



# Lehi City Council Meeting Agenda

**February 8, 2011**

**Pre-Council at 5:30 p.m.-** Lehi City Administration Conference Room (153 N 100 E, Lehi)

**Regular Session at 7:00 p.m.-** Lehi City Council Chambers (153 N 100 E, Lehi)

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

1. Jamie Davidson- Administrative Report
  - a. Discussion of Capital Outlay Items for Outdoor Swimming Pool 2011
2. Mayor/Council Round Table

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

1. Welcome, Roll Call, Pledge of Allegiance
2. Citizen Input (For public comments on items not listed on the agenda. Please limit comments to three minutes.)
3. Consent Agenda
  - a. Approval of meeting minutes from:  
January 25, 2011 Pre Council  
January 25, 2011 Regular City Council
4. Public hearing on Mountain Home Development's request for approval for Eagle Summit Subdivision Phase 7, a 3 lot residential subdivision located at 5269 Eagle View Drive in an existing PC (Planned Community) zone.  
*Presenter: Mountain Home Development*
5. Consideration of Mountain Home Development's request for approval for Eagle Summit Subdivision Phase 7, a 3 lot residential subdivision located at 5269 Eagle View Drive in an existing PC (Planned Community) zone.  
*Presenter: Mountain Home Development*

6. Public hearing on Don Lilyquist/Maverik's request for approval for Thanksgiving Point Business Park Plat E, a 2-lot commercial subdivision located at 3569 North Thanksgiving Way in an existing RC (Resort Community) zone.  
*Presenter: Don Lilyquist / Maverick*
  7. Consideration of Don Lilyquist/Maverik's request for approval for Thanksgiving Point Business Park Plat E, a 2-lot commercial subdivision located at 3569 North Thanksgiving Way in an existing RC (Resort Community) zone.  
*Presenter: Don Lilyquist / Maverick*
  8. Public hearing on Ivory Development's request for Preliminary Subdivision approval for Platinum Fields, a 48-lot Planned Residential Development located at approximately 2300 West 300 North in an existing R-1-22 (Residential/Agriculture) zone.  
*Presenter: Ivory Development*
  9. Consideration of Ivory Development's request for Preliminary Subdivision approval for Platinum Fields, a 48-lot Planned Residential Development located at approximately 2300 West 300 North in an existing R-1-22 (Residential/Agriculture) zone.  
*Presenter: Ivory Development*
  10. Consideration of Scott Woffinden's request for an Extension of Approval for Powell Subdivision, a 2-lot commercial subdivision located at 575 East State Street in an existing MU (Mixed Use) zone.  
*Presenter: Scott Woffinden*
  11. Consideration of Epperson and Owens, P.C. law firm's request to reduce an invoice from the Lehi Police Department.  
*Presenter: Chad Smith, Police Chief / Jamie Davidson, City Administrator*
  12. City Business
  13. Adjournment
- Public is invited to attend all City Council Meetings
  - In compliance with the Americans with Disabilities Act, persons in need of special accommodations should contact the City Recorder at 768-7100 ext. 2254.
  - This agenda has been properly posted and a copy provided to the local news media.

LEHI CITY  
PRE COUNCIL AGENDA  
February 8, 2011

**AGENDA ITEM: 1(a)**

**SUBJECT:** Discussion of Capital Outlay Items for Outdoor Swimming Pool 2011

**PETITIONER:** Ron Foggin, Assistant City Administrator

**ACTION REQUESTED BY PETITIONER:** Hold discussion

**INFORMATION:** [Capital Outlay Items for Outdoor Swimming Pool 2011](#)

[BACK TO AGENDA](#)

## Capital Outlay Items for Outdoor Swimming Pool 2011

### Has To Be Addressed

New slide surface		\$ 90,000*
Plaster ½ of large pool		\$ 52,000*
Plaster Whole Pool		\$ 90,000
Lockers		\$ 8,890- \$41,000
<i>Standard</i>	\$ 8,890	
<i>Heavy Duty</i>	\$10,900*	
<i>Plastic</i>	\$32,679	
<i>Re-cycled Plastic</i>	\$41,000	
Toilet Partitions/Dressing stalls		\$8,000 *
Locks		\$ 825 - \$21,400
<i>Token Locks</i>	\$21,400	
<i>Flat key locks</i>	\$ 825	
<i>Grooved key locks</i>	\$ 3,075*	
Disposal of Lockers		\$ 750*
		\$160,465 - \$251,150

### Should Be Done

Carpet		\$ 3,000
Locker room floors		\$ 8,000
Diving board fulcrum (2)		\$ 5,880 (for both)
Double Door on splash pool		\$ 2,000
Pumps and motors		\$ 8,000
Deck tables/umbrellas/loungers		\$ 7,000
Basketball posts		\$ 2,000
Deck pillars 6@\$1500		\$ 9,000
		\$ 44,880

\*My suggestions \$164,725

LEHI CITY  
CITY COUNCIL AGENDA  
February 8, 2011

**AGENDA ITEM: 2**

**SUBJECT:** Citizen Input

**PETITIONER:** Anyone Interested

**ACTION REQUESTED BY PETITIONER:** Open agenda item provided for any interested person to be able to speak about any topic.

**INFORMATION:** Per Governing Body desire, this item will be placed on the agenda as permanent and regular item.

[BACK TO AGENDA](#)

LEHI CITY  
CITY COUNCIL AGENDA  
February 8, 2011

**AGENDA ITEM: 3(a)**

**SUBJECT:** Approval of minutes from:  
January 25, 2011, Pre Council  
January 25, 2011, Regular City Council

**PETITIONER:** City Recorder

**ACTION REQUESTED BY PETITIONER:** Approve minutes

**INFORMATION:** [January 25, 2011 Pre Council](#)  
[January 25, 2011 Regular City Council](#)

[BACK TO AGENDA](#)



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

Minutes of the **Pre-Council** of the **City Council** held Tuesday, **January 25, 2011**, at 5:37 p.m. at the Lehi City Administration Building, 153 North 100 East, Lehi, Utah.

**Members Present:** Bert Wilson, Mayor  
Kaye Collins, Council Member  
James Dixon, Council Member  
Steve Holbrook, Council Member  
Mark Johnson, Council Member  
Johnny Revill, Council Member

**Others Present:** Jamie Davidson, City Administrator; Ron Foggin, Assistant City Administrator; Kim Struthers, Planning Director; Lorin Powell, City Engineer; Jim Hewitson, Public Works Director; Travis Ball, Power Director; Wade Allred, Streets Manager; Brenn Bybee, Assistant to the Administrator; Marilyn Banasky, City Recorder; and 2 citizens.

Mayor Wilson welcomed everyone and noted that all Council members were present except Councilor Dixon who will join the meeting in progress.

### **1. Administrative Report – Jamie Davidson City Administrator**

Jamie Davidson asked Ron Foggin, Assistant City Administrator, to give a report. Ron Foggin reported that a flyer was sent out to each resident as part of their utility bill encouraging them to sign up for the green waste program. He stated that the flyer also outlined what is and is not acceptable green waste. He stated that the program has been very successful and that there are currently over 2,500 participants. He reported that the flyer states that the green waste program will begin March 1<sup>st</sup>, but that is a typo and the program will not begin until April 1<sup>st</sup>. He explained that Waste Management also runs this program with Orem City, who does start their program March 1<sup>st</sup>, and that Waste Management would like Lehi City to also consider starting in March. Mr. Foggin stated that they may consider starting earlier next year. A discussion was held regarding the start date and the advantages versus the disadvantages.

Ron Foggin distributed a handout entitled “Capital Outlay Items for Outdoor Swimming Pool 2011” and asked the Mayor and Council to review it. He stated that he would like to discuss it at a later meeting, but just wanted them to digest and understand the numbers for discussion at a later date.

Councilor Dixon arrived at 5:42 p.m.

Mayor Wilson suggested putting it on the February 1, 2011, Work Session agenda. Mr. Davidson reported that there will be a Closed Executive Session scheduled for that night, but that it could be placed after that. Mr. Foggin stated that the Recreation Manager requested that it be heard at the beginning of the meeting as he has other duties on Tuesday evenings.

Jamie Davidson reported that there has been citizen concern regarding the road closures of Traverse Mountain Boulevard and Morning Glory Boulevard and the news reports regarding public safety concerns. He asked Wade Allred, Streets Manager, to give a report. Wade Allred reported that the biggest misconception from the public after the KSL article was published, is that there is no public safety access. He stated that the people are angry when they have called him, but after explaining to them that that Morning Glory can be used for public safety access, they calm down. He reported that the lane switch on S.R. 92 went well. He discussed the length of time that motorists are waiting at the stop lights and said the longest wait is around three minutes. Councilor Johnson reported that he had received some phone calls and had a meeting with three residents from that area. He stated that they wondered if the flight park road could be used for emergency access. Mr. Allred replied that is a privately owned road and is used to provide access to the flight park but is not for the residents use. He stated that Morning Glory and Triumph Boulevard will not be closed at the same time and could be used in an emergency. He reported that he has met with UDOT and the City's emergency personnel to discuss emergency access routes.

Jamie Davidson asked Jim Hewitson, Public Works Director, to give a report. Jim Hewitson distributed a handout entitled "2011 Bridge Preservation Project". He reported that UDOT will be doing a structure rehabilitation project on the bridge over I-15 at 600 East and the bridge that spans US-89 and the Union Pacific Railroad. He stated that the project will require closing 600 East for two weeks while the deck work is done and that the project will be done in the summer so that it doesn't conflict with the High School. Mr. Hewitson distributed handouts of maps outlining the Questar gas line relocation locations. He reported that this project has begun and will last most of the year.

Jamie Davidson asked Lorin Powell, City Engineer, to give a report. Lorin Powell reported that the land exchange between the City and the theater at Thanksgiving Point is done. He stated that Thanksgiving Point will use the frontage road to expand the theater and asked about parking along the road. He reported that he told them no, but since they now own the road, they may put parking on it and close the road for through traffic. Mr. Powell reported that the amendment to the I-15 Master Utility Agreement may still have some final language changes and requested that they approve it subject to those changes. He stated that this amendment clarifies terms that were in the original agreement. Mr. Powell reported that he included a picture of a white board outlining who the City wants to award contracts to, to update the Master Plans for Traffic, Sewer, Culinary Water, Pressurized Irrigation, and Storm Drainage. He stated that they invited six home builders and five attended the meeting. He is recommending that his department handle the Culinary Water, Pressurized Irrigation, and Sewer with LEI to perform the Quality Assurance/Quality Control (QA/QC). He recommended awarding the traffic portion to Horrocks Engineering for the modeling and Hales Engineering for the general work. He recommended awarding the Storm Drainage portion to Civil Science and the Power portion to NEI Power Engineers. He reported that Impact Fees were not discussed at this meeting. He asked for approval of \$300,000 for this project. Councilor Collins stated that this is a ton of work and \$300,000 doesn't seem like much to her. She stated that she would like to see the scope of work and how much each contract will cost. Mr. Powell replied that each company will have a separate contract. Councilor Collins stated that she won't approve the project until she sees

additional information as she is not comfortable approving a project from a white board picture. She stated that she is also uncomfortable with this project as the people at the meeting have a lawsuit filed against the City. Mr. Davidson replied that is why they were purposely invited. Mr. Powell stated that the home builders do want to meet when Impact Fees are discussed. Mr. Davidson stated that an update on the lawsuit will be given during an upcoming Closed Executive Session.

Jamie Davidson distributed calendars to the City Council. He reported that the City Recorder received another Citizen Initiative Petition this afternoon and that he will make copies available tonight to the Mayor and Council. He stated that this Citizens Initiative Petition is requesting an ordinance providing for the election of City Council Members from Districts rather than At Large. He stated that the City will move this initiative process through the same process as the other two that it has received.

Jamie Davidson gave an update on the legislative session. He reported that a big issue this year is immigration reform and the affect that legislation could have on local law enforcement. He stated that another issue is that the State has run out of liquor licenses, which affects economic development. He reported that legislation is being proposed to create additional liquor licenses in the State by transferring Tavern licenses into liquor licenses. He stated that another option would be to allow entities to purchase liquor licenses if there aren't any available. He reported that there is a proposed bill regarding taxation which is like Prop 13 in California. He reported that Senator Bramble is looking to sponsor a bill to create a central business district agency for a Redevelopment Area which would not require a super majority vote of a Taxing Entity Committee to improve downtown areas. He stated that could be an advantage to Lehi as they look to improve the downtown business area.

Councilor Johnson inquired if the letter has been prepared to send to UDOT regarding increasing the speed limit on Pioneer Crossing. Mr. Davidson replied that they are still waiting for additional information from the traffic engineer before that letter is drafted.

## **2. Mayor/Council Round Table**

Councilor Collins reported that the Celebration of Marriage is on February 19<sup>th</sup> and that they have not sold any tickets. She asked if it had been placed on the City's web-site. Mr. Foggin stated that he will check on that. Councilor Collins stated that she has a question on the Purchase Order list. She wondered why the Construction labor & Materials for the City Hall Tenant Finish was \$122,500 as she thought that would be a much lower number. Jamie Davidson replied that they received four competitive bids which are attached. He stated that the bids are to finish a portion of the third floor for the City Attorney and a portion of the first floor for the IT Department. Councilor Collins inquired what the Library Solar Community item was. Mr. Davidson replied that they received Federal money and used some of it for a boiler system and the rest of the money will be used for solar panels on the library. Councilor Holbrook inquired if the \$31,900 will cover the full amount of the solar panels. Mr. Foggin replied that it will need an additional \$5,000.

Mayor Wilson discussed Transwest Auto and stated that he would like some direction on the matter. He stated that he had talked to some of the Councilmembers and will bring it up during the regular Council meeting.

Councilor Johnson discussed a home along 600 East, by the water tank, and reported that the home owner has started to collect items. He stated that he has received a complaint and wanted to pass it along to ensure there aren't any nuisance problems.

With no further business to come before the City Council at this time the meeting adjourned at approximately 6:57 p.m.

Approved February 8, 2011

Attest:

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Bert Wilson, Mayor

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Marilyn Banasky, City Recorder

DRAFT



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

Minutes of the **Regular Session** of the **City Council** held Tuesday, **January 25, 2011**, at 7:02 p.m. at the Lehi City Administration Building, 153 North 100 East, Lehi, Utah.

**Members Present:** Bert Wilson, Mayor  
Kaye Collins, Council Member  
James Dixon, Council Member  
Steve Holbrook, Council Member  
Mark Johnson, Council Member  
Johnny Revill, Council Member

**Others Present:** Jamie Davidson, City Administrator; Ron Foggin, Assistant City Administrator; Kim Struthers, Planning Director; Lorin Powell, City Engineer; Jim Hewitson, Public Works Director; Travis Ball, Power Director; Brenn Bybee, Assistant to the Administrator; Marilyn Banasky, City Recorder; and approximately 72 citizens.

