



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 26, 2020**, online at www.lehi-ut.gov.

Members Present: Mark Johnson, Mayor
Paige Albrecht, Council Member
Chris Condie, Council Member
Paul Hancock, Council Member
Katie Koivisto, Council Member
Mike Southwick, Council Member

Others Present: Jason Walker, City Administrator; Cameron Boyle, Assistant City Administrator; 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, Events Coordinator; and Teisha Wilson, City Recorder.

Pre-Council, 4:00 p.m.

1. Tour of Development in Salt Lake City

Council and staff participated in a tour of transit stations and developments in Salt Lake County.

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

The meeting reconvened 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 Albrecht led the Pledge.

2. Consent Agenda

2.1. Approve Minutes from the May 5, 2020 Council Meeting.

2.2 Approve Purchase Orders

2.3 Re-approve Ordinance #28-2019, the Goulding Annexation

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

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

3. Consideration of Concept approval for the Willow Point, a 420-lot residential development located at approximately 4100 West Hardman Way.

Mr. Struthers reported on the concept plan. He suggested that they add a condition that those issues be addressed at the time of preliminary plat that includes easements for public utilities.

Councilor Koivisto inquired about the requested zone change. Mr. Struthers clarified that there is a development agreement that allows them to have a certain number of residential units in the commercial zone. He said this is a very unique situation that applies to both of the concept applications. The development agreement overrides the zoning. There is a maximum allowed density in the agreement and this should use all of that.

Councilor Koivisto stated that she received many emails from residents asking if it was possible to table this item until residents can come to a Council meeting in person to express their concerns. Councilor Southwick asked if the concern from the residents was the zone change, because if that's their concern, we already have a development agreement that needs to be honored. Councilor Koivisto stated that they would still like to voice their opinions in a public meeting.

Mayor Johnson stated that they've done everything they can to provide an avenue for the public to comment on these issues. He explained that it's the applicant's right to present their application to the Council. Councilor Albrecht inquired if Councilor Koivisto had suggested that the residents submit their comments. Councilor Koivisto stated that she did suggest that. Councilor Albrecht said that she was surprise then that the residents didn't at least avail themselves with that opportunity if they felt so strongly. Councilor Koivisto stated that she told the residents that she would at least ask the applicant since we are so close to returning to public meetings. She said she had a handful of emails that she'd be willing to forward to the other Councilmembers.

Brandon Watson was representing the applicant. He stated that this is part of the overall development agreement to allow residential in the commercial zone. He said that they would not feel comfortable waiting for an in-person meeting. Councilor Southwick stated that the Council has requested that residents submit their comments by email or online, so he was concerned that the Council would be giving special privileges for this one application if they choose to table it.

There was further discussion about tabling the item until the public can comment at an in person meeting.

Mayor Johnson stated that the applicant is here for concept plan, so the things that they should be discussing tonight are things like layouts, colors, and architecture. The density has already been decided per the development agreement. He said that they tabled this in the pervious meeting because there was concern with the utilities layout and easements and that has been resolved.

Mr. Watson stated that they asked residents of the Exchange what they can do better for this project. They also wanted to make it more walkable. This will have different color schemes with new architecture. Councilor Albrecht stated that with this many units, variation is very

important, so she encouraged design innovation for this project. Mr. Watson stated that the units will have some individuality with surface materials and colors.

Councilor Koivisto asked if the applicant would be willing to reach out to TSSD and get a positive recommendation from them. Councilor Condie stated that TSSD is not a land use authority, so it may not be appropriate to ask the developer to require their recommendation. There was discussion regarding the relationship with TSSD and how they plan for capacity. Mr. Wood stated that it hasn't been the tradition to ask for a positive recommendation from TSSD and even if they said no, he doesn't believe they have any legal standing to stop development. Lorin Powell stated that a developer shouldn't have to work with TSSD. It's the city's job to work with TSSD and ensure there is adequate capacity for current and future use.

