



Minutes of the **Regular Session** of the **City Council** held Tuesday, **July 28, 2015**, at 7:00 p.m. at the Lehi City Administration Building, 153 North 100 East, Lehi, Utah.

**Members Present:** Bert Wilson, Mayor  
Mark Johnson, Council Member  
Johnny Revill, Council Member  
Mike Southwick, Council Member

**Excused:** Chris Condie, Council Member  
Paul Hancock, Council Member

**Others Present:** Jason Walker, City Administrator; Ryan Wood, City Attorney, Kim Struthers, Planning Director; Lorin Powell, City Engineer; Jeff Magnusson, Deputy Police Chief; Jeremy Craft, Fire Chief; Joel Eves, Power Director; Cameron Boyle, Assistant to the City Administrator; Erin Wells, Management Analyst; Marilyn Banasky, City Recorder and approximately 36 citizens.

### **1. Welcome, Roll Call, Pledge of Allegiance**

Mayor Wilson welcomed everyone and noted that all Council members were present except Councilors Condie and Hancock who are excused. Jacob Johnson led the Pledge of Allegiance.

### **2. Presentations and Reports**

#### **a. Lehi Chamber of Commerce Update**

Mark Welker, Chamber President, gave the state of the Chamber address.

#### **b. Dividend Check Presentation – Utah Local Government Trust**

Josh McKell from the Utah Local Government Trust presented Mayor Wilson with a dividend check.

### **3. Citizen Input (for public comments on items not listed on the agenda)**

John Chapman stated that he lives in Cranberry Farms. He displayed a picture of the area and discussed the intersection at 2150 North and 2300 West. He stated that the speed limit is 40 mph and that there are no speed limit signs until under the bridge and around the corner. He stated that many think it is okay to go 40 mph under the bridge as the speed limit sign is 50 feet north of the intersection. He wondered if it is possible to change this intersection from a 2-way stop to 4-way stop as it is hard to go east and west. Mayor Wilson stated that he will have the traffic people look at that. Mr. Chapman felt it would be interesting if they could post the speed limit going under the bridge and between the MTC building and wondered if a portable radar machine could be parked under the bridge so the southbound traffic could see their speed.

Lisa Brough stated that she lives in this same neighborhood and displayed a picture of the same area. Her request is to get the speed limit from Point Meadows to 2150 North reduced to 25 mph. She stated that there are kids that use the intersection at 2150 North to go to school and her daughter almost got hit there. She stated that there are no crossing guards there, only parents. She stated that another problem is that there are children who don't want to wait for the light or crossing guard, and dart across the street. She asked for the speed limit to be reduced, flags for the crosswalk, or a 4-way stop.

Scott Sandstorm thanked the Mayor and City Council for agenda item #18 the American Fork Canyon Resolution. He stated that he became aware of what was happening in American Fork Canyon without any input from the citizens of Utah County and became part of an organization to preserve and protect American Fork Canyon. He expressed concern with the Mountainland Association of Governments (MAG) as this almost got passed without any public input because of MAG and their visioning.

Mark Allen stated that about 9 weeks ago he was reading an article in the newspaper about American Fork Canyon and started a Facebook page. He stated that he has learned a lot in the last 8 weeks and has seen elected officials that represent the will of the people and some that don't. He stated that 99.6% on the website say they want to do all they can to protect American Fork Canyon as people use this canyon for many reasons. He has been up there to heal and recreate and applauds the Mayor and City Council's efforts to pass this Resolution.

#### 4. Consent Agenda

- a. Approval of meeting minutes from:  
July 7, 2015 Work Session  
July 14, 2015 Pre Council meeting  
July 14, 2015 City Council meeting

- b. Approval of Purchase Orders.

**Motion:** Councilor Southwick moved to approve the consent agenda. Councilor Johnson seconded the motion.

**Roll Call Vote:** Councilor Revill, Yes; Councilor Southwick, Yes; and Councilor Johnson, Yes. The motion passed unanimously.

