness, meeting the necessary qualifications and agreeing to the stated terms. A motion was made to extend \$10,000 CARES act grants from this application process to RCH and Family Matters. 2nd by Councilmember Roberts. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: ALAN ROBERTS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: DANIELLE STIRLING	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: LORRIE HUNSAKER	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: STEPHEN WILSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

c. Discussion and Possible Action on Application of Hillside Ordinance to Parcel L-3-1-7-1110 Parcel L-3-1-7-1110

Mayor Peterson reviewed the decision at the last meeting to have Councilmember Wilson, the Town Engineer, the Town Planner, the Mayor, the applicant and the applicant's engineer meet to go over the different measurement techniques being proposed by different parties.

Mayor Peterson confirmed that the Town Planner was on the Zoom call.

Mayor Peterson: Okay, thank you. If I could ask Joe Phillips to summarize your takeaways from that online meeting we held, to start this discussion.

Joe Phillips: Thanks, Mayor.

Mayor Peterson: Could you use the podium just because we're recording? Thank you.

Joe Phillips: Joe Phillips with Sunrise Engineering. I am the city's engineer for quite some time. We did have the meeting that was referred to by the Mayor. We discussed the different available options and the different site layouts for the Potter parcel. There, I reviewed the site and ran some new rating analysis on it with some of the 2017 LIDAR data that are produced by the county. It appears that there are three different locations that could be developed that are relatively flat. I sent a letter to the Town with a one and a half-page summary of what those look like. Those three sites from that letter came with an exhibit. The sites that were buildable are labeled A, B, and C. A short analysis suggests that site A, which is the low piece down by the toe of the slope. It is easily buildable. Site B is the piece that's up on top of the hill that's accessible from the parcels up above, assuming there was an easement in place for access or potentially a route we call the green line down, which comes up through the bottom through the drainage channel and loops around until it comes up on top. If that route were permitted by the Town, it would, by our analysis, cross 30% slopes. That's the bottom line. And then site C is a flat area within a fairly steep slope on the east portion of the parcel. And our opinion is as the Town engineer, is that that probably is inaccessible. That any cuts or fills that were made to get access to that site would probably be quite excessive and visible from other parts of the community. And so, the results of the meeting were we did meet with Mr. Potter and his engineer, we talked about those three different options. We also talked about the language in the ordinance is that anything above 20%, between 20 to 30% is open for debate whether or not it's developable, if I understand that correctly, and then the language in the ordinance is that there shall be no development on the 30% slopes. I think that's a pretty clear and blanket statement in the ordinance that was fairly rigid. And so, the question becomes then, does the Town only allow development on parcel A, which is the easily accessible parcel? Or does it also allow Mr. Potter to propose some alternative methods to get into site B, where he could demonstrate to the town what cuts and fills might look like? Then if the Town was of a mind and with legal Counsel that it could go give an exception to its ordinance for 30%. Then maybe that's possible for Mr. Potter to develop that. So I think what we did was we left the meeting, Mayor correct me if I am misstating anything here, but we left the meeting with that option open to Mr. Potter, that if he wanted to go to the expense of having some alternative alignments demonstrated through the applicants engineer for the Town Council to look at, that that would be an option that we could leave on the table for consideration.

Mayor Peterson: I believe they'd indicated they wanted to know Council's receptiveness to any kind of variance before expending the effort to actually show what those cuts and fills would look like.

Joe Phillips: I understood that maybe they would lean on the side of willingness to show, to demonstrate it in order to show the concept, with some starting expense or some minimal expense through their engineer, and then see if it can go any further.

Mayor Peterson: Okay, Steven, do you have anything to add to that?

Councilman Wilson: That sounded accurate to me. That's the way I perceived it. I've listened to both. I appreciate both being there and Mr. Potter because it helped me better visualize and see and understand too, and my feeling on it is it may be feasible as an exception, but it does cut through 30% slope. But I think they could do it without creating a huge cut and do it in such a manner that it may be feasible. And that's where the engineers have to figure out and agree.

Joe Phillips: In favor of that argument, potentially, there's a way where, because the access is tucked back into the property, it may be not visible to others outside the property. And so, you know, if legally there's a way to, to give a waiver to that particular part of the ordinance that maybe that can be done and still accomplish the intent of the ordinance for reducing visual impact and allowing individual development of that property. If it becomes obvious that there have been massive or significant cuts and fills, then you know that the ordinance is there for that reason, in many cases. And so maybe that says, okay, this one is excessive and exceeds what we can grant as a waiver because the impact appears to be big enough that it would fall into that protection.

Mayor Peterson: I would also add, I believe that the engineer for the applicant indicated that the green line approach did require that kind of a waiver that, in their opinion, there was 30% slope, even if a different method or an on the ground method was used to kind of recalculate some of those numbers,

Joe Phillips: Yes, just to back up on that slope calculation method. We've looked at this on and off for a couple of years anyway. And in that discussion, we've talked about different ways to calculate slope. So, the slope is calculated by rise divided by run. Vertical rise divided by horizontal run. We talked about what is the run calculation because it affects what the slope is and how that would fit into the ordinance. In the most current review, we have better data that we've used with the 2017 LIDAR data, where our opinion, as the Town engineers, is just taking the data as it lies. And so, the rise of the slope calculation is simply the rise of two adjacent contours, divided by the run between the horizontal run between the contours. In each increment, there's a different slope. For example, if you used a 100-foot run number as the potential horizontal run for the calculation. But I don't know that we need that, we've got better data, pretty well accepted in the industry and the county and things like that. So, we can see fairly closely where those slopes are in real-time and on the per meter type scale. So, my advice to the Town is that we don't have a defined run distance we have, "what is the data saying, based on the current data that we have?"

Councilman Roberts: But that would lead to the possibility, Joe, of a large boulder, let's say, a significantly large boulder, that would give you a skewed slope in that specific square meter area.

Joe Phillips: That's true, but the converse is also true. Where on a given slope, say if you, and it's two shots per square meter, is that the resolution that's given on this stuff? So, if in this square meter, you had a shot here on the upper end of that slope, and there was a boulder here, and you got a shot here, it would show that piece as flat. See, where the converse is if you had the boulder here, and the low spot here, and you got those two shots, it's going to show that slope like that for that square meter. And so, looking at individual square meter data, you know, there's probably some noise there. But if you look at it on a more global scale, it evens itself out.

Councilmember Stirling: What was the highest slope in that green zone?