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

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

**2. 20 Minute Citizen Input (for public comments on items not listed on the agenda)**

Ken Greenwood inquired if public comment would be allowed when Item 12 was being discussed. Mayor Wilson replied that he would allow public comment during that item.

Steve Michelson stated that there is a locked gate at the spillway that prohibits traffic going to the church and felt it would be a nice throughway to go up the hill. He wondered if that road could be opened up for use. Ron Foggin reported that it is a private road with private access.

**3. Awards**

**a. Eagle Scout Awards**

Councilor Collins read the names of the Eagle Scouts and Mayor Wilson presented them with certificates.

**b. Lehi City Employee of the Month Award**

Jamie Davidson presented Todd King with the January, 2011, Lehi City Employee of the Month Award.

**4. Consideration of awarding the Request for Proposal for the Lehi City Power Master Study.**

Travis Ball, Power Director, reported that the Power Department published a Request for Proposal (RFP) late last year and that they received four qualified proposals to perform that

study. He stated that the prices ranged from \$42,000 to \$138,650. He stated that NEI submitted the lowest bid and also meets the qualifications. He recommended awarding the RFP to NEI for \$42,000. Mayor Wilson inquired if the City had dealt with NEI in the past. Mr. Ball replied that they have worked with NEI several times.

**Motion:** Councilor Collins moved to award the RFP for the Lehi City Power Master Plan Study to NEI, not to exceed \$42,000 and authorize the Mayor to sign the proposal. Councilor Dixon seconded the motion.

**Roll Call Vote:** Councilor Revill, Yes; Councilor Collins, Yes; Councilor Dixon, Yes; Councilor Johnson, Yes; and Councilor Holbrook, Yes. The motion passed unanimously.

**5. Consideration of awarding the Request for Proposal for the General Plan Land Use Element Update.**

Kim Struthers, Planning Director, reported that there was a joint work session with the Planning Commission and City Council held last October. He stated that long range planning issues were discussed at that meeting and there was consensus to move forward to complete the General Plan Land Use element. He reported that he received proposals from five different firms and is recommending awarding the RFP to CRSA with a not to exceed amount of \$50,000.

**Motion:** Councilor Johnson moved to award the RFP for the General Plan Land use Element Update to CRSA, not to exceed \$50,000 and authorize the Mayor to sign the proposal. Councilor Holbrook seconded the motion.

**Roll Call Vote:** Councilor Collins, Yes; Councilor Dixon, Yes; Councilor Johnson, Yes; Councilor Holbrook, Yes; and Councilor Revill, Yes. The motion passed unanimously.

**6. Consideration of declaring certain personal property of Lehi City as surplus.**

Jim Hewitson, Public Works Director, reported that the list of surplus property includes police cruisers, dump truck, mowers, snowblower, and a stump. He is requesting permission to surplus the items and send them to TNT for auction.

**Motion:** Councilor Holbrook moved to accept the list as presented and declare the personal property as surplus and send the items to TNT for auction. Councilor Revill seconded the motion.

**Roll Call Vote:** Councilor Dixon, Yes; Councilor Johnson, Yes; Councilor Holbrook, Yes; Councilor Revill, Yes; and Councilor Collins, Yes. The motion passed unanimously.

**7. Consideration of authorizing staff to proceed with the design of 1450 North Road across Dry Creek.**

Lorin Powell, City Engineer, reported that this road will connect the Junior High to 300 West. He is requesting that the design work be authorized now and will budget for the work do be done after July 1, 2011. He stated that the design work is not in the current budget but he feels starting on the project now is appropriate and that the money would come out of

Impact Fees. Councilor Collins inquired if the cost will be under the \$25,000 limit which could be authorized by staff and if the work would be done by Civil Science. Mr. Powell replied that the amount will be under the \$25,000 limit and that Civil Science has done previous work in the area and is familiar with it. Councilor Johnson reported that he will recuse himself due to his association with Civil Science.

**Motion:** Councilor Revill moved to authorize staff to proceed with the design of 1450 North Roadway at Dry Creek. Councilor Dixon seconded the motion.

**Roll Call Vote:** Councilor Johnson, Abstain; Councilor Holbrook, Yes; Councilor Revill, Yes; Councilor Collins, Yes; and Councilor Revill, Yes. The motion passed with four in favor and one abstained.

**8. Consideration of awarding contracts to Civil Science Engineers, Hales Engineers, Horrocks Engineers, LEI Engineers, and MW Brown Engineers for an update of the Lehi City Master Plans for Traffic, Sewer, Culinary Water, Pressurized Irrigation and Storm Drainage.**

Lorin Powell, City Engineer, reported that during the past four years, the City has had an enormous amount of roads going in and design work done. He feels it is appropriate to redo the master plans for Traffic, Sewer, Culinary Water, Pressurized Irrigation, and Storm Drainage. He recommended that his department handle the Culinary Water, Pressurized Irrigation, and Sewer with LEI to perform the Quality Assurance/Quality Control (QA/QC). He recommended awarding the Traffic portion to Horrocks Engineering for the modeling and Hales Engineering for the general work. He recommended awarding the Storm Drainage portion to Civil Science and the Power portion to NEI Power Engineers. He recommended authorizing the Mayor to sign contracts and set a not to exceed amount of \$300,000. Councilor Johnson recused himself due to his association with Civil Science.

Councilor Dixon reported that they had some discussion in Pre council about this item and feels that they need more information before making a decision on this item. He stated that he would prefer to see the items broken out into monetary contracts per firm, based on the estimation on the work they will do. Mr. Powell replied that he has that information and has the contracts prepared for each firm, although they are still finalizing the contracts. Councilor Revill inquired if they are on a tight time table. Mr. Powell replied that he was trying to dovetail this update with the General Plan update. Councilor Revill stated that he would prefer to see the numbers and review the contracts. Councilor Collins stated that she wants to see the scope of work and have the cost broken down.

**Motion:** Councilor Dixon moved to table this item until the costs and contracts for each firm are presented. Councilor Collins seconded the motion.

The motion passed unanimously.

**9. Consideration of Resolution #2011-07 adopting Amendment No. 1 to Agreement for Frontage Road Realignment at 2100 North between Lehi City, UDOT and IR Lehi.**

Lorin Powell, City Engineer, reported that the original agreement had a completion due date that has passed and this amendment provides a new completion date of May 1, 2011.

**Motion:** Councilor Dixon moved to approve Resolution #2011-07 adopting Amendment No. 1 to Agreement for Frontage Road Realignment at 2100 North between Lehi City, UDOT, and IR Lehi. Councilor Holbrook seconded the motion.

**Roll Call Vote:** Councilor Holbrook, Yes; Councilor Revill, Yes; Councilor Collins, Yes; Councilor Dixon, Yes; and Councilor Johnson, Yes. The motion passed unanimously.

**10. Consideration of Resolution #2011-08 adopting an Amendment to the I-15 Master Utility Agreement.**

Lorin Powell, City Engineer, reported that the City entered into a Master Utility Agreement which specified who would maintain certain drainage sections. He stated that since that time additional work has been done and this amendment is necessary to clarify language. He stated that they are still working on some minor changes on the wording and asked that the amendment be approved and that some minor word changes can be made.

**Motion:** Councilor Holbrook moved to approve Resolution #2011-08 adopting an Amendment to the I-15 Master Utility Agreement and that minor word changes can be made. Councilor Johnson seconded the motion.

**Roll Call Vote:** Councilor Revill, Yes; Councilor Collins, No; Councilor Dixon, Yes; Councilor Johnson, Yes; and Councilor Holbrook, Yes. The motion passed with four in favor and one opposed.

**11. Consideration of Resolution #2011-06 creating a Long Term Military Leave Policy.**

Jamie Davidson, City Administrator, reported that the City's Policy and Safety manual does not include a Long Term Military policy to address full-time employees called to active military service by Presidential Order. He stated that the City currently has a Police Officer who has been called up to active duty and this policy addresses this employee and future employees. He stated that this policy allows for the City to pay a salary differential for employees who are deployed if their military wage is below that of their current City wage. He recommended approval of the policy. Mayor Wilson stated that he thinks this policy is needed and will be helpful to those serving the country.

**Motion:** Councilor Collins moved to approve Resolution #2011-06 creating a Long Term Military Leave Policy. Councilor Johnson seconded the motion.

**Roll Call Vote:** Councilor Collins, Yes; Councilor Dixon, Yes; Councilor Johnson, Yes; Councilor Holbrook, Yes; and Councilor Revill, Yes. The motion passed unanimously.

**12. Consideration of Resolution #2011-05 creating a policy regarding residency and response time requirements for Lehi City employees.**

Brenn Bybee, Assistant to the City Administrator, reported that the discussion in the last City Council meeting focused on establishing a minute response time for employees instead of a

mile radius response time. He stated that he had the GIS coordinator make a map showing 20 and 30 minute response times and adjusted the policy accordingly. Councilor Collins stated that she is happier with this map than the other one, but still has concerns that the Directors in Group B as well as the Risk Manager of the proposed policy, need to be moved to Group A. Mr. Bybee stated that he believes the groups reflect the discussion held with the Department heads. Councilor Collins stated that she has talked to some people who feel their views weren't represented in those meetings and feels the decision makers in the City should be required to live in the City. A discussion was held regarding which employees respond in an emergency. Ron Foggin stated that the Risk Manager is important in an emergency and that he would like the Risk Manager there within an hour but didn't feel that they would be needed within 20 minutes. He stated that with Interlocal and Mutual Aid agreements, the City is covered as well as having a full-time Fire and Police Department that would respond timely in an emergency. He stated that the issue in an emergency is to have the people who understand the emergency respond, such as public works employees who would respond to a water break. He stated that he would want managers there within an hour and front line employees there within 30 minutes.

Councilor Johnson reported that he sent e-mails to employees and found their responses interesting in regard to response time. He stated that the departments all have protocol that the field crews respond first and they have a shorter response time than their managers. He suggested taking out the phrase "on-call and emergency calls" from paragraph C. Mr. Bybee stated that he tried to put a wider net in the policy than just on-call and termed it as employees essential to the operations of the public works departments. He stated that the intent was to capture the front line public works people. Councilor Holbrook inquired if the map shows the 20 or 30 minute response time from Lehi City boundaries. Mr. Bybee stated that it does. Councilor Holbrook stated that he would like to see the response times generated from the Administration building and not Lehi City boundaries. Mr. Bybee stated that the reason the map was drawn from the City limits was that an on call situation could happen anywhere in the City. Councilor Collins stated that she doesn't think this is all about emergency situations but that she thinks it is in the best interest of the City that the Department Directors live in the boundaries of the City.

Mayor Wilson opened up the floor for public comment.

Ken Greenwood reported that he is representing Shawn Sampson. He read a statement stating that the ordinances need to be followed and if changes are made they need to be shaped by the Council and not by City staff. He feels a candidate in Lehi is better than a non-resident and that residency requirements should include Department head positions and emergency personnel need response time requirements, including utilities. Mr. Greenwood then commented for himself. He stated that most comments have been addressed to response time in an emergency, but the lion share of employee's time is not emergency related. He stated that he has been renting apartments for 45 years and when the renters become home owners they plant flowers and mow the lawn because they now have ownership. He feels that when someone has an ownership, mentality, they do a better job.

Preston Gerber agreed with Mr. Greenwood. He said Lehi has Police and Fire departments that are on shift 24/7. He said that they don't wait for someone to commute in. He stated that they are discussing residency and if they work here, they might as well live here. He stated that what the owners want, they ought to be able to get.

Clay Peck stated that he has paid more attention to his Country over the last few years and has been frustrated thinking what he can do. He wants to teach the young people that it is coming here to a City Council meeting to get their voice heard by those who represent them. He seconds the thoughts about taking ownership and feels the same way. He stated that he was asked to come tonight by Paul Peterson to represent his voice. He feels that the Lehi City founding fathers had it right and feels that the people that govern best are those that live here and take pride in their community.

Blaine Thomas stated that he was on the Council when this ordinance was put into effect. He thought it was a good law then and still feels it is a good law. He feels it should be in effect and they should adhere to it.

Scott Bunker reported that he has lived in Lehi for 12 years and is on the other side of the spectrum. He stated that he has worked for Provo City for 18 years and sees both sides of the issue. He stated that he has done a lot as a citizen of Lehi and is offended that it is being said that he isn't as good to Provo City because he doesn't live there. He loves working for the City of Provo while living in the City of Lehi. He stated that he would hate to move from Lehi to move to Provo and wants to continue to be a citizen of Lehi. He stated that he doesn't think he is any less dedicated as an employee because of where he lives. He stated that 20 minutes is a rational response time from any point across the border and thinks that response time is adequate and sufficient for the needs as they can access people wherever they are due to technology.

Cole Peck stated that he looks at the map and thinks it is ridiculous. He feels that response times can't be guaranteed as there could be roadblocks. He stated that there is an ordinance in place and it needs to be enforced. He stated that he wants unity in the town and thinks that it needs to not change. He stated that he has lived here his entire life and doesn't want to make a hardship on these people and maybe they could give them a timeline to establish residency. He feels that they take more ownership and the money stays in Lehi if they live here.

Rick Houghton stated that there is not one employee in this City that would make a decision on a big issue without a Director telling him what to do. He feels that there is no way they can do that over the phone. He feels the Director has to be there.

Jay Bodine stated that he has lived here for 16 years and he and his wife feel it is a good ordinance that employees should live within City boundaries. He agrees with former Mayor Greenwood that people take ownership when they live in the City they work in.

Councilor Dixon stated that he agrees in some respects and not in others. He stated that Lehi City is a professional organization that is growing and evolving to address the needs of the

City and the citizens. He feels it requires a level of professionalism greater than it used to be. He would respectfully disagree that someone who has employment here, but doesn't live here, does not have some type of ownership in their professional life. He stated that he can't imagine that all employers have employees that live within those city limits. He stated that response time is being managed redundantly by the professionals on call. He stated that times have changed and the front end of the proposed policy is remarkably similar to the existing ordinance and states that it is preferred that an employee lives in the City and hiring preference can be given to those within or near the City limits. He stated that it also has similar language from the existing ordinance which says the Mayor with the consent of the City Council may grant relief from these terms. He is interested in hiring the best professionals they can get even if that means hiring an employee who lives out of the City limits. He stated that with regard to residency and response times he is in favor of this policy.

