

**Lehi City Council Meeting  
Minutes**

**Tuesday, February 23, 2010 7:00 p.m. Lehi City Council Chamber**

Conducting: Mayor Bert Wilson  
Present: Council members: Kaye Collins, James Dixon, Stephen  
Holbrook, and Mark Johnson  
Excused: Council member Johnny Revill

**Public Hearing 7:00 p.m.**

1. *Dallen Ward/IG Sign – Request approval of a Conditional Use Permit for exceptions to the type and amount of wall signs allowed on the Harward Irrigation building located at approximately 4161 North Thanksgiving Way in an existing at Commercial zone.*

Mayor Wilson opened the public hearing at 7:07 p.m. and announced to those present that the Council would now receive input from the community.

Dallen Ward requested consideration for a conditional use permit for additional space to place signs on their building. He indicated that they have developed a complete sign package for the building so all tenants have the level of signs that they need. He asked for approval of an LED sign on the south end of the building to attract business from I-15.

Dave Billheim, owner of “Now & Then Antiques”, explained that signs are a major factor for retail, and the sign placement is essential to draw in customers. He expressed his support for the request for the sign placement.

Eric Nicol inquired if there is any limitation to the illumination from the signs. Mr. Ward reported that the LED signs are on a controlled timer that will lessen in illumines at certain hours. Mr. Nicol inquired if they plan to add more signs that will require controlled lighting. Kim Struthers, City Planner indicated that this is a conditional use permit specific to this project; he added that each project will be addressed separately for lighting issues.

**MOTION:** a motion to approve the Dallen Ward/IG sign request for a Conditional Use Permit at 4161 North Thanksgiving Way in an existing Commercial zone with the exceptions specifically as stated in the recommendations from the Planning Commission that the north side be considered a primary side with 15% signage, the west and south sides to be allowed 5% signage, and the east side be considered as a primary side as per code with 15% and to allow LED’s on the north and south sides with the south side to go with the lower sign up to 5% and to also include all DRC comments was made by

Council member Johnson, seconded by Council member Holbrook. Motion passed 4 yes, 1-excused (Revill).

2. *Lehi City – Consideration for approval of an amendment to the Lehi City Fee Schedule adding the following fees by Resolution:*

Mayor Wilson opened the public hearing at 7:07 p.m. and announced to those present that the council would now receive input from the community.

There was no public comment.

Administrator Davidson explained that these fee increase items were presented to the city council at the last meeting for review and now ready for approvals.

Mayor Wilson closed the public hearing at 7:59 p.m.

- a. *Consideration for approval of Resolution No. 02-02-10.A – Amending the current Fire Department Fees Schedule to include Fee for a Burn Permit to \$10.00 for Residential Burn Permit and \$10.00 for Agricultural Burn Permit*

**MOTION:** a motion to approve the Resolution 02-02-10.A amending the current Fire Department Fees Schedule to include a fee for a Burn Permit of \$10.00 for Residential and \$10.00 for Agricultural burn was made by Council member Holbrook, seconded by Council member Johnson. Roll call vote: Collins-yes, Dixon-yes, Johnson-yes, Holbrook-yes, Revill-excused. Motion passed.

- b. *Consideration for approval of Resolution No. 02-02-10.B - Amending current Fire Department Fees Schedule to include Advanced Life Support Administration Fee of \$200.00.*

**MOTION:** a motion to approve the Resolution 02-02-10.B amending the current Fire Dept. Fees Schedule to include a fee of \$200.00 for Advanced Life Support Administration as presented was made by Council member Holbrook, seconded by Council member Johnson. Roll call vote: Collins-yes, Dixon-yes, Johnson-yes, Holbrook-yes, Revill-excused. Motion passed.

3. *Lehi City – Requests approval of proposed revision to the Lehi City Annexation Policy Plan and Expansion Area Map*
  - A. Approval of Ordinance

Mayor Wilson opened the public hearing at 7:07 p.m. and announced to those present that the council would now receive input from the community.

Kim Struthers, Planning Director, indicated that the map to be approved was presented at the last city council meeting for review and asked that the council consider approval.

There was no public comment.

Mayor Wilson closed the public hearing at 8:04 p.m.

**MOTION:** a motion to approve the proposed revisions to the Lehi Annexation Policy Plan and Expansion Area Map as presented by Kim Struthers and to authorize the Mayor to sign the related Ordinance was made by Council member Collins, seconded by Council member Dixon. Roll call vote: Collins-yes, Dixon-yes, Johnson-yes, Holbrook-yes, Excused- Revill.

#### **Regular Session**

4. **Community Awards**

There were no community awards at this time.

5. **20 Minute Citizen Input**

There was no citizen input at this time.

6. **David Putvin – Request for Council consideration to sell beer at a Special Events Boxing Meet to be held at the Flash Factory.** (Owner of Santa Monica Pizza)

**MOTION:** a motion to deny the request for beer sales for a boxing event to be located at the Utah Flash Factory with the justification that the Flash Factory is a sport-recreation facility and not a place for a venue event. Motion was made by Council member Dixon, seconded by Council member Holbrook. Motion passed to deny. 4-yes, 1-excused (Revill).

7. **McArthur Homes – Request review and recommendation on the Thanksgiving Meadows Townhomes Concept Plan, a revision to the existing Thanksgiving Meadows Planned Unit Development located at 3600 North Thanksgiving Way in an existing R-2 (Medium Density Residential) PUD.**

Dave McArthur reported to the council that due to the new government lending laws it makes it unfeasible to build condos so they revised the plan to townhomes and asked for council approval of the Thanksgiving Meadows Townhomes concept plan. Council member Johnson expressed his desire to see more variation on the buildings he felt that they look like mirror images. He requested that Mr. McArthur see if his architect could develop something different than what is presented here.

