

**Lehi City Council Meeting  
Minutes**

**Tuesday, July 14, 2009 7:00 p.m. Council Chambers**

Conducting: Mayor Howard H. Johnson  
Present: Council members: Johnny Barnes, James Dixon, Stephen Holbrook, Mark Johnson.  
Excused: Johnny Revill  
Press: Daily Herald – Cathy Allred  
Pledge of Allegiance: Dale Ekins

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

1. *Cal Jacklin – Request for approval of the Holmes Annexation, 3.6 acres of property located at approximately 150 North 1100 West to proposed R-1-22 (Residential/Agriculture) and TH-5 (Transitional Holding) zones.*
  - A. *Approval of Annexation Agreement*
  - B. *Ordinance approving*

Mayor Johnson opened the public hearing at 7:10 p.m. and announced to those present that the Council would now receive input from the community.

Cal Jacklin questioned the water requirements for his annexation. He indicated that in 1993 they gave one share of water that could be used for both portions.

Kim Struthers, Planning Director, indicated that the agreement would have to be changed reflecting 1.5 shares of water.

There was no public comment at this time.

Mayor Johnson closed the public hearing at 7:42 p.m.

**MOTION:** a motion to approve the Holmes Annexation, 3.6 acres at 150 North 1100 West to R-1-22 and TH-5 zoning and to direct staff to review old records for water credit to determine the proper water shares for his project on the R-1-22 zoning and to authorize the Mayor to sign the annexation agreement and Ordinance was made by Council member Holbrook, seconded by Council member Dixon. Roll call vote: Revill-excused, Barnes-yes, Dixon-yes, Johnson-yes, Holbrook-yes. Motion passed.

2. *Bryce Wadsworth – Request for approval of a Zone District and Zone District Map Amendment on approximately 6.34 acres of property located at approximately 1000 South 850 East from an A-5 (Agriculture) to a LI (Light Industrial) zones.*
  - A. *Ordinance approving*

Mayor Johnson opened the public hearing at 7:10 p.m. and announced to those present that the Council would now receive input from the community.

Allen Shurtliff, reported that UDOT has changed the outline of his property which in turn requires him to change his site plan. He requested consideration to finalize the zone change to allow him to begin the site plan and continue the process.

There was no public comment.

Mayor Johnson closed the public hearing at 7:45 p.m.

Council member Barnes asked about the water mitigation on the property. Mr. Shurtliff indicated that the Corp of Engineers has performed wetland tests.

**MOTION:** a motion to approve the zone district and zone district map amendment from A-5 to LI zone to authorize the Mayor to sign the Ordinance and with a recommendation that all DRC and Planning Commission requirements be carried forth was made by Council member Dixon, seconded by Council member Johnson. Roll call vote: Revill-excused, Barnes-yes, Dixon-yes, Johnson-yes, Holbrook-yes. Motion passed.

3. *Cal Robinson – Request for a General Plan Land Use Map Amendment on approximately 7 acres of property located at approximately 1100 West 1700 South from a VLDR (Very Low Density Residential Agricultural) to a LDR (Low Density Residential) land use designation.*
  - A. *Ordinance approving*

Mayor Johnson opened the public hearing at 7:10 p.m. and announced to those present that the Council would now receive input from the community.

Cal Robinson appeared before the Council requesting consideration to amend the General Plan from VLDR to LDR to allow them to reconfigure their subdivision. Mr. Robinson indicated the due to the market they have not had one offer on their property and the bonds have been released. He felt that if they are allowed to divide the properties they can build quarter acre lots instead and possibly sale instead of having vacant lots.

There was no public comment.

The Planning Commission denied the request at the June 11, 2009 Planning Commission Meeting.

Council member Johnson indicated that one of the concerns was the impact on the sewer. Engineer Powell stated that the increase could pose a stress on the sewer system.

Mayor Johnson closed the public hearing at 8:10 p.m.

**MOTION:** a motion to **deny** the request for a general plan amendment to go from a VLDR to a LDR was made by Council member Barnes, seconded by Council member Johnson. Roll call vote: Revill-excused, Barnes-yes, Dixon-no, Johnson-yes, Holbrook. Motion passed 3-yes.