Ken Greenwood inquired as to why the ordinance has been ignored that is in place. Mayor Wilson stated that the ordinance was adopted in the 1970's and that employees should reside in Lehi but at the discretion of the Mayor and Council that can be waived. He stated that the Mayor and Council have agreed to hire employees when an employee has been hired who lives outside of the City, and that they have broken no laws. He stated that when they have 50 applicants apply for a position and 95% are from a different city and 5% are from Lehi it is difficult. He stated that they want to hire the best person and if there is a tie or it is close then the citizen from Lehi would be hired. He stated that the citizens have said that they can force an employee to move here, but the economy doesn't always make that feasible. He stated that out of 36 surveyed cities, most of them do not have ordinances that require these individuals to live in the town. He stated that there are reasons that they can't move, such as family responsibilities and financial hardships. He feels that Lehi deserves the best and needs professionals to run it.

Councilor Johnson reported that he has talked to a lot of people and understands both sides of this issue. He feels the employees are dedicated, even though they don't live in the City.

**Motion:** Councilor Collins moved to deny Resolution #2011-05 creating a policy regarding residency and response time requirements for Lehi City employees. Councilor Revill seconded the motion.

Councilor Revill read the current ordinance and stated that he thinks the current code and the proposed language is similar and gives the same clause to grant relief. He stated that the Mayor and Council have approved applicants that live outside of Lehi. He stated that he seconded the motion as he feels they follow the current ordinance. Councilor Johnson inquired if Councilor Revill is suggesting that they continue non-compliance for those employees who live outside of the City. Councilor Revill suggested that those employees be grandfathered in or because of the clause to grant relief that they be granted relief. A discussion was held as to whether there was documentation in employee's files that they were granted relief. Councilor Collins stated that she thinks they have broken the rules and is not sure they have done the best searches for candidates. She stated that she wants to see a

list of those granted relief and deal with those on an individual basis and from here on that they keep more true to the word of the ordinance.

**Roll Call Vote:** Councilor Dixon, No; Councilor Johnson, Abstain; Councilor Holbrook, Yes; Councilor Revill, Yes; and Councilor Collins, Yes. The motion passed with three in favor, one opposed, and one abstained.

Councilor Revill inquired what they can do as a Council to make this ordinance better. Councilor Dixon stated that this was an attempt to make it better and address response time requirements as well as residency. He stated that they could break it out into two parts. He feels the proposed policy is reflective of the current hiring practices. Councilor Collins recognizes that they are a different community than in 1974 and stated that she can be flexible. She stated that there are positions that don't need to live in the City but feels there are more than three positions that need to live in the City. Councilor Holbrook stated he supported the denial of the policy because of what is right, and to him what is right is what is in the books. He stated that just because a policy was broke by different administrations from 1978 to now, doesn't mean it is okay. He wants to take into account the hardships of employees if they had to move to Lehi. He stated that they will use the policy they now have in hiring new people but feels they need to continue to work on the policy and not punish the existing employees.

**13. Consideration of Ordinance #02-2011 amending Lehi City Code Title 2, Administration and Personnel; Chapter .04, Mayor; Section .050(B) Officer and Employee Appointment Authority.**

**Motion:** Councilor Collins moved to deny Ordinance #02-2001 amending Lehi City Code Title 2, Administration and Personnel; Chapter .04, Mayor; Section .050(B) Officer and Employee Appointment Authority. Councilor Revill seconded the motion.

**Roll Call Vote:** Councilor Johnson, Yes; Councilor Holbrook, Yes; Councilor Revill, Yes; Councilor Collins, Yes; and Councilor Dixon, Yes. The motion passed unanimously.

**14. Approval of meeting minutes from:  
January 4, 2011, Work Session  
January 11, 2011, Pre Council  
January 11, 2011, Regular City Council**

Councilor Collins stated that her first name is spelled wrong on the January 4, 2011 Work Session minutes.

**Motion:** Councilor Johnson moved to approve the minutes with changes, to the January 4, 2011 Work Session, January 11, 2011 Pre Council and Regular City Council minutes. Councilor Collins seconded the motion.

The motion passed unanimously.

## 15. City Business

Councilor Johnson reported that Micron approached TSSD regarding drainage. He stated that it was a potential partnering situation and that Micron will donate land for a future lift station owned by TSSD and offered \$100,000 to put a line across the construction of S.R. 92. He feels it is significant for the City and that there is a mutual benefit for the district as a whole.

Councilor Holbrook inquired as to the feeling of the Council to ask staff to research those employees who have a paper signed or those who have an exemption by the Council to live outside the City. He thinks the residency/response time is something they want to slow down and be fair about. Councilor Revill thinks it is naive to think every employee who lives outside the City has a paper. Councilor Collins stated that she feels if an employee is given an exemption that it should not be forever, but should be re-looked at in five years. Councilor Holbrook stated that the policy needs to be fair, honest and that they should take some time. Jamie Davidson stated that he thinks they will find very few employees who have letters and that he is only aware of one. He stated that when they hire Department Directors they have been introduced to the Mayor and Council. He stated that when an employee is hired, he has conversations with them about living in Lehi but that he has not made it a requirement to live in Lehi. Councilor Johnson stated that he is concerned about this issue as they are out of compliance, but feels there will be times that someone that doesn't live in Lehi is the better employee. He stated that they need to figure this out. Mayor Wilson stated that he feels the policy they had in front of them tonight addressed those issues and that they need to do work on it. He thinks the proposed policy was better than the old policy and feels that they need to take care of it sooner than later.

Mayor Wilson discussed Transwest Auto and the presentation that was made last Council meeting by John Roberts. He reported that he needs to have some kind of answer on what the Council would like to do regarding the fact that Transwest Auto is no longer in compliance with their Annexation Agreement. Councilor Johnson stated that he believes that Transwest Auto needs to be in compliance. He feels allowing them to remain out of compliance will cause problems in the future. He stated that he would like Mr. Roberts to relocate the business. Councilor Collins stated that she is torn on this one and is not at a point to make a decision. Mayor Wilson stated that in order for Mr. Roberts to get rid of what he has it will take some time. Councilor Revill stated that Mr. Roberts can be there, but he has just exceeded the allotted area that was agreed to in the Annexation Agreement. He stated that he is torn as Mr. Roberts is not following policy. Councilor Holbrook stated that Mr. Roberts can get back into compliance by reducing the amount of space he is using and just not be as large. He feels that Mr. Roberts needs to be in compliance. Mayor Wilson inquired if they should bring him into compliance or should they allow him to be out of compliance. He stated that Mr. Roberts can get in compliance and they could give him time to do that. Kim Struthers reported that Mr. Roberts was annexed as a legal non-conforming use and has the right to run the business there but that he just has expanded larger than was agreed to. Councilor Johnson stated that there is hardly any light industrial zones in town and maybe they need more, which would allow Mr. Roberts to relocate his business. Councilor Revill asked for a couple of weeks to stew on it. Mayor Wilson stated that they can wait but wondered if it would make a difference. Councilor Dixon suggested a compromise and give Mr. Roberts a time frame to downsize that would match the development of Adobe. He stated that another thought is to give him a fine and stop citing him. Councilor

Revill stated that they could tell Mr. Roberts to get into compliance or fine him. Brenn Bybee reported that Transwest Auto's business license is being held up until this issue is resolved. Lorin Powell suggested comprising with him and have a sunset clause to have him shut down his business at this location and move it elsewhere. Councilor Johnson stated that he likes the compromise idea and that they may be able to find some additional Light Industrial land. Mayor Wilson stated that he likes the compromise idea. Councilor Holbrook stated that he likes the compromise idea in which Mr. Roberts could go back to the original size or he could look for a place to relocate. Councilor Holbrook stated that Mr. Roberts doesn't have to move and has a right to operate in this location if he downsizes. He stated that all they can do is offer the compromise. Mayor Wilson stated that he will visit with Mr. Roberts and discuss it again.

Lorin Powell stated that he thinks it would be nice to do something in regard to the Lehi City residency requirement as there is a concern among the employees. Councilor Holbrook stated that the employees would like to know what is going on and he would like to put some kind of schedule on this. Councilor Collins suggested forming a committee. Jamie Davidson stated that staff has provided the Mayor and Council with the information and that they need to make a decision. He stated that staff will help them with additional data but all that is left is a policy decision and the Mayor and Council make the decisions. Councilor Collins thinks they may need a work session to discuss it further, but thinks they shouldn't wait too long. Councilor Holbrook suggested discussing it at the February 1, 2011 Work Session if there is time, or if not, call a special session. Mr. Davidson stated that he would like to address this issue but that he would also like to brief them on pending legal issues at the next Work Session meeting. Councilor Johnson stated that he thinks it is unkind to string this out for employees. Mayor Wilson stated that they should grandfather the existing employees in. Councilor Collins stated that she is not against that and thinks that is fine for a time period. She is concerned what happens if the employee changes jobs within the City and thinks it might need to be revisited on an individual basis. She stated that her intent is to have a policy that is fair and enforceable across the board. Councilor Revill stated that nothing has changed and it is status quo. Mr. Davidson reported that he heard a reaffirmation of an ordinance that says every City employee needs to live in Lehi. Councilor Collins stated that this got pushed too fast and they weren't ready to make that commitment. She thinks there is room for change. Councilor Dixon suggested that they write a note to the employees explaining what happened tonight and address the issue later. He suggested that they could write the proposal.

Mr. Davidson inquired what he is to do for new hires as he has extended a job offer to the Assistant City Attorney who does not live in Lehi. He stated that he felt he had the blessing of the Council to do this as he had previously brought it to their attention and they had agreed to offer the job to this candidate. Councilor Dixon stated that they should bring the hiring issue to them and then write a letter. Councilor Johnson stated they should keep the ordinance in place and write a letter to the employee, if it is approved that they can live outside Lehi. He suggested that they could write a letter to each employee who currently lives outside of Lehi. Mr. Davidson inquired as to what he should do about the Assistant City Attorney position. Councilor Revill stated that they can make the offer and have an exception given. A discussion was held regarding the exception being forever or for 120 days as per the current ordinance. Councilor Collins stated that the point was never that they live in Lehi to be hired, but that it doesn't change that they could be encouraged to live in Lehi within a time frame and then the Mayor and

Council can look at it again. She stated that maybe that is the best they can do for now. She stated that she was okay with the three group idea. She stated that Mr. Davidson should maintain the job offer. Mayor Wilson inquired if the Council was okay with keeping the Assistant City Attorney and that the applicant be encouraged to move to Lehi but that it is not mandatory. Councilor Holbrook stated that his thought was not to put current employees in harm and have new employees move from this day forward. He stated that they have not made a new policy and are operating under the old way of doing things. He stated that Mr. Davidson should hire who he needs to. **Mayor Wilson asked for consensus to keep the current hiring practice for now and offer the job to the Assistant City Attorney. Consensus was reached.**

Councilor Revill stated that an e-mail could be sent to the employees. Councilor Holbrook thinks they owe it to them and feels the existing employees should be grandfathered. Councilor Revill agrees and stated that whether they come up with a new policy or not, they need to address what to do with current employees. Councilor Johnson thinks there is a problem and that he doesn't want to see anyone suffer because of the mistakes of the Council. He stated that they have hired people for years and years and didn't follow the policy. He feels they need to talk to the City Attorney before doing anything and that his intention is not to let anyone go. He stated that he is in favor of grandfathering current employees in. He stated that they should take a list of everyone who lives out of town and memorialize it. Mr. Davidson stated that there is State law that gives rights to employees and there would be liability to the City if he fired someone solely on where they live if they have a vested right to the job. Councilor Dixon stated that they need to look for a deadline to address the issue and thinks it is a stupid law. He stated that it doesn't fit the times or their needs, and the research doesn't support it. Mayor Wilson stated that he thinks they are leaving employees in limbo. He suggested that they wait until the City Attorney returns from being out of town. **Mayor Wilson asked for consensus to wait until the City Attorney returns before they meet again to discuss this issue. Consensus was reached.**

#### **16. Adjournment**

With no further business to come before the City Council at this time, Councilor Johnson moved to adjourn the meeting. Councilor Dixon seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 10:37 p.m.

Approved: February 8, 2011

Attest:

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Bert Wilson, Mayor

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Marilyn Banasky, City Recorder

LEHI CITY  
CITY COUNCIL AGENDA  
February 8, 2011

**AGENDA ITEMS: 4 and 5**

- SUBJECT:** 4. Public hearing on Mountain Home Development's request for approval for Eagle Summit Subdivision Phase 7, a 3 lot residential subdivision located at 5269 Eagle View Drive in an existing PC (Planned Community) zone.
5. Consideration of Mountain Home Development's request for approval for Eagle Summit Subdivision Phase 7, a 3 lot residential subdivision located at 5269 Eagle View Drive in an existing PC (Planned Community) zone.

**PETITIONER:** Mountain Home Development

**ACTION REQUESTED BY PETITIONER:** Approve

**INFORMATION:** [Executive Summary](#)  
[Maps](#)

[BACK TO AGENDA](#)



Approved: *[Signature]*  
Date: 2/11/2011

**ISSUE**

Mountain Home Development – Requests approval for Eagle Summit Subdivision Phase 7 amended plat, a 3 lot residential subdivision located at 5269 Eagle View Drive in an existing PC (Planned Community) zone.

**BACKGROUND**

General Plan Land Use Designation: Very Low Density Residential/Agriculture  
Surrounding zoning/land use:

Surrounding Zoning/Land Use:	North:	Planned Community	Single family residential
	South:	Planned Community	Single family residential
	East:	Planned Community	Single family residential
	West:	Planned Community	Single family residential

The applicant is requesting approval of an amendment to an existing subdivision plat. The amendment is affecting lots 130 and 131 from Eagle Summit Phase 1. On the original plat, there was a 30-foot open space/utility easement between the two lots, and this amendment removes the open space area and adds the area to the two lots. Although this area is identified as “open space” on the plat, it was primarily created to preserve access to storm drain and water utilities, and it does not affect any master planned trails. The area is too steep for pedestrian access. The utility easement will still remain, and will be split by the lot line. It was the recommendation of the DRC that no fence be allowed on the new property line to avoid any interference with the existing utility lines.

**RECOMMENDATION**

D.R.C. reviewed this request for Preliminary on December 1, 2010 and made the following recommendations.