**MOTION:** a motion to accept the Thanksgiving Meadows Townhomes Concept Plan revision to existing Thanksgiving Meadows Planned Unit Development at 3600 North Thanksgiving Way in an existing R-2 zone to include the recommendations from the DRC and any others that are made or applied to this development and strongly

recommend that they consider addressing the symmetry of the project was made by Council member Holbrook, seconded by Council member Johnson. Motion passed 4-yes, 1-excused (Revill).

8. **Scott Sampson – Consideration for approval of the Lehi City Streets and Utility Personal and Commercial Damage Reimbursement Policy**

Scott Sampson – Risk Manager, presented the Lehi City Streets and Utility Personal and Commercial damage Reimbursement Policy that was distributed at the last council meeting to the council for consideration of approval. Mr. Sampson indicated that he will be putting the policy information on the Lehi Web Site and presenting it at the Lehi City Department Information Fair that will be held in April. He will also make citizens aware by placing notification on the utility billing and in the city newsletter.

**MOTION:** a motion to approve the Lehi City Streets and Utility Personal and Commercial Damage Reimbursement Policy as presented was made by Council member Johnson, seconded by Council member Collins. Motion passed 4-yes, 1-excused (Revill).

9. **Lehi City – Request for approval of Provo River Water Users Enclosure Project Agreements:**

Steve Crane appeared before the Council requesting consideration for the approval of the Provo Reservoir Canal Rights-Of-Way Interlocal Agreement which provides for the trail system along the Murdock Canal. He also requested consideration for approval of the PRWUA Subscription Contract between Lehi City and the Provo River Water Users Association. He indicated that the cost on the trail project will be split by the cities along the trail and is based on miles and population.

Mr. Crane reported that the purpose for the change in the Provo River Water Users Subscription Contract is that it is the desire of the city to bring the water shares into the city's name and also to accommodate the enclosure. The majority of the contract is similar to the 1930 original contract.

9.1 *Provo Reservoir Canal Rights-Of-Way Greenway Interlocal Agreement*

**MOTION:** a motion to approve the Provo Reservoir Canal Rights-Of-Way Greenway Interlocal Agreement as presented and authorize the Mayor to sign was made by Council member Johnson, seconded by Council member Collins. Motion passed 4-yes, 1-excused (Revill).

9.2 *Provo River Project – Deer Creek Division, Utah  
Subscription contract between Lehi City, Utah and the Provo River  
Water Users Association*

**MOTION:** a motion to approve the Provo River Project – Deer Creek Division, Utah Subscription Contract and Resolution between Provo River Water Users Association and Lehi City and to authorize the Mayor to sign the Resolution was made by Council member Dixon, seconded by Council member Johnson. Motion passed 4-yes, 1-excused (Revill).

10. **Action on Public Hearing Items**

Motions/Actions are recorded on the public hearing portion of the minutes.

11. **City Business**

- 11.1 Review of previously approved Ordinance No. 02.04.050 of the Lehi City Municipal Code – Officer and Employee Appointment Authority (approved January 26, 2010) (Tab G)

Council member Kaye Collins expressed her concern that she was not fully aware of the impact of the Ordinance no. 02.04.050 that was approved at the January 26<sup>th</sup> meeting. She read Chapter 2.04.050 Section B of the Lehi City Municipal Code regarding Residency and Hiring of Full Time Employees. Council member Collins indicated that some key people need to live in Lehi. She asked that all information be in the packet for full council review prior to the meetings.

- 11.2 *Mayor appointment - Steve Calton –Parks and Trails Committee (re-appointment) and Betsy Lindley – new member of the Parks and Trails Committee*

Mayor Wilson made the re-appointment of Steve Calton to the Parks and Trails Committee seconded by Council member Collins. Motion passed 4-yes, 1-excused (Revill). Mayor Wilson made the appointment of Betsy Lindley as a new member of the Parks and Trails Committee, seconded by Council member Collins. Motion passed 4-yes, 1-excused (Revill).

Council member Mark Johnson reported to the council that there is an odor situation at the TSSD Plant. The District has tried working on the smell issue for about 6 years and even tried odor easements but has been unsuccessful. It has gotten to the point that there are threats of lawsuits. He indicated that the compost is the largest smell problem but is a great resource to the entire county. He reported that the district paid an additional 3.5 million to cover the compost to reduce the smell. The only thing now left to do is breed people that don't have smelly poop. ??????????

**MOTION:** a motion to go into Closed Session to discuss Real Estate was made by Council member Dixon, seconded by Council member Johnson. Roll call vote: Collins-yes, Dixon-yes, Johnson-yes, Holbrook-yes, Revill-excused. Motion passed.

**MOTION:** a motion was made to go into Closed Session to discuss Real Estate Acquisition by Council member Johnson, seconded by Council member Collins. Roll

call vote: Collins-yes, Dixon-yes, Johnson-yes, Holbrook-yes, excused – Revill. Motion passed.

**MOTION:** a motion was made to dismiss the Closed Session by Council member Collins, seconded by Council member Johnson. Motion passed 4-yes, 1-excused-Revill.

**MOTION:** a motion was made to return to Regular Session by Council member Collins, seconded by Council member Johnson. Motion passed 4-yes, 1-excused-Revill. Motion passed.

12. **Adjournment**

**MOTION:** a motion to adjourn was made by Council member Collins, seconded by Council member Holbrook. Motion passed 4-yes, 1-excused Revill. Meeting adjourned at 9:45 p.m.