



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, **May 14, 2019** at the Lehi City Administration Building, 153 North 100 East, Lehi, Utah.

**Members Present:** Mark Johnson, Mayor  
Paige Albrecht, Council Member  
Chris Condie, Council Member  
Paul Hancock, Council Member  
Johnny Revill, Council Member  
Mike Southwick, Council Member

**Others Present:** Beau Thomas, Assistant to the City Administrator; Ryan Wood, City Attorney; Kim Struthers, Community Development Director; Lorin Powell, City Engineer; Dean Lundell, Finance Director; Shaye Ruitenbeek, Management Analyst; Melanie Hansen, Special Events Coordinator; Todd Munger, Environmental Sustainability & Recovery Director; Marlin Eldred, Economic Development Director; Dave Norman, Public Works Director; Teisha Wilson, City Recorder; and approximately 40 citizens.

### **Pre-Council, 5:30 p.m.**

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

Mayor Johnson welcomed everyone and noted that all Councilmembers were present. Councilor Hancock gave the Opening Comment.

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

##### 2.1 Presentation by Mike Washburn with Thanksgiving Point

Mike Washburn presented on the history and mission statement of Thanksgiving Point. He stated that compared to the industry they are very efficient with their spending. He reviewed their number of annual visitors and income for the last 5 years. Mr. Washburn stated that a study noted that Thanksgiving Point generates \$45 million in additional spending at local businesses. He also noted that extensive research has shown that a facility like theirs can lead to stronger families, reduced drug use, increased educational attainment and positive health impacts on the community. He informed the Council that future improvements include Farm Country enhancements, and new interactive exhibits. He stated that they are also working on Real Estate Development that benefits the institute long term such as ground leases. He said the institute will continue to plan for mass transit and other transportation needs.

##### 2.2 Review of proposed Development Code amendment of Chapter 37 Design Standards.

Kim Struthers stated that they are trying to not hinder creativity and freedom of property rights, so they added a section just for exceptions. He stated that the biggest change is that they previously had standards that applied across the board, but it wasn't helping them accomplish their Design Standards goals, so they broke the City into districts and each district has its own design standards. For example, the Historic District would require certain architectural features

to maintain the historic look of downtown, and this is also the most restrictive district. This will be brought back for the Council's approval on May 28th.

### 2.3 Review of the Lehi City Environment Sustainability Committee Bylaws

Todd Munger stated that this committee can make recommendation to the Council about being good stewards of the community. He stated that there have been some small changes, such as making this a five- member committee. He said the main purpose of the committee is to educate the public and increase awareness.

## **4. Discussion of the Baum Advertising Contract.**

Mayor Johnson stated that this is the first step to increase public/private partnerships to generate money for needed facilities. Marlin Eldred stated that this is not just for the bridge naming rights but will be all encompassing across the City. He said they don't want to become "the advertising city", but they are looking at other locations in the City where some advertising would be appropriate. Councilor Hancock expressed concern with Baum having the first right of refusal after 5 years. The Council wanted a copy of the contract to review further. Mr. Eldred stated as far as he knows, this is a new venture into this type of an agreement with a City. The Council would like to see some renderings of what the pedestrian bridge advertising would look like, and the scale of the advertising before the contract is signed.

## **5. Agenda Questions**

There was discussion about the order of agenda items. Mayor Johnson stated that the concept plan approval can lead to a development agreement that may include less density than what the zone change would allow for.

## **6. Administrative Report**

None.

## **7. Mayor and Council Reports**

Councilor Hancock stated that the Jordan River Commission is working on a reclamation project for the river.

Councilor Albrecht stated that Arbor Day was a successful event and the Library is planning the Gala.

Councilor Southwick reported that the Railroad Museum was open for the transcontinental celebration.

Councilor Revill reported on Fox Hollow and Lehi Irrigation Boards. He also stated that he was contact by a resident who was concerned about historic trees being removed to construct sidewalks. Mayor Johnson replied that the sidewalk construction is part of the Safe Routes to School grant, so they will have to work with UDOT to discuss other options.

The meeting recessed at approximately 6:45 p.m.

The meeting reconvened at 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. Jeremiah MacArthur led the pledge of allegiance.

