

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, April 7, 2015,**
4 **at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100 North State Street,
Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Jeff Acerson, Mayor
Pledge of Allegiance: Van Broderick, Councilmember
10 Invocation: Randi Powell, Councilmember

12 **PRESENT** **ABSENT**

Jeff Acerson, Mayor
14 Jacob Hoyt, Councilmember
Randi Powell, Councilmember
16 Matt Bean, Councilmember
Van Broderick, Councilmember
18 Carolyn Lundberg, Councilmember
Adam Cowie, City Administrator
20 Hugh Van Wagenen, Planning Director
Cody Cullimore, Chief of Police
22 Kathy Moosman, City Recorder

- 24 1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.
- 26 2. **Presentations/Announcements** –
a) Mayor/Council Comments – There were no comments at this time.
- 28 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council
30 of March 17, 2015 were reviewed.

32 COUNCILMEMBER BEAN MOVED TO APPROVE THE MINUTES OF THE
REGULAR CITY COUNCIL MEETING OF MARCH 17, 2015 AS AMENDED.
34 COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

36 COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
38 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
40 COUNCILMEMBER LUNDBERG AYE
THE MOTION CARRIED UNANIMOUSLY.

- 42 4. **Consent Agenda** – No items.
- 44 5. **Open Session for Public Comment** – Mayor Acerson called for any public
46 comment not listed as an agenda item. There were no public comments.

2 **CURRENT BUSINESS**

- 4 6. **Concept Review** – *Lakeview Court Townhomes, 520/530 S. 400 W.* Chris Knapp
6 requests feedback on a proposal to adopt a PUD ordinance that would allow
8 construction of townhomes (5 units) at 520/530 South 400 West in the General
Commercial (CG) zone.

10 Hugh Van Wagenen, Planning Director, gave a brief introduction explaining this
12 is a proposal by Chris Knapp who is requesting feedback on a proposal to adopt a PUD
14 ordinance that would allow construction of townhomes (5 units) at 520/230 South 400
16 West in the General Commercial (CG) zone. The property in question is on two vacant
18 non-conforming lots (less than 20,000 ft. standard) in the General Commercial (CG) zone
20 located near the Maeser School. Mr. Van Wagenen stated they met with Mr. Cutler
(previous applicant) a few times following up from the feedback at the last discussion,
22 but he pulled out the application for the twinhome project because the numbers will not
24 work for him. Since that time, Mr. Knapp has indicated that he is interested in doing a
26 similar project, but it was dis-similar enough that staff recommended that he come in for
28 a new Concept Review for feedback on his proposal. His proposal differs as he is
30 proposing a townhome product (as opposed to twin homes) at approximately 1,900
square ft. each with a price point around \$200,000 to \$220,000.

32 Mr. Van Wagenen noted that no motion necessary as this item is for feedback
only. He then referenced for discussion an aerial photo of the land involved in the
34 concept review along with zoning, photos of the existing lots and the applicant's concept
36 site plan (3 alternative layouts) and elevation renderings. Mr. Van Wagenen explained
38 that there is not an ordinance in place to accommodate this type of development so it is
dependent on the feedback from the Council if Mr. Knapp will pursue proposing a PUD
40 ordinance on an overlay onto the CG zone. He explained the process would be to come
through as an ordinance amendment with a recommendation to apply that zone to a
42 specific lot or area. Mr. Van Wagenen stated that Mr. Knapp is just looking for feedback
44 on this proposal from the Council in considering the increase in density of the product.
46 Mr. Van Wagenen called for any questions at this time.

Mr. Knapp stated there are a few different concepts included with the only thing
34 changing is the parking with each unit. He then referenced each concept followed by
36 discussion. He noted this lot is an odd configuration with a steeper grade (12 ft. of slope
38 from the sidewalk to the back of the lot) and what they are proposing is to keep the
garages somewhat level with the road which would fit better with the landscape with a 30
40 ft. setback in the front and rear. He noted he is just asking for feedback from the Council
if this concept is feasible.

42 Mr. Knapp commented they plan to sell the units individually with the grounds
44 maintained by an HOA. He noted they did a similar project in Orem behind Macy's on
the east side of State Street that turned out very nice. Mr. Knapp stated the main floor
will be 850 sq. ft. and the upper level at around 1100 sq. ft. so about 1,950 sq. ft. total.
46 Mr. Knapp further stated that he would like to possibly expand to the south down to 1600
north but he has not contacted the home owners at this time. He noted that there is
currently a retaining wall that Maeser Academy put in on the back of the property.

