

Minutes of the **Pre Council and Regular Session** of the **Lehi City Council** held Tuesday, **August 13, 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: Jason Walker, City Administrator; Cameron Boyle, Assistant City Administrator; Ryan Wood, City Attorney; Lorin Powell, City Engineer; Kim Struthers, Community Development Director; Beau Thomas, Deputy Administrator; Dean Lundell, Finance Director; Sierra Pierson, Management Analyst; and Teisha Wilson, City Recorder.

Pre Council, 6:00 p.m.

1. Welcome and Opening Comment

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

2. Presentations and Reports

2.1) Lehi Fiber Network Update

Shaye Ruitenbeek, Lehi Fiber Network Manager, provided an update. She reported that pre-registrations for the fiber service had almost reached 9,500, which was close to 45% of the projected take rate. She noted that customer subscriptions had reached a 23% overall take rate for the areas that were open for sign-ups, hitting almost 2,000 subscriptions.

Mrs. Ruitenbeek explained that 19 areas, about 33% of the city, had been opened for sign-ups, 47% were under construction, and 20% of the city was yet to be opened, mostly on the west side. When asked, Shay said she would look into providing more specific projections on when different areas would be opened for sign-ups, as this was a common question from residents. She acknowledged this would require coordinating with the construction team to determine how certain they were about timelines for each area.

3. Agenda Questions

None.

4. Administrative Report

Dean Lundell, Finance Director, stated that the public hearing for the property tax increase will be on August 20th. He explained that Utah property tax is governed by state code, which has changed over time. He noted that a key term is the "certified tax rate", which is calculated

annually by the state and county assessors. The intent is for the certified rate to provide the city with the same revenue as the previous year, not counting new growth.

Mr. Lundell reviewed Lehi's actual tax rate over the past several years. He explained that the proposed rate for 2024 is higher than the certified rate, which would be considered a tax increase under state law. He outlined Lehi's policy objectives when setting the tax rate, such as ensuring it is reasonable compared to other cities and providing high quality services. He noted the city typically aims to recapture inflation, rather than exceed it, when proposing a tax increase.

The primary reasons cited for the proposed tax increase were to address public safety salary competitiveness and parks staff for park and facilities maintenance.

5. Mayor and Council Reports

The Council reported on their assigned committees.

6. Consideration of a Closed Session to discuss the purchase, exchange or lease of real property.

Mayor Johnson noted that the closed session isn't necessary.

The meeting recessed at approximately 6:30 p.m.

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

Regular Session, 7:00 p.m.

1. Welcome, Roll Call, Pledge of Allegiance

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

2. Presentations and Reports

2.1) Lehi Waterwise Yard of the Month Presentation.

The Lehi Environmental Sustainability Committee presented the award to the Lemieux Family.

3. 20 Minute Citizen Input

Ross Carter expressed frustration with the Hadco property's negative impact from noise and dust. He expects more protection for neighbors' rights.

Chris Rollins expressed appreciation for the bike lanes along 700 South. His daughters also expressed their gratitude.

Shane Hill, Willow Creek Middle School Principal, thanked the Council for the continued support and collaboration with students and community partners.

4. Consent Agenda

4.1) Approve Minutes from the City Council Meeting.

Motion: Councilor Hancock moved to approve the consent agenda. 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.

5. Consideration of Ordinance #49-2024 adopting Lehi City Municipal Code Title 5 Chapter 6 (Hyperbaric Facilities) establishing requirements for the operation of a hyperbaric facility.

Garion Rowett, Fire Marshal, presented this item to the Council. He stated that this Ordinance will require an annual permit for mild hyperbaric therapy facilities and allows the city to address safety concerns.

Dr. Ryan Mayers explained the therapeutic benefits of hyperbaric facilities and stated that he is in support of this.

Motion: Councilor Condie moved to approve Ordinance #49-2024 adopting Lehi City Municipal Code Title 5 Chapter 6 (Hyperbaric Facilities) establishing requirements for the operation of a hyperbaric facility. 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.

6. Consideration of Resolution #2024-46 approving a Development Agreement for Grant's Corner located at approximately 90 N 500 W.

Brian Fox stated that he is party to the development agreement and supports it. There was discussion regarding parking during Round-Up. Mr. Fox stated that they want to work with the city during the annual rodeo and allow parking at their facility.