## **2. Presentations and Reports**

### **2.1 Miss Pleasant Grove**

Miss Pleasant Grove and the Rodeo Royalty invited the Council to participate in their Strawberry Days Celebration.

The Pony Express Days Rodeo Royalty also invited the Council to participate in their events.

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

Roedna Gammon was concerned about the historic trees being removed to construct a sidewalk. She suggested the City look at other options.

Brenda Grant was concerned with the tree removal along 400 North. She suggested other places for a sidewalk.

Russ Jacobson stated that he did some research and believes the trees are well over 100 years old. He would like the City to do all they can to keep the trees, and believes there are options to mitigate the concerns.

Keith Jonsson expressed concern with the fence constructed next to his mink ranch.

Steve Boyack stated that there are issues with traffic in the community and to help mitigate that he suggested that the Council enable people to work at home by providing high speed internet to residents.

Holly Golding was opposed to the removal of the trees

Melissa Morten was also opposed to removing the trees.

Wendy Peterson was opposed to removing the trees and suggested the sidewalk be constructed on the other side of the street.

## **4. Consent Agenda**

### **4.1 Approve the April 9, 2019 City Council Minutes**

### **4.2 Approve the Purchase Orders**

### **4.2 Re-approval of the Mellor-Rhodes Park Annexation**

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

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

**5. Public Hearing for the FY2020 Lehi City Tentative Budget and Consolidated Fee schedule**

Mayor Johnson opened the public hearing.

Clark Clifford stated that he is the Vice-President of the Professional Firefighters of Lehi and wanted to voice their support of the budget.

Mayor Johnson closed the public hearing. Final approval will be on the next agenda.

**6. Consideration of Ordinance #30-2019, a zone change for the Mitchell Grove, approximately 6.38-acres of property located at approximately 1500 North 1200 West changing the zoning from A-1 (agriculture) to R-1-Flex (residential).**

Mark Hampton was representing the applicant. He stated that it meets the general plan and that the concept will be presented at another meeting because they made a lot of changes to the concept plan, so they wanted it to be reviewed again by the DRC before it's up for approval.

**Motion:** Councilor Revill moved to approve Ordinance #30-2019, a zone change for the Mitchell Grove, approximately 6.38-acres of property located at approximately 1500 North 1200 West changing the zoning from A-1 (agriculture) to R-1-Flex (residential). Councilor Albrecht seconded the motion.

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

**7. Gene Peterson Annexation**

**a. Public Hearing**

Ms. Peterson inquired about the annexation agreement. She was concerned that her family may not be able to use the property the same way they are using it now.

**b. Consideration of Ordinance #31-2019, the Peterson Annexation, approximately 2.01-acres of property located at 1250 West 1500 North with proposed RA-1 zoning.**

The Council agreed that they would table the item to allow staff and the applicant more time to work together and decide if annexation is right for the applicant.

**Motion:** Councilor Revill moved to table the item. The motion was seconded by Councilor Southwick.

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

**8. Consideration of Concept Plan approval for the Dixon Ivory Ridge, a 66-unit residential development located at 3200 North 300 West.**

Mayor Johnson stated that property rights are an important part of the Constitution and needs to be considered with every application.

Brad Mackey with Ivory Homes was representing the applicant. He wanted to thank the neighbors for their suggestions. He said they are presenting this plan based on feedback from

Council at the previous meeting. He presented information from the traffic study and noted that the study showed a high level of service

There was discussion about the road width. Mr. Mackey stated that they will address that at preliminary approval.

Mayor Johnson stated that he will take public input on this item.

Nick Finger encouraged a yes vote from the Council. He stated that the impact is insignificant compared to the detriment of living by the mink farm.

Cindy Eslinger stated that she's in favor of the concept plan. She also said that if approved they will be able to have lighting that will increase safety.

Darwin Rehart stated that he doesn't agree with the traffic study that was done on a Friday, Saturday and Sunday. He said that this proposal goes against the intent of the code.

Phil Templeman was concerned with the traffic increase and that it will be substantial. He would be fine if the mink farm stayed.

Heather Jones is in support of the plan and appreciates the changes. She's supportive of the owner's rights and this plan will benefit their community.