Joe Phillips: The way we plotted it was, slopes under 20% had no color to them, slopes between 20 and 30 had the yellow color to them, and slopes greater than 30 had the red color to them. So, we didn't differentiate any of those other than just those three categories. So, on the green line up through the channel, there's a place there, where on the alignment up the channel, it crosses a section that's greater than 30% slope, and then it gets back relatively flat. And then there's another place where you come up onto the property where there's another little piece of 30% slope. And so, really, there are two places there that are in question. The other question would be, how do you grade that coming up from the bottom up into the slope? What kind of improvements need to be made relative to over grade slope? To get to where Mr. Porter can get in and out of there and not having anything too excessively steep, whatever they're comfortable with? And then, of course, there's the fire access question. I think we talked about 15% as the maximum on that in the phone call if I remember right.

Mayor Peterson: Any other questions for our engineer from Council?

Councilmember Stirling: Is there any other road access possible that is not going through that green zone?

Joe Phillips: Not that I saw. I don't know all the details. I understand that. There aren't easements available on the top side, but that's been vetted.

Mayor Peterson: That is correct.

Joe Phillips: So, we're talking about currently one option, really, up to that level.

Mayor Peterson: Okay, if there aren't further questions for our engineer if the applicant wanted to add or comment, would that be acceptable to Council at this point?

Council: Yes.

Mayor Peterson: Okay, you will stay with us though, Joe please, and Scott.

Mr. Potter handed out maps and Town Planning Commission Meeting Minutes from January 15, 2020. Greetings. Since we originally started this in 2018, my name is Lynn Potter. A lot has changed. And just to bring everyone up to speed on what has happened so far. My wife and I submitted a request for approval to the Town of Leeds, so we could do excavation on our lot L-3-1-7-1110.

Councilmember Roberts: When was it? In 2018?

Lynn Potter: That's when I submitted it. Correct. We started in 2018. When we started talking to Scott about slope study methods, okay, we started in October 2018. And we spent 2019 doing the slopes up and then submitted them in January 2020. It was in fall 2019. But their meetings were canceled, and so it got put off to a special meeting on January 15. That's why it's a special meeting across the top. January 15, 2020 is when it came before the Planning Commission.

Karl Rasmussen was there at the Planning Commission meeting. He explained things and answered questions. Scott Messel was there. Scott Messel recommended approval of the concept, and the Planning Commission approved. Okay, a week later, on January 22, 2020, it came before the Town Council. Karl Rasmussen was there from PV Engineering, and Scott Messel was there. They explained, and they recommended. Questions were answered, and conditions were recommended before final approval. Okay. And a request was made to Sunrise Engineering to examine some profiles and cross-sections along the ravine, okay. And then things went off the rails because I disputed the hillside ordinance. Okay. When that was resolved, I think it's been about five or six months that's been resolved. I resumed where we left off with that council meeting, and I sent Karl Rasmussen's engineering plan set from PV Engineering. I sent that to Joe Phillips at Sunrise Engineering because it had some road issues that I thought would satisfy the condition there. And Joe Phillips came back with his own slope analysis, okay, which I dispute. A phone conference was held, and Clinton Merrill tried to work things out with Joe, but nothing was resolved. So here we are today. Okay. I've had Karl Rasmussen of PV Engineering, Brad Merrill of Merrill Johnson Engineering. His son, Clinton Merrill, explained and recommend the project, yet Joe produces a map that does not recommend it. Okay. Tonight, I will show why Joe is an error. This is the math that Joe used. Yellow is 20 to 30% slope, and red is over 30% slope. Okay. According to this map, and this is a true map. Okay. There are areas that are over 30% slope. However, this is not the right kind of computer program to use for hillside slope analysis. Okay, this map was done in our 2017 County topographical map. Washington County. Okay. Note the two little red dots down here at the bottom, surrounded by that yellow. They're all on your own topographical maps. Okay. I asked Clinton Merrill to produce a slope study to approximate Joe Phillips's slope study on our property using the same topographical map from 2017. Okay. And he came very close with the computer program. There's a lot of computer programs out there. But he came very close. Notice the three little red dots. His program is a little bit more picky than Joe Phillip's program. This program is a grading and excavation program. Okay. And grading and excavation programs are really precise. They measure every cubic foot, every rock because every cubic yard matters when it comes to the excavation of a property because everything costs money. Okay. Now slope grading programs and hillside slope programs are two very different things. And here's the proof. Okay. This is the map I had Clayton Merrill do of the storage lot business, excavation on their expansion, okay, using the same 2017 topographical maps in the County, use the same program that you use previously on this map right here. As you can see, there's a lot of red there. There's so much red there that this would not have gotten approved if Joe Phillips would have used his map on it, you know, his computer program on it, okay, the storage lot expansion would not have been approved. So, I did this a second time using my ruler method. Alright, the ruler method I talked about so long ago, 100 foot you put a ruler on a topographical map, and even my method showed some red where it might not have been approved. Okay, so my old ruler method was also pretty good. Okay, but modern slope computer programs take into account problems that arise with variances. They take into account roads, anomalies. They take into account man-made dirt piles because these were all man-made dirt piles across here. They average the slope across a whole lot across the whole profile lot, and that is why this is wrong. Okay. Now, I don't mean to be harsh. But if we would have just went and had a modern computer program done, okay. The guys that did the plans for the storage lot expansion was Bush & Gudgell Engineering. Okay. If you guys want, I can go back and have them do another slope program. Okay,

Diana Powell: We are trying to save \$10,000.

Lynn Potter: Yeah. Okay. And they'll probably come back and they will probably on a modern computer program, they'll probably come back and recommend B, C and probably half of this bridge across here, okay, because it's an average of the whole lot. Okay. And then they start talking about slope densities with development. All right. So modern slope, hillside methods for computer programs are different than grading program methods. We can go back, and we can have it redone, but they will probably come back and recommend sites B and C. Okay, so my suggestion here is to just save us the money and just accept site B, and its access for us. And you really don't have to make an exception. I don't approve of the Town making an exception for us. Okay, I want the Town to use proper hillside slope computer programs as a reference for finding the slope. Now, Karl Rasmussen, which I left that plan set in the back. I think he used 100 feet for the run. So, he didn't even use a modern slope computer program because I told him to use 100 foot because that's what I was given by Scott, and I trusted data being something. Okay. But the truth is, it showed these areas as being 29%. Okay, and these areas are like 28.7%. So even with the ruler method, and when he applied the 100-foot run method on his computer program, it's still qualified. Okay. This was a little sketchy, but this definitely qualifies. And of course, then there's Clinton's, where he did that study; I showed you that with the arrows, and it has numbers on it. I didn't bring his. Anyway, if you have any questions, here I am. It's always painful to dispute a professional's opinion in public. Okay. But I would also, and I don't mean to out you, Scott, but Scott is currently working on revising the hillside ordinances for the county, okay. And they take in all these factors, man-made dump piles, roads, trails, slope averaging, and density. And he's been studying this recently. And so, if you really have questions, and you want to trust them, one, ask Scott, okay, because the County's revising their ordinances, any questions?