2 Councilmember Broderick asked Mr. Knapp what he anticipates the slope
difference from the current sidewalk to the garage will be on the back side. Mr. Knapp
4 replied that it is 2 ft. Councilmember Lundberg commented that it appears the back units
would have really deep window wells. Mr. Knapp replied there would be a 9 ft. wall, and
6 they are anticipating doing another short 2 ft. retaining wall in front of the existing wall
which would bring the elevation of the backyard down so it would be normal situation
8 and the window wells won't be as large. He added that all of the fill at the property site
would have to be removed and the current concept is open with a patio in the back with
10 shared common space and there will be an exit out of the upper level.

Councilmember Lundberg inquired if the kitchen will be on the first level and if
12 the exit to the back will be on the second story. Mr. Knapp confirmed that statement
noting there will be a loft at the top of the stairs where the exit to the rear would be.
14 Councilmember Powell asked if there will be deck or patio. Mr. Knapp confirmed there
will be a cement patio (8x8 pad) with a couple stairs coming out of the second story
16 down to the patio. Councilmember Lundberg stated that she is trying to envision this
arrangement and if this is something that has been done before. Mr. Knapp stated he has
18 not done this before; they are trying to make the best use of the lot elevations and slope.

Councilmember Hoyt inquired if they will be leasing or selling the units and also
20 about parking. Mr. Knapp replied they plan to sell the units and the parking will be
perpendicular. Mr. Knapp stated they have drawn it both ways and they can get 5 stalls
22 either way. There is also an option that includes more parking on the south side of the
building that would include one more parking space per unit as opposed to additional
24 landscaping and will be asphalt or concrete. Councilmember Hoyt asked if they
anticipated a lot of RV parking. Mr. Knapp stated he hopes not and noted they will create
26 an HOA that will specify the regulations and restrictions in the CC&R's.

Councilmember Lundberg mentioned that she feels putting the kitchen
28 underground will be totally disconnected from the exterior space and is an odd
configuration that will not be desirable and not be in their best interest. Councilmember
30 Powell agreed with that statement. Councilmember Broderick inquired if the HOA will
maintain the parking area. Mr. Knapp confirmed the HOA will maintain all parking and
32 common areas. Councilmember Hoyt commented that he thinks this proposal looks nice
noting that the decision the Council needs to make tonight is whether or not we are
34 comfortable with the zoning. He feels this is such a unique lot that he does not see anyone
building a single family home at the location. Mr. Knapp stated that for the location the
36 lots are high priced and he feels this is the best use of the land and fits in the area. And as
far as a single family home goes, he personally would not want to build a brand new
38 home at that location. He added that there are other commercial lots in the city that are
cheaper.

40 At this time Mr. Van Wagenen asked the Council if they are comfortable with the
additional changes in the density and allowing a townhome product rather than a twin
42 home product. Councilmember Powell expressed that this particular lot is not conducive
to single family homes but she is uncomfortable with a PUD and how it could affect the
44 rest of the city, not so much for this location, but how it is crafted. She would like to see
it crafted in a way without utilizing a PUD. Mr. Van Wagenen stated the PUD is a
46 mechanism used to make units like this occur, and as far the concerns as how it could be
applied across the city, an overlay could be implemented only in certain zones, so it

2 would always be an zoning change and a zoning request that has to come forward and
4 would require permission from the Council and Commission to change the zoning so it
would be regulated.

6 Councilmember Lundberg stated that we may see more of these types of
applications in the commercial zone come before the Council. Mayor Acerson
8 commented that this may be the best use of the land and may be something that could
work. There was then some additional discussion regarding this issue. Councilmember
10 Powell asked how this overlay could be crafted. Mr. Van Wagenen stated the items to
consider would be parameters as far as open space and units per acre and obviously
12 additional requirements for guest parking. Staff would do research and go through the
details then come before the Commission and Council to solidify the details and screen
14 all applications. Councilmember Bean stated that overall he is comfortable with the
concept at this location noting he does not have real concerns about this coming back too
16 often, but we should be able to accommodate situations especially where the topography
is a challenge. Councilmember Broderick commented he is generally comfortable with
18 this concept but noted, as a builder, he feels the kitchen being downstairs would be a hard
sell.

20 Mr. Knapp asked staff if there are other obstacles moving forward. Mr. Van
Wagenen explained the process would require an ordinance amendment and a zone map
22 change which are two separate applications to apply the overlay to this specific location
and then a subdivision and site plan. Mr. Knapp's stated that his overall goal is to see if
the Council is comfortable moving forward with this concept. Mayor Acerson
24 commented that the Council is anxious to see how this will be implemented and it
appears the Council is comfortable with the proposed concept.