1. Include a notation to extend the 30-foot PUE to the south to lot A between 124/125
2. On note #7, carry over the note that is being referenced from Phase 1
3. Add a note on the plat that no fences will be allowed down the center of the easement on the property line between lots 130/131 and no permanent structures can be constructed within the easement
4. Copy the slope easement notes from the Phase 1 from this plat, as well as the associated hatching areas
5. In the title block, indicate that this is also a revision of Open Space Utility Easement E

6. Label public utility easement as such on the 30-foot easement

PRIOR TO RECORDING OF PLAT:

1. Provide a Mylar of the final plat for recording with the owners notarized signature(s).
2. Include surveyor's and engineer's stamps and signatures on the plat and construction drawings.
3. Show lot addresses on the final plat.
4. Provide a disc with the final plat and design drawings in dxf format.
5. City Engineer to check the plat for closure

DRC GENERAL COMMENTS:

1. The approval of a development shall be effective for a period of one (1) year from the date the development is approved by the Planning Commission or City Council, whichever is applicable.

Planning & Zoning granted Preliminary approval on January 13, 2011 and made the following recommendation.

*Ed James moved to recommend approval of Mountain Home Development's request for Eagle Summit Subdivision Phase 7 amended plat, a 3-lot residential subdivision located at 5269 Eagle View Drive in an existing Planned Community zone since this is not connecting to any trail system that's been approved and finding that there is no longer any useful purpose for the easement and it would be in the best interest in the area and community to have this changed and include DRC comments. Second by Marilyn Schiess. Motion carried unanimous.*

The suggested motion would include approval with DRC Redline and General Comments and any Planning Commission recommendations.



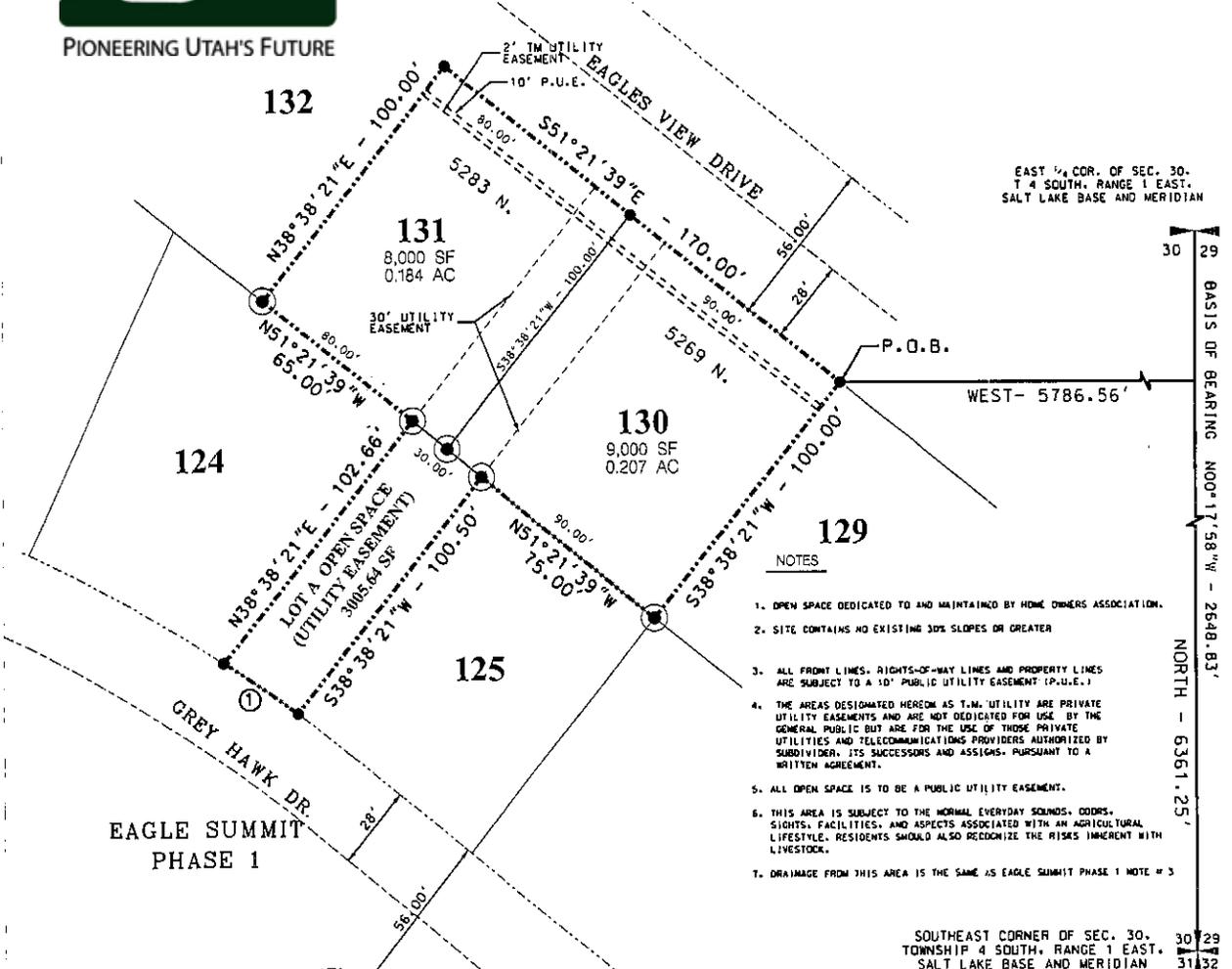
# EAGLE SUMMIT PHASE 7

LOCATED IN SECTION 30  
TOWNSHIP 4 SOUTH, RANGE 1 EAST,  
SALT LAKE BASE AND MERIDIAN  
LEHI CITY, UTAH COUNTY, UTAH

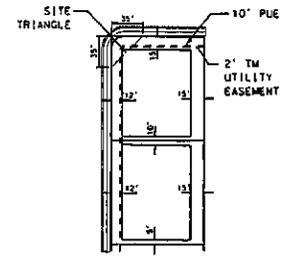


**SURVEYOR'S CERTIFICATE**  
LEAHY HENDERSON, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 68622 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAN AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAN AND THAT THIS PLAN IS TRUE AND CORRECT.

SURVEYOR (SEE SEAL BELOW) \_\_\_\_\_ DATE \_\_\_\_\_



EAST 1/4 COR. OF SEC. 30,  
T 4 SOUTH, RANGE 1 EAST,  
SALT LAKE BASE AND MERIDIAN



**NOTES**

1. OPEN SPACE DEDICATED TO AND MAINTAINED BY HOME OWNERS ASSOCIATION.
2. SITE CONTAINS NO EXISTING 30% SLOPES OR GREATER.
3. ALL FRONT LINES, RIGHTS-OF-WAY LINES AND PROPERTY LINES ARE SUBJECT TO A 10' PUBLIC UTILITY EASEMENT (P.U.E.)
4. THE AREAS DESIGNATED HEREON AS T.M. UTILITY ARE PRIVATE UTILITY EASEMENTS AND ARE NOT DEDICATED FOR USE BY THE GENERAL PUBLIC BUT ARE FOR THE USE OF THOSE PRIVATE UTILITIES AND TELECOMMUNICATIONS PROVIDERS AUTHORIZED BY SUBDIVIDER, ITS SUCCESSORS AND ASSIGNS, PURSUANT TO A WRITTEN AGREEMENT.
5. ALL OPEN SPACE IS TO BE A PUBLIC UTILITY EASEMENT.
6. THIS AREA IS SUBJECT TO THE NORMAL EVERYDAY SOUNDS, ODORS, SIGHTS, FACILITIES, AND ASPECTS ASSOCIATED WITH AN AGRICULTURAL LIFESTYLE. RESIDENTS SHOULD ALSO RECOGNIZE THE RISKS INHERENT WITH LIVESTOCK.
7. DRAINAGE FROM THIS AREA IS THE SAME AS EAGLE SUMMIT PHASE 1 NOTE # 3.

SOUTHEAST CORNER OF SEC. 30,  
TOWNSHIP 4 SOUTH, RANGE 1 EAST,  
SALT LAKE BASE AND MERIDIAN

**AREA TABULATION**

TOTAL ACREAGE =	0.460
LOT ACRES =	0.391
# OF LOTS =	2
OPEN SPACE =	0.069
ROAD ACRES =	0

**CURVE TABLE**

CURVE	DELTA	RADIUS	LENGTH	CHORD	BEARING
1	85°15'52"	528.00	30.00	30.00	N55°23'11"W

○ FOUND 1/2" REBAR AND CAP  
\* SET COPPER RIVET IN CURB  
⊙ SET 1/2" REBAR AND CAP



**BOUNDARY DESCRIPTION**

Beginning at a point which is North 6361.25 feet and West 5786.56 feet from the Southeast corner of Section 30, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence South 38°38'21" West 100.00 feet; thence North 51°21'39" West 75.00 feet; thence South 38°38'21" West 100.00 feet to a point on the northerly right of way line of Grey Hawk Drive; thence along said right of way and along the arc of a \$28.00 foot radius curve to the left 30.08 feet, through a central angle of 3°15'52"; the chord bears North 55°23'11" West 30.08 feet; thence North 38°38'21" East 102.66 feet; thence North 51°21'39" West 65.00 feet; North 38°38'21" East 100.00 feet to a point on the southerly right of way line of Eagles View Dr.; thence S 51°21'39" E along said right of way 170.00 feet to the point of beginning.

Area = 0.460 acres (20043 Sq. Ft.) more or less

**OWNERS' DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYORS CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, PRIVATE STREETS AND EASEMENTS AND CONVEY TO ALL PUBLIC UTILITY AGENCIES AND THEIR SUCCESSORS AND ASSIGNS A P.U.E. AND RIGHT-OF-WAY AS SHOWN BY THE AREAS MARKED "PRIVATE STREET" ON IT WITHIN THE PLAN FOR CONSTRUCTION AND MAINTENANCE OF SUBTERRANEAN ELECTRICAL, CABLE TELEPHONE, MANUAL GAS, SCUMER AND WATER LINES APPURTENANCES, TOGETHER WITH THE RIGHT-OF-WAY ACCESS THEREON.

IN WITNESS WHEREOF WE HAVE HERETO SET OUR HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

**ACKNOWLEDGEMENT**

STATE OF UTAH | S.S.  
COUNTY OF UTAH | S.S.  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_ PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DO EXECUTE THE SAME.  
BY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC (SEE SEAL BELOW)

**ACCEPTANCE BY LEGISLATIVE BODY**

THE CITY OF LEHI, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

APPROVED: \_\_\_\_\_ ENGINEER (SEE SEAL BELOW) ATTEST: \_\_\_\_\_ CLERK-RECORDER (SEE SEAL BELOW)

**PLANNING COMMISSION APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_ BY THE \_\_\_\_\_ PLANNING COMMISSION

DIRECTOR-SECRETARY \_\_\_\_\_ CHAIRMAN, PLANNING C \_\_\_\_\_

**PHASE 7 EAGLE SUMMIT**  
A RESIDENTIAL SUBDIVISION IN A PLANNED COMMUNITY DEVELOPMENT INCLUDING A REVISION AND VARIATION OF LOTS 130 AND 131 OF EAGLE SUMMIT PHASE 1  
LEHI CITY UTAH COUNTY, UTAH  
SCALE: 1" = 20 FEET

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# EAGLE SUMMIT PHASE 1

A PLANNED COMMUNITY DEVELOPMENT LOCATED IN SECTIONS 20 AND 19, TOWNSHIP 4 NORTH, RANGE 1 EAST, AND SECTIONS 24 AND 25, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASIN AND MOUNTAIN LEAF ZONE, UTAH COUNTY, UTAH.

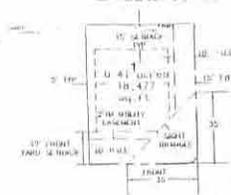
## NOTES:

1. ALL TRIP AND TURNING TO DRIVE A SINGLE LANE ON TOP OF DRIVE ON THE PROVISIONAL OF EACH LOT LINE TO BE MAINTAINED TO REMAIN UNCHANGED BY THE HOME OWNERS ASSOCIATION.
2. THROUGH DRIVE AND DRIVEWAYS WILL BE PROVIDED BY THE HOMEOWNERS ASSOCIATION AND BETWEEN DRIVE LOCATED AT THE NORTHERN PORTION OF THE PROPOSED DEVELOPMENT. THIS PROVISION WILL BE MADE TO ALLOW FOR A FUTURE DRIVE TO BE CONSTRUCTED TO A LATER DATE. THIS DRIVE WILL BE CONSTRUCTED TO A LATER DATE. THIS DRIVE WILL BE CONSTRUCTED TO A LATER DATE.
3. LANDSCAPE WITH PUBLIC ROW WILL BE DEVELOPED AND MAINTAINED BY THE MASTER ASSOCIATION.
4. THE DRIVE PAVEMENT PLAN ILLUSTRATING THE AREA IS BEING APPLICABLE TO FUTURE PHASES.
5. THIS AREA IS SUBJECT TO THE NORMAL CONVEYING RIGHTS, EASES, RIGHTS, FACILITIES, AND ADVERSE POSSESSIONS AND ENCUMBRANCES OF OTHER RECORDS. RECORDS SHOULD BE REVIEWED FOR ANY ENCUMBRANCES THAT MAY AFFECT THIS DEVELOPMENT WITH INTEREST.
6. THE OPEN SPACE IS TO BE A PUBLIC UTILITY EASEMENT.
7. THE OPEN SPACE IS TO BE A PUBLIC UTILITY EASEMENT.
8. THE OPEN SPACE IS TO BE A PUBLIC UTILITY EASEMENT.
9. THE OPEN SPACE IS TO BE A PUBLIC UTILITY EASEMENT.

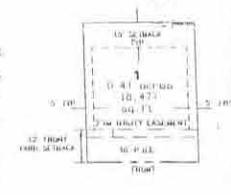
## TYPICAL LOT ELEVATIONS

The ground elevations shown on this plan are provided for informational purposes only and are not intended for use by the general public. The elevations are based on the ground surface and do not take into account any subsurface conditions. The elevations are subject to change without notice and are provided for informational purposes only.