Mayor Peterson: I'm just going to clarify one thing with respect to the storage lockers, their original plan was to add two extension buildings. And when they looked at the slope situation, they determined that they could not because of the 30% towards the property further away from the Interstate. Their actual addition is in line with the building that is closer to the Interstate, which, if you look at the very map that has been presented to us this evening, has only a couple of those dots that were mentioned earlier. I had gone with the Chair of the Planning Commission, as there was a concern as to whether there were some 30% slopes, particularly when there were these kinds of very small areas. He had equipment that he had used during his time as a firefighter dealing with wildland fires, where excavation equipment had to be very mindful of what type of slope it was trying to operate on. And what was discovered and what you'll see in the one area where there's a bit of a crescent, you can also see a bit of a perpendicular wall coming down the slope from there. And that was actually what generated that measurement of the red area, was coming off of some of the end of that particular wall that was there. So, it was not that we ignored the slope. The slope map did not indicate any significant areas of 20% or more even. And those that were 30% were looked at with respect to whether they were one-off situations like a big boulder or, in this case, much of it was generated by a man-made wall that had been put in place coming down the slope there. But go ahead, Alan, sorry, I just wanted to make sure it was understood by Council with respect to that other parcel that was brought up.

Councilmember Roberts: When your engineer's map shows 30% through that green line area.

Lynn Potter: Karl Rasmussen's?

Mayor Peterson: the one that you requested, I believe, Clinton Merrill. The second page of your package.

Lynn Potter: No, Clinton's showed 29%. This is not it. I did not bring it.

Mayor Peterson: I believe you handed it to us as the second page of this set of exhibits. And it was the second page of that set of exhibits.

Lynn Potter: I had it last time I was here, but I didn't bring it tonight. Are you talking about this one?

Mayor Peterson: Yes

Councilmember Roberts: Who generated that map? Right there?

Lynn Potter: That is Clinton Merrill. And he did it using the same program that Joe Phillips used for grading and excavation. We did this to show that this is the same type of program that Joe used. Okay, the wrong kind of program for this. Okay. If we came back and used a modern slope program which even Karl did not use. He comes back with numbers that are under 30%. Okay.

Mayor Peterson: Earlier, I mentioned that at the conclusion of the meeting, that Clinton Merrill had also indicated that he felt that if there was no variance granted by the Town that there was a 30% slope on the green line getting up to site B.

Lynn Potter: Clinton mentioned that in the meeting for I don't know, whatever reason because he also has a map in writing, which I didn't show you. I didn't bring. It depends on where you start to run it. Okay, I run the rise calculation. Okay. I guess it's true that in that one section if you do it right, the way I told him to do it, it's under 30%. If you do it another way, where someone doesn't want you to go over there, you can find it to be 30% over 30%. So, it comes back down to what do you want to achieve here? Do you want to make any kind of allowances for small anomalies? Because this is by definition, a small one. Okay. And then it comes back to defining what do you define as a heel? And what is the intent of your ordinance? Okay. Because it's not well defined. It causes problems for anyone that wants to have any kind of development.

Councilmember Roberts: I understand, Lynn, your frustration, and I am supportive of latitude. The ordinance reads, there will be no development within the 30%. Now, that's what has to be established. Where is that 30%? If that truly exists there. And you want to stay with the letter of that ordinance, that says it can't be done. There will be some people that would argue you have to stick with the letter of that ordinance. That's the way rules, regulations, laws, that's the way they exist.

Lynn Potter: I agree.

Councilmember Roberts: However, you have to look at the individual case and say, either we allow some variance or nothing at all. But what is that magical number or circumstances that you say? Would we consider some type of latitude on this? I don't know what that is. I mean, is it based on how much disturbance is really going to be within that 30%? What's established is

30%. What I don't know, I don't know what the magic number is. If there is some latitude, that is allowed. And that's what you're asking the council.

Lynn Potter: No, I don't want an exception. I don't want exception. That's against the law. Okay. I want that Hillside Ordinance defined that's why I in 2018, I wanted to run number because I read your ordinance and it was wildly vague, and so it could be held against me, or I could abuse it. Okay. And so, I went to Scott, and I asked him for a run number. Okay, I want the Town to define it. Okay. Other towns have definitions of how much is an anomaly. Okay, what can be forgiven on this? Are there exceptions? Okay. Our Town ordinance currently says no exceptions. But it doesn't say how to define what a hillside is. You guys need to define what a hillside is because I dispute that 30% on theirs and where they moved, how it was done. Okay. If you use the modern computer program, yes, that'd be approved. If you use Joe's on this right here, a grading slope program, no, it wouldn't be approved. And I haven't even gotten into that road cut up there. In fact, it was that you guys here recently approved the new development. Okay. It seems like. I'm not gonna go there. I'm not gonna go there. It's the, you know, Clinton Merrill produced a map, Karl produced the map. They all said that you know, if you do it this way, it's under 30%. You do it another way, it's over 30%. Choose a way. I can go and have Bush & Gudgell do it for another \$10,000. And they'll come back, and they'll give me both sides and half the hillside. Okay. I don't want an exception.

Diana Powell: Every development in this town needs to be measured by the same yardstick. And at this point, it seems that we're being held out and measured differently than others within the Town of Leeds. You are allowing a 14-lot development to widen.

Lynn Potter: Don't.

Diana Powell: Okay, I won't go there. I'd like to see this little calculation on that one.

Joe Phillips: Lynn, would you mind? What software program are we using?

Lynn Potter: I don't know the name of it. I know that it was a grading and excavation program.

Joe Phillips: For Sunrise's or for Clinton's.

Lynn Potter: Clinton used a grading and excavation program. That's why it's so accurate.

Joe Phillips: I can answer it for ours. Ours was ArcGIS program.

Lynn Potter: A GIS program?

Joe Phillips: ArcGIS. So, it's a fairly common program being used.

Lynn Potter: My sister works for San Diego and says you can't use a GIS program for this.

Joe Phillips: Okay, that's debatable, but I would argue the other way. The other thing is, do you know what software Clint used?

Lynn Potter: I imagine it was something that replicated it like a GIS program. Probably used another GIS program, which is the wrong program to use for hillside slope.

Joe Phillips: Okay, so your position is that a GIS program is inadequate.

Lynn Potter: That has been my whole position.

Joe Phillips: How about AutoCAD Civil 3D?

Lynn Potter: Okay, I'm not familiar with that one, although I've heard good things about it. But I don't know if Bush & Gudgell used that program.

Joe Phillips: Okay, so you get to run the same analysis in AutoCAD Civil 3D. It's really the premier land design software that we use in engineering oil. And you can run slope analyses in that software as well. You can take the same data, the 2017 data, and dump it into that software and run it.

Lynn Potter: So, what is it defined as a hillside slope program?

Joe Phillips: It does the same essential method of calculating.

