

**LEHI CITY COUNCIL  
and the  
Lehi City Redevelopment Agency  
Joint Meeting  
Agenda**

**Tuesday, July 28, 2009      7:00 p.m.      Council Chambers**

Conducting:            Mayor Howard H. Johnson  
Present:                Council members: Johnny Barnes, James Dixon, Mark Johnson,  
                              Stephen Holbrook, and Johnny Revill.

Press:                    Cathy Allred – The Daily Herald  
Pledge of  
Allegiance:            Bert Wilson

**PUBLIC HEARING**

**Meeting and Public Hearing of the  
Lehi City Redevelopment Agency Board of Directors**

1.      Welcome and Roll Call - Chairperson

Chairperson Johnson open the public hearing for the Lehi City Redevelopment Agency Board of Directors at 7:09 p.m. asked for a roll call of the Agency Board members; Johnny Revill, Johnny Barnes, Mark Johnson, Stephen Holbrook and Chairperson Howard H. Johnson. Excused – James Dixon.

2.      Public Hearing on the "Thanksgiving Park Economic Development Project Area Plan" Dated May 12, 2009 and On the Thanksgiving Park Economic Development Project Area Budget

A.      Purposes of Public Hearing and Presentation of the Statement of Purposes  
         - Randall Feil

Randall Feil indicated that he is the Special Council to the Redevelopment Agency

Mr. Feil reported that the public hearing was continued from the Meeting held on July 7, 2009 and published for this date at 7:00 p.m. and this location 153 North 100 East, Lehi, Utah. The purposes of the public hearing are; to review the draft of the area plan and review and approve the budget and asked the Mayor and City Council if this is correct. The Mayor and City Council voted unanimous yes.

B.      Review of Project Area Budget for the Thanksgiving Park Economic  
         Development Project Area – Cody Deeter and Doug Meldrum

Doug Meldrum – Economic Development Director reported that the Thanksgiving Point project consists of 38 acres and reviewed the report from the taxing agency committee report.

Cody Deeter reviewed the project area budget explaining that the basic EDA will be funded in the amount of \$2.6 million based on new property values at Thanksgiving Point Development. The basis is that Thanksgiving Park will develop a building every three years or more which will bring in property values sooner. All taxing entities have agreed to give a portion of their increment for the life of the Thanksgiving Point budget. \$130,000 will go to the RDA to administer the project area. (see attached exhibit A)

C. Report of the Taxing Entity Committee – Stephen Holbrook, James Dixon

Council member Holbrook reported that the voting members are: 2 members from Lehi City, (Stephen Holbrook, James Dixon), 2-Alpine School District Board ( Guy Fugal, Rob Smith), 1-State Board of Education (Larry Newton) 1-alternate Board of Education (Cathy Dudley ), 2-County Commissioners (Larry Ellertson, Steve White, and one at large voting member (Lehi City –Lorin Powell). The Board constitutes 8 voting members.

Council member Holbrook indicated that the Economic Development Agency Resolution did not pass the first time it was reviewed further and passed with 100 percent vote in favor of the EDA.

D. Agency Board Question Period Regarding the "Thanksgiving Park Economic Development Project Area Budget"

There were no questions at this time.

E. Review of Draft Thanksgiving Park Economic Development Project Area Plan – Jamie Davidson, Doug Meldrum and Randall Feil.

Attorney Randy Feil indicated that this is a review that is required by state law as of May 12, 2009. There are various provisions including; legal description boundaries, map of the area, affected areas and how they are affected, building intensities, some specific designs. It also requires that the plan sets the zoning, and that it is consistent with the zone ordinances, the proposed building and construction, refers to the budget, the figures, time periods, benefit analysis and incorporates state law that allows the project to receive increment from the EDA.

F. Agency Board Question Period Regarding Draft Plan

There were no questions regarding the Draft Plan

G. Receipt of Written or Oral Objections to the Project Area Plan; Public Comment on draft Project Area Plan and Project Area Budget; and Public

Comment on Whether Project Area Plan and Project Area Budget Should Be Revised, Adopted or Rejected:

(1) Presentations by Property Owners within the Proposed Project Area, if any

The Draft Thanksgiving Park Economic Development Project Area Plan and Budget received no written or verbal objections.

(2) Presentations by Taxing Entities, If Any

There were no objections written or verbal by the Taxing Entities

(3) Presentations by Other Parties Having an Interest, If Any

There were no objections written or verbal from Other parties.