## TYPICAL CORNER LOT SUBDIVISION DETAIL (10'x15')



## TYPICAL LOT SUBDIVISION DETAIL (10'x15')



CURVE	RADIUS	LENGTH	DELTA
01	15.00	21.56	90.000000
02	15.00	24.48	94.470000
03	15.00	27.56	99.000000
04	15.00	30.88	103.600000
05	15.00	34.48	108.280000
06	15.00	38.36	113.000000
07	15.00	42.52	117.750000
08	15.00	46.96	122.500000
09	15.00	51.68	127.250000
10	15.00	56.68	132.000000
11	15.00	61.96	136.750000
12	15.00	67.52	141.500000
13	15.00	73.36	146.250000
14	15.00	79.48	151.000000
15	15.00	85.88	155.750000
16	15.00	92.56	160.500000
17	15.00	99.52	165.250000
18	15.00	106.76	170.000000
19	15.00	114.28	174.750000
20	15.00	122.08	179.500000
21	15.00	130.16	184.250000
22	15.00	138.52	189.000000
23	15.00	147.16	193.750000
24	15.00	156.08	198.500000
25	15.00	165.28	203.250000
26	15.00	174.76	208.000000
27	15.00	184.52	212.750000
28	15.00	194.56	217.500000
29	15.00	204.88	222.250000
30	15.00	215.48	227.000000
31	15.00	226.36	231.750000
32	15.00	237.52	236.500000
33	15.00	248.96	241.250000
34	15.00	260.68	246.000000
35	15.00	272.68	250.750000
36	15.00	284.96	255.500000
37	15.00	297.52	260.250000
38	15.00	310.36	265.000000
39	15.00	323.48	269.750000
40	15.00	336.88	274.500000
41	15.00	350.56	279.250000
42	15.00	364.52	284.000000
43	15.00	378.76	288.750000
44	15.00	393.28	293.500000
45	15.00	408.08	298.250000
46	15.00	423.16	303.000000
47	15.00	438.52	307.750000
48	15.00	454.16	312.500000
49	15.00	470.08	317.250000
50	15.00	486.28	322.000000
51	15.00	502.76	326.750000
52	15.00	519.52	331.500000
53	15.00	536.56	336.250000
54	15.00	553.88	341.000000
55	15.00	571.48	345.750000
56	15.00	589.36	350.500000
57	15.00	607.52	355.250000
58	15.00	625.96	360.000000
59	15.00	644.68	364.750000
60	15.00	663.68	369.500000
61	15.00	682.96	374.250000
62	15.00	702.52	379.000000
63	15.00	722.36	383.750000
64	15.00	742.48	388.500000
65	15.00	762.88	393.250000
66	15.00	783.56	398.000000
67	15.00	804.52	402.750000
68	15.00	825.76	407.500000
69	15.00	847.28	412.250000
70	15.00	869.08	417.000000
71	15.00	891.16	421.750000
72	15.00	913.52	426.500000
73	15.00	936.16	431.250000
74	15.00	959.08	436.000000
75	15.00	982.28	440.750000
76	15.00	1005.76	445.500000
77	15.00	1029.52	450.250000
78	15.00	1053.56	455.000000
79	15.00	1077.88	459.750000
80	15.00	1102.48	464.500000
81	15.00	1127.36	469.250000
82	15.00	1152.52	474.000000
83	15.00	1177.96	478.750000
84	15.00	1203.68	483.500000
85	15.00	1229.68	488.250000
86	15.00	1255.96	493.000000
87	15.00	1282.52	497.750000
88	15.00	1309.36	502.500000
89	15.00	1336.48	507.250000
90	15.00	1363.88	512.000000
91	15.00	1391.56	516.750000
92	15.00	1419.52	521.500000
93	15.00	1447.76	526.250000
94	15.00	1476.28	531.000000
95	15.00	1505.08	535.750000
96	15.00	1534.16	540.500000
97	15.00	1563.52	545.250000
98	15.00	1593.16	550.000000
99	15.00	1623.08	554.750000
100	15.00	1653.28	559.500000

CURVE	RADIUS	LENGTH	DELTA
01	172.00	111.23	379.52727
02	572.00	82.78	81.73111
03	628.00	81.63	72.65222
04	628.00	30.19	24.51111
05	528.00	75.49	81.11222
06	528.00	87.11	92.71111
07	528.00	96.21	101.80222
08	528.00	77.53	81.44111
09	528.00	80.27	83.88000
10	528.00	3.00	0.31367
11	528.00	1.81	0.19103
12	528.00	207.52	52.08568
13	528.00	79.76	20.92338
14	172.00	149.30	104.44000
15	628.00	57.27	21.12111
16	572.00	71.24	73.88889
17	528.00	55.72	63.22457
18	528.00	105.88	76.73111
19	172.00	37.27	12.30511
20	528.00	72.38	29.93111
21	528.00	76.21	33.81489
22	528.00	6.46	1.14500
23	528.00	21.36	13.17417
24	528.00	19.50	3.44767
25	528.00	61.19	11.41111
26	528.00	14.67	2.48500
27	528.00	66.11	12.72111
28	528.00	9.48	1.19211
29	528.00	125.15	14.29200
30	528.00	217.61	24.56100
31	528.00	41.74	4.27500
32	528.00	1.81	0.18822

Lot Number	Area (Acres)	Lot Number	Area (Acres)
100	0.207	130	0.105
101	0.286	131	0.195
102	0.280	138	0.155
103	0.302	139	0.207
104	0.352	140	0.208
105	0.467	141	0.228
106	0.323	142	0.210
107	0.256	143	0.195
108	0.285	144	0.195
109	0.284	145	0.246
110	0.213	146	0.213
111	0.235	147	0.316
112	0.281	148	0.298
113	0.309	149	0.209
114	0.297	150	0.195
115	0.246	151	0.195
116	0.221	152	0.195
117	0.246	153	0.195
118	0.201	154	0.282
119	0.208	155	0.224
120	0.276	156	0.195
121	0.230	157	0.195
122	0.222	158	0.195
123	0.246	159	0.195
124	0.273	160	0.229
125	0.177	161	0.269
126	0.199	162	0.223
127	0.219	163	0.210
128	0.219	164	0.210
129	0.195	165	0.209
130	0.172	166	0.195
131	0.149	167	0.195
132	0.195	168	0.195
133	0.192	169	0.195
134	0.212	170	0.207

## LEGEND

- MOVEMENT TO BE SET
- EXISTING BOUNDARY LINE
- PROPOSED BOUNDARY LINE
- TRIP AND TURN
- LOT LINE
- CENTERLINE ROAD
- PUBLIC UTILITY EASEMENT
- EXISTING EASEMENT
- SURVEY POINT

SEE NOTE BORDER HERE

ANY CONSTRUCTION IN THIS AREA MUST COMPLY WITH CLASS 3 BATHING



EAGLE SUMMIT PHASE 1  
LEAF UTAH

PSOMAS  
SURVEYORS  
1000 W. 1000 S.  
SALT LAKE CITY, UT 84143  
(801) 488-1111

Sheet 3 of 4

# Platinum Fields Preliminary Subdivision



LEHI CITY  
CITY COUNCIL AGENDA  
February 8, 2011

**AGENDA ITEMS: 6 and 7**

**SUBJECT:** 6. Public hearing on Don Lilyquist/Maverik's request for approval for Thanksgiving Point Business Park Plat E, a 2-lot commercial subdivision located at 3569 North Thanksgiving Way in an existing RC (Resort Community) zone.

7. Consideration of Don Lilyquist/Maverik's request for approval for Thanksgiving Point Business Park Plat E, a 2-lot commercial subdivision located at 3569 North Thanksgiving Way in an existing RC (Resort Community) zone.

**PETITIONER:** Don Lilyquist/Maverick

**ACTION REQUESTED BY PETITIONER:** Approve

**INFORMATION:** [Executive Summary](#)

[Maps](#)

[BACK TO AGENDA](#)



Approved: \_\_\_\_\_  
Date: \_\_\_\_\_

**ISSUE**

Don Lilyquist/ Maverik – Requests approval for Thanksgiving Point Business Park Plat E, a 2-lot commercial subdivision located at 3569 North Thanksgiving Way in an existing RC (Resort Community) zone.

**BACKGROUND**

General Plan Land Use Designation: Resort Community  
Surrounding zoning/land use:

<b>Surrounding Zoning/Land Use:</b>	North:	RC	JCW's
	South:	RC	Vacant lot
	East:	Thanksgiving Way	Park and Ride lot
	West:	RC	Vacant lot/hotel

The applicant is requesting approval of an amendment to lot 4 of the Thanksgiving Point Business Park Plat D. The lot is currently developed as Maverik, and the applicant is requesting the subdivision so that a car wash can be constructed on the western portion of the lot. The existing Maverik store and gas station will be on lot 4A, and the new car wash will be constructed on lot 4B. Following approval of the subdivision amendment, site plan approval will still be required for the car wash before it can be constructed.

**RECOMMENDATION**

D.R.C. reviewed this request for Preliminary on December 1, 2010 and made the following recommendations.

**DRC RED LINE COMMENTS:**

1. Show a 20-foot easement for the sewer lateral going through lot 4B
2. In the title block, define the stamp blocks at the bottom right-hand corner
3. Change the title of the plat to “Thanksgiving Point Business Park Plat E” and a sub title stating “Including an amendment to lot 4, Thanksgiving Point Business Park Plat “D””.
4. Show an easement over the existing power line through lot 4B

PRIOR TO RECORDING OF PLAT:

1. Provide a Mylar of the final plat for recording with the owners notarized signature(s).
2. Include surveyor's and engineer's stamps and signatures on the plat and construction drawings.
3. Show lot addresses on the final plat.
4. City Engineer to check the plat for closure

DRC GENERAL COMMENTS:

1. On the power, developer will install conduit and the City will install wire and charge the developer for the costs.
2. The approval of a development shall be effective for a period of one (1) year from the date the development is approved by the Planning Commission or City Council, whichever is applicable.
3. At the time of site plan, future owner of lot 4B will need to install a sewer lateral, culinary and PI water line services. Backflow prevention will be required on the culinary system (USC approved RPZ with approved hot box)

Planning & Zoning granted Preliminary approval on January 13, 2011 and made the following recommendation.

*Kordel Braley moved to recommend approval of Don Lilyquist/Maverik's request for Thanksgiving Point Business Park Plat E amended plat, a 2-lot commercial subdivision located at 3569 North Thanksgiving Way in an existing Resort Community zone including all DRC comments. Second by Marilyn Schiess.*

*Kordel Braley moved to amend his motion to include that lots 4A and 4B shall have a cross access easement. Second stands by Marilyn Schiess. Motion carried 6-1 with Ed James opposed.*

The suggested motion would include approval with DRC Redline and General Comments and any stipulations from Planning Commission.

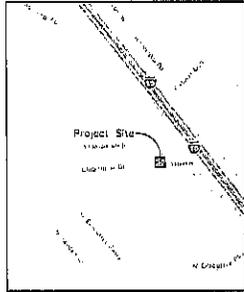
# Thanksgiving Point Business Park Plat E

# LEHI



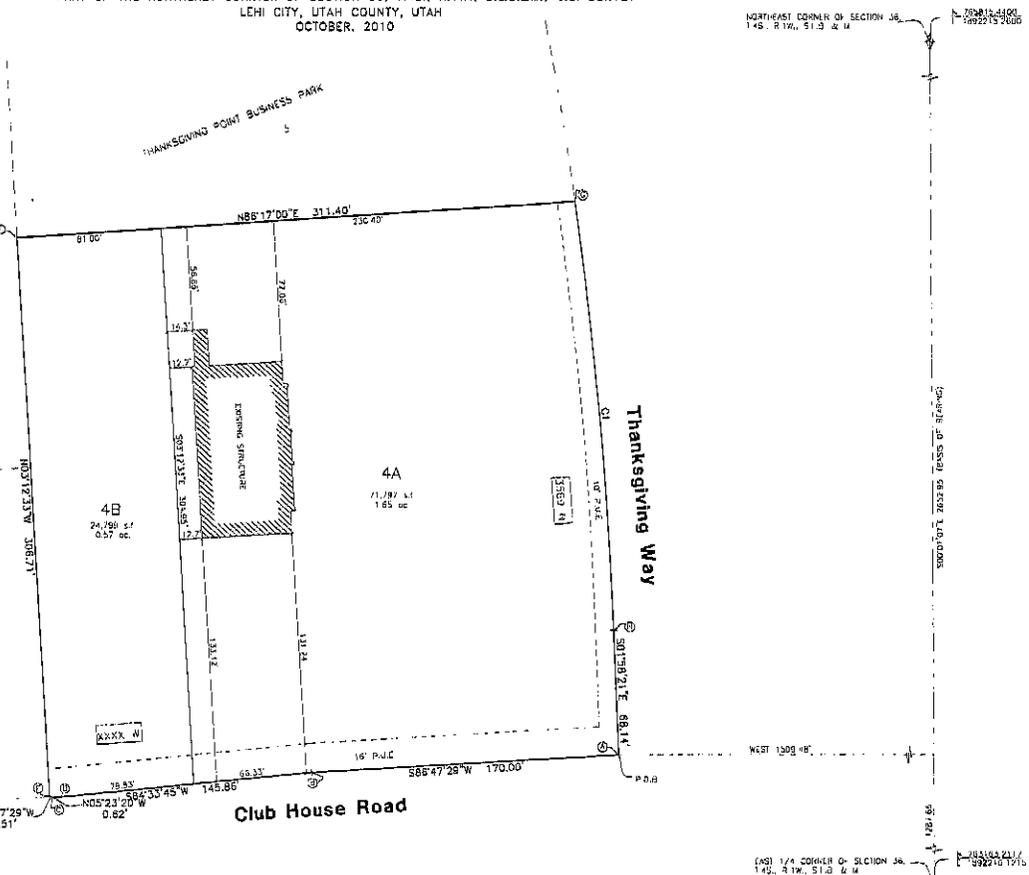
# AMENDMENT OF LOT 4, PLAT "D", THANKSGIVING POINT BUSINESS PARK

A COMMERCIAL SUBDIVISION  
PART OF THE NORTHEAST QUARTER OF SECTION 36, T.4S., R.1W., S.L.B.&M., U.S. SURVEY  
LEHI CITY, UTAH COUNTY, UTAH  
OCTOBER, 2010



Vicinity Map

SPR#	PLATTING	ISSUING
1	726430-57	7/28/04
2	726441-51	7/28/04
3	726442-51	7/28/04
4	726443-51	7/28/04
5	726444-51	7/28/04
6	726445-51	7/28/04
7	726446-51	7/28/04
8	726447-51	7/28/04
9	726448-51	7/28/04
10	726449-51	7/28/04



**SURVEYOR'S CERTIFICATE**  
I, ROBERT D. KUNZ, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 140238 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STATED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

