



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

Minutes of the **Regular Session** of the **City Council** held Tuesday, **April 14, 2015**, at 7:00 p.m. at the Lehi City Administration Building, 153 North 100 East, Lehi, Utah.

Members Present: Bert Wilson, Mayor
Chris Condie, Council Member
Johnny Revill, Council Member
Mike Southwick, Council Member

Excused: Paul Hancock, Council Member
Mark Johnson, Council Member

Others Present: Jason Walker, Interim City Administrator; Robert Ranc, Interim Assistant City Administrator; Ryan Wood, City Attorney; Kim Struthers, Planning Director; Brad Kenison; Assistant City Engineer; Darren Paul, Police Chief; Todd Munger, Public Works Director; Lee Barnes, Water Superintendent; Gary Thomas, Pressurized Irrigation Manager; Cameron Boyle, Management Analyst; Marilyn Banasky, City Recorder; and approximately 26 citizens.

1. Welcome, Roll Call, Pledge of Allegiance

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

2. Presentations and Reports

a. Discussion on water conservation measures – Robert Ranc, Interim Assistant City Administrator

Robert Ranc introduced the topic of water conservation for the Lehi City pressurized irrigation system. Gary Thomas discussed the projected secondary water supply. He stated that the City is at 25% of their allotment. He reported that there is some hold over water from Deer Creek Reservoir and an option to purchase another 1,000 acre feet of Central Utah water. He stated that this is the worst he has ever seen it as the current water flows are the same as mid-June water flows. Todd Munger discussed the water conservation plan for City parks. He discussed the cultural practices of watering the parks, profile concepts, and education. Robert Ranc discussed the enforcement policy and water restrictions. He reported that there were over 1,000 water violations in 2014. He stated that 95.5% were one time violations, 4% went onto a second violation, and a small amount of third violations, all of which were resolved before going to a Class C misdemeanor. He stated that the City needs to do a better job of communication for education purposes and that a direct mailer will be sent to each home.

Mr. Ranc discussed recommended revisions to the current code.

- 1) Lift watering restrictions between 10 am – 6 pm. This will help the ponds refill sooner. When the use is high during the evening hours, the ponds drain and there is no water pressure.
- 2) Restrict recreational sprinkler usage in phase III. This wasn't addressed in the current ordinance. This would apply to children running through sprinklers and water toys.
- 3) Change the consequence of a third violation to a \$500 fine rather than a Class C misdemeanor. A Class C misdemeanor stays on a person's record as a criminal offense. The City isn't trying to punish offenders, but to educate them. It is hoped that a \$500 fine for each offense will have a greater impact on water conservation than a criminal record.
- 4) Begin watering restrictions May 11, 2015 rather than June 1, 2015. Due to the fact that the pressurized irrigation water supply is already at 25% it makes sense to begin the restrictions sooner. This date gives time for the City Council to approve the changes and get the information to the residents.

Mr. Ranc reported that these proposed changes will be on the next City Council meeting as an ordinance change.

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

Brent Dorton discussed the Lehi High School parking on 200 North. He said it is out of control and there have been several accidents. Mayor Wilson inquired if that road has marked parking stalls. Mr. Dorton replied that it doesn't. He stated that first North has 11 parking stalls and 300 North also has parking stalls on both sides of the street, but their road has no red where stop signs are and they average 32 cars parked on their street every day. He stated that his main concern is safety. He feels if there were parking stalls there would be room for 24 cars. He stated that it is hard to exit their driveways as the cars are parked right up to the edge of their driveways and to the edge of the intersection. Their driveways are also used as a turn around. Trash is another problem as they pick up ½ a garbage can per day. He stated that vandalism and trespassing are also problems. Mr. Dorton reported that his street used to be a no parking zone during school but that was changed a couple of years ago. He stated that neighboring communities prohibit parking on city streets. He would like to have the curbs painted red by driveways and the stop sign and parking stalls painted. Mayor Wilson stated that he can have the Public Works Department look at that and have the police department patrol this area.