#### 5. Sale of real property located at the southwest corner of 1700 West and 700 South, Lehi Utah

- a. Public Hearing  
Mayor Wilson opened the public hearing.

There were no comments from the public.

Mayor Wilson closed the public hearing.

- b. Consideration of the Sale of real property located at the southwest corner of 1700 West and 700 South, Lehi Utah.

Mayor Wilson reported that this is a parcel of property by the Sports Park that the City wants to sell for an LDS Stake Center.

**Motion:** Councilor Revill moved to approve the Sale of real property located at the southwest corner of 1700 West and 700 South, Lehi Utah. Councilor Southwick seconded the motion.

**Roll Call Vote:** Councilor Southwick, Yes; Councilor Johnson, Yes; and Councilor Revill, Yes. The motion passed unanimously.

**6. Consideration of Preliminary and Final Subdivision approval for Forest Creek, a 2-lot residential subdivision located at 2250 North Dry Creek Way in an RA-1 zone.**

Councilor Johnson recused himself from this item. Councilor Condie was contacted via telephone to participate on this item.

**Motion:** Councilor Southwick moved to grant Preliminary and Final Subdivision approval for Forest Creek, a 2-lot residential subdivision located at 2250 North Dry Creek Way in an RA-1 zone; subject to the completion of all Development Review Committee comments and Planning Commission recommendation. Councilor Condie seconded the motion.

**Roll Call Vote:** Councilor Johnson, Abstained; Councilor Revill, Yes; Councilor Southwick, Yes; and Councilor Condie, Yes. The motion passed with three in favor and one abstained.

**7. Consideration of Ordinance # 38-2015 a Zone Change for Willow Creek Development on approximately .30 acres of property located at 2100 West 300 North from an A-1 to an R-1-22 zone.**

Mayor Wilson inquired as to their intention with the house. He wondered if they were going to tear it down or remodel it. Kim Sprague replied that they weren't sure what they were going to do with it.

**Motion:** Councilor Southwick moved to approve Ordinance # 38-2015 a Zone Change for Willow Creek Development on approximately .30 acres of property located at 2100 West 300 North from an A-1 to an R-1-22 zone; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Revill seconded the motion.

**Roll Call Vote:** Councilor Revill, Yes; Councilor Southwick, Yes; and Councilor Johnson, Yes. The motion passed unanimously.

**8. Consideration of Preliminary Subdivision approval for Bingham Subdivision, an 8-lot residential development located at 2300 West 900 North in an approved R-1-22 zone.**

**Motion:** Councilor Johnson moved to grant Preliminary Subdivision approval for Bingham Subdivision, an 8-lot residential development located at 2300 West 900 North in an approved R-1-22 zone; subject to the completion of all Development Review Committee Comments. Councilor Southwick seconded the motion.

**Roll Call Vote:** Councilor Southwick, Yes; Councilor Johnson, Yes; and Councilor Revill, Yes. The motion passed unanimously.

**9. Consideration of Preliminary Subdivision approval for Dapple Gray Trails, an 84-lot residential development located at 700 South 2300 West in an R-1-12 zone.**

Councilor Johnson inquired if they are fully aware of the regulations of the mink farm. Michael Gray replied that they are. Councilor Revill stated that he likes that this will connect the power line trail to the park.

**Motion:** Councilor Southwick moved to grant Preliminary Subdivision approval for Dapple Gray Trails, an 84-lot residential development located at 700 South 2300 West in an R-1-12 zone; subject to the completion of all Development Review Committee and Planning comments. Councilor Revill seconded the motion.

**Roll Call Vote:** Councilor Johnson, Yes; Councilor Revill, Yes; and Councilor Southwick, Yes. The motion passed unanimously.

**10. Consideration of Final Subdivision approval for Timp Vista Meadows, an 11-lot subdivision located at 650 North 1700 West in an R-1-22 zone.**

Ben Hunter, Engineer for the project, was present.

