



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

Minutes of the **Regular Session** of the **City Council** held Tuesday, **September 08, 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
Paul Hancock, Council Member
Mark Johnson, Council Member
Johnny Revill, Council Member
Mike Southwick, Council Member

Others Present: Jason Walker, City Administrator; Robert Ranc, Assistant City Administrator; Ryan Wood, City Attorney, Kim Struthers, Planning Director; Lorin Powell, City Engineer; Darren Paul, Police Chief; Joel Eves, Power Director; Chad Skinner, IT Director; Robert Marshall, Police Officer; Erin Wells, Management Analyst; Marilyn Banasky, City Recorder and approximately 45 citizens.

1. Welcome, Roll Call, Pledge of Allegiance

Mayor Wilson welcomed everyone and noted that all Council members were present. Branden Jepson led the Pledge of Allegiance.

2. Presentations and Reports

a. Presentation on Walk for Hope by Miss Lehi

This item was heard after #3.

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

Kimberly Koserak lives in Traverse Mountain and expressed concern about school busses getting to where she lives. She stated that she has a special needs boy and that the school bus cannot get to her home or the new Edge Homes development. She explained that they have to drive to SR-92 and drive back to Xactware as they said it was unsafe due to the slope and that there is no bus turnaround. She asked the Council to stop giving permits to developers until there is a rule that school buses can get to the kids. She knows the Planning Commission has rules about fire trucks and asked if the Council will consider regulations to work with the School Board on getting school busses. Kim Struthers replied that this is a temporary problem and as development comes to this area they will be connected and will be okay. Lorin Powell stated that they can look at it. Mayor Wilson stated that he will have planning and engineering departments look into this.

Mayor Wilson stated that he will have a presentation by the Planning Department and Police Department on the fly issue at the mink farm prior to public comment on this issue.

Kim Struthers displayed a map of where the Lehi area mink farm are located. He explained that there are three in Utah County and one in Saratoga Springs and the rest are in Lehi. He discussed the Lehi City Right To Farm Ordinance and that all the adjacent properties to the

mink farm are required to have a note about the agricultural area on the plat. Councilor Hancock inquired if the developer is required to let a homeowner know about the note and does the homeowner have to give a written acknowledgement. Mr. Struthers replied that the plat is a recorded document but it seems that it isn't getting down to the homeowner. He feels that some are very aware and others are not. Councilor Hancock feels that if it is a requirement from the City that the resident should have to acknowledge it. Councilor Revill inquired if there something that can be added to the Development Code but he is not sure how a realtor or title company would enforce it. Mayor Wilson stated that it would be difficult for the subsequent owners to know about the note. Mr. Struthers stated that he could see if there is a stronger requirement.

Robert Marshall, Code Enforcement Officer, stated that he has done research on this issue. He stated that most, if not all, of the Lehi mink farms, with the exception of the one by Redwood Road is part of a co-op that does inspections and ensures that they are following certain guidelines for the health of the animals. He explained that part of that is adding a product to the feed that turns the mink's urine into a fly repellent. He stated that he will look into this and discuss it with the co-op. He stated that there is also another federal organization that oversees fur operations that he can look into. He stated that he will look into whether or not they are following the guidelines and that he will work with Utah County to help resolve this problem.

Lori Withers displayed a picture of the sign that states this is an agricultural area. She stated that she is here to follow up with the Council and appreciates what they have done so far. She asked everyone to stand up that was in attendance because of the fly problem. She stated that they are trying to peacefully coexist and realizes that Lehi is built on farms and that Lehi is evolving. She is asking that the Council be their representative with the County. She stated that they went to all the surrounding businesses and they all complained about the flies. She stated that there are other communities that live by mink farms and don't have the fly problems. She had a neighbor who lost \$40,000 on her home. She wants to find out what Councilor Condie found out with the state representatives and stated that she was given information from the state that mink farms are not agricultural. Councilor Condie replied that he is still looking for feedback. Ms. Withers asked how they can come together to discuss this issue without a three minute time limit. She asked if they could hold a town hall meeting or become an agenda item. Councilor Condie replied that a Town Hall meeting has been scheduled for September 29, 2015 at the Lehi Senior Center.

Stacey Read discussed the life cycle of a fly. She stated that where they multiply is in poop and that poop is right next to their homes. She stated that a lady who lived next to a mink farm didn't have problems with flies because they moved the poop. She is concerned that the poop is going into the groundwater. She stated that she didn't know about the mink farm when she moved in 5 ½ years ago.

Clint Gosnell stated that this is becoming a more and more emotional issue for their neighborhood. He stated that it has been mentioned this has come up before and nothing has come of it. He wonders what was the dead end and how to get past that. Mayor Wilson stated that the farm was there before the neighborhood and that the farm has certain rights. He stated that there hasn't been a fly issue before, but there has been a smell issue. Mr. Gosnell stated that this is now a health issue due to the flies and he feels they need to ensure

it is acknowledged that this is a health issue. Councilor Hancock stated that he would like to have Ryan Wood look into whether or not the mink farm falls under the Right To Farm Ordinance. Councilor Condie stated that he has worked with Morgan Cummings and posted that research with the Facebook group. He stated that after working with Mr. Cummings, he struggles to come up with a definite thing they can do as this is in Utah County, but affects Lehi residents. He stated that they want to figure this out, but it will take time.

Amy Theabald stated that they are not looking to get rid of the Dicksons and that they want to coexist. She stated that it was her front porch that had 230 flies killed in a 2 hour span. She stated that she is a first time homebuilder in the City and that she built to stay. They want to understand the regulations and solutions.