Vickie Goff lives two houses up from Brent. She is home all day and watches what goes on. They park in front of the driveways and mailboxes and leave a lot of garbage. She stated that they try to be kind and approach the kids but they are very negative. She stated that she has a difficult time going through the intersection due to the cars parking too close to the intersection.

Joyce Thompson lives on the other side of the street and stated that this becomes a real problem. She is not sure the parking stalls will solve the problem as she can't pull out of her driveway for fear of getting hit as the traffic is so fast. She feels the major part of this is

Alpine School District's problem and they could solve it easily if they weren't afraid of the parents by limiting who can park. Mayor Wilson replied the City has checked into this and they do have preference parking, but the school can't do anything about parking on the streets as it is a public street.

Conner Boyak stated that he would like to discuss the code revision items that were discussed in Pre-Council. He is happy that the antiquated items are being addressed. He made the following suggestions:

- Page 20 regarding allowable number of dogs and cats. He feels that this needs to be increased from two to five.
- Page 30 regarding dogs attacking dogs or animals. Remove the term "worries" and replace it with "threatening".
- Page 34 deals with dead animals and he feels this is in conflict with state law. It is for dead horses. State law gives a reasonable time and not 10 hours. He would also like to allow residents to bury animals on their property.
- Page 35 regarding trespassing of fowl. He has chickens and it is unlawful if they wander off according to current code. He feels this should be an infraction or it should be deleted from the code.
- Page 25 deals with weed abatement and if weeds are unsightly they are considered a nuisance. He wants this repealed.
- Page 40 entails discharging of firearms. It is unlawful to discharge a firearm in City limits unless an exception is given by the Mayor. He feels this should be allowed in cases of self-defense.

4. Consent Agenda

a. Approval of meeting minutes from:
March 24, 2015 Pre Council meeting
March 24, 2015 City Council meeting

b. Approval of Purchase Orders.

c. Consideration of Resolution #2015-23 approving a Pipeline Crossing Agreement between Lehi City and Utah Transit Authority.

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

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

5. Consideration of Preliminary and Final Subdivision approval or Brailsford Subdivision, a 4-lot residential development located at 1500 North Parkside Drive in an existing R-1-22 zone.

Councilor Condie stated that the Planning Commission motion recommended that lots 1 and 2 have some sort of driveway that allows the residents to enter 1500 North so that they are not backing out. He wondered what Mr. Brailsford thought about that. Steve Brailsford

replied that is fine with him. He is not sure how to control that as someone selling the lots and not building the homes.

Motion: Councilor Condie moved to grant Preliminary and Final Subdivision approval or Brailsford Subdivision, a 4-lot residential development located at 1500 North Parkside Drive in an existing R-1-22 zone; subject to the completion of all Development Review Committee comments. Councilor Revill seconded the motion.

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

6. Consideration of Preliminary Subdivision approval for Timp Vista Meadows, an 11-lot residential subdivision located at 625 North 1700 West in an existing R-1-22 zone.

Motion: Councilor Revill moved to grant Preliminary Subdivision approval for Timp Vista Meadows, an 11-lot residential subdivision located at 625 North 1700 West in an existing R-1-22 zone; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Southwick seconded the motion.

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

7. Consideration of Final subdivision approval for White Knight Office Park located at 3451 North 1200 West in an existing Business Park zone.

Councilor Condie stated that the Planning Commission has not seen the site plan and the motion should be contingent on the Planning Commission approving the site plan. Kim Struthers replied that the Development Review Committee sees it tomorrow and then it will move on to the Planning Commission. Councilor Condie inquired if this would come back to the City Council if the Planning Commission sees something on the site plan and adds recommendations and conditions. Mr. Struthers replied that the site plan doesn't affect the subdivision plat that is being approved tonight. He stated that this request is to clean up the parcel boundaries.

Motion: Councilor Condie moved to grant Final subdivision approval for White Knight Office Park located at 3451 North 1200 West in an existing Business Park zone; subject to the completion of the Development Review Committee comments and that the Planning Commission must approve the site plan for the White Knight Office Park. Councilor Southwick seconded the motion.