Lynn Potter: They all do the same essentially, but they have to be defined as a hillside slope computer.

Joe Phillips: So, I think the issue is what is the run distance? Is that right? So, you say a proper

Lynn Potter: It's more than that?

Joe Phillips: Let me ask it. So, in your mind, was it proper hillside software?

Lynn Potter: Okay. I'm not an engineer. I and I don't know the answer to that question. But because I recently discovered in the last couple of months that there is a big difference. Okay. There's a big difference because, okay, well, I discovered a whole bunch of when I first started this in 2018, trying to find what a hillside slope was. I looked at all the other towns in Utah and find out what a hillside slope ordinance looked like. Okay, because Leeds didn't really have one that was well defined. And their ordinances ranged from, okay, you're going to do this to every 40 feet. Okay? And, and you're, you know, inline end to end, and you're going to reproduce it every 40 feet down perpendicular to the topographical map. However, we're not going to say you can't develop over 40%. Okay? Then there were other towns that came back and said, okay, here's a complete formula, we're going to take and have you add up every topographical line on a two-foot map, the length of that line, and then we're going to divide it by the highest point and the lowest point. It started getting really complex. Okay. And it's because it does slope average. Okay. And that's totally different than a grading program. Something just came back and said, hey, use 250 feet as a run. Okay. If I had 250 feet as a run, this whole thing would be under 20%. Okay, it would be a hill there. So, this is wildly important and wildly complex. And that's all. I can't tell you what your best program is, just that they are different.

Councilmember Roberts: Joe, the LiDAR is looking at two square meters? Yes, no?

Joe: It's two points. They're different. Different levels of quality that are defined by the USGS. This data, I believe, is QL2, which means two points per square meter that are shot. So, every square meter that you have of surface, it'll take two points. And then the way that surfaces are cut is if you can imagine two points per square meter. So, you have a field of points, each one of them has a location, and in the plane in the X, Y coordinate, it also has an elevation assigned to it. So, if you have, you know, on the side of the slope, you have a point here, here. But the point is always triangulating between those three points. Each one has an XYZ coordinate. And so, it puts a plane in that triangle. And then it goes over to the next one to decide where 3 points are putting on, and so you stack them all together. Does that make sense? And so, one point I was going to make is, I know, Lynn talks about a run. And that is an important element of the slope. But in today's software, we don't even think about runs. We let the computer do the work for us. What do the points do? So, you look at those triangulations. And if there's one here, and there's one here, and there's one here, then that surface for that piece is like that. And it has, the slope for the run is defined by the distance between those points horizontally. And it differs for each one of those little pieces that will come together to make the surface.

Councilmember Roberts: Yes. And as we look at that information, then you look at the physical location, and you determine whether it is the natural slope? Or is that something that someone placed there? That is not the condition that we're looking at here. This is a natural slope in that green line that you want to use for access to that area B. That is a natural slope. It's not man-made. So, let's take any of that man-made stuff out of the way. What procedure, do you as the applicant, think should be used to determine the slope of that area?

You already said you're not an engineer. What, how do you want to determine what that slope is?

Lynn Potter: Well, alright, I'll be honest with you. I don't want to spend the money on another computer, the right slope program. But we'd come out ahead if you require that, it's okay because it will give us more. And I don't know what computer program Bush & Gudgell uses. Okay. But I know that just like you said, they don't pay attention to about 100-foot runs anymore. Granted, 100 foot runs like I do it is sticking caveman method that has been around since the Egyptians, okay. And that's what I trust. I don't trust computers, because the computers that he's talking about, the computers that the programs that do this, they'll do it on a map. And the new maps don't even use LIDAR, okay, they're, they'll go out, and they'll scan with a drone, and they'll get it down to like an inch or half-inch or two centimeters accuracy. That is wildly accurate. So that's one leg of it, the other leg of it, and we'd have to pay for that because it matters to have a really accurate count. The other leg of it is the computer program. And you can take what everybody recommends. But unless you wrote that computer program, you have no idea what's going on inside that. Okay, you can come back, and if you give it the parameters, it could come back and say, this whole slope is, you know, 20%, you can build anywhere you want, okay? You don't know what's in those computer programs, but I have seen how they put things together. And they make little bitty triangles that are like, well, depends on how accurate you want to go. The triangles can be a foot square smaller. Centimeter, yes, centimeter square or smaller. And there's thousands of these little triangles, and then they average this whole thing altogether. And modern computer hillside slope programs. Okay. I want this thing to be over. I don't want to come here again.

Councilmember Roberts: You got a long way to go then.

Lynn Potter: Just take it and approve site B using Karl's map and using Clinton's original map where he drew out using the 100-foot run, or, you know, or tell me to go get a real, super, super one. And I'll do that.

Councilmember Roberts: So, what you're really asking because you've said, we don't want a variance on this. So, what you're really asking is for us now, I'm going to come to the defense of Sunrise Engineering only because that's who the town representative is. When we talk about staff, that company represents staff, no different than Scott does. Now, we're elected officials here, but it would be no different than the staff of as far as doing work here for Leeds. That is the result of our Town staff. So, you're saying, I don't want you to make an exception. But I don't want you to rely upon the map that Town staff has generated that says here's what it is.

Lynn Potter: Okay, I see your point. So, it sounds like I'm asking for a variance on your Staff's opinion. Okay. However, Scott's opinion was, you know, looks good to me. Because, you know, he saw the other maps, he didn't draw his own map. Okay.

Mayor Peterson: If I could just enter for the record, just some things that have been stated, The origin of the slope map, before your application came in, the map over your left shoulder, which is difficult for anybody here in Town Hall to see, is a Leeds town slope map that looks at the entire town showing 20% to 30%, in yellow, 30% and above in red, very familiar, because that's the same type of approach that's done here. But correct me on this; that was done with earlier data. And what you did for the Potter parcel was to update it with more recently available data and to focus on that parcel only, obviously not generating the entire town map.

Joe Phillips: Yes, that's right. I don't remember the date on this map. But we do know there's the 2017 data, which is the most recent data, and then two, our intent was to really understand what is on the ground there. So that we can advise the Town as to the slopes and if so, where are they. I would add Mayor, the software programs, AutoCAD, Civil 3d, and ArcGIS, are perhaps the premier software packages in the civil engineering world for land development and asset management. They just aren't the end. As far as the reliability of the computer software, sure, there's, on occasion, there's an error in computer software, but we build multimillion dollar projects on nothing but this kind of software. In fact, when we build projects anymore, most projects that we've done around the State. That is all. We build the project in a computer with an existing surface like this, and then we build what we want the new surface to be, we download it into an excavator or a bulldozer, or a scraper, and they go out and build the project. No, we build multimillion-dollar things, and there are no issues with them. We have a great deal of trust in what the software does. I understand, Lynn, occasionally there are things that come up, and we have other things that we will use.