Taylor Byington stated that they need to decide what we want to be as a city. He stated that property rights should be protected.

Brian Parron was opposed to the plan. He said this is not a property rights issue.

Jake Lingwall stated that the proposal would be a good fit and benefits the surrounding area.

Stan Latermier stated that he thinks this proposal would increase property values and safety.

Brady Mortensen was in favor of the plan and urged the Council to vote yes.

Crystal Flory stated that this plan would fit well with the surrounding area and encouraged the Council to vote yes.

Todd Mortensen stated that he is in favor because it will improve safety.

Craig Madsen stated that he was in favor of the project and that the proposal would be a great benefit to the community.

David Jones urged the Council to vote yes.

Derek Hobb was in favor of the approval. He stated that it's a good opportunity to have more single family homes and it will beautify the area.

Mr. Chegwin urged the Council to vote yes because the improvements will increase safety. He said right now it's very dangerous to ride a bike by this property.

Don Francoviac was in support and would be excited to have new neighbors. He also noted that this would improve safety.

Scott Redrick stated that he is in favor.

Lisa Anderson stated that this is an opportunity to fix a zoning issue because the agriculture zone is no longer compatible with the surrounding area.

Adam Kruger expressed concerns with safety because cars will then park on 300 W and 3200 N. He suggested that they eliminate parking on those roads.

Heather Owmen was concerned with the lack of parking spaces.

Heather Newell stated that she lives next to the mink farm because it's zoned VLDRA. She said that Ivory can't be trusted and they need to be held accountable.

Steve Boyack stated that he supports property rights but is against Ivory getting past consideration for previous amenities. He stated that the density is too high, and parking is insufficient.

Michelle Stallings stated that this is not a property rights issue, it's a zone issue. The General Plan doesn't meet the zone they are asking for. She stated that the Constitution also allows for equal rights and that intent of the code does matter and suggested the Council uphold the code.

Dan Dixon stated that some of the area was zoned VLDRA because of his farm, but things change. He stated that he will not sell his farm if it means losing money.

Wendy Shoup objected to this because the parks and schools are overcrowded.

Kevin Inglese stated that Ivory has learned from past issues with parking and he believes this is an improvement and encouraged the Council to vote yes.

Councilor Condie questioned the profit that Ivory would make on this proposal. Mr. Mackey then explained how development works and the costs associated with that. He said they hope to break even on this project.

Councilor Southwick stated that the Dixon's have been the victims and now we have an opportunity to remedy the situation and move forward.

Councilor Albrecht stated that she doesn't want to approve rezoning based on the needs of the developer. She believes there's a better way to remedy the situation and not change zoning.

Councilor Hancock stated that agriculture is no longer congruent with the area. He shared analysis numbers he calculated on the lot sizes across the City. He was not concerned that this would set a precedent, unless a similar situation comes up with another mink farm.

Council Revill stated that this is a unique circumstance, and this is the best option they have to remedy the situation. He said that the improvements will increase safety and home values would likely increase.

**Motion:** Councilor Revill moved to approve the Concept Plan for the Dixon Ivory Ridge, a 66-unit residential development located at 3200 North 300 West; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Southwick seconded the motion.

Mayor Johnson suggested that Councilor Revill add that 66 units would be the maximum allowed density in this development and that the city look at striping the road along 3200 N and 300 W earlier than what was proposed in the traffic study.

Councilor Condie suggested that there be just one-sided street parking on all roads in the development.

There was further discussion about the road width.

**Amended Motion:** Council Revill amended his motion to include Mayor Johnson's comments and added that if the current road standards stay the same, then the parking would be one-sided street parking within the development, but if the roads are widened during preliminary plat, then two-sided street parking will be considered. Councilor Southwick seconded the amendment to the motion.

**Roll Call Vote:** Councilor Revill, Yes; Council Hancock, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; and Councilor Albrecht, No. The motion passed 4-1.

**9. Consideration of Ordinance #35-2019, a General Plan Amendment from a VLDR (Very Low Density Residential) to IHDR (Intermediate High Density Residential) designation on 9.3 acres of property located at 3200 North 300 West.**

Brad Mackey was representing the applicant. Mayor Johnson stated that all previous comments will be considered here.

