



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, **August 23, 2016**, at the Lehi City Administration Building, 153 North 100 East, Lehi, Utah.

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

**Excused:** Paul Hancock, Council Member

**Others Present:** Jason Walker, City Administrator; Robert Ranc, Assistant City Administrator; Ryan Wood, City Attorney, Kim Struthers, Community Development Director; Lorin Powell, City Engineer; Jeremy Craft, Fire Chief; Dave Norman, Water Director; Steve Marchbanks, Parks Superintendent; Dan Harrison, Recreation Director; Cameron Boyle, Assistant to the City Administrator; Marilyn Banasky, City Recorder; and approximately 37 citizens.

### **Pre-Council, 5:00 p.m.**

#### **1. Welcome and Opening Comment**

Mayor Wilson welcomed everyone and noted that all Councilmembers were present except Councilor Hancock who is excused.

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

None

#### **5. Mayor and Council reports**

Councilor Revill reported that a meeting was held last night with the North Pointe Solid Waste Special Service District in which they voted on whether or not to be part of Bay View, which is a land dump by Alberta. The vote was seven for it and four against. He stated that they will be putting out an RFP for management of the site.

Councilor Revill reported that there is a piece of property that supposedly the City owns on 1700 West 500 North without a sidewalk and he wondered if there was a way to put in sidewalk there. A discussion was held on whether this was City property and why there wasn't sidewalk there. Mayor Wilson stated that he will have staff check into this.

Councilor Southwick invited the Mayor and Council to Heritage Days that is held on Labor Day.

#### **3. Agenda Review**

Mayor Wilson reviewed the agenda. Item #5, Dale Snyder Annexation was discussed. Mayor Wilson stated that there are current violations with Utah County and staff recommends denial until the violations are cleared up with Utah County. He stated a home was moved onto this

property and is sitting on blocks, as well as a building is being built without permits. He stated that the question is if the City wants to annex this in if it hasn't received permits from the County. Councilor Southwick inquired if they could still approve the annexation with conditions that the violations have to be cleared up before the City accepts the annexation. A discussion was held regarding the pros and cons of approving the annexation with conditions or denying it. Kim Struthers reported that Utah County has issued citations for the home on blocks and the building that has been started without a permit. He stated that if this is denied, then the applicant would have to start over and wait a year before applying again. If the annexation was approved with conditions, then it wouldn't be recorded until the violations are cleared up.

Mayor Wilson reported that items #8 and #9 have been withdrawn by Herring Homes.

Agenda item #9, Sage Vistas Concept Plan was discussed. Mayor Wilson stated that he has received requests to put in a park with this development. Councilor Albrecht inquired what constitutes Waste Ditch improvements. Lorin Powell replied the improvements would be putting in a concrete lining as this is a major channel. A discussion was held regarding the pros and cons of the concrete lining. Mr. Powell stated that they could make the ditch wider instead of putting in the concrete lining in order to control flooding, but that would require purchasing more land.

Kim Struthers reported that the applicant submitted two new plans that address the concerns that the Council expressed at the last meeting. The two plans each have 93 lots and a smaller park. One plan has five roads going through it and the other one has four roads. The smallest lot size is 14,000 square feet on the plan with five roads versus 14,500 square feet on the plan with four roads. He stated that the revised plan also improves the Waste Ditch and improves the trail to 1100 West. The revised plans no longer have the PRD overlay, but have 13 bonus lots due to the improvements.

Councilor Condie inquired if there would be a park if they went with the base zoning of 80 lots. Mr. Struthers replied there would not and the City would have to reimburse the developer for the improvements. Councilor Condie stated that he loves the idea of the PRD overlay because it required a certain amount of open space and he feels that area needs more parks. He likes the trail and Waste Ditch improvements but thought that the 100 homes was too much. Mayor Wilson stated that he wished the park was in one piece. Mr. Struthers replied that the park is 3.18 acres and the long piece behind the lots isn't park space as he originally thought, but is owned by a different owner. He stated that one plan doesn't quite meet the City's connectivity index but could be tweaked prior to preliminary subdivision approval.