26 Mr. Knapp stated that they plan on building a nice product and they will be
competitive with similar products in the area. Mr. Knapp added that he feels the location
28 would not support a higher end product; this product is higher density but it is in a
commercial zone with a school right behind it and he feels this concept would enhance
30 the area. Mr. Van Wagenen re-iterated if approved this would need an ordinance change
and then a rezone of these lots to apply the new zone and then proceed through the site
32 plan and subdivision approval to put the PUD in place, and then submit an application for
a building permit. Mayor Acerson thanked Mr. Knapp for coming noting he feels the
34 Council has given him sufficient feedback. Mr. Knapp thanked the Council for their time
and consideration in this matter stating they have been very helpful.

36 Mayor Acerson called for any comments or questions from the Council. Hearing
none he moved on to the next agenda item.
38

- 40 7. **Review & Action** – *2015 Development Manual Updates*. The City Council will
review and take action on updates made to the 2015 Lindon City Land
42 Development Policies, Standard Specifications and Drawings manual
(Development Manual). The Development Review Committee (DRC)
44 recommends approval and ratification of the changes.

46 Mr. Van Wagenen gave a brief summary of this agenda item explaining the City
Council will review and take action tonight on updates made to the 2015 Lindon City
Land Development Policies, Standard Specifications and Drawings manual

2 (Development Manual). He noted the Development Review Committee (DRC)
recommends approval and ratification of these changes.

4 Mr. Van Wagenen explained the Development Manual is updated annually or as
needed. He further explained that changes can be made by the DRC and updates then
6 need to be ratified on an annual basis by the City Council. He then referenced the
Summary of the More Significant Changes and Revisions from the Planning Department
8 highlighting the most significant changes that the Council may be interested in. There
was then some general discussion regarding the changes.

10 Mayor Acerson called for any further comments or questions. Hearing none he
called for a motion.

12
14 COUNCILMEMBER LUNDBERG MOVED TO RATIFY CHANGES TO THE
2015 LINDON CITY LAND DEVELOPMENT POLICIES STANDARD
SPECIFICATIONS AND DRAWINGS MANUAL (DEVELOPMENT MANUAL) AS
16 RECOMMENDED BY THE DEVELOPMENT REVIEW COMMITTEE.

18 COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

19 COUNCILMEMBER BEAN	AYE
20 COUNCILMEMBER POWELL	AYE
COUNCILMEMBER BRODERICK	AYE
22 COUNCILMEMBER HOYT	AYE
COUNCILMEMBER LUNDBERG	AYE

24 THE MOTION CARRIED UNANIMOUSLY.

- 26 8. **Public Hearing** – *Ordinance Amendment, LCC 17.48 Commercial Zones –*
Ordinance #2015-5-O. This item was continued from the March 17, 2015
28 Council meeting. Lindon City requests approval of an amendment to Lindon City
Code 17.48. The proposed amendment will modify minimum lot or development
30 size along the 700 North Commercial Corridor. The Planning Commission
recommends approval.

32 COUNCILMEMBER HOYT MOVED TO OPEN THE PUBLIC HEARING.
34 COUNCILMEMBER POWELL THE MOTION. ALL PRESENT VOTED IN FAVOR.
THE MOTION CARRIED.

36
38 Jordan Cullimore, Associate Planner, led this discussion by explaining that this
item was continued from the March 17, 2015 City Council meeting. He noted that there
have been several discussions among Planning Commissions, City Council members, and
40 staff regarding how to best promote high quality, orderly development along the 700
North Corridor. Mr. Cullimore stated that staff presented some options to the Planning
42 Commission on February 10, 2015 and March 10, 2015 and the Commission
recommended approval of the ordinance amendment that is included in the packets.

44 Mr. Cullimore explained the amendment will divide the 700 North Corridor into
districts and require an applicant developing any area of a district to show how the
46 remainder of the district could develop to preserve access and visibility for the remaining
area in the district. Each district will share access points with the adjacent districts so that

2 each district has both a full-movement access and a limited, right in/right out access. He
noted this is a reminder that this will essentially split the 700 North corridor into districts
4 to balance the property owner as well as the developer's interest.

6 Mr. Cullimore then gave an example of how development within a district could
occur with this ordinance as follows:

- 8 1. Any developer interested in District 5 would have to show not only their
project within that district, but also a master plan for the remainder of the
10 district.
- 12 2. Approval of the master plan would be a guiding document for other
developers in the same district unless an updated plan were approved by
the Land Use Authority.
- 14 3. Each district is approximately five acres in size while minimum lot size
will remain the same as the rest of the General Commercial zone at 20,000
16 square feet.

18 Mr. Cullimore went on to say that staff feels this plan gives some flexibility to
developers while addressing the City's concern about orderly development along the
20 corridor. He noted that the Council considered the amendment at the last meeting and
requested that purpose language be included to give further guidance to developers
22 regarding site design. He then referenced the new proposed language including reference
to the Commercial Design Guidelines followed by discussion.