H. Agency Board Question Period and Response by Agency Staff

There was no staff response.

1.1 Public Input into the approval of Resolution of the Redevelopment Agency of Lehi City approving the Thanksgiving Park Economic Development Project Area Plan and Project Area Budget.

Attorney Randy Feil asked for the Board consideration for approval and adoption of the Thanksgiving Park Economic Development if all of the information supports those findings; The need to effectuate a public purpose; Public benefit; Economically feasible; Plan that with adopt conformity with peace, safety and welfare of the community.

**MOTION:** a motion to approve the Resolution no. 05-12-09.EDA adopting the Project Area Plan entitles, "Thanksgiving Park Economic Development Project Area Plan," date May 12, 2009 as presented was made by Council member Holbrook, seconded by Council member Revill. Roll call vote: Revill-yes, Barnes-yes, Dixon-excused, Johnson-yes, Holbrook-yes. Motion passed.

**MOTION:** a motion to adopt the area plan as presented was made by Council member Barnes, seconded by Council member Revill, roll call vote: Barnes-yes, Revill-yes, Dixon-excused, Johnson-yes, and Holbrook-yes. Motion passed.

**MOTION:** a motion to adopt the budget resolution 07-21-09.EDA as presented was made by Council member Johnson, seconded by Council member Revill. Roll call vote: Revill-yes, Barnes-yes, Dixon-excused, Johnson-yes, and Holbrook-yes. Motion passed.

1.2 Adjournment of Lehi City Board of Directors

**MOTION:** a motion was made by Stephen Holbrook to adjourn the Thanksgiving Park EDA Board Meeting, seconded by Council member Johnson. Motion passed. 4-yes, 1-excused (Dixon).

### **Lehi City Council Public Hearing**

1. *Lehi City – Intent to sell/transfer several acres of Lehi city property within the Front Runner corridor (which parallels the existing Union Pacific Railroad) from the northwest Lehi City limits to the southwest Lehi City limits to UTA for construction.*

Mayor Johnson opened the public hearing at 7:34 p.m. and announced to those present that the council would now receive input from the community.

Engineer Powell reported that the first three public hearing items have been placed on the agenda to fulfill the legal procedure to acquire property.

There were no public comments.

Mayor Johnson closed the public hearing at 7:38 p.m.

**MOTION:** a motion to authorize the sale or transfer of property and to authorize staff to negotiate the sale or transfer of property which exists parallel to the existing Union Pacific Railroad was made by council member Barnes, seconded by council member Revill. Motion passed 4-yes, 1-excused (Dixon).

2. *Lehi City – Intent to sell/transfer several acre of Lehi City property within the SR-92 corridor from I-15 to American Fork Canyon (which is along the current SR-92 road) to UDOT for the construction of a new expanded SR-92 road.*

Mayor Johnson opened the public hearing at 7:34 p.m. and announced to those present that the council would now receive input from the community.

Engineer Powell reported that the first three public hearing items have been placed on the agenda to fulfill the legal procedure to acquire property.

There were no public comments.

Mayor Johnson closed the public hearing at 7:40 p.m.

**MOTION:** a motion to authorize the sale or transfer of property and to authorize staff to negotiate the sale or transfer of property within the SR-92 corridor from I-15 to American Fork Canyon was made by council member Barnes, seconded by council member Revill. Motion passed 4-yes, 1-excused (Dixon).

3. *Lehi City – Intent to sell/transfer several acres of Lehi City property within the 2100 North corridor from I-15 to Redwood Road (SR-68), which is along Lehi City 2100 North to UDOT for the construction of a new State Road.*

Mayor Johnson opened the public hearing at 7:34 p.m. and announced to those present that the council would now receive input from the community.

Engineer Powell reported that the first three public hearing items have been placed on the agenda to fulfill the legal procedure to acquire property.

There were no public comments.

Mayor Johnson closed the public hearing at 7:38 p.m.

**MOTION:** a motion to authorize the sale or transfer of property and to authorize staff to negotiate the sale or transfer of property within the 2100 North corridor from I-15 to redwood Road (SR-68) was made by council member Barnes, seconded by council member Revill. Motion passed 4-yes, 1-excused (Dixon).

4. *Lehi City – requests approval on the following amendments to the Lehi City Development Code:*

Mayor Johnson opened the public hearing at 7:34 p.m. and announced to those present that the council would now receive input from the community.