Item #13, Ordinance #56-2016 amending how the City names streets was discussed. Kim Struthers reported that this will hopefully resolve road name changes by discouraging vanity street names and setting forth a procedure on how street names are changed. He stated that the Ordinance currently stated that they could consider vanity names but they "shall be avoided". He stated that they need to decide if they are want to allow vanity street names at all or consider them on a case by case basis. Councilor Albrecht inquired who the affected property owners are in regard to the process of letting them know of a proposed street name change. It was decided to define that as the property owners who address will be changed by the proposed street name change.

#### **4. Administrative Report**

None

#### **5. Mayor and Council reports**

This item was held before item #3.

Mayor Wilson stated that he would like a motion to adjourn into a Closed Executive Session to discuss the sale and/or purchase of real estate.

**Motion:** Councilor Condie moved to adjourn into a Closed Executive Session to discuss the sale and/or purchase of real estate. Councilor Albrecht seconded the motion.

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

The meeting adjourned into a Closed Executive Session at 6:22 p.m.

The meeting reconvened at 7:00 p.m.

#### **Regular Session, 7:00 p.m.**

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

Mayor Wilson welcomed everyone and noted that all Councilmembers were present except Councilor Hancock who is excused. Bryce Broadbent led the Pledge of Allegiance.

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

2.1 Proclamation proclaiming September 15-21, 2016 as Lehi Medicare Education Week

Mayor Wilson discussed the proclamation.

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

Mike Carter, reported that he and his partner have recently opened up food pantry in American Fork called Tabitha's Way and invited the Mayor and City Council to the ribbon cutting.

##### **4. Consent Agenda**

4.1. Approval of the August 9, 2016 City Council meeting minutes:

4.2 Approval of Purchase Orders.

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

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

**5. Dale Snyder Annexation, 1.97 acres of property located at approximately 1200 South 1700 West with R-1-22 and TH-5 zoning.**

**a. Public Hearing**

Mayor Wilson opened the public hearing.

Clay Peck reported that Dale Snyder is his father in law. He stated that his daughter is going to put the house that was moved to this site on a foundation. He knows there are some issues and is asking for approval of the annexation and the lot split.

Councilor Revill inquired what the issues are. Mr. Peck replied that there have been two issues at Utah County. He stated that Utah County only allows one home for every five acres and once the annexation is approved, then the home can be placed on the lot. He stated that the other issue is that the County doesn't require a permit if they build an agricultural building. He would just need to sign a paper stating that the building is for agriculture uses and he hasn't done that yet. He stated that it is a cinder block building that they are building. He has heard that a neighbor said it would be a commercial business and that is false.

Councilor Albrecht inquired if there is any way to clear up the issues with the County. Mr. Peck stated that they would have to move the house off the property and if the annexation gets approved, then they would apply for a building permit and move the home back on the property. Councilor Revill stated that the Planning Commission denied this as they wanted the County issues resolved first. He doesn't want to inherit the County's problems, but if it is as simple as Mr. Peck is stating then he feels it isn't a big issue. Kim Struthers stated that what Mr. Peck is requesting would require a two lot subdivision process as well as the annexation and this is just for the annexation.

Councilor Condie stated that they could put conditions on the annexation and the annexation could occur as long as those conditions happen. Mr. Peck stated that he is fine with that and that he can follow up with the County. Councilor Albrecht inquired if they should postpone this until the County states that things are cleared up. Mr. Peck stated that he would prefer that the Council approve it with stipulations. He stated that until the lot is approved they couldn't pull a permit. Councilor Condie stated that the County says Mr. Peck can't have more than one house per five acres and the only way he can resolve that is to move a house and that seems unnecessary. He thinks they should approve the annexation with stipulations and asked Mr. Struthers what they should be. Mr. Struthers replied that the stipulations could include that they have all the engineering work done on the home and work with the building division. He would also include that they work with the building department on the other new building that is currently under construction and get a permit, if required. He stated that there are some exemptions for agricultural use, but it must be an all agriculture use, and not used for other things. Otherwise it would be treated as an accessory building and he would have to get a permit. He would suggest that the use of the building comply with the residential zone and that use be consistent with what is allowed in the residential zoning. It would be for personal use and not commercial.