24 Mayor Acerson asked how developers have received this proposal. Mr. Van
Wagenen stated that they have had good input from the Planning Commissioners (with
26 two developers serving on the Commission) and have tried to balance and micromanage
the corridor and protect it, and they feel as a developer it protects their interest and also
28 provides some cohesiveness. He noted they sent notices to property owners and have not
heard anything back at this point. Mayor Acerson asked if UDOT has weighed in on this
30 at all because now that they are taking ownership of 700 North they may want to have a
voice. Mr. Van Wagenen stated they have not presented this ordinance as yet but they
32 have had some contact with some of the development activity.

Councilmember Lundberg stated this helps to provide a coordinated community
34 vision, but it is still really loose and not really specific. She also likes the flexibility and
broad language that encourages innovative design and a good flow with roads and
36 pedestrian usage; she also thinks developers would see this as a favorable thing for their
investment. Councilmember Bean expressed that he thinks this is a good document and a
38 good change to the code adding that changes can also be made down the road as we have
more discussion with brokers and developers.

40 Mr. Van Wagenen mentioned they previously discussed doing some market
studies through grants noting he does have a deadline to accept the grant. Following
42 discussion Mr. Van Wagenen stated he will bring more specific information and data
back to the Council for their consideration and bring this issue back for feedback.

44 Mayor Acerson called for any public comments. Hearing none he called for a
motion to close the public hearing.
46

2 COUNCILMEMBER LUNDBERG MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL
4 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

6 Mayor Acerson called for any further comments or questions from the Council.
Hearing none he called for a motion.

8
COUNCILMEMBER BRODERICK TO APPROVE ORDINANCE
10 AMENDMENT #2015-5-O WITH THE CLARIFICATION OF THE VERBIAGE
LAND USE AUTHORITY INSTEAD OF PLANNING COMMISSION.

12 COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

14 COUNCILMEMBER BEAN AYE

COUNCILMEMBER POWELL AYE

16 COUNCILMEMBER BRODERICK AYE

COUNCILMEMBER HOYT AYE

18 COUNCILMEMBER LUNDBERG AYE

THE MOTION CARRIED UNANIMOUSLY.

- 20
22 9. **Discussion Item** – *New Fire Station/City Center Upgrades: Timeline &*
Funding. The City Council will review the timeline for design and construction
24 of the future fire station and will discuss alternatives, public involvement, and
possible funding options. No motions will be made.

26 Mr. Cowie led this discussion by explaining at the last meeting, per feedback
from the Council, there was an interest in accelerating this project to hopefully get a
28 better interest rate, instead of waiting for another 1½ years before starting the process. A
draft timeline for construction and potential capital expenditures has also been previously
30 discussed. There was also discussion of looking at starting some heavy public
involvement in 2016 and not open the facility until July 2018; this will push it up a year
32 and a half sooner than what was anticipated. Mr. Cowie noted at the previous meeting
there were a lot of questions on how we got to this point and how we got into this
34 agreement and why we left Pleasant Grove. Mr. Cowie then referenced the provided
minutes from the 2008 City Council discussions and minutes from the Orem City
36 meeting where they approved the interlocal agreement along with some other documents
followed by discussion. Mr. Cowie noted that he appreciates Orem City Fire Chief, Scott
38 Gurney, being present tonight for discussion.

40 Mr. Cowie then highlighted the items of benefit to the 2008 agreement with
Lindon and Orem City as follows:

- 42 1. Full time services with limited upfront capital expenditures. Full access and
resources to Orem's Fire/EMS/Dispatch services.
- 44 2. Orem City assumes total liability for any events or issues that may happen while
providing the service. Lindon pays a \$10,000 fee towards the insurance costs.
- 46 3. Both parties agreed that the facilities are not adequate for long term use. Lindon
was eventually given a 10 year window to build a new station and Lindon would
own the building and Orem would provide the staffing up to 90% of midpoint and

2 services based on the contract rates (Lindon pays 1.5 million, Orem pays close to
3 \$300,000).

4 Mr. Cowie then referenced the following discussion items:

- 6 • A newspaper article and minutes from 2008 meetings regarding the change from
PG to Orem fire/ems/dispatch services are attached to help give an understanding
of past decisions which led to the Lindon/Orem service relationship.
- 8 • Funding options appear very feasible under current sales tax revenues. However,
additional revenues may be needed in slower economic times. Funding through a
10 Public Safety Utility Fee has been contemplated. See legal memo separately
provided to City Council members from City Attorney, Brian Haws, regarding a
12 utility fee option. It appears feasible to carry out and the most stable method of
funding that is also transparent and limited in scope.
- 14 • Next steps = more public involvement:
 - 16 ○ Open house to inform & gather input; get the word out to the citizens
 - Prepare RFP for Architect selection.

