

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, June 16, 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: Phil Brown, Chief Building Official
10 Invocation: Randi Powell, Councilmember

12 **PRESENT**

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

ABSENT

Jacob Hoyt, Councilmember

- 22
- 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
of June 2, 2015 were reviewed.

30
32 COUNCILMEMBER POWELL MOVED TO APPROVE THE MINUTES OF
THE REGULAR CITY COUNCIL MEETING OF JUNE 2, 2015 AS AMENDED.
34 COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

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

- 40
- 42 4. **Consent Agenda** – No items.
 - 44 5. **Open Session for Public Comment** – Mayor Acerson called for any public
comment not listed as an agenda item. There were no public comments.

46 **CURRENT BUSINESS**

2 6. **Public Hearing** –*Final Budget for fiscal year 2015-2016 (Resolution 2015-4-R);*
4 *Amend 2014-2015 Budget.* Kristen Colson, Lindon City Finance Director, will
6 present the proposed Lindon City Budget documents for fiscal year beginning
8 July 1, 2015. The City Council will hear public comment on the final city budget
10 for fiscal year 2015-2016, including the allocation of revenue from the water,
12 sewer, storm water and other enterprise funds to the general fund. The Tentative
14 Budget was presented and approved on April 21, 2015. The City Council also
held a public work session on the budget on May 5, 2015 and a public hearing on
May 19, 2015 where budget issues were discussed in detail. The City Council
will review the final budget for fiscal year 2015-16, review the amended budget
for fiscal year 2014-2015, review the agreement for services between the RDA
and the City, and review the city-wide fee schedule and compensation programs.

16 COUNCILMEMBER LUNDBERG MOVED TO OPEN THE PUBLIC
18 HEARING. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

20 Mr. Cowie explained that the balanced budget proposal for the 2015-16 fiscal
22 year represents significant work from the Department Heads and staff to reduce
24 expenditures. He noted that increased revenues and new sources of revenue (PARC tax)
26 have improved the financial status of the City. He explained that since the recession
began in 2008-09 the City had borrowed hundreds of thousands in enterprise funds to
balance the budget. Each year the City underspent its budget and was fortunate to never
have to actually use these borrowed funds. However, the borrowing continued in order to
balance the books each year.

28 Due to reductions in expenditures, cost cutting measures, and streamlining of
30 many other budget items the borrowing from enterprise funds is no longer needed, and
32 the City has added an additional \$100k to the General Fund balance since the Tentative
34 Budget adoption. Discontinuing of the borrowed funds (on the books) represents a
significant budgetary achievement. However, some equipment purchases and capital
improvement projects have continued to be postponed in order to achieve this budgetary
success and cannot be put off forever and need to be budgeted in future years. Improving
fund balances in Utility Enterprise funds will assist in the purchase of some of these
necessary items and projects.

36 Mr. Cowie stated the City anticipates increased revenues and expenditures as it
38 continues to grow and sees new development and improved sales tax revenues. He stated
40 this budget includes proposed increases in miscellaneous fees to help cover costs in
42 specific areas, and proposed increases in utility rates that will be implemented over a
44 multi-year period in order to re-build depleted fund balances and cover costs of future
utility replacements. He added that no increase in property taxes or other taxes are
proposed. Mr. Cowie stated the Council will be presented with the budget materials
tonight and asked to vote on specific budgetary issues that have been reviewed in past
meetings by straw-poll only.

46 Mr. Cowie then turned the time over to Kristen Colson, Finance Director to
present the budget items.

2 Ms. Colson then presented the 2015-2016 Major Budget Issues as follows:

4 **Budget Issue #1 Issue:**

6 Should Lindon City continue to provide residents with a 50% reimbursement of one library card per family per year for another City's library?

8 Ms. Colson then gave some background stating Lindon City does not have a city library and the City does not intend to build a library due to the sizable financial
10 commitment it would necessitate and the fact that nearby cities provide full service libraries. She noted that Lindon City has historically reimbursed residents 75% for the
12 cost of a family purchasing a non-resident library membership to another city's library. Last year, the reimbursement was decreased to 50%.