4. *Cal Robinson – Request for Concept Plan Approval for Aspen Ridge located at approximately 1100 West 1700 South, a proposed 20-lot development located in a proposed R-1-10 (Single Family Residential) zone.*

Mayor Johnson opened the public hearing at 7:10 p.m. and announced to those present that the Council would now receive input from the community.

There was no public comment.

Mayor Johnson closed the public hearing at 8:13 p.m.

**MOTION:** a motion to deny the concept plan as presented was made by Council member Johnson, seconded by Council member Holbrook. Roll call vote – Revill-excused, Barnes-yes, Dixon-no, Johnson-yes, Holbrook-yes. Motion passed 3-yes.

5. *Lehi City – Request for approval of an Ordinance repealing Chapter 15.16 of the Lehi City Municipal Code and Adopting the National Electrical Code, 2008 Edition, as the Electrical Code of Lehi City.*
  - A. *Ordinance approving*

Mayor Johnson opened the public hearing at 7:10 p.m. and announced to those present that the Council would now receive input from the community.

Attorney Rushton reported that State law mandates that the adoption of the National Code guidelines be done as the new issues come out from the government. I

There was no public comment.

Mayor Johnson closed the public hearing at 8:16 p.m.

**MOTION:** a motion was made to adopt the Lehi City Municipal Code repealing Chapter 15.16 for the National Electrical Code, 2008 Edition as presented by Council member Barnes, seconded by Council member Holbrook. Roll call vote: Revill-excused, Barnes-yes, Dixon-yes, Johnson-yes, Holbrook-yes. Motion passed 4-yes.

### **Regular Session**

#### **6. Community Awards**

##### *6.1 Todd Munger – Employee of the Month – July 2009*

Administrator Davidson awarded Todd Munger-Parks Director and award for employee of the month for the month of July 2009 for his significant contributions to Lehi City and for his experience and expertise.

##### *6.2 Presentation by Miss Lehi Royalty*

Kinsey Norris Lehi City Roundup Queen and her attendant Sabrina Hopco, expressed their support from the Mayor and Council and the biggest scholarship in the State of Utah.

##### *6.3 Fire Department Presentation – personnel and promotions*

Dale Ekins presented certifications to 10 Fire Fighters that have been promoted or hired for the Fire Station. He indicated that with the new paramedic program there are new requirements that the city must meet with the new hires being a result of budget monies and a safer grant program for the next four years. Those acknowledged were: Patrick Collin, Russell Paulson, shad Hadfield, Steve Johnson, Ryan Kimball, Clifford Frasier, Dorton Taylor, Scott Wilbur, Robert Stanley, Tim Robinson and the Fire Dept. Administrative Assistant Haley Henderson.

#### **7. 20 Minute Citizen Input - Time has been set-aside for the public to express their ideas, concerns and comments on items not on the agenda.**

Jerry Prestwich inquired about the decision to close the 300 south street. Engineer Powell indicated that it is a discussion at this time and will be scheduled for a public hearing if it is done. The citizens will be noticed by neighbors connected to the road, a sign up at the crossing and published in the Daily Herald.

#### **8. Lehi City – Request for correction on recording for the Brinkerhoff Annexation changing the surveyor description of the property located at 10471 West 8570 North, Lehi, Utah.**

Attorney Rushton indicated that this item is correcting the property description that was filed and recorded at the County recorders office. A new resolution with the corrected description will be prepared for a new recording.

**MOTION:** a motion to approve the corrected description of the Brinkerhoff property Annexation by Council member Barnes, seconded by Council member Holbrook, 4-yes, 1-excused-Revill. Motion passed.

#### **9. Lehi City –Resolution No. 07-14-09.j approving the Lehi City Certified Tax Rate of 0.001789.**

Dave Sanderson reported that the original certified tax rate was revised with the final Certified Tax Rate from the County of 0.001789.

**MOTION:** a motion to accept the Resolution No.07-14-09.i, Lehi Certified Tax Rate of 0.001789 was made by Council member Johnson, seconded by Council member

10. **Peggy Kirkham – Request for extension of time to record the Kirkham Subdivision located at approximately 1200 North 1700 West.**

Peggy Kirkham appeared before the council requesting consideration to extend the time to record the Kirkham subdivision. She indicated that due to the economy she has had to change her plans.

