



153 North 100 East
Lehi, UT 84043
(801) 768-7100

Minutes of the **Pre Council and Regular Session** of the **Lehi City Council** held Tuesday, **January 9, 2024**, at Lehi City in the Council Chamber, 153 N 100 E. Lehi, UT.

Members Present: Mark Johnson, Mayor
Paige Albrecht, Council Member
Chris Condie, Council Member
Paul Hancock, Council Member
Heather Newall, Council Member
Michelle Stallings, Council Member

Others Present: Cameron Boyle, Assistant City Administrator; Ryan Wood, City Attorney; Lorin Powell, City Engineer; Kim Struthers, Community Development Director; Cameron Boyle, Assistant City Administrator; Dean Lundell, Finance Director; Andy Gowans, Management Analyst; and Teisha Wilson, City Recorder.

Pre Council, 5:30 p.m.

1. Welcome and Opening Comment

Mayor Johnson welcomed everyone and noted that all Councilmembers were present. Councilor Stallings gave the opening comment.

2. Presentations and Reports

2.1 Swearing-In Ceremony for Councilors Paige Albrecht, Heather Newall, and Michelle Stallings.

Elected Councilmembers were sworn in by Judge Morgan Cummings.

2.2 Finance Audit Report

Dean Lundell introduced Dana Howell with Osbourne, Robbins & Buhler, who oversaw the city's financial audit report.

Dana discussed the creation of a new fund for the Local Building Authority and the issuance of bonds for building improvements. Dana also presented the results of the audit related to federal funds, emphasizing compliance and lack of significant findings. She highlighted the overall compliance of the city with state requirements, with only a minor comment. She praised the city staff for their responsiveness and cooperation during the audit. She concluded that no major issues were reported, and Council members expressed appreciation for the thorough and positive audit results.

2.3 Open Meetings Act and Conflict of Interest Training

Ryan Wood, City Attorney, presented on the annual required training of Utah's Open and Public Meetings Act. The presentation covered the importance of open and transparent meetings, definitions of public bodies, meetings, quorums, and exceptions. The presentation also addressed hypothetical scenarios to illustrate concepts like chance meetings, discussions at social

gatherings, and participation in external meetings. The training emphasized the need for proper notice, agenda specifics, and adherence to the Open Meetings Act. Additionally, Ryan Wood also provided information on conflict of interest statutes, including disclosure requirements for personal interests, business transactions, and potential conflicts during city-related decisions.

2.4 Procedures Presentation

Teisha Wilson presented on the City Council's rules and procedures for meetings. She covered various aspects of rules, order and procedure according to Lehi City's code. She noted the importance of following Robert's Rules of Order. The overall focus was on maintaining order, facilitating efficient decision-making, and ensuring fair representation of all citizens' interests.

3. Agenda Questions

Mayor Johnson disclosed that his son will be presenting tonight, so he asked Mayor Pro Tempore Hancock to Chair the meeting during that time.

3. Administrative Report

None.

4. Mayor and Council Reports

The Council reported on their assigned committees.

The meeting recessed at approximately 7:00 p.m.

The meeting resumed at approximately 7:10 p.m.

Regular Session, 7:10 p.m.

1. Welcome, Roll Call, Pledge of Allegiance

Mayor Johnson welcomed everyone and noted that all Councilmembers were present. Councilor Newall led the Pledge of Allegiance.

2. Presentations and Reports

2.1 Proclaim January as Radon Action Month in Lehi City

Mayor Johnson read and signed the proclamation. Kerrie Robbins, a Lehi resident, and Wendy Wright with the Utah County Health Department thanked the Mayor for his support of bringing awareness to the community.

3. 20 Minute Citizen Input

None.

4. Consent Agenda

4.1) Approve Minutes from the November 14, December 5, and December 12, 2023 City Council Meetings.

4.2) Approve Purchase Orders

Motion: Councilor Condie moved to approve the consent agenda items. Councilor Hancock seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Newall, Yes; and Councilor Stallings, Yes. The motion passed unanimously.

5. Consideration of approval for a one-year extension of Hidden Canyon D4 a 10-lot residential development located at 1731 West Royal Circle.

Fieldstone was the applicant.

Motion: Councilor Newall moved to grant a one-year extension of Hidden Canyon D4 a 10-lot residential development located at 1731 West Royal Circle; and include all Development Review Committee comments and findings as stated in the staff report. Councilor Albrecht seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Newall, Yes; and Councilor Stallings, Yes. The motion passed unanimously.