Kim Struthers reported that item a. affects several chapters regarding how extensions develop. The change in the code will allow all chapters referring to extensions be consistent with each other.

There were no public comments.

The Planning Commission recommends approval.

- a. *Chapter 5, Zoning Districts, Chapter 6, Planned community, Chapter 10, Development Applications, Chapter 11, Application Requirements, Chapter 28, Resort Community, and Chapter 33, Sports Entertainment – clarifying the procedure for extensions to development approvals.*

There were no public comments.

Closed: 8:00 p.m.

**MOTION:** a motion to approve amendments to Chapter 5-Zoning District, Chapter6-Planned Community, Chapter 10-Development Applications, Chapter 11-Application

Requirements, Chapter 28-Resort Community, Chapter 33-Sports Entertainment, to clarify the procedure for extensions to development approvals was made by Council member Revill, seconded by Council member Johnson. Roll call vote: Revill-yes, Barnes-yes, Dixon-excused, Johnson-yes, Holbrook-yes. Motion passed.

- b. *Chapter 11, Application Requirements – establishing requirements for businesses to create emergency plans.*

There were no public comments.

Close: 8:03 p.m.

**MOTION:** a motion to deny without prejudice the amendments to Chapter 11, Application Requirements – for business to create emergency plans was made by Council member Johnson, seconded by Council member Revill. Roll call vote: Revill-yes, Barnes-yes, Dixon-excused, Johnson-yes, Holbrook-yes. Motion passed.

- c. *Chapter 11.210 and 11.310, Guarantees and Bonds – amending provisions for bond releases and clarifying that the Bonds are for the sole benefit of Lehi City.*

There were no public comments.

Close: 8:05 p.m.

**MOTION:** a motion to approve amendments to Chapter 11.210 and 11.310, Guarantees and Bonds amending provisions for bond release and clarifying that the Bonds are for the sole benefit of Lehi City was made by Council member Johnson, seconded by Council member Barnes. Roll call vote: Revill-yes, Barnes-yes, Dixon-excused, Johnson-yes, Holbrook-yes. Motion passed.

- d. *Chapter 12, Development Standards – clarifying fencing buffer requirement and adding standards for title loan and pawn shop Businesses.*

There were no public comments.

Close: 8:10 p.m.

**MOTION:** a motion to approve amendments to Chapter 12, Development Standards – clarifying fencing buffer requirements and adding standards for title loan and pawn shop businesses was made by Council member Johnson, seconded by Council member Barnes. Roll call vote: Revill-yes, Barnes-yes, Dixon-excused, Johnson-yes, Holbrook-yes. Motion passed

- e. *Chapter 19, Wind Energy – modifying requirements for small wind energy facilities.*

Kim Struthers indicated that this item was addressed when asked by a citizen to put a couple of windmills in his yard. Lehi Power Department reviewed the request regarding net metering. The chapter will make wind mills less restrictive and eliminate the zoning but will still be limited. They have found the need for an automatic shut off mechanism, and height requirements.

There were no public comments.

Close: 8:20 p.m.

**MOTION:** a motion to approve amendments to Chapter 19 – Wind Energy – modifying requirements for small wind energy facilities and to ask that staff communicate with Lehi Power to define the correct verbiage of automatic shut off or main disconnect was made by Council member Johnson, seconded by Council member Revill. Roll call vote: Revill-yes, Barnes-yes, Dixon-excused, Johnson-yes, Holbrook-yes. Motion passed

- f. *Chapter 23, Signs – modifying the placement requirements for signs within utility easements and adjacent to roadways.*

Kim Struthers indicated that Chapter 23 addresses a clear view zone along with some other changes in E regarding placing signs in public utility easements. He recommended that DRC be given the discretion to work around sign issues.

There were no public comments.

Close: 8:30 p.m.

**MOTION:** a motion to approve amendments to Chapter 23, Signs – modifying the placement requirements for signs within utility easements and adjacent to roadways was made by Council member Revill, seconded by Council member Holbrook. Roll call vote: Revill-yes, Barnes-yes, Dixon-excused, Johnson-yes, Holbrook-yes. Motion passed.

- g. *Chapter 36, Definitions – clarifying existing definitions and adding new definitions.*

There were no public comments.

Kim Struthers indicated that Chapter 36-definitions are just a housekeeping item that cleans up 3-family and 4-family rentals.

There were no public comments.

Close: 8:32 p.m.