**MOTION:** a motion to approve the extension of time to record the Peggy Kirkham subdivision at 1200 North 1700 West to one year from the expiration date to August 2010 and to include any changes in the subdivision requirements or codes to was made by Council member Dixon, seconded by Council member Johnson. Motion passed 4 yes, 1-excused (Revill).

11. **T.J. Trane- Request for extension of time to record Garden Acres a two lot subdivision located at approximately 145 North 400 East in an existing R-1-8 (Single Family Residential) zone.**

(Originally approved by Lehi City Planning Commission July 10, 2008)

Mr. Trane explained to the Council that he is not ready to build his home yet and requested an extension of time to record his two subdivision at 145 North 400 East.

**MOTION:** a motion to approve an extension of time to record the TJ Trane, Garden Acres subdivision for one year from the expiration date of July 10, (July 10, 2010) and that the approval be subject to any changes or requirements in the city codes was made by Council member Barnes, seconded by Council member Johnson. Motion passed 4-yes, 1-excused (Revill).

12. **Action on Public Hearing Items**

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

13. **Engineer Report/Action Items**

13.1 *2300 West contract changes*

Engineer Powell requested consideration for approval of a contract change for the environmental portion of the 2300 West to SR-92 extension.

**MOTION:** a motion to approve the contract change for the environmental for an extension of the contract from 2300 West to SR-92 and to authorize the Mayor to sign the contract was made by Council member Dixon, seconded by Council member Johnson. Roll call vote: Barnes-yes, Dixon-yes, Johnson-yes, Holbrook-yes, Revill-excused. 4-yes, 1-excused. Motion passed.

13.2 *SR-92 Master Utility Agreement approval.*

Engineer Powell recommended that the council consider approval of the Master Utility Agreement for SR-92 to relocate water lines and allow UDOT to proceed.

**MOTION:** a motion to approve the Master Utility Agreement as presented by Engineer Powell was made by Council member Barnes, seconded by Council member Dixon. Motion passed 4-yes, 1-excused (Revill).

Engineer Powell reported that the 2100 North project is prepared to go to bid and recommended that we allow UDOT to proceed and to work out property issues with the

2100 North people on funding and property as it come along. Administrator Davidson indicated that he supports Engineer Powell in his request.

**MOTION:** a motion to approve the recommendation to allow UDOT to proceed with the 2100 North project and to work out property issues as they present themselves was made by Council member Barnes, seconded by Council member Dixon. Roll call vote: Barnes-yes, Dixon-yes, Johnson-yes, Holbrook-yes, Revill –excused. Motion passed.

The Council recommended that the 2100 North team be invited to attend the 28<sup>th</sup> Pre-council meeting at 5:30 p.m.

**MOTION:** a motion to direct Mr. Davidson to find appropriate means to draft a letter to UDOT vocalizing the concerns that the city council has regarding the 2100 north issues was made by Council member Johnson, seconded by Council member Dixon. Motion passed 4-yes, 1-excused (Revill).

#### 14. City Business

Administrator Davidson indicated that at the Thanksgiving Point EDA was approved at the last Alpine School District Board Meeting by unanimous vote; it has also been approved by the Office of Education. The next TEC meeting should have an approval of the EDA and be the agenda for the next city council meeting for the Board approval.

Mr. Davidson reported on the Utah State Retirement System task force. He indicated that some of the changes they are looking at are: the retirement rates going from 11 percent to 15 and close to 20 percent per employee per year; to modify benefits vesting up to 10 years; minimum retirement age -60 to 62, not on 3 years highest average wage but 5 year average wage; public safety going to 25 years retirement; employees pay a portion of their retirement and to go from non-contributory to contributory system. The bill will be formal in September and move to a bill in January for Legislation review and approval.

#### 15. Approval of Minutes

**MOTION:** a motion to approve the minutes the following correction on item number 8 – change from car facility to care facility was made by Council member Johnson, seconded by Council member Barnes. Motion passed 4-yes.

#### 16. Adjournment

**MOTION:** a motion to adjourn was made by Council member Holbrook, seconded by Council member Barnes. Motion passed 4-yes, 1-excused (Revill). Meeting adjourned at 10:15 p.m.