Mayor Peterson: Thank you for that. I want to connect, though is that is the basis on which the evaluations have been done. To suggest that we treat different people differently, I believe, is inaccurate with respect to the claim that you're making. So, I just want to make sure that it's understood that we are not sitting silently by. I'm not sitting silent and accepting the statement that there is different treatment for different applicants. That map drove the analysis. It indicated, which was a concern that was raised if somebody had poured a wheelbarrow full of something, and the points were there; would that be registering a slope in that one particular area? And it was suggested, I believe in the discussions on that meeting that we had, that those isolated red dots might very well be related to something man-made as

opposed to natural topography. But when you got into areas where it was very consistently yellow, consistently red, it was very hard to envision where that could have been a man-made type of pattern. The other thing I would want to bring up and this is something new, but it came up in that call, I believe, and that is that you also were suggesting that the St. George hillside applied to the Leeds standards here, and not the Leeds Hillside Ordinance and there were exceptions in St. George. Now prior to a request for more information on that, I did look up the Town of Leeds standards for construction. And it indeed states that the Leeds Hillside Ordinance is what applies, not St. George, specifically.

Lynn Potter: I am glad you found that. Yes.

Mayor Peterson: Well, I just thought I'd bring it up, so we don't circle back to that. What I'm hearing, and I don't want to, if Council wants to ask other questions before I speak more, please jump in, but what I'm hearing is you can go to Bush & Gudgeon, and you can have them, for some amount of money, prepare another map that's going to show that there is none. My preference would be that our engineer agrees if there is an alternative way of looking at this and doing the calculation with some other program that you would view as a legitimate way to evaluate this as another submission for how you should look at the slope in this type of property. I'd be in favor of entertaining that if there was comfort from our own engineer on that, and then have the study done. I'd be really interested to see what the results were. I don't have a bias as to whether I want it to show over 30% or not show over 30%. What I don't want is, however, to see how many different engineering firms or contractors it takes to eventually find one that will say I don't think there's over 30% slope. Clinton Merrill, at the end of that call, said he was convinced it was over a 30% slope through the green line area. My concern is, and I agree with the statement there shouldn't be an exception, that if there was going to be some carve out as our engineer Joe indicated, if it was invisible from any other property, I could see where the first area that is between points B and C, that might be true. And there might be some reason to consider updating the ordinance. I'm not saying I would end up agreeing to do that. But there might be. But then, when I look towards B, where you're getting very close to the area that would be considered the potential construction zone for the house. You're very close to the property line there. So, I don't see how it could be argued that that wouldn't be visible from any other property in the area. The idea about an exception, I agree with the applicant as he is saying they don't want an exception. The way you deal with an exception is you change the ordinance if there was some set of characteristics that would be applied to all applicants, that indicated some sort of leniency if it was an area of minimal distance and not visible to the outside world that you'd need to trespass to see it. That I don't think holds true for all of the areas here. I do feel very strongly that if we are going to move forward with some final answer to this, I'd like the technique to be agreed upon. And then the technique to be applied at the applicant's expense. And then, when that is done, we would have some results that we could look at and have comfort that they are showing us a new and important data point with respect to the slope of the land that's involved in the application.

Joe Phillips: If I could make a suggestion. I'm not in a position to recommend to Lynn, but what I would do, if I were to do this myself, if I were in Lynn's shoes; what I would do is get with Clint, and I would cut in alignment or roadway alignment and profile. Here can I borrow your pointer?

Lynn Potter: That's a backscratcher.

Joe Phillips: Still, anyway, so in the software that Clint is using, which I think is probably Civil 3d, he could go in and cut a roadway alignment that essentially comes right up through this channel on the green line and then up here, and he can assign that a finished elevation up the centerline of the potential access roadway. And then, in Civil 3d, you can build what's called an assembly, which is essentially the cross-section of the roadway. So, it'd be, you know, 15-foot width or whatever it is, with some shoulders and then you let the software tell you, you set the slope. So, it'll run automatically, whether it's a cut slope or a fill slope, let's say three to one, out to where it catches the adjacent slope. This probably doesn't make any sense at all, But anyway, what it would do is, it would show, and it's relatively simple to do, but it would show what those cuts and fields would look like in 3d. Clint can render it in 3d, or whoever Lynn would propose to do that. And then you could say, okay, if I'm here, what does that fill look like? What does that fill look like, and it won't be super high color or anything like that. It is not in the architectural rendering of some kind. But we'll give you an idea of what the cuts and fills would look like from different perspectives. And it'd be relatively easy to do. Then if Lynn came back with that, then the Town Council would have a sense of what kind of magnitude of cuts and fills are we looking at from different perspectives, including up here.

Councilmember Stirling: So, in your professional opinion, are the slopes over 30%? In doing what you are recommending to him, is the slope still over 30%?

Joe Phillips: So here, and here, they certainly are, okay. So, I don't have a sense of scale for if one route, let's say, a 15-foot road with some shoulders up through, I don't have a feel for how much that would encroach on some of this up through here, for example. So, if there were to be a road cut and a 15% slope, on average going up through the middle, you know, along the alignment, theoretically, one would have to start down here and then call that 15% slope up in it. In order to get that to work, it may be a cut-through here. So, you may have to cut the road there. So, you can get to the average and go and work up through the middle of that thing, trying to stay as close to the existing grade as you possibly can. But at some point, it has to. You have got to be maintaining a 50% slope all the way up through there and come around and get in there. So really, the only way to do that is through the software, let the software tell you what it is or what it looks like.

Councilmember Stirling: But it would still be at this point 30% or higher slope?

Joe Phillips: Well, it would disturb the 30% slope in the center.

Councilmember Stirling: Okay, so we're not changing anything. It is still over 30%.

Joe Phillips: Yes, according to our analysis. It is showing there is a 30% slope there. And there's a 30% slope there that is going to be disturbed.

Councilmember Stirling: Thank you, I felt that having the meeting with your own engineer would give you a fair opportunity to plead your case. What I understand is that your own engineer agreed with Mr. Phillips and the fact that the two portions are above 30%. I make a motion to approve building lot A because of the ordinance. There shall be no development over 30%.

Mayor Peterson: Is there any other discussion? Or is there a second? First of all, for that motion at this time?

Councilmember Hunsaker: Second

Mayor Peterson: Okay. With the motion and second, is there any discussion from Council regarding that?

Councilmember Wilson: So, with this taking place, then that will leave it. So, there's no more discussion about going with lot B then, is that correct?

Councilmember Stirling: That's correct.