18 Mr. Cowie then referred to the Fire Station & Police Building Remodel points to consider
as follows:

- 20 • 2007 – PG provided full-time Police/Dispatch, part-time Fire/EMS (~\$1.27
Million/yr)
- 22 • 2008 – Lindon starts own Police Dept; contracts w/Orem for Dispatch/Fire/EMS
 - 24 ○ ½ City Center basement finished for temporary Police Station. Future
police/fire facility considered.
- 26 • 2008 Lindon/Orem interlocal agreement:
 - 28 ○ Lindon gets full-time services with limited upfront capital costs (new
building); North Orem gets better coverage / lower response times
 - 30 ○ Reduced Lindon Fire/EMS response times (~12 minutes to less than 3
minutes)
 - 32 ○ Lindon pays 90% of mid-point salary/benefits for 12 firefighters & 3
dispatchers. Orem pays costs for Fire Captain (making 5-man crews)
 - 34 ○ Lindon gets full access/resources to Orem’s Fire/EMS/Dispatch services,
training, equipment
 - 36 ○ Orem assumes total liability for Fire/EMS/Dispatch services
 - 38 ○ Both parties agreed current facilities were not adequate for long-term use;
Lindon given 10 years to build new station. Lindon owns building; Orem
provides equipment and staffing

Updated Tentative Budget:

40 Most cost-effective options:

- 42 a. Standalone 3-bay fire station (~10,000 sq./ft.) \$2.5 to \$3.0 Million
 - 44 b. Police / City Center Building remodel \$500k to \$700k
- Total: \$3M to \$3.7M*

44 **Estimated Annual Bond Payments (assumes bonding in Sept 2015 w/ 0.2% rate
increase)**

46 Bond amount Annual Payment

- \$2.5 M = \$170,539

- 2 • \$3.0 M = \$204,011
- \$3.5 M = \$237,421 *Annual O&M costs ~\$22,000/yr.*

4 **Possible Funding:**

- Retired flow rider bond (sale tax rev): \$180,000/yr.
- 6 • 2015 sales tax bond refunding annual savings: ~\$20,000/yr. (depends on refunding)
- 8 • State Street RDA (restricted funds / non-building costs): up to ~\$1.5 Million

Other possible funding sources:

- 10 • Public Safety Utility Fee: \$2.00/mo x 2,700 accounts = \$5,400 x 12 = \$64,800/yr.
- Public Safety Impact Fee: ~\$500k to \$900k over 20 years
- 12 • Rent current fire house: ~\$10,000/yr.
- Sell Tithing Office: \$120k
- 14 • Reallocate PARC funds to offset Parks/Rec O&M from General Fund and/or utilize PARC funds to offset some site improvements and parking costs
- 16 • Sell other public properties:
 - Rental houses: \$150k x 3 = \$450k
 - 18 ○ Geneva Resort Park property: 15 acres x \$4.00sq/ft. = \$2.6 Million

Draft Timeline:

- 20 • Public involvement (inform, gather info) 2 Months (April-May 2015)
- Architect Selection 1 ½ Months (May-June)
- 22 • Additional Public involvement (inform, final decision) 1 Month (June-July)
- Design & Securing of Finances (bond) 5 Months (July-Nov)
- 24 • Contractor Selection & Bid Award 1 ½ Months (Dec-Jan 2016)
- Construction 10 Months (Feb-Oct 2016)
- 26 • Contingency & Move-in 2 Months (Nov-Dec 2016)

28 Councilmember Lundberg asked staff what the advantages are in moving this up a year. Mr. Cowie gave his opinion that the primary purpose is financial and also bond and construction interest rates will not decrease but only increase.

30 Councilmember Lundberg asked if there are other intangibles. Mr. Cowie stated we would assume operation and maintenance costs. There is also political will with the potential of 3 new councilmembers that may pose a step backwards with the steps this Council has taken and also increased response times. Also, the sales tax climate is good now and if there is a step back in the economy it may prove harder to get good rates and funding.

32 Chief Gurney commented that the Orem City Council committed to this partnership and saw it as a “win win” situation for the citizens of North Orem and Lindon city. As a resident of Lindon he feels we couldn’t have asked for anything better. Orem City recognized the importance to the north end of the city and recognized the contract and the insurance liabilities there, but they are happy to do that. Councilmember Hoyt expressed appreciation for Chief Gurney and his department. He also asked, hypothetically speaking, if after public feedback, the citizens say no to this fire station and we can’t find the funds to build the station what would happen at that point. Chief Gurney stated they would have to go back and see what the best option would be for the city of Orem moving forward. He feels Orem City has been very accommodating to

2 Lindon City in regards to the commitment to build and the Council needs to uphold the
4 decisions of prior Councils. He added that they already gave an extension and to request
another extension may not be an option if the climate is the way it is now.

