



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

Minutes of the **Regular Session** of the **City Council** held Tuesday, **September 28, 2010**, at 7:14 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; Ken Rushton, City Attorney; Ron Foggin, Assistant City Administrator; Kim Struthers, Planning Director; Lorin Powell, City Engineer; Ken Hewitson, Public Works Director; Travis Ball; Power Director; Connie Ashton, City Recorder.

1. Welcome and Roll Call

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

2. Community Awards

2.1 Eagle Scout Awards

Mayor Wilson expressed appreciation to the new Eagle Scouts for their contributions to the community. He distributed certificates of appreciation to the Eagle Scouts.

3. 20 Minute Citizen Input

None

Motion: Councilor Dixon moved to adjourn into the Lehi City Redevelopment Agency meeting. Councilor Revill seconded the motion.

The motion passed unanimously.

The meeting adjourned into the Redevelopment Agency meeting at 7:20 p.m.

The meeting reconvened from the Redevelopment Agency meeting at 7:44 p.m.

4. Approval of Ordinance of the Lehi City Council of Lehi City, State of Utah, adopting the Economic Development Project Area Plan entitled “Alpine Highway West Economic Development Project Area Plan”, Dated August 25, 2010.

Motion: Councilor Revill moved to approve the Ordinance adopting the Economic Development Project Area Plan entitled “Alpine Highway West Economic

Development Project Area Plan”, Dated August 25, 2010. Councilor Johnson 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 for adoption of a Resolution of the City Council of Lehi City, Utah, (“The Issuer”), finalizing the terms and conditions of the issuance and sale by the issuer of its Storm Drainage Revenue and Refunding Bonds, Series 2010 in the aggregate principal amount of \$2,500,000; awarding and confirming the sale of said series 2010 Bonds; authorizing the execution by the issuer of a General Indenture of Trust, A first Supplemental Indenture of Trust, A Bond Purchase Agreement, and other documents required in connection therewith; authorizing the taking of all other actions necessary to the consummation of the transaction contemplated by this Resolution; providing a severability clause; providing an effective date; and related matters.**

John Crandall from George K. Baum, reported that the City has existing storm drain bonds from 2008 that can be refunded at a lower interest rate. He stated that the city needs some additional money so they combined a refunding bond and a new bond for \$2.5 million dollars. He stated that this resolution authorizes the sale of those bonds.

Motion: Councilor Johnson moved to adopt the Resolution for the Storm Drain Revenue and Refunding Bonds. Councilor Revill 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.

6. **Request for consideration for approval of a Resolution authorizing and approval of the Horse Butte Wind Project Power Sales Contract with Utah Associated Municipal Power Systems; and related matters/Peal Power Resolution discussion.**

Travis Ball, Power Director, reported that this is a wind project that they have been working on for a few years that is near Idaho Falls which helps them meet their renewal requirements. He recommends passing the resolution as he feels it will help the City in the future.

Motion: Councilor Dixon moved to adopt the Resolution authorizing the purchase of 5 MW from the Horse Butte Wind Project. Councilor Holbrook 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.

7. **Consideration of approval of a franchise agreement with Centrom Telcom Services, LLC, DBA Centracom Interactive CTS and Lehi City for communication services.**

Travis Ball, Power Director, reported that this is a telecommunication company that installs fiber connections in the City. He stated that they need a franchise agreement to allow the City to collect fees when they attach to power poles and they have agreed to install fiber connections to City facilities.

Motion: Councilor Collins moved to approve the franchise agreement with Centrom Telcom Services, DBA Centracom Interactive CTS. Councilor Holbrook seconded the motion.

The motion passed unanimously.

8. Central Bank – Request for an extension of approval of the Snow’s Spring Subdivision located at 2300 West 1300 South in an existing R-1-22 (Residential/Agriculture) zone.

Stan Jenkins from Central Bank, stated that they are the owners of this property through foreclosure procedures and are requesting an extension of approval as it is set to expire. He stated that they are requesting twelve more months while they look for a buyer for the property. Kim Struthers stated that the Development Review Committee had some comments that he would like included.

Motion: Councilor Johnson moved to approve the extension of approval for the Snow’s Spring Subdivision to October 2011, with the Development Review Committee’s comments included. Councilor Dixon seconded the motion.

The motion passed unanimously.