**Motion:** Councilor Revill moved to grant Final Subdivision approval for Timp Vista Meadows, an 11-lot subdivision located at 650 North 1700 West in an R-1-22 zone; subject to the completion of all Development Review Committee comments. Councilor Southwick seconded the motion.

**Roll Call Vote:** Councilor Revill, Yes; Councilor Southwick, Yes; and Councilor Johnson, Yes. The motion passed unanimously.

**11. Consideration of Final Subdivision approval for Hadfield Plat B, a 15-lot residential development located 620 West 820 North in an existing R-1-8 zone.**

Bobby Patterson, petitioner, was present.

**Motion:** Councilor Johnson moved to grant Final Subdivision approval for Hadfield Plat B, a 15-lot residential development located 620 West 820 North in an existing R-1-8 zone; subject to the completion of all Development Review Committee comments. Councilor Revill seconded the motion.

**Roll Call Vote:** Councilor Southwick, Yes; Councilor Johnson, Yes; and Councilor Revill, Yes. The motion passed unanimously.

**12. Consideration of Ordinance # 39-2015 amending the Lehi City Development Code Chapter 12 and Table 12.070 regarding animal rights.**

Kim Struthers stated that this is housekeeping item for section that regulates animals in different zones. He explained that this is not modifying the number of animals but clarifying the language and to ensure the number of animals allowed are not cumulative.

**Motion:** Councilor Johnson moved to approve Ordinance # 39-2015 amending the Lehi City Development Code Chapter 12 and Table 12.070 regarding animal rights. Councilor Southwick seconded the motion.

**Roll Call Vote:** Councilor Johnson, Yes; Councilor Revill, Yes; and Councilor Southwick, Yes. The motion passed unanimously.

**13. Consideration of Resolution #2015-55 approving a road dedication and development (2nd) between Lehi City and Ridge Holdings, LLC.**

Mayor Wilson reported that this is on the roadway right-of-way by the hospital to the frontage road. Lorin Powell asked that the City Council give him some latitude to make some minor modifications to the contract. Ryan Wood stated that if those changes are substantive then this item will come back to the City Council.

**Motion:** Councilor Revill moved to approve Resolution #2015-55 approving a road dedication and development (2nd) between Lehi City and Ridge Holdings, LLC, and allow some leeway for discussion that the Engineering Department feels needs to happen. Councilor Johnson seconded the motion.

**Roll Call Vote:** Councilor Revill, Yes; Councilor Southwick, Yes; and Councilor Johnson, Yes. The motion passed unanimously.

**14. Consideration of Ordinance #36-2015 amending Lehi City Code Chapter 13.32 Net Metering.**

Mayor Wilson reported that this item allows commercial entities to participate in net metering and not just residential customers.

**Motion:** Councilor Southwick moved to approve Ordinance #36-2015 amending Lehi City Code Chapter 13.32 Net Metering. Councilor Revill seconded the motion.

**Roll Call Vote:** Councilor Southwick, Yes; Councilor Johnson, Yes; and Councilor Revill, Yes. The motion passed unanimously.

**15. Consideration of Ordinance #37-2015 amending Lehi City Code Chapter 8.12 Miscellaneous Fire Regulations.**

Jeremy Craft stated that this is to bring the code up to the International Fire Code standards regarding the type of businesses that require a Knoxbox.

**Motion:** Councilor Southwick moved to approve Ordinance #37-2015 amending Lehi City Code Chapter 8.12 Miscellaneous Fire Regulations. Councilor Johnson seconded the motion.

**Roll Call Vote:** Councilor Johnson, Yes; Councilor Revill, Yes; and Councilor Southwick, Yes. The motion passed unanimously.

**16. Consideration of Resolution #2015-56 establishing the 2015 Primary Municipal voting precincts and polling places in Lehi City.**

Marilyn Banasky stated that this Resolution outlines that Lehi City will have a Vote By Mail election and one Vote Center at City Hall on August 11, 2015 for the Municipal Primary Election.

**Motion:** Councilor Johnson moved to approve Resolution #2015-56 establishing the 2015 Primary Municipal voting precincts and polling places in Lehi City. Councilor Southwick seconded the motion.