**Motion:** Councilor Condie moved to approve Ordinance #35-2019, a General Plan Amendment from a VLDR (Very Low Density Residential) to IHDR (Intermediate High Density Residential) designation on 9.3 acres of property located at 3200 North 300 West; subject to the completion of all Development Review Committee and Planning Commission comments; and noted that a development agreement be drafted to reflect the maximum density of 66 units. Councilor Hancock seconded the motion.

**Roll Call Vote:** Councilor Revill, Yes; Council Hancock, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; and Councilor Albrecht, No. The motion passed 4-1.

**10. Consideration of Ordinance #34-2019, a Development Code Amendment of Chapter 23, Signs, to accommodate the roof mounted sign for Strap Tank.**

Michael Lipson with Salisbury Homes was representing the applicant. He stated that the sign they are proposing fits well with the Strap Tank building which has a rustic, vintage look patterned after old buildings in Chicago.

Council Revill noted that he appreciates the code and understands that it's important to help regulate signage, but he likes this different design being proposed and it fits well with the architecture.

**Motion:** Councilor Revill moved to approve Ordinance #34-2019, a Development Code Amendment of Chapter 23, Signs, to accommodate the roof mounted sign for Strap Tank; subject to the completion of all Development Review Committee comments. Councilor Condie seconded the motion.

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

## **11. Fort Knox Storage Annexation #3**

### a. Public Hearing

Mayor Johnson opened the public hearing on this item. There were no comments.

### b. Consideration of Ordinance #36-2019, the Fort Knox Storage Annexation #3, approximately 2.64-acres of property located at 2400 North 1200 West with proposed TH-5 zoning.

Brian Gable was representing the applicant. He stated that for now they will continue their business as is.

**Motion:** Councilor Condie moved to Ordinance #36-2019, the Fort Knox Storage Annexation #3, approximately 2.64-acres of property located at 2400 North 1200 West with proposed TH-5 zoning; subject to the completion of all Development Review Committee and Planning Commission comments. The motion was seconded by Councilor Southwick.

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

## **12. Consideration of Ordinance #37-2019, a General Plan Amendment for Meadowbrook Land, approximately 2.25-acres of property located at 1600 East Center Pointe Drive, changing the land use designation from C (Commercial) to HDR (High Density Residential).**

Ross Welch was representing the applicant. He stated that due to some property trades with the City, this has become a difficult piece to develop into Commercial and suggested that townhomes would be a better fit here.

Mayor Johnson asked for public comments.

Wendy Shoup urged the Council to vote no.

Scott Lee stated that he has concerns with the high density and is opposed to it, because there's too much traffic already and is concerned with safety. He said there have been 4 accidents along that road in the last 2 years.

Dave Cluff was opposed to this. He stated that there have been many accidents and drag racing takes place. He was concerned with the safety of children walking across the road. He would rather it stay Commercial.

Jessica Cluff stated that lots of children cross here and speeding cars already make it very hazardous.

Cameron Stewart objected because of safety, and he doesn't think it's a good fit.

Justin Bradshaw stated that adding townhomes does not make sense. He suggested constructing the public amenity first and see how that looks and then they can revisit this if needed. He was against the proposal.

Dean Wallace was concerned with safety and advised against the zone change.

Nathan Hutchings was concerned with safety and fit and was opposed.

Brittany Amy stated that traffic is a huge issue and speeding is also an issue. She said it's difficult to see kids crossing the street, and doesn't think it's a good fit.

Brandon Wallace stated that safety is an issue. He said there are better options than townhomes, which would make the density too high.

Elaina Paulson was opposed to it and believes there are other options for Commercial use.

Michelle Stallings asked about the code the potential for this to be a PUD.

Councilor Revill stated that they caused this problem and now they need to make it right and find something that works for everyone.

Councilor Hancock stated that there will be lots of visibility for Commercial at that location because of the reservoir. Mr. Powell stated that the high traffic to the reservoir will only last 3 months. Councilor Revill stated that going from Commercial to high density is a high jump and he is concerned with that. Mayor Johnson stated that he would like to have further conversations about other options.

The Council agreed that they would like to have more discussion before a final decision is made.

Councilor Albrecht apologized to the residents for waiting to comment on the item, but she believes they can come up with a better option if they table this item and have more discussion.