14 Ms. Colson stated this reimbursement program is being evaluated in order to ensure that Lindon City's resources are being allocated efficiently. Approximately 320
16 out of an estimated 2,500 homes in Lindon take advantage of this program. With few homes participating and with more technological resources available, the need for and the
18 overall benefit of this program is questionable.

20 **Differential Fiscal Impact:** There is \$16,000 in the Final Budget to continue the library reimbursement program in the 2015-2016 fiscal year.

22

24 Following some general discussion by the Council the straw poll vote regarding budget issue #1 was recorded as follows:

26 **BUDGET ISSUE #1:**

THE CITY COUNCIL STRAW POLL VOTE WAS RECORDED AS FOLLOWS:

28

COUNCILMEMBER POWELL AYE

30

COUNCILMEMBER BEAN AYE

COUNCILMEMBER BRODERICK AYE

32

COUNCILMEMBER LUNDBERG AYE

34 **Budget Issue #2 Issue:**

Should Lindon City increase Water, Sewer and Storm Water utility rates?

36

38 Ms. Colson gave some background of this budget issue stating utility rates should not only cover current operational expenses, but also allow reserves to be established
40 over time in order to fund repairing and or replacing aging system components. Current utility rates do not meet this objective.

42 She noted the City Engineer conducted an infrastructure assessment and maintenance evaluation as well as a utility rate study to determine and recommend utility
44 rate increases for water, sewer, and storm water utilities. The recommendation is to implement an annual increase over the next five years of 9% for water rates, 4% for
46 sewer rates, and 13% for storm water rates. Ms. Colson then referenced the recommended rate changes as follows along with the 2014-2015 rates as follows:

| Utility | 2014-2015 Rates | Recommended 2015-2016 Rates |
|-------------------------|-----------------|-----------------------------|
| Water (1" meter) | | |
| Below North Union Canal | | |
| Base | \$16.17 | \$17.63 |
| Usage | \$1.33 / kgal | \$1.45 / kgal |
| Above North Union Canal | | |
| Base | \$17.51 | tbd |
| Usage | \$1.40 / kgal | |
| Upper Foothills | | |
| Base | \$26.24 | tbd |
| Usage | \$1.63 / kgal | |
| Sewer | | |
| Base | \$16.97 | \$17.65 |
| Usage | \$3.05 / kgal | \$3.17 / kgal |
| Storm Water (per ESU) | \$5.47 | \$6.18 |

(kgal = 1000 gallons; ESU = Equivalent Service Unit, i.e. a single family home)

Ms. Colson noted the monthly increase on a resident's utility bill (using 8,000 gallons, below North Union Canal) would be as follows:

| | |
|-----------|---------------|
| Water | \$2.42 |
| Sewer | \$1.64 |
| Storm | \$0.71 |
| add'l tax | <u>\$0.29</u> |
| Total | \$5.06 |

Differential Fiscal Impact:

| | |
|------------------|-----------|
| Water Fund | \$104,370 |
| Sewer Fund | \$56,525 |
| Storm Water Fund | \$63,050 |

Ms. Colson noted these changes are reflected in the Final Budget and the revised Fee Schedule. Following some general discussion by the Council the straw poll vote regarding budget issue #2 was recorded as follows:

BUDGET ISSUE #2:

THE CITY COUNCIL STRAW POLL VOTE WAS RECORDED AS FOLLOWS:

| | |
|-------------------------|-----|
| COUNCILMEMBER POWELL | AYE |
| COUNCILMEMBER BEAN | AYE |
| COUNCILMEMBER BRODERICK | AYE |
| COUNCILMEMBER LUNDBERG | AYE |

Ms. Colson then went over the added fee schedule changes including ½ lot urn burials at \$140.00 for a resident and \$250.00 for a non-resident. She also referenced the

2 minor changes added with the public works inspection fees, land use fees, aquatic center
4 fees and community center rental fees and utility rate changes. Mr. Cowie mentioned that
6 a letter noticing residents about the transfer of utility fees was sent to every household in
8 the city. Ms. Colson then discussed the comparison of this year's original budget
10 numbers to the amended budget numbers. She pointed out that this year has been very
12 good with sales tax and building permits. She noted that some of the benefit decreases
14 were started half way through this fiscal year (retirement) and next fiscal year (2016
16 budget) they will be decreasing benefit costs by 17% including benefit decreases and the
18 change of insurance carrier.