Jamie Gosnell stated that she has three children under the age of two and they have heart conditions. She stated that their doctors are alarmed about the flies and that it is a life and death situation for her. She hopes they respect their passion. She feels it would be helpful if there was a point person with Lehi City and one on their side to work with them. Mayor Wilson stated that Officer Marshall is the point person for Lehi and asked them to appoint a point person to get with Officer Marshall. Ms. Gosnell stated that they haven't felt that they have received any representation up to this point, and hopes that the City Council will be their advocate.

2. Presentations and Reports

a. Presentation on Walk for Hope by Miss Lehi

Miss Lehi stated that September is National Suicide Prevention month and that September 10th is National Suicide Awareness and Prevention day. She is going to be holding a candle lighting ceremony at Wines Park at 6:30 p.m. that day and invited everyone to attend. She also will be participating in the Walk for Hope on September 26, 2015. She stated that it is a free two mile walk and is an opportunity to open hearts and eyes. She is also hoping to form a Citywide Hope Squad.

4. Consent Agenda

a. Approval of meeting minutes from:

August 20, 2015 Special Meeting

August 25, 2015 Pre Council meeting

August 25, 2015 City Council meeting

b. Approval of Purchase Orders.

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

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

5. Consideration of Ordinance #43-2015, a Zone Change to approximately 3.97 acres of property located at 1460 East 1060 North from TH-5 to an RA-1 zone.

Motion: Councilor Hancock moved to approve Ordinance #43-2015, a Zone Change to approximately 3.97 acres of property located at 1460 East 1060 North from TH-5 to an RA-1 zone. Councilor Condie seconded the motion.

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

6. Consideration of Preliminary Subdivision approval for Country Cove Estates Plat C, a 6-lot residential subdivision located at 360 South 200 East in an R-1-8 zone.

Motion: Councilor Johnson moved to grant Preliminary Subdivision approval for Country Cove Estates Plat C, a 6-lot residential subdivision located at 360 South 200 East in an R-1-8 zone; subject to the completion of all Development Review Committee comments and Planning Commission recommendation. Councilor Hancock seconded the motion.

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

7. Consideration of Resolution #2015-68, a resolution of intent to annex the Anderson Annexation, 5.28 acres of property located at approximately Pioneer Crossing and Center Street.

Motion: Councilor Revill moved to approve Resolution #2015-68, a resolution of intent to annex the Anderson Annexation, 5.28 acres of property located at approximately Pioneer Crossing and Center Street; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Southwick seconded the motion.

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

8. Consideration of Final Subdivision review for Bingham Subdivision, an 8-lot subdivision located at approximately 2300 West 900 North in an existing R-1-22 zone.

Motion: Councilor Condie moved to grant Final Subdivision review for Bingham Subdivision, an 8-lot subdivision located at approximately 2300 West 900 North in an existing R-1-22 zone; subject to the completion of all Development Review Committee and Planning Commission comments and that there be a resolution between the adjacent property owner to the east and the applicant about right of way access. Councilor Southwick seconded the motion.

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

9. Consideration of Ordinance #45-2015, a General Plan Amendment on 0.95 acres of property located at 614 West Main Street from an MDR (medium density residential) to a Commercial land use designation.

Motion: Councilor Revill moved to approve Ordinance #45-2015, a General Plan Amendment on 0.95 acres of property located at 614 West Main Street from an MDR (medium density residential) to a Commercial land use designation subject to the completion of all Development Review Committee comments. Councilor Johnson seconded the motion.

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

10. Consideration of Ordinance #46-2015 amending the Lehi City Development Code Section 34.010 Enforcement – Procedures and Duties.

Motion: Councilor Southwick moved to approve Ordinance #46-2015 amending the Lehi City Development Code Section 34.010 Enforcement – Procedures and Duties. Councilor Condie seconded the motion.

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

Mayor and Council Reports

Councilor Condie stated that Tray Larsen was doing an Eagle Scout project which was landscaping for the center in American Fork. He wanted some compost from TSSD and they donated 10 yards of compost to his project.

Councilor Condie inquired about who would be the best person to answer an e-mail he received about fire stations. Jason Walker replied that Fire Chief Craft would be the best person.

Councilor Condie stated that he received an e-mail about sidewalks and wondered if that had already been discussed. Councilor Johnson stated that he talked to the Engineering Department about adding that sidewalk to the Safe Routes for School grant.

Councilor Condie asked for an update on the website project by Jibe. Robert Ranc reported that Jibe has completed draft design of the home page and some secondary pages. He stated that the biggest problem with the website is how entangled the old site was to the Fanz video as the entire website was dependent on that video. He stated that the back-end is also being worked on. Councilor's Condie and Revill stated that they would like to see the home page. Mr. Ranc stated that he can bring the preliminary work to the Council.

Mayor Wilson stated that he would like to adjourn into a Closed Executive Session to discuss the character, professional competence, or physical or mental health of an individual, and discuss the purchase, exchange, or lease of real property.

Motion: Councilor Revill moved to recess into a Closed Executive Session to discuss the character, professional competence, or physical or mental health of an individual, and discuss the purchase, exchange, or lease of real property. Councilor Hancock seconded the motion.

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

The meeting recessed into a Closed Executive Session at 8:19 p.m.

The meeting reconvened at 9:06 p.m.

15. Adjournment

With no further business to come before the City Council at this time, Councilor Johnson moved to adjourn the meeting. Councilor Southwick seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 9:06 p.m.

Approved: September 22, 2015

Attest:

Bert Wilson, Mayor

Marilyn Banasky, City Recorder