6. Consideration of Ordinance #01-2024 the Berry Property Zone Change located at 116 South 600 East changing the zoning on 1.18-acres from Transitional Holding (TH-5) to Neighborhood Commercial (NC).

Dan Ford was representing the applicant. He stated that this request complies with the General Plan.

Motion: Councilor Albrecht moved to Ordinance #01-2024 the Berry Property Zone Change located at 116 South 600 East changing the zoning on 1.18-acres from Transitional Holding (TH-5) to Neighborhood Commercial (NC); and include all Development Review Committee comments. Councilor Condie seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Newall, Yes; and Councilor Stallings, Yes. The motion passed unanimously.

7. Consideration of Ordinance #02-2024 the Beacon Point zone change, on 0.80 acres located at 1054 West Main Street changing the zoning from Commercial to Mixed-Use.
This item was moved to the end of the agenda.

8. Consideration of Concept approval for the Beacon Point Concept, a 17-unit mixed-use residential development located at 1054 West Main Street.
This item was moved to the end of the agenda.

9. Consideration of Concept approval for the Marwood Group Concept, a 31-unit residential development on 0.84 acres located at 301 East State Street.

Curtis Minor was representing the applicant. He stated that they are proposing a 5-story building in the mixed-use zone with 31 residential units, one of which could be converted to commercial in the future. It was noted that this area has been designated for 250 total housing units, with 74 already in use, leaving 176 available for development. Councilmembers expressed concerns about using up the allocated housing units on a small portion of the available land, limiting future development in the TOD zone.

Lorin Powell, City Engineer, stated that the access road currently limits the number of units to 50. He said that more units would require the developer or others to build another access point.

The City is doing a study of the TOD zone and station area plan to look at redevelopment incentives and overall planning.

The Council discussed potentially reducing the density/number of units, requiring a traffic study, or postponing the project until the City studies are done. The Council was concerned about using up scarce housing density in the TOD zone on a project that may limit future development.

The developer made the case that they have worked to comply with current zoning and ordinances, and development should be allowed to move forward within those rules.

Motion: Councilor Condie moved to approve the concept as presented; including all Development Review Committee comments, and suggest that the applicant look at working with the city to participate in a collaborate study of the area and if a decrease in units is needed then that should be considered. Councilor Albrecht seconded the motion.

Councilor Stallings suggested that the motion also include assurance that the applicant will meet the 10% open space requirement as required for multi-family standards in the mixed use zone. She also suggested a reduction in units.

Amended Motion: Council Condie amended his motion to include Councilor Stallings comment regarding open space. Councilor Albrecht seconded the amendment to the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, No; Councilor Newall, No; and Councilor Stallings, No. The motion failed 2-3.

Motion: Councilor Hancock moved to approve the concept with a reduction in units to a max of 23; and note that if through traffic studies or other studies, it's determined that the density would allow for 31 units, then the Council would be willing to reconsider. Councilor Newall seconded the motion.

There was a discussion about the number of units as it relates to the number of levels. Councilor Stallings suggested that 4 levels would be a better fit for the area instead of 5.

Councilor Hancock stated that he would consider amending it to 25 units max to allow the applicant more flexibility.

Amended Motion: Council Hancock amended his motion to change the max number of allowed units to 25. Councilor Newall seconded the amendment to the motion.

Roll Call Vote: Councilor Albrecht, No; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Newall, Yes; and Councilor Stallings, Yes. The motion passed with 4 in favor and 1 opposed.

10. Consideration of Ordinance #03-2024, the Larson Zone Change for two parcels totaling 3.6 acres located at approximately 1700 North Boston Street changing from Transitional Holding to Light Industrial.

Darren Johnson was representing the applicant. He stated that they intend to subdivide the property. He noted that one of the potential buyers is here and may want to develop a tow yard on one of the lots.

Anna Dugovich stated that she would like to purchase the property for a tow yard. She sought insights into potential opposition to obtaining a conditional use permit for a tow yard on that site.

Council members expressed that compliance with the city code would be essential for approval. The Council discussed collaboration and stated that the project needs to align with the city's regulations, code requirements, and adhere to conditions set during the conditional use permit process.

Motion: Councilor Condie moved to approve Ordinance #03-2024, the Larson Zone Change for two parcels totaling 3.6 acres located at approximately 1700 North Boston Street changing from Transitional Holding to Light Industrial; including all Development Review Committee and Planning Commission comments. Councilor Seegmiller seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Newall, Yes; and Councilor Stallings, Yes. The motion passed unanimously.