9. Request for an extension of time to record the Reldon Barnes zone change on property located at approximately 2300 West 2100 North from A-5 (Agricultural) to C (Commercial) and R-1-8 (Residential) zones.

Mr. Barnes was not present. Councilor Revill inquired if the time had already expired. Kim Struthers stated it has and this would be the second extension. He stated it was originally approved in 2008 and extended in 2009 until August 12, 2010. He reported that Mr. Barnes did file the application prior to the expiration date. Councilor Johnson inquired why the Development Review Committee would need to review this application again as it has had previous approval. Mr. Struthers replied that they just wanted to refresh everyone’s memories on the project and see justification as to why the City Council approved it.

Motion: Councilor Revill moved to approve the extension of time for Reldon Barnes to expire August 12, 2011 and disregard item #1 on the Development Review Committee’s comments. Councilor Collins seconded the motion.

The motion passed unanimously.

10. McArthur Homes – requests Final Subdivision approval for Thanksgiving Meadows Townhomes Phase 7, a 10-unit residential development located at approximately 3200 West 3800 North in an existing R-2 PUD (Medium Density Residential) zone.

John Gasman, from McArthur Homes, reported that this is the next phase of the building for the development.

Motion: Councilor Collins moved to approve the Thanksgiving Meadows final subdivision plan for townhomes Phase 7 and ask that they agree to follow all the Development Review Committee’s comments. Councilor Holbrook seconded the motion.

The motion passed unanimously.

11. Ivory Development – Request final subdivision approval for the Gardens @ Ivory Ridge Plan A, a 22-lot subdivision located at approximately 460 East 3320 North in an existing PC (Planned Community) zone.

Brad Mackay from Ivory Development, reported that this is their first phase. He stated that there was a change from the first plat map to this one in that on the south end against 3200 North they turned units to increase some lot sizes against 3200 North. A discussion was held regarding restricting the age of residents for the project and if it was in the CC & R’s. Mr. Mackay stated that they did not put any age restrictions in the CC & R’s.

Motion: Councilor Revill moved to approve the Gardens @ Ivory Ridge Plan A final subdivision plan, subject to the completion of all Development Review Committee’s redline comments prior to the recordation of the plat requirement, and formation of a citizen’s committee. Councilor Holbrook 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.

12. Public Hearings

1. IR Lehi – Request for approval of a Zone District and Zone District Map amendment on approximately 39 acres of property located at 1400 West and 2100 North from a RC (Resort Community) to a C (Commercial) zone.

Mayor Wilson opened the public hearing

Joe Rich stated that they have been working with staff and feel like it is in the best interest to move from a resort community to a commercial zone.

Mayor Wilson closed the public hearing.

Motion: Councilor Johnson moved to approve the Zone District and Zone District map amendment on approximately 39 acres of property located at 1400 West and 2100 North from a RC (Resort Community) to a C (Commercial) zone and that the Development Review Committee's comments be addressed. Councilor Holbrook 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.

2. Lehi City – Request for approval of updates and amendments to the Lehi City Master Transportation Plan.

Mayor Wilson opened the public hearing.

Lorin Powell, City Engineer reported on the proposed changes to the Master Transportation Plan. He stated that someday the Bull River connection onto 1200 West will be relocated to have a lesser grade. He stated that they may want an overpass on Main Street and that the intersection on the west side of Redwood Road has not been shown on the previous master plan and needs to be included. He stated that he had a list of items to be included and recommended approval of the Master Transportation Plan.

Mayor Wilson closed the public hearing.

Councilor Revill left the meeting at 8:40 p.m.

Motion: Councilor Johnson moved to approve an Ordinance making amendments to the Master Transportation Plan to include the items mentioned by Mr. Powell. Councilor Collins seconded the motion.

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

Councilor Revill returned at 8:41 p.m.

13. City Business

13.1 Travis Ball - Rocky Mountain Power Annexation Power Line purchase discussion.

Mr. Ball introduced Brett Hunter from Rocky Mountain Power and reported that they have been working with Rocky Mountain Power and came up with a list of projects. He stated that they have settled on a cost of \$260,000 for purchase of assets that have been previously annexed into the City from Rocky Mountain Power. He reported that in addition there is labor to disconnect services in the amount of \$17,500. Mr. Ball recommended approving the purchase of the annexed facilities.

Motion: Councilor Dixon moved to approve the agreement to make the purchases of Rocky Mountain Power annexed properties and authorize the Mayor to sign the agreement. Councilor Holbrook 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.