Mr. Welch stated that there is a 20-foot drop on the property which limits his options.

**Motion:** Councilor Revill moved to table this item, giving staff and the applicant more time to discuss and come up with a better solution. Councilor Southwick seconded the motion.

**Roll Call Vote:** Councilor Revill, Yes; Council Hancock, Yes; Councilor Condie, No; Councilor Southwick, Yes; and Councilor Albrecht, Yes. The motion passed 4-1.

**13. Consideration of Concept Plan approval of the Center Point, a 25-unit residential development located at approximately 1600 East Center Pointe Drive.**

**Motion:** Councilor Revill moved to table the item. Councilor Southwick seconded the motion.

**Roll Call Vote:** Councilor Revill, Yes; Council Hancock, Yes; Councilor Condie, No; Councilor Southwick, Yes; and Councilor Albrecht, Yes. The motion passed 4-1.

**14. Consideration of Ordinance #38-2019, a Development Code Amendment to Chapter 12, provisions for auto sales lots; adding a new section regarding lighting standards; changes regarding fencing on corner lots and flag lot standards; and Chapter 23, sign ordinance, adding project place-making sign.**

**Motion:** Councilor Revill moved to approve Ordinance #38-2019, a Development Code Amendment to Chapter 12, provisions for auto sales lots; adding a new section regarding lighting standards; changes regarding fencing on corner lots and flag lot standards; and Chapter 23, sign ordinance, adding project place-making sign; and include the Development Review Committee comments. Councilor Southwick seconded the motion.

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

**15. Consideration of Ordinance #32-2019, a Development Code Amendment to Chapter 7, to allow parks with Historic Preservation Overlays to be renovated and maintained.**

**Motion:** Councilor Hancock moved to approve Ordinance #32-2019, a Development Code Amendment to Chapter 7, to allow parks with Historic Preservation Overlays to be renovated and maintained, including the Development Review Committee and Planning Commission comments. Councilor Southwick seconded the motion.

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

**16. Consideration of Ordinance #33-2019, a Historic Preservation Overlay Rezone for Wines Park located at 500 North Center Street.**

**Motion:** Councilor Condie moved to approve Ordinance #33-2019, a Historic Preservation Overlay Rezone for Wines Park located at 500 North Center Street; and include the

Development Review Committee and Planning Commission comments. Councilor Southwick seconded the motion.

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

**17. Consideration of Resolution #2019-26, an Interlocal Cooperation Agreement between Utah County and Lehi City related to Storm Water Mitigation.**

Dave Norman stated that this will allow the City to contract with Utah County for a wetland project.

**Motion:** Councilor Hancock moved to approve Resolution #2019-26, an Interlocal Cooperation Agreement between Utah County and Lehi City related to Storm Water Mitigation. Councilor Condie seconded the motion.

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

**18. Consideration of Resolution #2019-27, a Resolution concerning the authorization of the Governor's Office of Energy Development (OED) to Conduct the Commercial Property Assessed Clean Energy District (C-PACE District), within Lehi City.**

**Motion:** Councilor Condie moved to approve Resolution #2019-27, a Resolution concerning the authorization of the Governor's Office of Energy Development (OED) to Conduct the Commercial Property Assessed Clean Energy District (C-PACE District), within Lehi City. Councilor Revill seconded the motion.

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

**19. Consideration of Resolution #2019-28, appointing two new members to the Historic Preservation Commission.**

**Motion:** Councilor Southwick moved to approve Resolution #2019-28, appointing two new members to the Historic Preservation Commission. Councilor Condie seconded the motion.

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

**20. Consideration of Resolution #2019-29, appointing a Board Member and Alternate to the Lehi City Planning Commission.**

**Motion:** Councilor Condie moved to approve Resolution #2019-29, appointing a Board Member and Alternate to the Lehi City Planning Commission. Councilor Southwick seconded the motion.

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

## **21. Adjournment**

With no further business to come before the City Council at this time, Councilor Revill moved to adjourn the meeting. Councilor Southwick seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 10:35 p.m.

Approved: May 14, 2019

Attest:

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Mark Johnson, Mayor

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Teisha Wilson, City Recorder