20 Mr. Cowie again commended the department heads and staff for the efforts they
22 made to make things work as best they could and for participating with the benefit
24 issues/process earlier this year that made a significant difference. He mentioned that
eliminating the \$700,000 inner fund loan which has been in place since 2009 was very
beneficial for the city do this and was a great achievement. Ms. Colson then referenced
the presentation showing the 2016 fiscal year budget and fund balances, revenues and
expenditures.

18 Mayor Acerson asked for a comparison of how much is allocated for personnel
and how it relates to other cities of comparable size to help understand where we fit in.
20 Mr. Cowie stated they will be happy to provide that information noting that it will vary
22 greatly because population size is difficult to compare because of services provided and
24 commercial areas etc. Mayor Acerson called for any input from the Council at this time.
The Council expressed their appreciation to staff and the department heads for all of their
hard work on the budget.

26 Mayor Acerson called for any public comment. Hearing none he called for a
motion to close the public hearing.

28 COUNCILMEMBER LUNDBERG MOVED TO CLOSE THE PUBLIC
30 HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

34 COUNCILMEMBER BRODERICK MOVED TO APPROVE RESOLUTION
36 #2015-4-R, APPROVING THE FINAL 2015-2016 FISCAL YEAR BUDGET,
AMENDING THE 2014-2015 FISCAL YEAR BUDGET, AND APPROVING
38 SERVICES BETWEEN LINDON CITY AND THE LINDON RDA, WITH THE FEE
SCHEDULE CHANGES AS NOTED. COUNCILMEMBER POWELL SECONDED
40 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

42 COUNCILMEMBER POWELL AYE
44 COUNCILMEMBER BEAN AYE
COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER LUNDBERG AYE
46 THE MOTION CARRIED UNANIMOUSLY.

7. Recess to Lindon City Redevelopment Agency Meeting (RDA).

2 COUNCILMEMBER POWELL MOVED TO RECESS THE LINDON CITY
4 COUNCIL MEETING AND CONVENE THE LINDON CITY REDEVELOPMENT
6 AGENCY (RDA) AT 7:25 PM. COUNCILMEMBER BRODERICK SECONDED THE
8 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

10 BOARDMEMBER LUNDBERG MOVED TO ADJOURN THE LINDON CITY
12 RDA MEETING AND RE-CONVENE THE LINDON CITY COUNCIL MEETING AT
14 7:35 PM. BOARDMEMBER BRODERICK SECONDED THE MOTION. ALL
16 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

- 18 8. **Public Hearing** – *Ordinance Amendment (Ordinance 2015-14-O), LCC 8.24*
20 *and 9.24, Pheasant Hunting and Weapons.* Lindon City requests approval of an
22 Ordinance Amendment to LCC 8.24 Pheasant Hunting and 9.24 Weapons in
24 order to designate lawful hunting areas within the City. The Planning
26 Commission recommends approval of the changes.

28 COUNCILMEMBER POWELL MOVED TO OPEN THE PUBLIC HEARING.
30 COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
32 VOTED IN FAVOR. THE MOTION CARRIED.