**BOUNDARY DESCRIPTION**  
LOT 4A  
PART OF THE NE 1/4 OF SECTION 36, T. 4S., R. 1W., S.L.B. & M., U.S. SURVEY, DESCRIBED AS FOLLOWS:  
ALL OF LOT 4 OF THANKSGIVING POINT BUSINESS PARK, LESS THE WEST 81.00 FEET OF SAID LOT, MORE PARTICULARLY DESCRIBED AS:  
BEGINNING ON THE SOUTH EAST CORNER OF LOT 4 OF THE THANKSGIVING POINT BUSINESS PARK, SAID POINT BEING NDD01°07'W (BASIS OF BEARING) 1287.98 FEET AND WEST 1288.48 FEET OF THE EAST 1/4 CORNER OF SAID SECTION 36 AND RUNNING THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF CLUB HOUSE ROAD THROUGH THE FOLLOWING FOUR (4) COURSES: (1) 556°47'29"W, 1770.00 FEET; (2) 58°47'29"W, 1770.00 FEET; (3) 58°47'29"W, 1770.00 FEET; (4) 556°47'29"W, 1770.00 FEET; THENCE N05°23'20"W, 145.88 FEET TO THE NW CORNER OF LOT 4; THENCE N67°17'00"E, 311.40 FEET TO THE WESTERN RIGHT-OF-WAY LINE OF THANKSGIVING WAY; THENCE ALONG THANKSGIVING WAY ON A NON TANGENT CURVE TO THE RIGHT WHOSE ARC IS 236.51 FEET, WITH A RADIUS OF 2241.83 FEET, WHOSE CHORD BEARS S04°35'42"E, 236.40 FEET; THENCE S01°05'21"E, 68.14 FEET TO THE POINT OF BEGINNING.  
CONTAINS 8555.46 SQUARE FEET, 2.22 ACRES

DATE \_\_\_\_\_ SURVEYOR (SEE SEAL BELOW)

**OWNERS DEDICATION**  
KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.  
IN WITNESS WHEREOF WE HAVE UNTO SET HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

**ACKNOWLEDGMENT**  
STATE OF UTAH )  
COUNTY OF UTAH ) S.S.  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_ PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.  
MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC

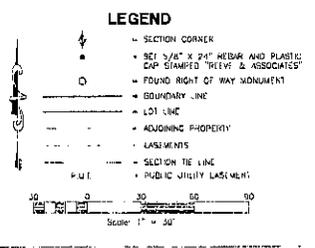
**ACCEPTANCE BY LEGISLATIVE BODY**  
THE \_\_\_\_\_ COUNTY OF UTAH APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND REFERRED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

APPROVED: \_\_\_\_\_ ENGINEER (SEE SEAL BELOW) ATTEST: \_\_\_\_\_ CLERK-RECORDER (SEE SEAL BELOW)

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_ BY THE PLANNING COMMISSION.  
DIRECTOR-SECRETARY \_\_\_\_\_ CHAIRMAN, PLANNING COMMISSION \_\_\_\_\_

**BASIS OF BEARINGS**  
THE BASIS OF BEARINGS FOR THIS PLAT IS THAT OF THE SECTION LINE BETWEEN THE NORTHEAST CORNER AND THE EAST QUARTER CORNER OF SECTION 36, T. 4S. R. 1W. S.L.B. & M. U.S. SURVEY SHOWN HEREON AS INDICATED.

**Project Info**  
Surveyor: \_\_\_\_\_  
Job No.: \_\_\_\_\_  
Begin Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_  
Zip: \_\_\_\_\_



**GENERAL NOTES:**

- THIS AREA IS SUBJECT TO THE NORMAL, EVERYDAY SOUNDS, ODORS, AND ALL OTHER ASPECTS ASSOCIATED WITH AGRICULTURAL LIFE STYLE AND THE DETENTION OF ROADWAYS IN THIS PLAT WILL BE IN THE FUTURE.
- EXISTING GOLF COURSE BOUNDS ON THE WEST SIDE OF THE TRUCKS. EACH LOT WILL BE REQUIRED TO OBTAIN AS CONDITION OF SITE PLAN APPROVAL AT A RELEASE RATE 0.1% OFS/ACR).
- SEWERAGE WILL BE A CONDITION OF SITE PLAN APPROVAL.
- ALL ROADWAY IMPROVEMENTS ARE OBLIGING.
- A GEOTECHNICAL REPORT WILL BE REQUIRED AT TIME OF SITE PLAN APPROVAL FOR EACH INDIVIDUAL LOT.
- THIS PROPERTY AND SUBDIVISION PROPERTY IS LOCATED WITHIN THE RESORT COMMUNITY ZONE.

**Curve Data**

CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD LENGTH	DELTA
C1	1,236.51	2241.83	118.37	236.40	504°59'42"W	104°22'41"

**APPROVAL AS TO FORM**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_  
CITY ATTORNEY \_\_\_\_\_

**RECORDING INFORMATION BLOCK**  
Recorded in the Official Records of Utah County, State of Utah, on \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_ M., as Entry No. \_\_\_\_\_ of the request of \_\_\_\_\_  
Fee \_\_\_\_\_ Utah County Recorder.

**AMENDMENT OF LOT 4, PLAT "D",  
THANKSGIVING POINT BUSINESS PARK  
PLAT "E"**  
LEHI CITY, UTAH COUNTY, UTAH  
SCALE 1" = 30'  
~~AMENDMENT OF THANKSGIVING POINT  
BUSINESS PARK, PLAT "D", LOT 4~~



LEHI CITY  
CITY COUNCIL AGENDA  
February 8, 2011

**AGENDA ITEMS: 8 and 9**

**SUBJECT:** 8. Public hearing on Ivory Development's request for Preliminary Subdivision approval for Platinum Fields, a 48-lot Planned Residential Development located at approximately 2300 West 300 North in an existing R-1-22 (Residential/Agriculture) zone.

9. Consideration of Ivory Development's request for Preliminary Subdivision approval for Platinum Fields, a 48-lot Planned Residential Development located at approximately 2300 West 300 North in an existing R-1-22 (Residential/Agriculture) zone.

**PETITIONER:** Ivory Development

**ACTION REQUESTED BY PETITIONER:** Approve

**INFORMATION:** [Executive Summary](#)

[Maps](#)

[BACK TO AGENDA](#)



Approved: \_\_\_\_\_  
Date: \_\_\_\_\_

**ISSUE**

Ivory Development – Requests Preliminary Subdivision approval for Platinum Fields, a 48-lot Planned Residential Development located at approximately 2300 West 300 North in an existing R-1-22 (Residential/Agriculture) zone.

**BACKGROUND**

Surrounding GP Designation/Zoning/Land Use:	North:	A-1/TH-5	Residential/agricultural
	South:	A-5	Willow Creek Junior High School
	East:	R-1-22	Residential/agricultural
	West:	A-5/R-1-22	Residential/agricultural

In 2007, the subject property was zoned for development with R-1-22 Zoning. Part of the property was rezoned (Frontgate Homes Zone Change), and the other part was annexed (Robinson-Southwick Annexation). A standard R-1-22 subdivision was proposed on this parcel a few years ago which allowed 45 lots; however the previous developer of the project lost the property to the bank, which was subsequently taken over by the FDIC. Ivory Homes has now purchased the property and is proposing new single family residential development. On July 27, 2010, the City Council granted approval of a concept plan for this project. The proposed preliminary plat conforms to the approved concept plan.

The underlying zoning of the project is R-1-22; however the applicant is proposing a Planned Residential Development (PRD) overlay. The PRD allows the lots to be clustered. A 20% open space dedication is required to be dedicated to Lehi City. The total project acreage is 25.57 acres, and 5.1 acres (20%) will be dedicated to Lehi City as open space. The Waste Ditch Trail traverses this property, and the open space dedication will allow a section of the waste ditch to be improved and dedicated to Lehi City.

Density for a PRD is calculated by taking the net developable acreage of the property and multiplying it by the density allowed in the zone. In this case, the net acreage (less the area of the existing waste ditch channel) is 24.71 acres. Taking that acreage and multiplying by the allowed density for R-1-22 zoning of 1.75 units per acre yields a total of 43 lots. A density bonus can also be granted in a PRD for special considerations. In this case, the applicant is requesting a 5 lot density bonus in consideration for the right-of-way dedication for the City Master Planned Waste Ditch trail, additional right-of-way required to improve and widen the waste ditch channel, channel improvements, and additional asphalt widening on 300 North (a collector class road).

## RECOMMENDATIONS

D.R.C. reviewed this request for Preliminary Subdivision on December 1, 2010 and made the following recommendations:

### DRC RED LINE COMMENTS:

1. Show a no climb fence along the east side of Platinum Drive along Barber property
2. On the open space access between lots 111 and 112 – should be a dedicated /City owned open space. Also, need to indicate a 10 foot paved surface and fence on each side of the access.
3. On drainage report, use a co-efficient of 0.4 CFS
4. On C3 label it the “waste ditch”
5. Show a roadside ditch at the end of the curb and gutter section on the west side of 300 North
6. Below the land use table include the density bonus note from the concept plans.
7. Show the waste ditch HGL and storm drain elevations on the preliminary plans to determine if storm drainage can flow to the waste ditch.
8. Sheet C1 – on the cross sections, show the secondary water lower than the culinary
9. Move the storm drain out from under the bridge for access
10. On 575 North, locate water mains on the north side of the roadway

### DRC GENERAL COMMENTS:

1. On the power, developer will install conduit; Lehi City Power will install all other required power infrastructure shown on the plans and charge the developer for the costs. These costs are separate from power impact fees that are paid with the building permit.
2. The approval of a development shall be effective for a period of one (1) year from the date the development is approved by the Planning Commission or City Council, whichever is applicable. .
3. Fire Marshal needs to review temporary turn around at final review.
4. Landscape and irrigation plans are needed at final
5. Storm drainage comments and discharges will be reviewed at final.
6. At the time of final subdivision, on the storm drain design verify the waste ditch HGL and design accordingly at final tie in
7. At final, show a detail of the open space/park access
8. For final, details on the entry monument
9. In the CC&Rs, recommend referencing the architectural standards from the PRD section of the Lehi City Development Code
10. In the CC&Rs, recommend clarifying that the two domestic pets are household pets

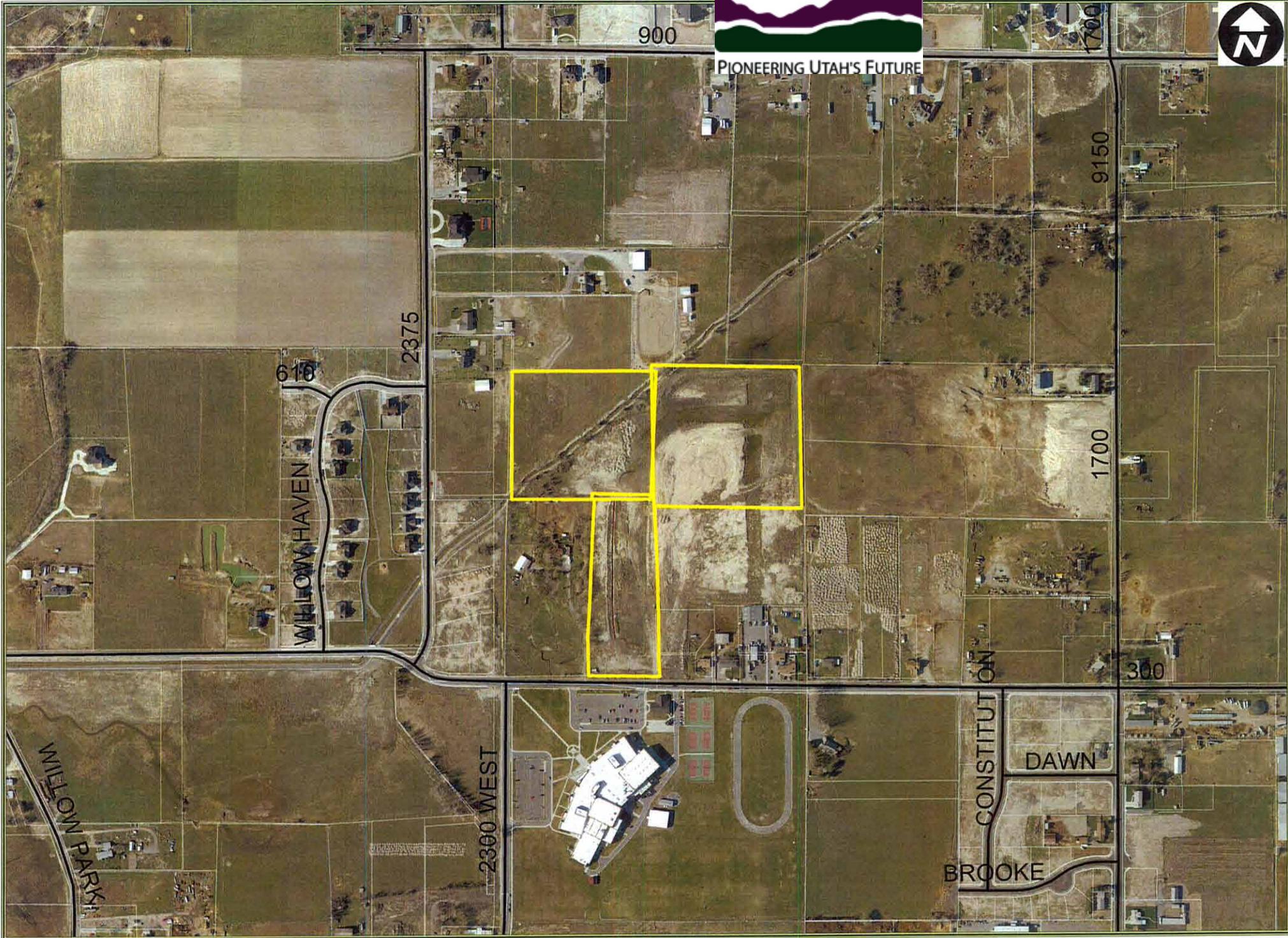
Planning & Zoning reviewed this request on January 13, 2011 and made the following recommendation:

*Ed James moved to recommend approval of Ivory Development's request for Preliminary Subdivision for Platinum Fields, a 48-lot Planned Residential Development located at approximately 2300 West 300 North in an existing R-1-22 zone including all the DRC comments especially the general and redline comments. Second by Carolyn Nelson. Motion carried unanimous.*

**If approved, the suggested motion would include approval with DRC Redline and General Comments and stipulations from Planning Commission.**

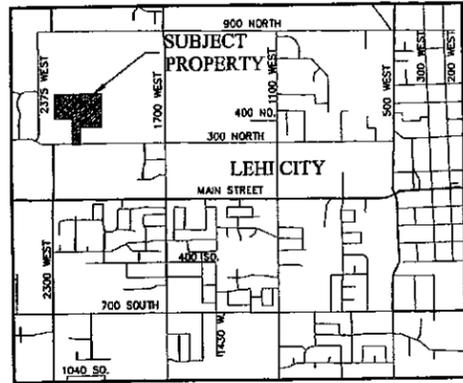
# Platinum Fields Preliminary Subdivision