6 Councilmember Hoyt stated that he hopes his negativity isn't based anywhere
toward public safety as he feels it is paramount and should be provided to the city. His
8 concerns are adding more debt to the City and feels it is a burden and it should be
avoided, and entered into only if absolutely necessary. The route he would prefer would
10 be a sale of assets i.e., rental houses, Geneva property etc. He noted it is clear we need to
move forward but the issue is finding the correct mechanism to fund it.

12 Councilmember Broderick commented that he understands why the fire station is
needed, but asking citizens for more money makes him very uncomfortable and he would
like to see it done with what we have. He noted he would be in support of selling assets.

14 Mr. Cowie then referenced charts and graphs of funding options including a
public safety utility fee option, selling of assets (including the Geneva property) and the
16 possibility of implementing studies, followed by some general discussion.

18 Councilmember Lundberg mentioned having a conversation with Ivory Homes about
working with the city in some fashion (perhaps not putting a million dollar park) and do
something with the public safety building instead; it could be a negotiating factor. Mr.
20 Cowie stated they could be approached with that option. Councilmember Lundberg asked
the Council how they feel about a utility fee. Councilmember Broderick stated that would
22 be a last resort for him and every other option would have to be looked at first because he
puts road above this project even though he feels they are both important, but we need to
24 be frugal. Councilmember Lundberg agreed that we need to be frugal but we have shaved
down the costs from the original estimate and she would like to see us pay as much as we
26 can and if there is a shortfall she would be comfortable doing a little bit of bonding
(combination), for her it is not an all or nothing issue. Councilmember Broderick stated
28 he is not saying no to a bond he is saying we need to figure out what funds we have to do
it and to explore other avenues first.

30 Following some additional discussion, Mr. Cowie asked the Council for
clarification and direction if they want to accelerate the process now or wait a year. He
32 noted that financially it is beneficial and the other issue is political as the whole
conversation and climate may change as we have had a lot of discussion at this point.

34 Councilmember Powell expressed her opinion that the obligation and contract
with Orem City and to the citizens needs to be fulfilled but she would like to see some
36 kind of multifaceted approach. She feels we need to move forward as quickly as possible
as we have given this a lot of time and effort, but also agreed that being frugal is
38 important. Councilmember Hoyt agreed that he would approve moving forward but the
issue for him is funding and he would like to avoid debt as much as possible, and if we
40 have to move forward with bonding that would be the worst case scenario; he would also
like to find a way to be conservative and frugal.

42 Councilmember Lundberg was also in agreement to move forward pointing out
that the city is coming to a point where we can give arguments to the citizens that we
44 have done our due diligence and have gotten the best options possible and identified the
true need with trying to minimize the debt as much as possible. Mayor Acerson
46 commented that selling the Geneva park property may open up some options and would
suggest having it be a part of the conversation. The Council agreed that may be an option.

2 Mr. Cowie commented feels we are committed to building the facility and feels
we should escalate it. He stated that he feels it would be beneficial to hold some public
4 hearings and open houses to present these ideas and gather feedback and also get an
architect on board for an architectural set of plans to get an estimate.

6 Councilmember Powell commented that incredible progress has been made and if
we were to vote tonight she would vote to implement this timeline so we can have a good
8 estimate and grasp of what we are dealing with. Councilmember Broderick agreed we
have made great progress. Councilmember Hoyt stated that it appears there are at least
10 three votes in agreement to push this through and it seems the Council is open to selling
assets and he would agree to start moving forward. Councilmember Bean agreed stating
12 he would suggest to start looking at architects to get hard numbers. He added that he
doesn't feel we are rushing it but he feels comfortable moving forward to quantify some
14 costs.

Councilmember Broderick questioned the timeframe noting he is not sure we
16 have to push all this onto the public right now. He added the old minutes indicated that
the citizens felt rushed and the Council felt pushed to vote and make a decision.
18 Councilmember Powell commented that even escalating this we are still beating the
deadline. Mayor Acerson commented that there are a lot of moving pieces that can be
20 part of the solution if they can be quantified. He suggested getting a range of what that
may bring to the table so as a Council they can have a clearer picture. Mr. Cowie stated
22 that he will look at dates and start an RFP for an architect and start the public input
process. Councilmember Broderick and Councilmember Lundberg agreed they would
24 want input of capital first and a hard figure on architectural design and then present it to
the public. Councilmember Powell commented that these elements need to be in place as
26 to learn what not to repeat what happened with the Pleasant Grove public safety building
issue. Mr. Cowie then showed the draft site plan to the Council followed by some general
28 discussion.