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

8. Consideration of Final Subdivision approval for Villas at Pioneer Crossing, an 82-unit Planned Unit Development located at 1320 South Center Street in an existing R-2 zone.

Motion: Councilor Revill moved to grant Final Subdivision approval for Villas at Pioneer Crossing, an 82-unit Planned Unit Development located at 1320 South Center Street in an existing R-2 zone; subject to the completion of all Development Review Committee comments. Councilor Southwick seconded the motion.

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

9. Consideration of Final Subdivision approval for Lehi Crossing, a 6-lot commercial subdivision to be located at approximately 1300 E. State Street in an existing Commercial zone.

Motion: Councilor Southwick moved to grant Final Subdivision approval for Lehi Crossing, a 6-lot commercial subdivision to be located at approximately 1300 E. State Street in an existing Commercial zone; subject to the completion of all Development Review Committee and contingent on the Planning Commission approval of the site plan. Councilor Condie seconded the motion.

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

10. Consideration of Ordinance #26-2015 amending the Lehi City Design Standards and Public Improvements Specifications Manual Chapter 2, Section 2.05 regarding the type of fencing allowed along arterial roads.

Kim Struthers reported that this change is updating the type of fencing material that is required in cases where a subdivision fronts a local street but backs onto a major roadway. This proposal requires an eight foot high fence of either masonry or solid concrete where it backs up to a major road. He stated that the main issue is the durability of the fence as it can get hit with debris from snow plows and traffic. He feels this is a more appropriate standard. Councilor Condie inquired as to what type of fence is on Pioneer Crossing. Mr. Struthers replied that fence is solid concrete where UDOT installed it. The new fence is Rhino Rock, which is a foam core with a concrete shell. He stated that type of fence would not be allowed under this change. Councilor Condie stated that he is concerned with the cost to the homeowner and wondered if this fence would be put up by the developer or homeowner. Mr. Struthers replied this fence would be required as part of a development as the subdivision is constructed and would be installed and paid for by the developer but taken over by the homeowner. A discussion was held as to the difference between an arterial road and local road. Councilor Southwick inquired if the current Development Code states that a fence can't be higher than six feet. Mr. Struthers replied that they need to change that in the Development Code. A discussion was held as to the benefits of an eight foot wall versus a six foot wall and reimbursement agreements between the City and a Developer.

Motion: Councilor Condie moved to approve Ordinance #26-2015 amending the Lehi City Design Standards and Public Improvements Specifications Manual Chapter 2, Section 2.05 regarding the type of fencing allowed along arterial roads. Councilor Southwick seconded the motion.

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

11. Consideration of Resolution #2015-24 approving a settlement agreement between Lehi City and Bart and Leann Christofferson.

Ryan Wood stated that he has presented the general terms to the Council and this is the formal agreement. He reported that there were conflicting deeds going back to a 1995 annexation and this agreement will ensure that the City had the water and no one lost their rights to water.

Motion: Councilor Condie moved to approve Resolution #2015-24 approving a settlement agreement between Lehi City and Bart and Leann Christofferson. Councilor Revill seconded the motion.

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

12. Consideration of Resolution #2015-22 approving a Shareholder Change Application Agreement between Lehi City and Lake Bottom Canal Company.

Motion: Councilor Revill moved to approve Resolution #2015-22 approving a Shareholder Change Application Agreement between Lehi City and Lake Bottom Canal Company. Councilor Southwick seconded the motion.

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

13. Consideration of adjourning into a Closed Executive Session to discuss the character, professional competence, or physical or mental health of an individual.

Motion: Councilor Condie moved to adjourn into a Closed Executive Session to 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 Condie, Yes. The motion passed unanimously.

The meeting adjourned into a Closed Executive Session at 8:24 p.m.

The meeting reconvened at 9:47 p.m.

14. Adjournment

With no further business to come before the City Council at this time, Councilor Condie moved to adjourn the meeting. Councilor Southwick seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 9:47 p.m.

Approved: April 28, 2015

Attest:

Bert Wilson, Mayor

Marilyn Banasky, City Recorder