# LEHI

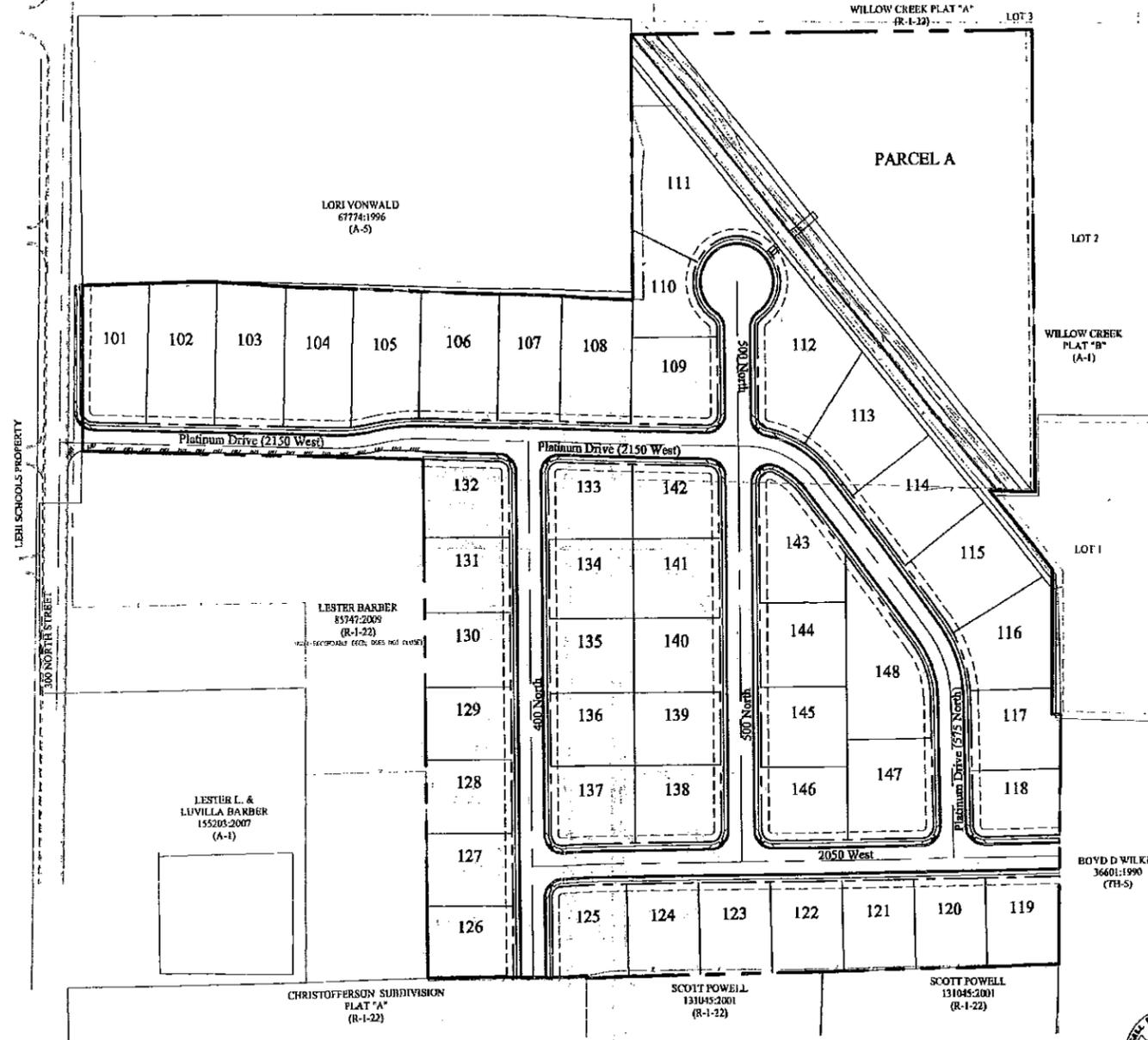


# PLATINUM FIELDS RESIDENTIAL SUBDIVISION

PREPARED FOR:  
 IVORY DEVELOPMENT LLC  
 LOCATED IN:  
 Lehi, Utah



VICINITY MAP  
 NTS



SITE MAP  
 NTS

Sheet List Table	
Sheet Number	Sheet Title
C1	Cover Preliminary
C2	Preliminary Plat
C3	Preliminary Site Plan
1 OF 1	Surveyor's Plat (ALTA Survey)

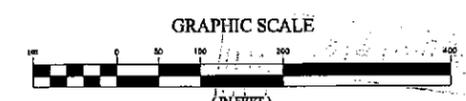
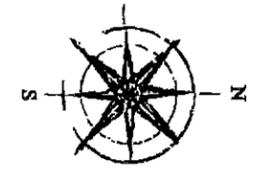
**CONTACTS**

**ENGINEER & SURVEYOR**  
 FOCUS ENGINEERING & SURVEYING  
 201 COTTAGE AVE.  
 SANDY, UTAH 84070  
 (801) 352-0075  
 CONTACT: THOMAS ROMNEY

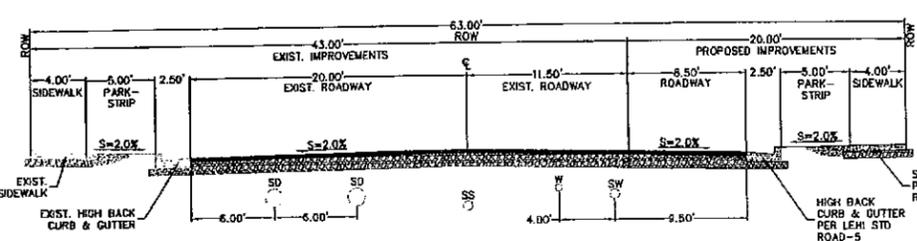
**OWNER/DEVELOPER**  
 IVORY DEVELOPMENT  
 978 WOODOAK LANE  
 SALT LAKE CITY, UTAH 84117  
 (801) 747-7440  
 CONTACT: BRAD MACKAY

**SITE TABULATION**

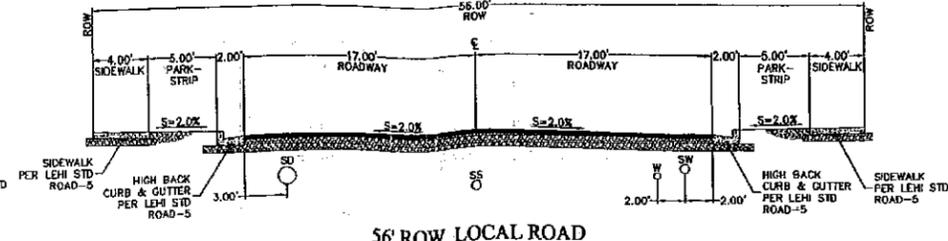
CURRENT ZONE: R-1-22 PRD  
 TOTAL AREA: 25.57 ACRES  
 LOTS: 48  
 OPEN SPACE: 4.82 ACRES  
 DENSITY: 1.88 UNITS/ACRE



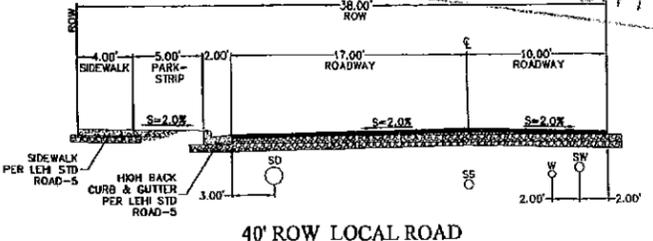
NOV 20 2010  
 LEHI CITY



300 NORTH MINOR COLLECTOR  
 NTS



56' ROW LOCAL ROAD  
 NTS



40' ROW LOCAL ROAD  
 NTS

**FOCUS**  
 ENGINEERING AND SURVEYING, LLC  
 201 WEST COTTAGE AVENUE  
 SANDY, UTAH 84070  
 PH: 352-0075



Platinum Fields Residential Subdivision  
 Cover Preliminary

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

**COVER PRELIMINARY**

Scale: 1"=100' Drawn: TMR  
 Date: 11/09/2010 Job #: 10-068  
 Sheet: C1

LEHI CITY  
CITY COUNCIL AGENDA  
February 8, 2011

**AGENDA ITEM: 10**

**SUBJECT:** Consideration of Scott Woffinden's request for an Extension of Approval for Powell Subdivision, a 2-lot commercial subdivision located at 575 East State Street in an existing MU (Mixed Use) zone.

**PETITIONER:** Scott Woffinden

**ACTION REQUESTED BY PETITIONER:** Approve

**INFORMATION:** [Executive Summary](#)  
[Maps](#)

[BACK TO AGENDA](#)

Approved: James Davidson  
Date: 2/1/2011



## ISSUE

Scott Woffinden – Requests an Extension of Approval for Powell Subdivision, a 2-lot commercial subdivision located at 575 East State Street in an existing MU (Mixed Use) zone.

## BACKGROUND

Scott Woffinden - is requesting an extension of time to record the Powell Subdivision. He has recently purchased the property from the Powell family and would like to complete the subdivision. The subdivision was originally approved on July 8, 2008. The City Council granted a one year extension of an approval on May 26, 2009.

Section 10.120 of the Development Code allows a one (1) year extension of a development permit to be granted by the City Council upon a finding that special circumstances exist which warrants such an extension. Additional extensions may also be granted in no more than one (1) year increments at the discretion of the City Council and based on the same criteria as the original extension and any updates to the Lehi City Design Standards.

The Development Code also states that an extension should be requested by the applicant prior to the expiration of the original development approval or any previously granted extension. Requests for extensions after the expiration of the original approval or expiration of a previous extension may be refused for consideration by the approving body.

## RECOMMENDATIONS

DRC reviewed this request for an additional one (1) year extension on January 26, 2011 for any required revisions that would need to be made to the subdivision plans and made the following comments:

### DRC GENERAL COMMENTS:

Construction plans need to be updated to meet December 2009 Standards, in particular:

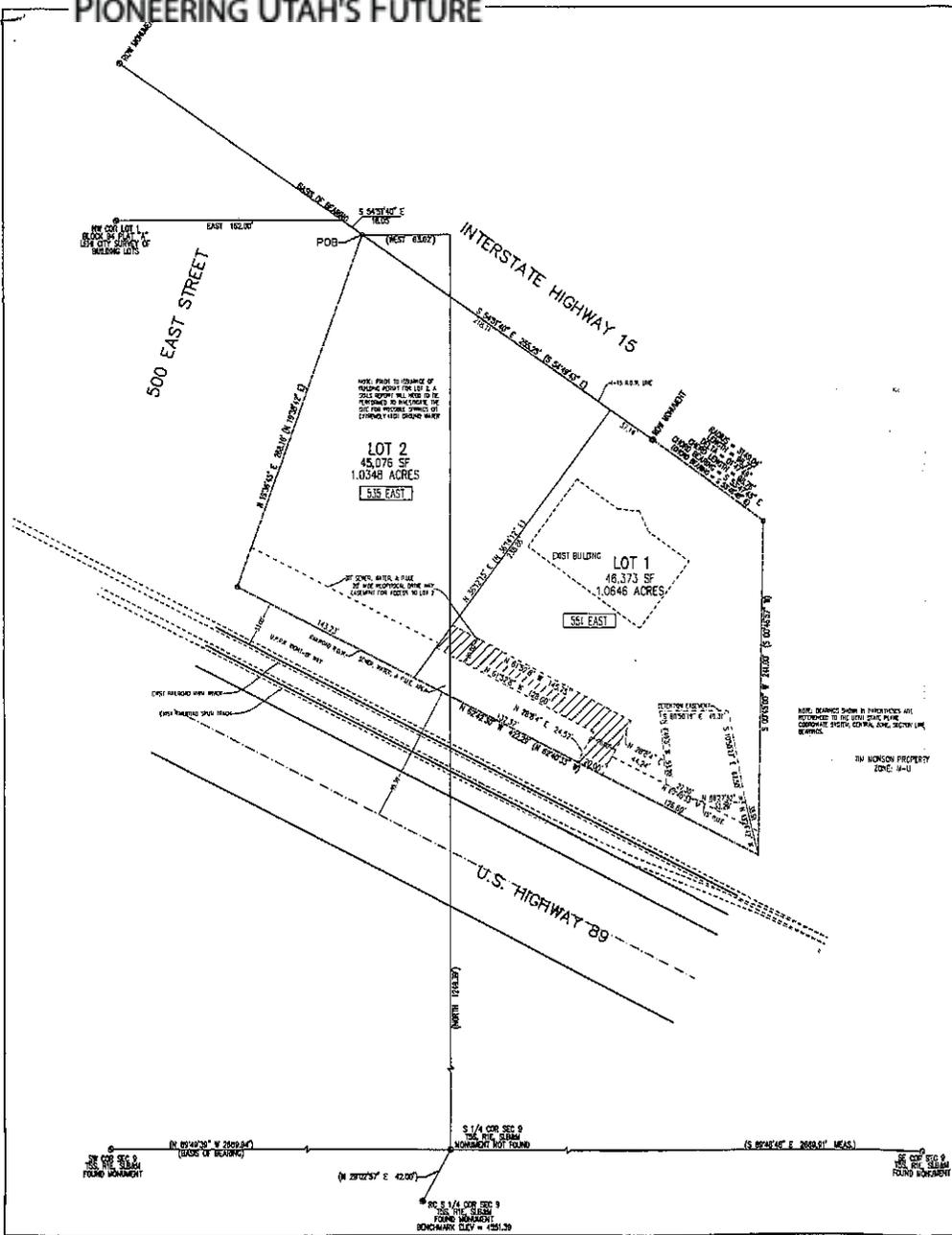
- Review the bond to update any bond figures, including the power
- Will need a new, reprinted Mylar
- All references to the 2004 Design Standards should be changed to 2009

If an extension is approved the recommended motion should include the length of time for which the extension is granted.

# LEHI



PIONEERING UTAH'S FUTURE



### STATE PLANE BOUNDARY DESCRIPTION

NOTE: BY REFERENCE TO THE UTAH STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, BEARINGS OF SECTION LINES, THE ABOVE DESCRIBED PARCEL MAY ALSO BE DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE NORTHWEST CORNER OF A PARCEL OF LAND, WHICH CORNER IS LOCATED AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 15 AND THE EASTERLY RIGHT-OF-WAY LINE OF THE LEHI 800 EAST STREET INTERSTATE HIGHWAY OVERPASS, WHICH BEGINNING POINT IS ALSO NORTH 194.39 FEET AND WEST 63.00 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG SAID INTERSTATE HIGHWAY RIGHT-OF-WAY LINE SOUTH 84°02'57" EAST 258.25 FEET TO A POINT; THENCE CONTINUING ALONG SAID INTERSTATE HIGHWAY RIGHT-OF-WAY LINE 65.77 FEET ALONG THE ARC OF A 348.64 RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS SOUTH 83°04'42" EAST 98.78 FEET; THENCE SOUTH 02°04'57" WEST 241.00 FEET, MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC THROUGH; THENCE NORTH 82°02'57" WEST ALONG SAID THROUGH RIGHT-OF-WAY LINE 423.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF 500 EAST STREET, LEHI, UTAH; THENCE ALONG SAID RIGHT-OF-WAY LINE (AS FENCED) NORTH 19°31'42" EAST 268.85 FEET, TO THE POINT OF BEGINNING.