At this time Chief Gurney commented, as a citizen of Lindon, that he appreciates
30 the passion and commitment this Council has to the office and to the citizens of Lindon.
He added that he wished that there were more residents in attendance to see that passion
32 and ideas as they consider and grapple with these questions and what they have started
with and where they are at right now. This is a healthy conversation and a good process
34 to get to where we need to be. He went on to say it is great that the idea is getting out
there with a positive message to the citizens. Chief Gurney commented, as a Fire Chief,
36 he is appreciative of the relationship with the Orem Fire Department and the commitment
that binds them to the former Councils. He feels it was a great decision to form this
38 partnership in 2008 and it benefits both parties in many ways. Mayor Acerson and the
Council thanked Chief Gurney for his comments and attendance tonight.

40 Mayor Acerson called for any further comments or questions from the Council.
Hearing none he moved on to the next agenda item.

- 42
- 44 **10. Review & Action – *Parameters resolution for sales tax revenue refunding*
bonds, Series 2015 (Resolution #2015-1-R). Consideration for adoption of a
46 resolution of the City Council of Lindon City, Utah, authorizing the issuance and
sale of not more than \$9,625,000 aggregate principal amount of sales tax revenue
refunding bonds, Series 2015; and related matters.**

2

Mr. Cowie gave a brief summary explaining the City Council will consider for adoption a resolution authorizing the issuance and sale of not more than \$9,625,000 aggregate principal amount of sales tax revenue refunding bonds, Series 2015 and related matters. Mr. Cowie then referenced for discussion the Resolution #2015-1-R and associated documents (included in packets) necessary for refunding of the Aquatics Center bonds, Series 2008 bonds. One was adopted in 2013 and the notice procedures need to be redone because it has been so long since the last noticing. He noted that the exhibits are not included in the packets but are available for review. Mr. Cowie stated they expect to close in May and will save around \$400,000 total. It has been reviewed by Legal counsel (bond) and they feel comfortable with this action.

Mayor Acerson called for any further comments or questions. Hearing none he called for a motion.

COUNCILMEMBER POWELL MOVED TO APPROVE RESOLUTION #2015-1-R AUTHORIZING THE ISSUANCE AND THE SALE OF NOT MORE THAN \$9,625,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE REFUNDING BONDS, SERIES 2015; AND RELATED MATTERS.

COUNCILMEMBER HOYT SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN	AYE
COUNCILMEMBER POWELL	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER HOYT	AYE
COUNCILMEMBER LUNDBERG	AYE

THE MOTION CARRIED UNANIMOUSLY.

28

11. **Discussion Item** – *Utopia/UIA General Updates*. Staff will present general updates regarding UTOPIA & UIA including current take rates and connections in Lindon City. No motions will be made.

32

Mr. Cowie led this discussion by explaining Staff will present general updates regarding UTOPIA & UIA including current take rates and connections in Lindon City. He noted that no motions will be made as this item is for discussion only.

Mr. Cowie then referenced for discussion the financial reports, take rates, and coverage map. He also referenced for discussion the general updates regarding organizational issues, OpEx payments, and financial outlooks. He noted the financials for UIA are actually doing the best they have been doing with a good outlook on revenues.

Mr. Cowie reminded the Council of the URS settlement of 10 million dollars that will be applied. The majority of the board decided to utilize all of that money for continued build out of the network. Councilmember Bean inquired if there was an internal legal opinion of how that funds should be used. Mr. Cowie replied there was a resolution drafted by Dave Shaw on how that money should be used and a legal opinion was obtained. Councilmember Bean and Councilmember Powell stated they would like a copy of that resolution. Mr. Cowie stated he will forward a copy of the resolution to them.

2 Mr. Cowie mentioned the last time Lindon paid OpEx payments was in June of
4 2014. He noted they are carrying it in-house as an obligation but it is not on their audited
6 records as a debt owed because it was not set up that way through the resolutions.
8 Revenues are improving but not enough to cover all their costs. Councilmember
10 Lundberg pointed out (per the graphs) that Utopia revenue is completely flat and going
12 nowhere. She also commented that the attached reports are pretty generic. Mr. Cowie
14 stated that any new growth (subscribers) is UIA because Utopia has capped out on raising
16 new capital. Mr. Cowie then referenced the numbers on take rates. He mentioned they
18 have also created a business committee that establish the guidelines for vetting new
20 proposals with certain criteria. Mr. Cowie asked the Council if they want to budget for
22 OpEx payments or not and also a total dark scenario. There was then some additional
24 discussion regarding this agenda item. Mr. Cowie also mentioned some recent
26 newspaper articles about Utopia. He noted if the Council has any specific questions to let
28 him know.

30 Mayor Acerson called for any further comments or questions from the Council.
32 Hearing none he moved on to the next agenda item.