Motion: Councilor Condie moved to approve Resolution #2024-46 approving a Development Agreement for Grant's Corner located at approximately 90 N 500 W, and clarify in the agreement that the property owner will grant parking access to the City during the annual Round-Up Rodeo for public or city/rodeo use. Councilor Hancock seconded the motion.

Council Hancock suggested adding for clarification that the parking areas can be accessed on rodeo days anytime after 4 p.m. unless otherwise agreed upon.

Amended Motion: Councilor Condie amended the motion to include Council Hancock's comments. Council Hancock seconded the amendment to 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 Resolution #2024-45 approving a Development Agreement on 51.46 acres located at approximately 2500 West Main Street.

Agenda Items 7-11 were heard and discussed together.

Marlin Eldred, Lehi City Economic Development, explained the agreement. Dave Ryan joined virtually and was representing Strata's interests. Steve Maddox was representing Walt Plumb and Edge Homes.

Mayor Johnson asked for public comments.

Todd Reese lives to the east of this property. He was concerned with amending the General Plan and the loss of agriculture properties. He also expressed concerns about the traffic impacts.

Councilor Stallings expressed concerns with potential noise and traffic from the public facilities.

There was discussion about mitigating noise and dust concerns for light industrial uses in public facilities zones.

Motion: Councilor Albrecht moved to approve Resolution #2024-45 approving a Development Agreement on 51.46 acres located at approximately 2500 West Main Street. 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.

8. Consideration of Ordinance #46-2024 a General Plan Amendment on 51.46 acres located at approximately 2500 West Main Street, changing the land use designation from VLDRA to PF & VLDR.

This item was discussed with item #7.

Motion: Councilor Condie moved to approve Ordinance #46-2024 a General Plan Amendment on 51.46 acres located at approximately 2500 West Main Street, changing the land use designation from VLDRA to PF & VLDR; including the Development Review Committee and Planning Commission comments. Councilor Stallings seconded the motion.

Council Stallings suggested adding that findings that this will increase the health, safety, and public welfare by having snowplows on this side of the city.

Amended Motion: Councilor Condie amended the motion to include Councilor Stalling's comments. Councilor Stallings seconded the amendment to 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.

9. Consideration of Ordinance #47-2024, approving a Zone Change on 33.86 acres located at approximately 2500 West Main Street, changing the zoning from A-5 to R-1-15.

This item was discussed with item #7.

Motion: Councilor Newall moved to approve Ordinance #47-2024, approving a Zone Change on 33.86 acres located at approximately 2500 West Main Street, changing the zoning from A-5 to R-1-15; including the Development Review Committee and Planning Commission comments. 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.

10. Consideration of Ordinance #48-2024 approving a Zone Change on 17.6 acres located at approximately 2500 West Main Street, changing the zoning from A-5 to Public Facility.

Motion: Councilor Albrecht moved to approve Ordinance #48-2024 approving a Zone Change on 17.6 acres located at approximately 2500 West Main Street, changing the zoning from A-5 to Public Facility; including the Development Review Committee and Planning Commission comments. Councilor Stallings seconded the motion.

Councilor Stallings suggested including a recommendation to the Planning Commission to consider mitigations including hours of operation, nuisance factors, such as dust, noise or vibrations, and consider that the fencing setback and buffers are adequate to protect nearby property owners to preserve the appearance and character of the area.

Amended Motion: Councilor Albrecht agreed to Councilor Stalling's comments and included that planning staff go further to educate the Planning Commission on the issues and concerns with impacts to neighbors. Councilor Stallings seconded the amendment to the motion.

Mayor Johnson noted that he believes it's best to address issues in a code amendment so that everyone is treated equally on that in the future and we're not just targeting a specific issue.

Councilor Albrecht agreed with Mayor Johnson.

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 Resolution #2024-47 approving a Real Estate Purchase Contract and Addendum 1 with Gardner-Plumb LC for 11.74 acres located at approximately 2500 West Main Street.

This item was discussed with item #7.

Motion: Councilor Condie moved to approve Resolution #2024-47 approving a Real Estate Purchase Contract and Addendum 1 with Gardner-Plumb LC for 11.74 acres located at approximately 2500 West Main Street. 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.

12. Adjournment

With no further business to come before the City Council at this time, Councilor Hancock moved to adjourn the meeting. Councilor Stallings seconded the motion. The motion passed unanimously. The meeting was adjourned at approximately 8:57 p.m.

Approved: September 24, 2024

Attest:

Mark Johnson, Mayor

Teisha Wilson, City Recorder