VICINITY MAP

TABULATIONS	
TOTAL PROJECT AREA	210 ACRES
NUMBER OF LOTS	2
PROJECT ZONE	M-U (MIXED USE)

**GENERAL NOTES:**

- ALL LOT CORNERS SHALL BE MARKED WITH AN APPROVED TYPE OF METAL PINS AT LEAST 8" BY 1" DIMENSION AND TWENTY-TWO INCHES IN LENGTH. ALL LOT CORNERS ADJACENT TO STREET FRONTAGE SHALL BE PROTECTED TO CURB AND GUTTER AND INDICATED BY A COPPER NAIL. CORNER MARKERS MUST BE INSTALLED PRIOR TO ISSUANCE OF ANY BUILDING PERMITS. MONUMENTS TO BE CONSTRUCTED PER LEHI CITY DESIGN STANDARDS PAGE 2-12.
- PERMANENT EASEMENT FACILITY TO BE OWNED AND MAINTAINED BY THE OWNER OF THIS PROPERTY. NOT TO BE ALTERED WITHOUT APPROVAL BY LEHI CITY COUNCIL AND CITY ENGINEER. POINT CAPACITY = 4.565 C'

### SURVEYOR'S CERTIFICATE

I, DAVID H. THOMAS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 163847 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE COMMISSIONER OF LAND SURVEYING THAT THE SURVEY OF SAID TRACT OF LAND SHOWN ON THIS PLAN AND DESCRIBED BELOW, AND HAVE SUFFERED SAID TRACT OF LAND INTO LOTS, STREETS, AND PARCELS, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AND THAT THIS IS TRUE AND CORRECT.

DATE: \_\_\_\_\_ (SEE SEAL BELOW)  
**BOUNDARY DESCRIPTION**

BEGINNING AT THE NORTHWEST CORNER OF THE PROPERTY FORMERLY OWNED BY WILSON, WHICH CORNER IS LOCATED AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 15 AND THE EASTERLY RIGHT-OF-WAY LINE (AS FENCED) OF THE LEHI 800 EAST STREET INTERSTATE HIGHWAY OVERPASS, WHICH BEGINNING POINT IS ALSO SAID TO BE 194.39 FEET EAST AND SOUTH 84°02'57" EAST ALONG SAID 15 SOUTH-OF-WAY LINE, 194.39 FEET FROM THE NORTHWEST CORNER OF LOT 1, BLOCK 24, PLAT 15, LEHI CITY SURVEY OF BOUNDING LOTS, LEHI, UTAH; THENCE ALONG SAID INTERSTATE HIGHWAY RIGHT-OF-WAY LINE SOUTH 84°02'57" EAST 258.25 FEET TO A POINT; THENCE CONTINUING ALONG SAID INTERSTATE HIGHWAY RIGHT-OF-WAY LINE 65.77 FEET ALONG THE ARC OF A 348.64 RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS SOUTH 83°04'42" EAST 98.78 FEET, MORE OR LESS, TO AN OLD PROPERTY BOUNDARY FENCE LINE ON THE WEST LINE OF THE WILSON PROPERTY; THENCE SOUTH 02°04'57" WEST 241.00 FEET, MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC THROUGH; THENCE NORTH 82°02'57" WEST ALONG SAID THROUGH RIGHT-OF-WAY LINE 423.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF 500 EAST STREET, LEHI, UTAH; THENCE ALONG SAID RIGHT-OF-WAY LINE (AS FENCED) NORTH 19°31'42" EAST 268.85 FEET, TO THE POINT OF BEGINNING.

### OWNER'S DEDICATION

I, THE UNDERSIGNED OWNER(S) OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP AND SUBJECT TO ANY CONDITIONS AND RESTRICTIONS STATED HEREON, HAVE CHIEFED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, OPEN SPACE, STREETS, AND EASEMENTS, AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC RIGHTS AS INDICATED HEREON TO LEHI CITY CORPORATION.

IN WITNESS WHEREOF, WE HAVE HERETO SET OUR HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_.

PRINTED NAME OF OWNER(S) \_\_\_\_\_ AUTHORIZED SIGNATURE(S) \_\_\_\_\_

### ACKNOWLEDGMENT

STATE OF UTAH  
 COUNTY OF UTAH

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, I, \_\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE FOREGOING OWNERS KNOWN TO ME TO BE AUTHORIZED TO EXECUTE THE DEDICATION FOR AND ON BEHALF OF THE OWNERS WHO DULY ACKNOWLEDGED TO ME THAT THE DEDICATION WAS EXECUTED BY THEM ON BEHALF OF THE OWNERS.

BY COMMISSIONER: \_\_\_\_\_ NOTARY PUBLIC (SEE SEAL BELOW)

**ACCEPTANCE BY LEGISLATIVE BODY**

THE \_\_\_\_\_ OF \_\_\_\_\_ COUNTY OF UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND REQUIRED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
 (ENGINEER (SEE SEAL BELOW)) (LEHI-RECORDER (SEE SEAL BELOW))

**PLANNING COMMISSION APPROVAL**

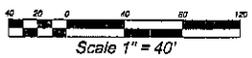
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE LEHI CITY PLANNING COMMISSION:

DIRECTOR - SECRETARY \_\_\_\_\_ CHAIRPERSON, PLANNING COMMISSION \_\_\_\_\_

**RECEIVED**  
 APR 10 2008  
 POWELL SUBDIVISION  
 LEHI CITY COMMERCIAL SUBDIVISION

LEHI CITY UTAH COUNTY, UTAH  
 SCALES: 1" = 40 FEET

Surveyor's Seal	Notary Public Seal	City Engineer's Seal	Chair-Recorder Seal
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# Powell 2 Lot Subdivision Extension



LEHI CITY  
CITY COUNCIL AGENDA  
February 8, 2011

**AGENDA ITEM: 11**

**SUBJECT:** Consideration of Epperson and Owens, P.C. law firm's request to reduce an invoice from the Lehi Police Department.

**PETITIONER:** Police Department and City Administration

**ACTION REQUESTED BY PETITIONER:** Approve

**INFORMATION:** [Executive Summary](#)  
[Epperson & Owens Records Request](#)  
[Epperson & Owens Fee Reduction Request](#)

[BACK TO AGENDA](#)

For Lehi City Council Consideration  
At February 8, 2011 Council Meeting  
From: Administration



## **ISSUE**

The law firm of Epperson and Owens, P.C. has requested that the City Council reduce an invoice from the Lehi Police Department for services associated with complying with a subpoena in a civil court matter, Ragsdale v. Trina West, AFNP et al.

## **BACKGROUND**

The Lehi Police Department (LPD) was served a subpoena for documents related to the homicide case of Lehi resident, Kristy Ragsdale. The detailed request, as noted on the attached request for relief, invoice and subpoena, seeks a reduction in the overall invoice amount of \$1,050. The Police Department in meeting the requirements of the subpoena provided the requesting party with 48 evidence and dash camera compact disks (48@\$50/CD) and three case reports (3@\$25/report) for a total invoice of \$2,475. 00

## **RECOMMENDATION**

The LPD currently does not have a CD copy fee as part of its annual fee schedule. Moreover, the current city fee schedule notes a \$15/report charge for police reports. Therefore staff recommends that the request for relief be granted to the requesting party in the amount of \$1,080 (for a total invoice of \$1,395.00). The Finance and Administrative Services department will work with the LPD going forward to establish an Evidence CD/VCD/DVD fee as part of the department's future fee schedule.



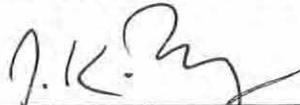
copy of all Lehi City Police Department records pertaining to the above-referenced individual and the January 2008 Kristy Ragsdale homicide, believed to be Lehi PD case number 08LE00169. The records requested relate to elements of a claim or defense in a civil lawsuit where David Ragsdale's mental, emotional or physical conditions are at issue. The records requested include, but are not limited to:

Any statements, written or recorded, made by David Ragsdale or by any witness with information about the murder; the criminal record and driver license record of David Ragsdale; all police and agency reports and any other relevant information, including photographs, video recordings, or audio recordings regarding the murder, as well as any toxicological, chemical, or ballistics test results, prepared by police or other officials in connection with the case; copies of any and all video recordings/surveillance video/audio recordings regarding David Ragsdale and the murder, including recorded telephone conversations from the jail, created by any entity whatsoever; all information given by any confidential informant or other informant related, in any way, to David Ragsdale and/or to the charges against him; the identity, description, and location of all physical evidence seized from David Ragsdale; any other item of evidence, in the possession or control of Lehi PD, which would have been offered as evidence had the case against David Ragsdale proceeded to trial; any written correspondence to or from the Lehi City Police Department, as well as intra-office correspondence, related to the Ragsdale prosecution, and particularly related to any possible "diminished capacity," "insanity," "involuntary intoxication" or any similar defenses bearing upon David Ragsdale's mental state at the time of the homicide.

A "Notice to Persons Served with a Subpoena" is attached. The Notice explains your rights and obligations. You may object to this Subpoena for one of the reasons listed in paragraph 6 of the Notice by serving a written objection upon the attorneys listed at the top of this Subpoena. You must comply with any part of the Subpoena to which you do not object.

DATED this 20 day of August, 2010.

**EPPERSON & OWENS, P.C.**



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STEPHEN W. OWENS

J. KEVIN MURPHY (of counsel)

*Attorneys for Defendant Trina West, A.F.N.P.*

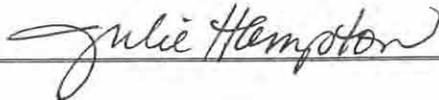
CERTIFICATE OF SERVICE

I certify that on the 25<sup>th</sup> day of August, 2010, I caused to be mailed a true and correct copy of the foregoing SUBPOENA DUCES TECUM to the following:

Tyler S. Young, Esq.  
Allen K. Young, Esq.  
YOUNG, KESTER & PETRO  
75 South 300 West  
Provo, UT 84601  
*Attorneys for Plaintiffs*

Cynthia Campbell, Esq.  
Vaun B. Hall, Esq.  
CAMPBELL CAMPBELL & FERENCE  
1245 E. Brickyard Rd., #505  
Salt Lake City, UT 84106  
*Attorneys for Hugo Rodier, M.D.*

Michael McKell, Esq.  
MacARTHUR HEDER & METLER  
3319 North University Avenue  
Provo, UT 84604  
*Attorneys for Pioneer Comprehensive Medical Clinic*

  
\_\_\_\_\_

*Law Offices*

*EPPERSON & OWENS, P.C.*

10 West 100 South, Suite 500

Salt Lake City, Utah 84101

(801) 983-9800

Fax: (801) 983-9808

Website: [solawoffice.com](http://solawoffice.com)

[sowens@solawoffice.com](mailto:sowens@solawoffice.com)

[kmurphy@solawoffices.com](mailto:kmurphy@solawoffices.com)

*Second Century of Service*

*Founded 1895 as*

*Stewart & Stewart*

*David H. Epperson*

*Stephen W. Owens*

*David C. Epperson*

*J. Kevin Murphy*  
*Of Counsel*

January 28, 2011

[kstreet@lehi-ut.gov](mailto:kstreet@lehi-ut.gov)

Kim Street

LEHI POLICE DEPARTMENT

RE: Ragsdale v. Trina West, A.F.N.P., et al.  
Civil No. 100907025 MP

Dear Ms. Street:

I sent a Subpoena to your office on August 20, 2010. You responded to the Subpoena and sent me a bill dated October 14, 2010 for \$2,475.00. (Attached)

I appreciate your response to the Subpoena but was surprised with the invoice amount without advance notice and approval of this cost. While I knew that the file was extensive, I expected an invoice under \$1,000. Typically, it is my experience that if an invoice exceeds \$1,000, advance notice is given to the requesting party so that there is no surprise in the final bill.

I note that as part of this invoice, you are charging \$50.00 per CD, which seems high. My client would be willing to pay \$25.00 per CD. Since there are 42 CDs, I would appreciate it if you would be able to deduct your invoice by \$25.00 per CD or \$1,050. This would leave a total amount owing of \$1,425.00.

Thank you for your kind willingness to consider this request. If you are unwilling to make this deduction, please provide to me the written guidelines indicating that \$50.00 per CD is a reasonable expense.

Respectfully yours,

**EPPERSON & OWENS, P.C.**

*Stephen W. Owens, by J. Hampton*

STEPHEN W. OWENS

J. KEVIN MURPHY (of counsel)

*Attorneys for Defendant Trina West, A.F.N.P.*

SWO:JKM:jah

Enclosure

G:\SWO Files\Ragsdale v. West\Lehi Police Dept 1-28-11.doc

# LEHI CITY POLICE DEPARTMENT



Chief Chad J. Smith

## INVOICE

**October 14, 2010**

**RE: David Ragsdale Subpoena Duces Tecam Civil No.:100907025**

**Billed To:**

Stephen W Owens - #6957  
Epperson & Owens, P.C.  
10 West 100 South, Suite 500  
Salt Lake City, UT 84101

**Description of Invoice:**

- Case#08LE00169
    - Report = \$25.00
    - Evidence CD's 39@\$50.00 = 1,950.00
    - Dash Camera CD's@\$50.00 = \$400.00
  - Case#07LE13094
    - Report = \$25.00
    - Evidence CD's@\$50.00 = (#already included in 08LE00169 cd's)
    - Dash Camera CD's@\$50.00 = \$50.00
  - Case#07LE13002
    - Report = \$25.00
    - Evidence = none
    - Dash Camera = none
- TOTAL: \$2,475.00

**Amount of Invoice: \$2,475.00**

**Please remit payment in the amount of \$2,475.00 in the form of a check to:**

**Lehi Police Department  
580 West State Street  
Lehi, UT 84043**

LEHI CITY  
CITY COUNCIL AGENDA  
February 8, 2011

**AGENDA ITEM: 12**

**SUBJECT:** City Business

**ACTION REQUESTED BY PETITIONER:** Discussion City Business items

[BACK TO AGENDA](#)