**MOTION:** a motion to approve amendments to Chapter 36, Definitions to clarify homes in residential areas being used as weekly or nightly rental units was made by Council member Holbrook, seconded by Council member Johnson. Roll call vote: Revill-yes, Barnes-yes, Dixon-excused, Johnson-yes, Holbrook-yes. Motion passed

- h. *Table 05.030B, Table of Uses for Mixed Use, Non-Residential and Special Districts – modifying the allowed uses in those districts.*

Kim Struthers reported that this item on the agenda is a housekeeping tool for uses that reoccur but don't show on the table of uses by modifying the allowed uses in those areas.

There were no public comments.

The Planning Commission recommends approval.

Mayor Johnson closed the public hearing at 8:01 p.m.

**MOTION:** a motion to approve amendments to Chapter 5-Zoning District, Chapter 6-Planned Community, Chapter 10-Development Applications, Chapter 11-Application Requirements, Chapter 28-Resort Community, Chapter 33-Sports Entertainment, to clarify the procedure for extensions to development approvals was made by Council member Revill, seconded by Council member Johnson. Roll call vote: Revill-yes, Barnes-yes, Dixon-excused, Johnson-yes, Holbrook-yes. Motion passed.

### **Regular Session**

#### 5. **Community Awards**

There were no community awards at this time.

6. **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.

Bruce Riby, Utility Cost Management – appeared before the council indicating that he has managed utilities for many cities and some schools. Mr. Rigby recommended that the city consider a rate for off peak use. Mr. Rigby indicated that his company can see that Lehi City rate just stands out as being too high in comparison to the rest of the state. The average power cost of 35KW hours will be averaged out lower by Rocky Mountain Power. He recommended that Lehi consider a test with 3 customer meters on an off peak time to gather data for a comparison to allow Lehi Power to examine and understand the savings that they can pass on to their customers. He asked for council support to the Power Director Travis Ball to do this survey. Council member Barnes asked Mr. Rigby if he has worked with UAMPS since the city wheels power through them. Administrator Davidson indicated that the city is working with UAMPS on an energy star program and

is currently trying to pass any savings onto the customer that is available. Mr. Davidson indicated that the demand charge is high and there are some discussions with the council that should be held on the cost of service and some savings to the citizens, then to go forward and modify our plans accordingly. Mr. Rigby asked for the opportunity to help in power savings to the citizens. It was recommended that Mr. Rigby continue his dialog with Travis Ball in relation to the city cost of service study.

7. **Action on Public Hearing Items**

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

8. **Engineer Report/Items**

*8.1 Approval of UDOT agreement for Lehi City to administer a Pedestrian Safety Project on the south side of Main Street from 500 West to 680 West.*

Engineer Powell reported to the Council that the agreement for the Pedestrian Safety Project on Main Street is ready for approval and signatures.

**MOTION:** a motion was made to approve the Pedestrian Safety Project Agreement on the south side of Main Street from 500 West to 680 West with a \$17,000 match in monies and labor from the city and to authorize the Mayor to sign the Agreement by Council member Barnes, seconded by Council member Holbrook. Roll call vote: Revill-yes, Barnes-yes, Johnson-yes, Holbrook-yes, Dixon-excused. Motion passed.

Engineer Powell indicated that Provo River Water Users Association is considering one offer made by the city for the piping along SR-92.

9. **City Business**

Administrator Davidson invited those present to attend the city summer pool party on August 10<sup>th</sup> at 6:30 p.m.

Davidson indicated that Congressman Matheson's office has scheduled a tour of the Timpanogos Cave and the 2300 West project on August 24, 2009. He recommended that as part of the 6 year bill monies for the 2300 West that the council should show their appreciation to the congressman and his staff by attending the tour. Mr. Davidson also reported that Associated Foods bought out Albertsons stores –except for two stores in the St. George area and there was a very successful Foam Day he thanked the Fire Dept. and Council member Revill for the idea.

Former Mayor Blaine Singletons wife passed away recently. The children have approached the city about the purchase of her home on 100 North.

The National Security Agency has been discussing future options for the Camp Williams property with Lehi City. They are interested in some utility options and a large amount of water. Camp Williams is a military protection zone.

Council member Barnes encouraged the Museum and Library to report on the departmental briefs.

10. **Adjournment**

**MOTION:** a motion to adjourn was made by Council member Revill, seconded by Council member Barnes. Motion passed. Meeting adjourned at 9:03 p.m.