Councilmember Wilson: Because in my meeting with them and talking to them, I felt like this. Yes, it might take a slight variance or a change. But honestly, I wouldn't look at it once a year. So though, when you talk to people who have walked in and looked at the property, and obviously, there are some steep places there, but it felt like with proper engineering, it could be done without huge cutting into 30%. But it is going to cut into 30%. And that I believe, with proper engineering and what not, I'm not an engineer, for sure. It's going to take what you just suggested. But I think it can be done. So, I am not sure I want to just say right now, that it's, just cut it off. But unless you're just going to want to go for an exception or variance or whatever it's called, and I don't quite understand why you don't.

Lynn Potter: Well, I don't know,

Councilmember Stirling: Steve, let me explain something in our ordinance. It says there shall be no development over 30%. It doesn't say, you know, if you feel like it's a different thing, it's specifically saying that so we can go and change that ordinance, but at this point, there shall be no development over 30% does not give us the right to change that. And although I appreciate everything you've gone through, believe me, my heart has been with you the entire way, but allowing that opportunity to have your own engineer plead your case and knowing that he said that it was over 30%, our hands are tied.

Lynn Potter: I think it was taken kind of out of context because even I agree that if you use a grading program, it's over 30%. Okay. And that's what he was referencing to Joe about; in order to agree with him to try to use the grading program, it's over 30%. That's really what he was talking about. But if you use a hillside slope program, that's a totally different ball of wax.

Councilmember Wilson: We understand your point on that. But we have to go with what our, like Alan explained, we have our staff member who conforms to what it is. And after meeting with both, I agree now it's how much it's going to cut into. I don't know the answer. And I agree, partially with Danielle there, but part of the purpose of the Town Council is to look at individual properties too. And sometimes, there are things that need to be addressed. And this is one where possibly a variance, I feel like personally, may be applicable. But if you don't want to go that route, then we got to go this route.

Councilmember Stirling: I feel like part of the Town Council is that we have ordinances, and if we don't abide by them, why are we here? Because then everybody can come up with

something that doesn't abide by the ordinances. And that's why we have Planning Commission. If we want to change ordinances, they're the land-use authority; we are supposed to take those ordinances and do what they say.

Councilmember Wilson: Yes, that's true. But if that's the case that we don't need to meet here, it's all there. We don't need to discuss it.

Lynn Potter: And if that's the case, you shouldn't approve the storage lot expansion, and what about the road up there for the new development? Okay,

Councilmember Stirling: Point taken.

Councilmember Hunsaker: Over the past year that I've been on Council, we had different maps from different people, we've been trying, we went through did the Hillside Ordinance apply and at the one meeting you had the epiphany and it doesn't apply. And we're still here and looking at it and I don't want to say, no you can't have it. But in your own words from that first meeting you said they told you absolutely, positively there was no way you were going to be able to get to that and you said, I know there's a way, I'm going to find a way. I know your smart, half the things you say here is about twelve degrees over my head, but at the same point, you have got to follow the ordinance and that's where I'm at. I wish it was different, but I agree that if we make one exception on an ordinance it goes to other people.

Mayor Peterson: I would also highlight, because things keep getting brought up, that development was a preliminary plat and with the approval of that it was stated that when they came forward with construction drawings, they would need to be mindful of the Hillside Ordinance. They needed to comply with that. The approval of a preliminary plat did not include the level of detail you would be analyzing, but it was made clear to them that they would still need to be mindful of that Hillside Ordinance as they went about developing any construction drawings for that. So again, I would say that you're suggesting that something was approved without applying the Hillside Ordinance is inaccurate.

Lynn Potter: Have you seen the aerial of the storage lockers, have you seen the expansion?

Mayor Peterson: I explained earlier that they had an initial plan that was updated and if you look at that map behind you on the wall, if you look at the map that you brought in and generated, you will see that there are those few red dots and it was something that was possibly manmade and it was indeed that situation. If you'd like us to go look at the areas on this map to see if they are manmade or not, that would be a very possible thing to do. I walked it, I think it was two years ago, as time has passed and I did not envision that there was a bunch of manmade, there were certainly some boulders that had come rolling down that are there, but having personally hiked up it, it felt like a meaningful slope.

Councilmember Stirling: We still have a motion on the floor.

Mayor Peterson: We do, and we are discussing the motion on the floor. Are there any other questions or discussion regarding the motion on the floor. Hearing none, roll call beginning on my right:

Councilmember Roberts requested the motion be restated. The motion was to approve construction on Site A on the map for Parcel L-3-1-7-1110.

Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: ALAN ROBERTS	<u> </u>	<u>x</u>	<u> </u>	<u> </u>
COUNCILMEMBER: DANIELLE STIRLING	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: LORRIE HUNSAKER	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: STEPHEN WILSON	<u> </u>	<u>x</u>	<u> </u>	<u> </u>

Mayor Peterson said the basis of that decision was driven by the need to disturb greater than 30% slope to get to Sites B and C.

Lynn Potter: I suggest the Town revise its Hillside Ordinance and he also noted he did not need the Town’s approval to build on Site A.

9. Discussion Items:

a. Fiscal Year End

June 30 is the fiscal year-end. If anyone is aware of expenses, be sure to get them in. The other piece of information is that there will be a transfer from the General Fund to the Capital Improvement Fund once numbers are finalized and a Public Hearing will be held to reopen the budget.

b. Fourth of July Festivities on Saturday, July 3

Breakfast will be at 8am at the Peach Pit Pavilion. Cooking will begin on stoves at 7am. Councilmember Stirling offered up tables and chairs to supplement the Peach Pit Pavilion seating. A projector and large screen have been made available to show the film A Town for All Seasons: The Story of Leeds at 9:45pm. A barn dance will be held from 7pm-11pm at 60 Cherry Lane with the owners covered by the Town’s liability insurance.

Council approved limiting fireworks to the basketball in the Town Park and, if permitted by the State, ban them completely. The Mayor was going to investigate declaring a local emergency for 30-days due to the dryness to ban fireworks. Notification will be posted at the Post Office.

Washington County Water Conservancy District shared data showing soil moisture at lowest level since recording began. Current conditions are an “Exceptional” drought, which is the highest level and more severe than an “Extreme” drought.

10. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).

Susan Savage: When Cameron said the Town could talk to Fish & Wildlife it reminded her of an effort from 20 years ago where following up on what was initially said they were able to effect a different outcome after an arduous process.

Gene Roberts: He arrived in Town in 1980 when there was virtually nothing here. In 1980 Phoenix stated they welcomed new businesses, but they had no more water. He has not seen an increase in water over the 40 years, but there has been an increase in building. Current restrictions in water usage are not consistent with approving more.

Acia Roberts: Wanted to know if the 14-lot development would be connecting with Silver Meadows, the answer to which was no.

11. Staff Reports:

Councilmember Stirling was interested in the source of the fire earlier in the day. Acia Roberts did not know.

Councilmember Hunsaker investigated the cost of movie rights to show in the park. For 50-200 people it ranges from \$395-\$450. 200-500 people is \$615-\$695.