Mayor Wilson closed the public hearing.

**b. Consideration of Ordinance #54-2016 approving the Dale Snyder Annexation.**

**Motion:** Councilor Condie moved to approve Ordinance #54-2016 approving the Dale Snyder Annexation and include the stipulations outlined by Kim Struthers as follows:

- that the engineering work be done on the home and work with the Building Division;
- that Mr. Snyder work with the Building Division on the new construction building to get a permit if required;
- that the use of the building comply with the residential zone and be consistent with what is allowed in residential zoning;

the annexation is stipulated on those requirements being met.

Councilor Southwick seconded the motion.

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

c. Consideration of Resolution #2016-57 approving the Dale Snyder Annexation Agreement.

**Motion:** Councilor Revill moved to approve Resolution #2016-57 approving the Dale Snyder Annexation Agreement. Councilor Condie seconded the motion.

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

**6. Beckstead Addition Annexation, 0.55 acres of property located at approximately 1440 West Main Street with TH-5 zoning.**

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 Ordinance #55-2016 approving the Beckstead Addition Annexation.

**Motion:** Councilor Condie moved to approve Ordinance #55-2016 approving the Beckstead Addition Annexation. Councilor Albrecht seconded the motion.

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

c. Consideration of Resolution #2016-58 approving the Beckstead Addition Annexation Agreement.

**Motion:** Councilor Southwick moved to approve Resolution #2016-58 approving the Beckstead Addition Annexation Agreement. Councilor Albrecht seconded the motion.

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

7. **Consideration of Ordinance #52-2016, a Zone Change on approximately 3.441 acres of property located at approximately 1100 West 425 South changing the zone from RA-1 (residential/agriculture) to R-1-12 (residential).**

This item was withdrawn by the petitioner.

8. **Consideration of an exception to the Lehi City Design Standards and Public Improvements Specifications to allow construction of 2 homes located at approximately 3600 West 3200 North on a private lane.**

Councilor Condie inquired if the sewer and water requirements will be put in an agreement if this is passed tonight. Kim Struthers replied they will be.

This item was withdrawn by the petitioner.

9. **Consideration of Concept Plan approval for Sage Vistas, a 100-lot Planned Residential Development located at approximately 1100 West 500 North in a proposed R-1-22 (residential/agriculture) zone.**

Rick Carlton stated that he is the representative for Sage Bend and they are proposing a development called Sage Vista. He reported that this is the 11th concept plan they have come up with and he feel like this plan meets the needs of residents and staff. He stated that it has 93 lots and they have incorporated the City Council's desire for four roads instead of five. They have made the park smaller, 3.1 acres, and incorporated that space into the lots to make them bigger. They have also included the improvements to the Waste Ditch and extending the trail to 1100 West. Councilor Condie stated that he appreciates the concept with the 93 lots and feels that it shows a lot of good things. He likes fifth road as it seems to take traffic off 1100 West and would help with the flow of traffic. Mr. Carlton feels that they could achieve the desired traffic flow without putting in another road.

**Motion:** Councilor Condie moved to grant Concept Plan approval for Sage Vistas, a 93-lot Planned Residential Development located at approximately 1100 West 500 North in a proposed R-1-22 (residential/agriculture) zone.

Mayor Wilson allowed public comment.

James Moyes stated that he has questions on which side of the canal the walkway will be on. Mayor Wilson replied it will be on the south side. Mr. Moyes stated that is concerning to him. He is also concerned about the water pressure situation and whether there will be adequate parking for the park. He likes that they addressed the larger lots. Lorin Powell

reported that there were problems this year with the pressurized irrigation system due to algae on the screen which reduced water pressure in that system. He stated that the City is planning on putting in another facility next year and that should help with water pressures. Mayor Wilson reported that they will work out the parking at the park as this plan progresses.