There was discussion about the development agreement. It rearranges some of the density and brought it along 2100 North. It allows a certain amount of units to be added to a commercial zone. Mr. Wood stated that the development agreement went through the public process and was voted on and approved by the City Council. He said those rights are now vested with the developer.

Motion: Councilor Condie moved to approve the Concept for the Willow Point, a 420-lot residential development located at approximately 4100 West Hardman Way; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Southwick seconded the motion and requested that the motion include the comments from Mr. Struthers regarding the need to address utility easements and concerns at preliminary plat. Councilor Condie amended his motion to include those comments. Councilor Southwick stated that his second stands.

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

Councilor Koivisto noted for the record that she voted yes because of the developer's vested rights.

4. Consideration of Concept approval for the Timp Point, a 200-lot residential development located at approximately 3400 West 2100 North.

This agenda item was discussed with item #3.

There was discussion regarding the block length exception and Mr. Watson stated that they can add an access if needed. There was also discussion regarding the color and architecture. Mr. Watson stated that there will be some varying surface materials. There will be more color schemes beyond what's currently shown. Mayor Johnson stated that he would like to see more variation.

Motion: Councilor Southwick moved to approve the Concept for the Timp Point, a 200-lot residential development located at approximately 3400 West 2100 North; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Condie seconded the motion.

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

Councilor Koivisto noted for the record that she voted yes because of the developer's vested rights.

5. Consideration of Resolution #2020-37, approval of the Goulding Annexation Agreement on 55.37-acres of property located at approximately 3000 West Traverse Mountain Boulevard with proposed TOD zoning and associated TOD Land Use Plan.

Jerrold Morgan was representing the applicant.

There was discussion regarding the public land dedicated to the City and that if the TOD doesn't come to fruition, then that land is given back to the developer. Councilor Albrecht had concerns with this because the density has already been granted as part of that public land being donated.

Mr. Morgan stated that if there is no public transit station at all then they would like the property back and they would then come back with a different plan. He said that the City will still be able to determine the zoning for the property.

Councilor Hancock stated that the density has already been granted so if there is no transit station then there will already be too much density and anything else build on the donated 6 acres could be problematic. If the transit station doesn't come then he would like that dedicated property to be a park or open space.

Mr. Struthers stated that if the transit station doesn't come then the developer would need to come back and amend their land use plan.

Mr. Wood stated that if the developer decided to max out all the residential units that they are entitled to in the next 20 years, and the transit station doesn't happen, then the City is not obligated to give them additional density in place of the transit station. If they don't max out their density and wanted to move residential units to where the station would have been, then they would need to amend the land use plan.

Councilor Southwick suggested that they work with the developer after 20 years if the station is not built.

Jason Walker stated that when this was originally approved the motion included that the park impact fees stay in the development, but that was not included in this agreement because he understood that the Council's intent was not to allocate park impact fees solely for this development.

Motion: Councilor Hancock moved to approve Resolution #2020-37, approval of the Goulding Annexation Agreement on 55.37-acres of property located at approximately 3000 West Traverse Mountain Boulevard with proposed TOD zoning and associated TOD Land Use Plan; and include in the developer's

agreement that at the 20 year mark if the transit station is not built, then the developer and the City will meet to determine what would be the best solution or use for the transit station property, and note that it could be left as open space. Councilor Koivisto seconded the motion.

There was discussion about the park impact fees being distributed throughout the city and not exclusively for this development. Mr. Wood stated that the agreement currently has nothing about the allocation of park impact fees, so if it's approved as is then the park impact fees can be used at the Council's discretion.

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

6. Allred B Annexation

a. Public Hearing

There were no comments

b. Consideration of Ordinance #30-2020, approval of the Allred B Annexation, approximately .57-acres located at approximately 968 East Mesa Avenue with RA-1 zoning.

Motion: Councilor Koivisto moved to approve Ordinance #30-2020, approval of the Allred B Annexation, approximately .57-acres located at approximately 968 East Mesa Avenue with RA-1 zoning; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Southwick seconded the motion.