34 12. **COUNCIL REPORTS:**

36 **Councilmember Powell** – Councilmember Powell reported that she attended the North
38 Utah County Outreach meeting with Mayor Acerson. She also mentioned the upcoming
40 information for Lindon Days. Councilmember Powell gave kudos to staff on the recent
42 Easter Egg Hunt stating it was a great event and was held at a great venue. She also
44 reported she will be attending EDCU Utah on Wednesday April 22nd at UVU where
46 Brandon Fugal will be giving an update. She also asked about cuts in the road on Locust
48 Avenue. Mr. Cowie stated that they will be done within the next few months.
Councilmember Powell also mentioned the issue of cars parking on Main Street by the
Car Dealership by 7-Eleven.

Councilmember Bean – Councilmember Bean mentioned that he has noticed that Planet
Power Toys has expanded into the unfinished area near the sidewalk and if it is a code
enforcement issue. Mr. Cowie stated that he will follow up with the Planning Department
on this issue.

Chief Cullimore – Chief Cullimore had nothing to report.

Councilmember Hoyt – Councilmember Hoyt confirmed the budget meeting to be held
on Monday at 12:30. He also mentioned that Brandon Fugal emailed him and narrowed
the meeting time down to next week.

Councilmember Broderick – Councilmember Broderick mentioned the recent
Everbridge call that went out. He also reported that residents are watering with culinary
water because it is taking so long to turn on the secondary water. He also reported that the
asphalt patches by the Ivory Development on the west side are really bad.

Councilmember Lundberg – Councilmember Lundberg reported that the Easter Egg
Hunt went very well and was a great event. They also need members for the tree board

2 noting that they only meet once a quarter and then the Arbor Day event. If anyone has
4 suggestions for members to let her know. Councilmember Lundberg also reported that
6 she attended the Utah Realtor's lunch and sat with Mayor Curtis from Provo and a
Pleasant Grove councilmember. They talked about a lot of different issues and were very
friendly and shared a lot of information and it was a good networking opportunity.

8 **Mayor Acerson** – Mayor Acerson reported the new Executive Director of the Utah Lake
10 Commission is Eric Ellis who is very qualified. Mayor Acerson also mentioned the
12 upcoming ULCT meetings in St. George and inquired who will be able to attend.
14 Councilmember Hoyt mentioned that he will not be in attendance and Councilmember
Broderick will not be there until Friday. Mayor Acerson mentioned that he is not sure if
he will be able to attend but will try to be there. The other Councilmembers and Mr. Cowie
will be attending the conference.

16 **Administrator's Report:**

18 Mr. Cowie reported on the following items followed by discussion.

20 **Misc. Updates:**

- 20 • April City newsletter.
- 22 • Project Tracking List.
- 24 • 2015 Lindon Days Grand Marshal – The list of past Grand Marshal names were
reviewed.
- 26 • Fryer Park playground committee & Big-T Recreation; additional funding /
budget amendment.
- 28 • Update: Public Works property trade with Nicolson Construction.
- Planning Commission member needed; Historical Commission members needed
- Misc. Items.

30 **Upcoming Meetings & Events:**

- 32 • Newsletter Assignment: Councilmember Lundberg – May newsletter article. *Due
by last week in April.*
- 34 • April 4th at 9:00 am – City Easter Egg Hunt at Pheasant Brook Park (800 West)
- 36 • April 8th – 10th ULCT spring conference in St. George
- 38 • April 13th at 12:30 pm – Budget Committee lunch meeting Mayor Acerson,
Councilmember Bean and Councilmember Hoyt will attend.
- 40 • April 14th at Noon – Engineering Coordination meeting at Public Works. Mayor
Acerson and Councilmember Broderick will attend.
- 42 • April 14th at 6 pm – Joint PC/CC work session: Ivory Homes/Anderson project
Mayor Acerson and the Council will attend.
- 44 • April 17th at 6:00 pm – Volunteer Appreciation Dinner. Mayor Acerson and all
Council members are invited to attend.
- 46 • April 24th (Friday afternoon) – tree sale, tree give-away.
- April 24th through May 3rd – City Wide Clean Up (dumpsters for public use)
- June 1st – June 8th Declaration of Candidacy filing period for three open Lindon
City Council seats

2 **Future items:**

- Employee Policy Manual updates.

4

Mayor Acerson called for any further comments or discussion from the Council.
6 Hearing none he called for a motion to adjourn.

8 **Adjourn** –

10 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
AT 10:55 PM. COUNCILMEMBER POWELL THE MOTION. ALL PRESENT
12 VOTED IN FAVOR. THE MOTION CARRIED.

14

Approved – April 21, 2015

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18

Kathryn Moosman, City Recorder

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Jeff Acerson, Mayor