13.2 Travis Ball – Enerlyte Contract billing conservation inserts

Mr. Ball reported that this is a program that encourages conservation within the City during peak power usage. He stated that Enerlyte is a company that encourages people to conserve with information. He stated that the contract would be for a year.

Motion: Councilor Collins moved to approve the one year contract with Enerlyte in an effort to control Lehi City's peak power usage. Councilor Revill 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.

14. Approval of Minutes

Motion: Councilor Johnson moved to approve the August 24, 2010 City Council minutes. Councilor Dixon seconded the motion.

The motion passed unanimously.

15. Appointment of Interim City Recorder

Motion: Mayor Wilson moved to appoint Teisha Wilson as interim City Recorder for a period not to exceed 12 weeks. Councilor Dixon seconded the motion.

The motion passed unanimously.

16. Round Table

Jamie Davidson stated that there are some staff items that need to be addressed.

Ron Foggin, Assistant City Administrator, stated that he represents the City on the Northern Utah County Animal Shelter. He stated that the law recently changed so that animal shelters no longer have to sell animals to the University of Utah research facility. He stated that this is a revenue stream that the Board is having a hard time walking away from but he feels that it is the right thing to do.

Jamie Davidson, City Administrator, reported that next Tuesday evening they have scheduled their semi-annual meeting with the Planning Commission at 5:30 p.m. He stated that there are two topics that they have identified for discussion that are: 1) new concept plan for Traverse Mountain, and 2) General Plan amendments. He stated that other items can be added if they would like. A discussion was held regarding a facilitator for the meeting and having Councilor Johnson be the back-up facilitator. Councilor Collins inquired if there was

a meeting scheduled with the Alpine School District. Mr. Davidson replied that it is scheduled in November.

Jamie Davidson, reported that the City has been actively pursuing clean-up at city facilities and are looking at the pod or container storage to do this. He stated that code enforcement is an issue and the City needs to ensure that they are in compliance.

Lorin Powell, City Engineer, reported that he attended a meeting in Salt Lake with UDOT. He stated that UDOT cannot do the grade separated crossing and that there are concerns at the intersection of 5th West and the Railroad tracks. He reported that UDOT feels they need to either work with the round-a-bout or put a signal there. He asked for input from the Council. A discussion was held regarding the signal or round-a-bout. **Mayor Wilson asked for consensus to support the round-a-bout. Consensus was reached.** Mr. Powell reported that UDOT wants to take out the pedestrian cross walks on Main Street that are not at a signalized intersection. He suggested that they write a letter of protest.

Jamie Davidson, reported that they are working to update the City Code. He stated that within the code is a residency requirement for employees and he is concerned that residency provision could hinder the City from hiring the best possible employees for a job. He stated that he is not concerned that they live within the City limits and that response time would be a greater consideration for public safety employees. He stated that the ordinance was drafted in 1977 and is concerned that the residency requirement could hinder recruitment. Councilor Collins stated that for many employees it is response time that would be important and for some major jobs she feels they need to live in Lehi. She stated that she would like to clarify the code to address those concerns.

Jamie Davidson discussed the concerns of the excavation at Traverse Mountain. He reported that Mayor Wilson had a meeting with Mayor Clyde of Springville and stated that it went well. Mr. Davidson stated that they are making progress.

Councilor Dixon discussed the Transfer Station and reported that the percentage of general public that comes there is 70%. He reported that 30% of all total tickets covers 90% of the total revenue of the station. He stated there is a \$13.02 shortfall per ton.

Councilor Johnson discussed problems with TSSD and that they are trying to reduce the odor. He reported that the new odor concern is from people who are bringing in grass. He stated that there needs to be a campaign to encourage people to keep their green waste in the green waste can.

Motion: Councilor Johnson moved to adjourn into Closed Executive Session as per UCC 52-5-201(c) to discuss pending or reasonably imminent litigation. Councilor Revill seconded the motion.

The motion passed unanimously.

The meeting adjourned into Closed Executive Session at 10:34 p.m.

The meeting reconvened at 10:45 p.m.

17. Adjournment

With no further business to come before the City Council at this time, Councilor Collins moved to adjourn the meeting. Councilor Holbrook seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 10:46 p.m.

Approved January 11, 2011

Attest:

Bert Wilson, Mayor

Marilyn Banasky, City Recorder