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

7. Consideration of Resolution #2020-31, taking formal action to pick up required employee contributions in the new Public Safety and Firefighter Tier II Contributory Retirement System.

Mr. Lundell stated that this item needs to be tabled because the Resolution needs to be rephrased.

Motion: Councilor Southwick moved to table this item. Councilor Koivisto seconded the motion.

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

8. Consideration of Resolution # 2020-32, adopting the Lehi City Budget and Consolidated Fee Schedule.

Mr. Lundell stated that he would prefer they pass the budget as is and then they can make adjustments if they need to be more conservative.

Motion: Councilor Condie moved to approve Resolution # 2020-32, adopting the Lehi City Budget and Consolidated Fee Schedule for 2021; and include that staff can work with elected officials to make budget adjustments based on economic data; and include that the merit increase (up to 4%) be put into effect on July 1, and not be delayed to save money. Councilor Hancock seconded the motion.

Mayor Johnson stated that he would prefer to still have the option of delaying merit increases. Councilor Condie wanted to keep his motion as is.

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

9. Consideration of Resolution #2020-34, approval of an agreement between Lehi City and Hadco Construction for widening and improving Main Street.

Motion: Councilor Condie moved to approve Resolution #2020-34, an agreement between Lehi City and Hadco Construction for widening and improving Main Street. Councilor Koivisto seconded the motion.

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

10. Consideration of Resolution #2020-33, approving an agreement between Lehi City and PEC for parks design and construction documents.

Motion: Councilor Southwick moved to approve Resolution #2020-33, approving an agreement between Lehi City and PEC for parks design and construction documents. Councilor Albrecht seconded the motion.

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

11. Consideration of Resolution #2020-36, approval of an agreement between Lehi City and Morgan Pavement for slurry seal application to streets.

Motion: Councilor Southwick moved to approve Resolution #2020-36, approval of an agreement between Lehi City and Morgan Pavement for slurry seal application to streets. Councilor Koivisto seconded the motion.

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

12. Consideration of Resolution #2020-35, approving an agreement between Lehi City and C&L Water Solutions for the relining of reinforced concrete pipe at Jordan Willows.

Motion: Councilor Hancock moved to approve Resolution #2020-35, approving an agreement between Lehi City and C&L Water Solutions for the relining of reinforced concrete pipe at Jordan Willows. Councilor Koivisto seconded the motion.

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

13. Consideration of Resolution #2020-39, approving an amendment to the City's flexible benefit plan for the CARES Act.

Motion: Councilor Southwick moved to approve Resolution #2020-39, approving an amendment to the City's flexible benefit plan for the CARES Act. Councilor Koivisto seconded the motion.

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

14. Consideration of Resolution #2020-38, approving a Lease Agreement between Lehi City and Utah County for Willow Park.

Motion: Councilor Condie moved to approve Resolution #2020-38, approving a Lease Agreement between Lehi City and Utah County for Willow Park. Councilor Southwick seconded the motion.

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

15. Consideration of Adjourning into a Closed Executive Session for the purpose of discussing the character, professional competence, or physical or mental health of an individual.

Motion: Councilor Koivisto moved to Adjourn into a Closed Executive Session for the purpose of discussing the character, professional competence, or physical or mental health of an individual. Councilor Southwick seconded the motion.

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

The meeting adjourned into a closed session at 9:40 p.m.

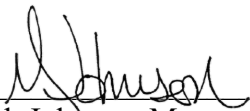
The meeting reconvened at approximately 10:08 p.m.

14. Adjournment

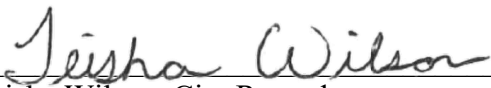
With no further business to come before the City Council at this time, Councilor Albrecht moved to adjourn the meeting. Councilor Southwick seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 10:10 p.m.

Approved: June 23, 2020

Attest:



Mark Johnson, Mayor



Teisha Wilson, City Recorder