Mayor Peterson shared that 90% of the County population is serviced by the Washington County Water Conservancy District. They are funding capital projects with 75% impact fees, with the remainder coming from user fees and property taxes. Leeds residents pay in property taxes. Quail Creek and Sand Hollow reservoirs are at about 75% of capacity. Under Sand Hollow is stored over 60,000-acre feet of water from years with excess water.

12. Closed Meeting: A Closed Meeting may be held for any item identified under Utah Code section 52-4-205.

13. Adjournment

Mayor Peterson adjourned the meeting at 8:59pm.

APPROVED ON THIS 14th DAY OF July, 2021.



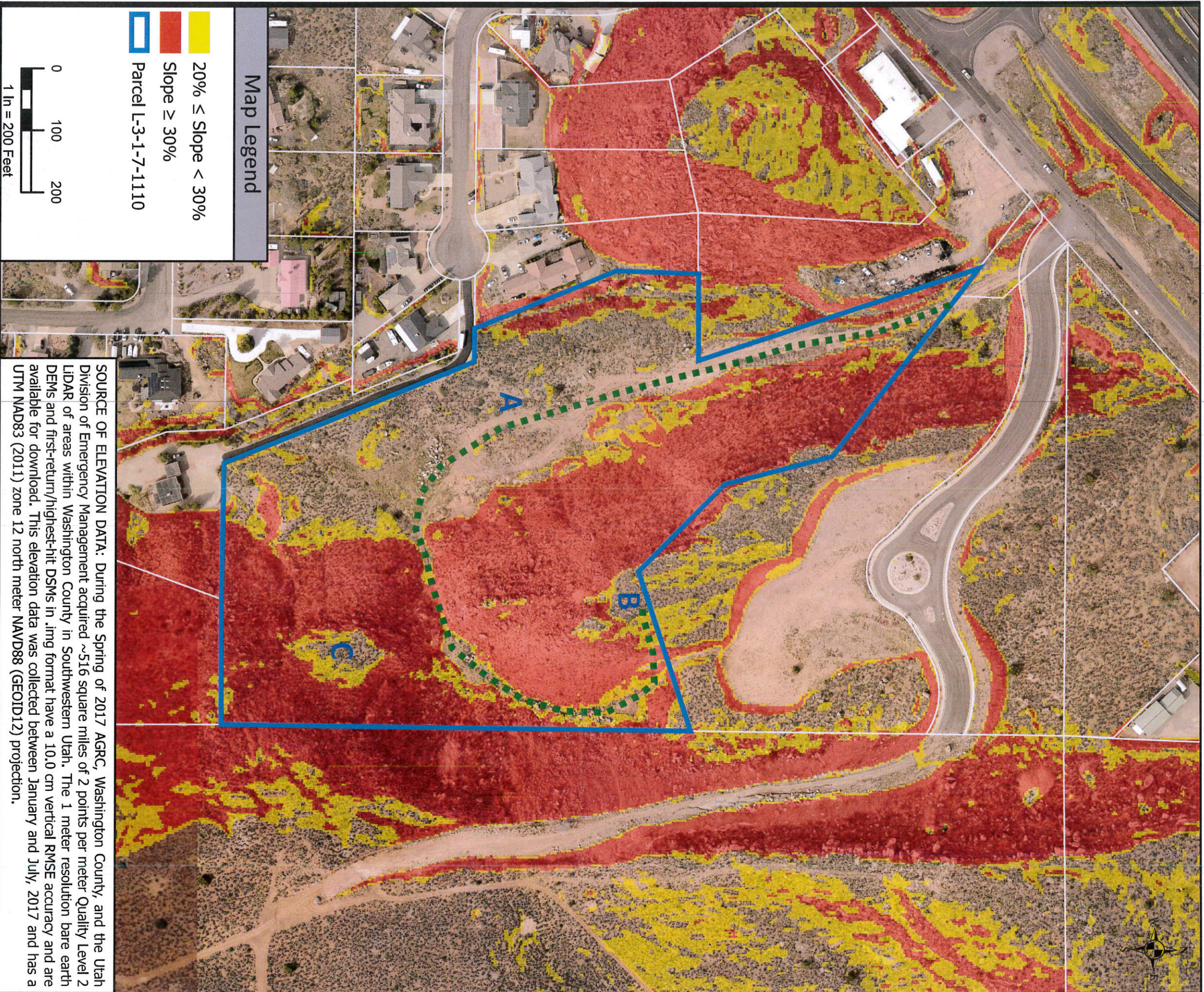
Mayor, Wayne Peterson

ATTEST:

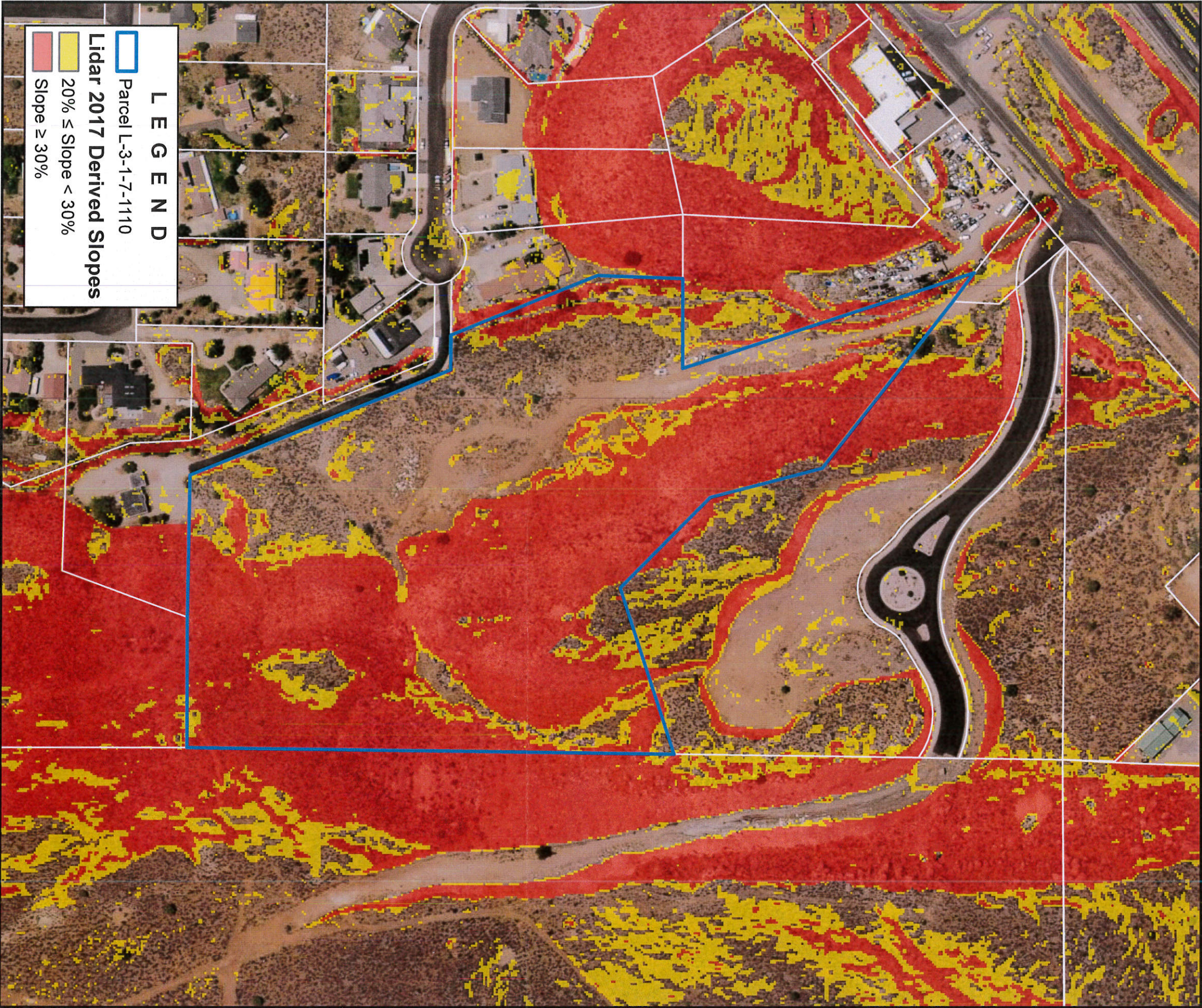


Aseneth Steed, Clerk/Recorder

Parcel L-3-1-7-1110 (Lynn Potter) Slope Analysis Map



SOURCE OF ELEVATION DATA: During the Spring of 2017 AGRC, Washington County, and the Utah Division of Emergency Management acquired ~516 square miles of 2 points per meter Quality Level 2 LiDAR of areas within Washington County in Southwestern Utah. The 1 meter resolution bare earth DEMs and first-return/highest-hit DSMs in .img format have a 10.0 cm vertical RMSE accuracy and are available for download. This elevation data was collected between January and July, 2017 and has a UTM NAD83 (2011) zone 12 north meter NAVD88 (GEOID12) projection.



LEGEND

Parcel L-3-1-7-1110

Lidar 2017 Derived Slopes

20% ≤ Slope < 30%

Slope ≥ 30%

Parcel L-3-1-7-1110 Slope Analysis

Town of Leeds

NORTH:



SCALE:

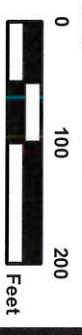
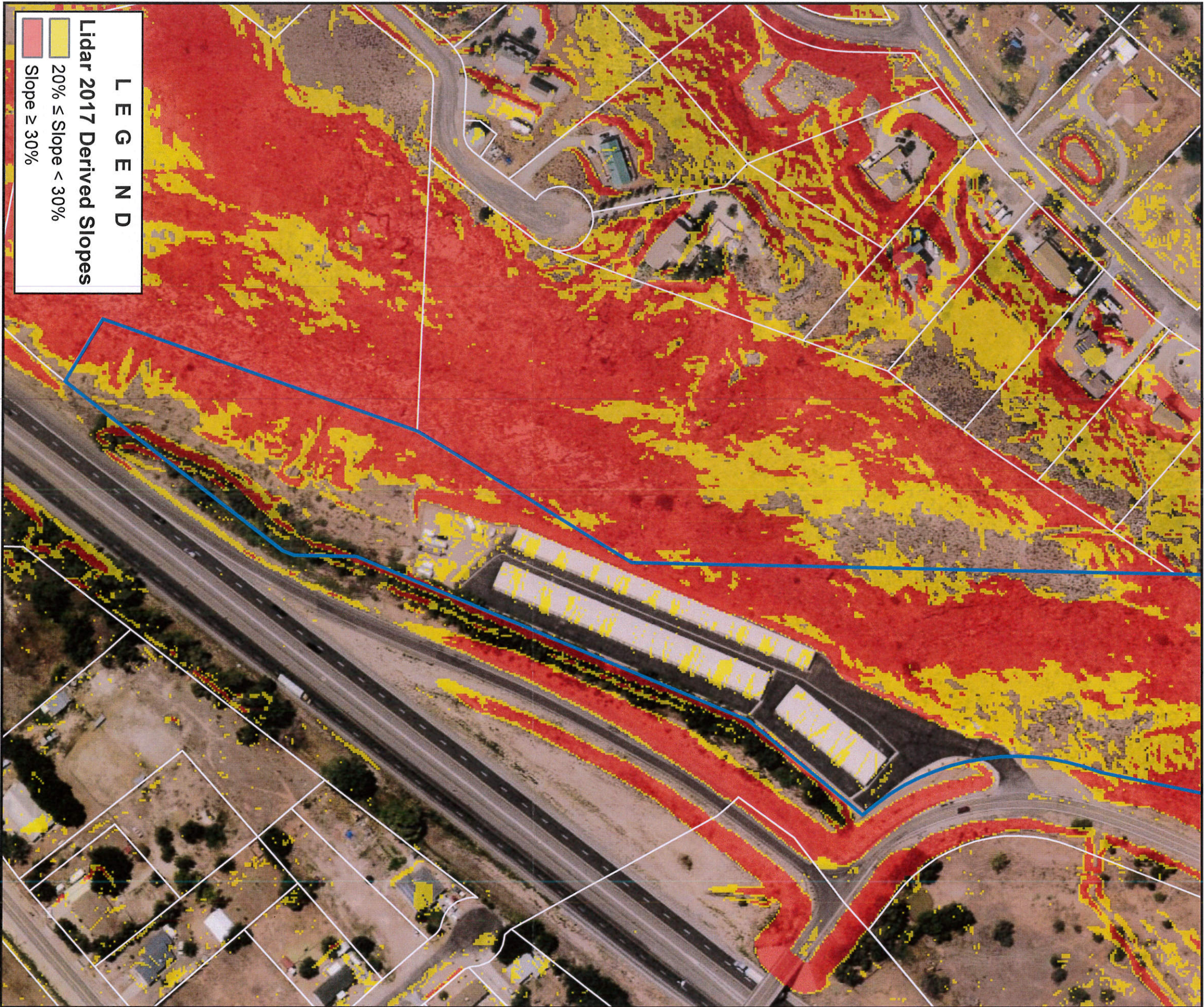


FIGURE NO.

1



Parcel L-94-A-1-B Slope Analysis

Town of Leeds



NORTH:

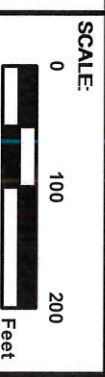


FIGURE NO.

1