Councilor Southwick seconded the motion.

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

**10. Consideration of Final Subdivision approval for Indian Springs, a 23-lot residential development located at 826 North 1700 West in an existing R-1-22 zone.**

**Motion:** Councilor Southwick moved to grant Final Subdivision approval for Indian Springs, a 23-lot residential development located at 826 North 1700 West in an existing R-1-22 zone; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Condie seconded the motion.

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

**11. Consideration of Final Subdivision approval for Peterson Estates, a 3-lot development located at approximately 1880 West 900 North in an approved R-1-15 zone.**

**Motion:** Councilor Revill moved to grant Final Subdivision approval for Peterson Estates, a 3-lot development located at approximately 1880 West 900 North in an approved R-1-15 zone; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Condie seconded the motion.

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

**12. Consideration of Final Subdivision approval for Willow Cove 2, a 20-lot residential development located at approximately 900 West and 300 South in an R-1-Flex zone.**

**Motion:** Councilor Condie moved to grant Final Subdivision approval for Willow Cove 2, a 20-lot residential development located at approximately 900 West and 300 South in an R-1-Flex 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 Condie, Yes; Councilor Albrecht, Yes; and Councilor Southwick, Yes. The motion passed unanimously.

**13. Consideration of Ordinance #56-2016 amending the Lehi Design Standards and Public Improvements Specifications Manual, Section 2.04 General Street Design Standards.**

Kim Struthers reported that this change will establish a policy for changing street names and adding verbiage on whether to allow vanity street names. The proposed language currently states that vanity names shall be avoided but he is recommending that they prohibit vanity naming altogether. This also outlines a process to request a street name change and would notify property owners whose address would be impacted by the proposed name change.

**Motion:** Councilor Condie moved to approve Ordinance #56-2016 amending the Lehi Design Standards and Public Improvements Specifications Manual, Section 2.04 General Street Design Standards; that section 2.04(A)(e) be changed to “shall be prohibited” instead of avoided; that affected owners be defined as those whose property address would change as a result of the proposal. Councilor Southwick seconded the motion.

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

**14. Consideration of Resolution #2016-56, a resolution providing for the holding of a local special bond election in Lehi City, Utah, for the purpose of submitting to the qualified electors of the City the question of the issuance and sale of up to \$[50,000,000] of General Obligation Bonds; providing for the holding of a public hearing and the publication of a Notice of Public Hearing; and providing for related matters.**

Mayor Wilson reported this item is whether or not to put the bond issue on the ballot and that there will be two additional public meetings to discuss the arguments for or against the bond proposal and the economic impact.

Jason Walker gave an overview of the proposed \$50,000,000 General Obligation bond which will be used to address the City's need for additional parks. Robert Ranc gave an overview of the park projects and land purchases for additional parks that the bond money will be used for. Mr. Walker stated that the \$50 million bond will be paid back over 20 years and it will cost \$14.06 per month on a \$281,600 primary residence and \$25.75 per month on a business or secondary residence of the same value.

Dan Harrison, Recreation Director, gave an overview of the City's recreation programs and the need for additional parks to continue serving the residents of Lehi for outdoor recreation programs. Councilor Condie inquired as to the City's history with General Obligation Bonds. John Candall, with George K. Baum Company, replied that this would be Lehi's only General Obligation Bond. He explained that this is the lowest interest rate that a City can get and the best way to finance these types of projects.

**Motion:** Councilor Condie moved to approve Resolution #2016-56, a resolution providing for the holding of a local special bond election in Lehi City, Utah, for the purpose of submitting to the qualified electors of the City the question of the issuance and sale of up to \$[50,000,000] of General Obligation Bonds; providing for the holding of a public hearing and the publication of a Notice of Public Hearing; and providing for related matters. Councilor Southwick seconded the motion.

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

**15. 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 8:34 p.m.

Approved: September 13, 2016

Attest:

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Bert Wilson, Mayor

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Marilyn Banasky, City Recorder