11. Consideration of approval for the Gardner Point Phase 6 plat amendment and revisions, removing 7 single-family lots and converting the land to open space located at approximately 3600 West 1500 North.

Brandon Wattson with Edge Homes was representing the applicant. He stated that they ran into an undocumented fill area, so they believe that the right thing to do is eliminate the lots and turn it into open space. He stated that they would like to add the 7 lost lots to another location, so they will bring another plat amendment to the Council for approval at a future date.

Motion: Councilor Newall moved to approve the Point Phase 6 plat amendment and revisions, removing 7 single-family lots and converting the land to open space located at approximately 3600 West 1500 North; including all Development

Review and Planning Commission comments. Councilor Hancock seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Newall, Yes; and Councilor Stallings, Yes. The motion passed unanimously.

Mayor Johnson disclosed that he has a working relationship with the applicant. He also disclosed that he will not receive any financial benefit from the project. Mayor Johnson still thought it was best to recuse himself as Chair. Paul Hancock will act as Mayor Pro Tempore.

Mayor Johnson left the room at approximately 8:40 p.m.

- 7. Consideration of Ordinance #02-2024 the Beacon Point zone change, on 0.80 acres located at 1054 West Main Street changing the zoning from Commercial to Mixed-Use.** Parker Johnson and Larry Lindstrom were representing the applicant. Parker stated that they have modified the plan based on public input at the Planning Commission meeting.

Mayor Pro Tempore Hancock asked the applicant to also present the concept plan so that they can get a full picture of the request.

Larry stated that Lehi's Mixed Use Code is too ambiguous. He felt that it should be more clear on what the density should be. The applicants stated that they have reduced the building height, reduced the number of units and increased the landscape buffer.

The Council discussed the density map and inquired about the additional density. Kim Struthers informed the Council that the original concept plan was approved for 6 units which is included on the density map. He said the Council would need to decide if the other 3 units are to be considered as new additional density or the 3 units can be taken from Main Street's 250 units. Councilor Stallings preferred not to add new density.

Motion: Councilor Stallings moved to approve Ordinance #02-2024 the Beacon Point zone change, on 0.80 acres located at 1054 West Main Street changing the zoning from Commercial to Mixed-Use; and include that the additional density granted beyond what was approved at the previous concept plan be subtracted from the Main Street area density map, including all Development Committee comments. Councilor Newall seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Newall, Yes; and Councilor Stallings, Yes. The motion passed unanimously.

- 8. Consideration of Concept approval for the Beacon Point Concept, a 17-unit mixed-use residential development located at 1054 West Main Street.**

Parker stated that they provided 2 separate concepts plans. He said they changed it to 2 stories, added trees and increased the landscape buffer, and reduced the number of units to 9. They

also moved the trash enclosure. Larry also stated that they are constructing road improvements. Parker asked for clarification on the required PEU width.

Mayor Pro Tempore Hancock asked for public comments.

Brett Blood stated that he appreciated some changes but expressed concerns about increasing residential units from six to nine, fearing the precedent it might set for neighboring properties. Traffic was a major concern, especially around a busy traffic circle, and the impact on Veterans Park's accessibility. He emphasized the need to consider the overall density plan and questioned the potential ripple effect on future developments in the area.

Scott Ahlstrom expressed gratitude for the changes made by the developers. However, he raised concerns about potential light disturbance in residents' living rooms due to car lights entering the property. He suggested that the developer install a higher fence as a buffer against the lights.

Mayor Pro Tempore addressed the comments and stated that they would not be obligated to grant additional density to other developers. He also stated that the Council can't require the developer to construct something other than what's required by code but encouraged the residents to work with the developers on a solution.

Motion: Councilor Condie moved to approve the Beacon Point Concept, a 9-unit mixed-use residential development located at 1054 West Main Street; and include all Development Review Committee comments; noting density reduction to 9 units, and include that some flexibility may be granted on the buffer for parking and trash; and also include that they are approving Concept option #1. Councilor Southwick seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Newall, Yes; and Councilor Stallings, Yes. The motion passed unanimously.

Mayor Johnson returned to the meeting at approximately 9:45 p.m.

12. Adjournment

With no further business to come before the City Council at this time, Councilor Stallings moved to adjourn the meeting. Councilor Newall seconded the motion. The motion passed unanimously. The meeting was adjourned at approximately 9:50 p.m.

Approved: January 23, 2024

Attest:

Mark Johnson, Mayor

Teisha Wilson, City Recorder