**Roll Call Vote:** Councilor Revill, Yes; Councilor Southwick, Yes; and Councilor Johnson, Yes. The motion passed unanimously.

**17. Consideration of Resolution #2015-57 designating and appointing Election Judges to serve in the Municipal Primary Election.**

Marilyn Banasky stated that this Resolution designates the election judges for the Primary Election. Due to the fact Lehi City is running the election as Vote By Mail, she is only requesting three judges for the Vote Center and one counting judge.

**Motion:** Councilor Southwick moved to approve Resolution #2015-57 designating and appointing Election Judges to serve in the Municipal Primary Election. The judges are Vern Lindsay, Sue Lindsay, Debbie Woodbury, and Judy Cash as a counting judge. Councilor Revill seconded the motion.

**Roll Call Vote:** Councilor Southwick, Yes; Councilor Johnson, Yes; and Councilor Revill, Yes. The motion passed unanimously.

**18. Consideration of Resolution #2015-58 encouraging reasonable and prudent environmental stewardship of American Fork Canyon.**

Councilor Revill thanked those who came in support of this item. He applauded Scott who approached him and asked him if he knew anything. He stated that as an elected official he would have expected to have heard more. He thanked the Mayor for putting this on the agenda and supporting their sister city, American Fork.

**Motion:** Councilor Revill moved to approve Resolution #2015-58 encouraging reasonable and prudent environmental stewardship of American Fork Canyon. Councilor Johnson seconded the motion.

**Roll Call Vote:** Councilor Johnson, Yes; Councilor Revill, Yes; and Councilor Southwick, Yes. The motion passed unanimously.

**19. Consideration of Resolution #2015-59 placing an opinion question on the November 3, 2015 Municipal General Election Ballot as to whether or not Lehi City should enact a local sales and use tax of 1/10 of 1% (RAP tax).**

Mayor Wilson reported that this is due to the possibility to collect sales tax money for recreation, arts, and parks. The tax would one cent on \$10.00 and will be paid by everyone who buys anything in Lehi City. Ryan Wood stated that this Resolution doesn't pass the tax,

it just puts it on the ballot for voters to vote for or against it in November. Councilor Revill inquired if the Council could enact the RAP tax without a vote. Mr. Wood replied that the RAP tax has to go to a vote.

**Mayor and Council Reports**

Councilor Johnson reported that he was approached on 900 North where American Fork is doing a new development adjacent to 900 North. He was told that the developer donated the frontage to American Fork City and then Lehi City purchased that donated property from American Fork City. He feels that if a developer donated property to a City for right-of-way then Lehi shouldn't have had to pay for it. Lorin Powell stated that he wasn't aware that Lehi bought anything from American Fork City and it is possible that it was a reimbursement for oversizing of pipe. He stated that he will look into it and report back.

Councilor Revill thanked Erin Wells for a great Resident Appreciation Day Carnival. He hopes that there will one day be enough water to hold Foam Day again.

Mayor Wilson stated that he would like to call for a Closed Executive Session to hold a strategy session to discuss the purchase of real property, and discuss the character, professional competence, or physical or mental health of an individual.

**Motion:** Councilor Johnson moved to recess into a Closed Executive Session to hold a strategy session to discuss the purchase of real property, and discuss the character, professional competence, or physical or mental health of an individual. Councilor Southwick seconded the motion.

**Roll Call Vote:** Councilor Revill, Yes; Councilor Southwick, Yes; and Councilor Johnson, Yes. The motion passed unanimously.

The meeting recessed into a Closed Executive Session at 8:13 p.m.  
The meeting reconvened at 8:58 p.m.

**15. Adjournment**

With no further business to come before the City Council at this time, Councilor Southwick moved to adjourn the meeting. Councilor Johnson seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 8:58 p.m.

Approved: August 25, 2015

Attest:

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Bert Wilson, Mayor

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Marilyn Banasky, City Recorder