34 Hugh Van Wagenen, Planning Director, gave a brief summary by explaining the
36 existing Lindon City Pheasant Hunting ordinance was adopted in 1985, when there was
38 much more open space in Lindon than currently exists. The old ordinance references a
40 map from 1979 designating “No Hunting” areas. He commented that the map is
42 extremely outdated and requires some revisions with the amount of development that has
44 occurred over the last 40 years. Mr. Van Wagenen stated with the map update, there are
46 also small code changes to align hunting and weapons discharge in the City. He noted
48 that the ordinance language covers two ordinances and is mostly grammatical changes.
50 Mr. Van Wagenen then referenced for discussion the amended Ordinance, the 2015
52 Hunting Zone Map and the 1979 Hunting Zone Map followed by some general
54 discussion. Chief Cullimore mentioned that paint ball and air soft guns are not classified
56 under Utah State law as a firearm and are allowed within the city limits. He noted the
58 Police Department enforces vandalism and safety issues if necessary.

60 Mayor Acerson called for any public comment. Hearing none he called for a
62 motion to close the public hearing.

64 COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC
66 HEARING. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL
68 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

74 COUNCILMEMBER BRODERICK MOVED TO APPROVE ORDINANCE
76 AMENDMENT 2015-14-O AS PRESENTED. COUNCILMEMBER POWELL
78 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

2 COUNCILMEMBER POWELL AYE
COUNCILMEMBER BEAN AYE
4 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER LUNDBERG AYE
6 THE MOTION CARRIED UNANIMOUSLY.

8 9. **Discussion Item** – *Athletic & Multipurpose Field Rental Policy & Rates*. Heath
Bateman, Parks & Recreation Director, will present a proposed filed rental
10 policy, applications, and rates for discussion and feedback from the Council.
The policy is intended to cover rentals of all athletic fields and other
12 multipurpose fields within parks throughout Lindon.

14 Heath Bateman, Parks & Recreation Director, opened the discussion by stating
the last time he met with the Council they discussed whether or not to open the ball fields
16 for rentals. He noted that he checked with Spanish Fork City and found they are
essentially the leader with this issue and somewhat similar, so he used some of their
18 policies to be generally consistent with our own ideas. He noted that this will be a
complete fundamental change from what is currently in place and he is looking for
20 feedback from the Council on this issue. Mr. Bateman explained that currently the fields
are on a first come first serve basis and they try to limit the baseball fields to one hour of
22 practice time, however it is not really enforced unless they are asked to. Mr. Bateman
expressed his opinion stating this could be a revenue maker but they will be expected to
24 enforce the rentals. He mentioned the fee schedule will be the same as Lehi, American
Fork and Spanish Fork cities even though our fields are not as developed as some.

26 Mr. Bateman stated he is in favor of this change if it can boost revenue but noted
enforcement may be difficult. He added that the policy will be done in a tiered manner.
28 He then explained the three tier format followed by discussion. Mr. Bateman expressed
that he has strong feelings that recreation programs come before accelerated and travel
30 programs and residents come before that. He asked the Council at this time if they want
to go ahead with the rental program.

32 Mayor Acerson commented that he feels if there is a commercial aspect/gain of it
and they are not Lindon residents (to be fair to our citizens) we need to have some fee
34 structure because of the use and what they are doing. Councilmember Broderick stated he
feels if there are fields available people should certainly be able to use them. He would
36 also suggest to watch this and just see how it goes. Mayor Acerson asked if the Council is
comfortable moving forward with the structure Mr. Bateman has proposed and then
38 review it. Following some general discussion the Council was in agreement to move
forward with Mr. Bateman's proposal. Mr. Bateman concluded by stating he will come
40 back with a drafted policy for the Council to vote on. Mr. Bateman also mentioned the
Community Center Advisory Board will be hosting an all-city grand prix pinewood derby
42 at the Community Center on June 27th at 9:00 am. He noted they have rented a track and
would encourage all to participate. They also have kits available that were donated by
44 Low Book Sales and it should be a fun event.

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

2 Mr. Cowie went on to say for large summer water users, this method may be more
4 desirable. Since the utility billing clerk is already tracking this billing option for those
6 without pressure irrigation, it appears to be a simple and easy way to change the billing
method without additional fees or methods of tracking billing and would not require
additional procedures. He noted that a simple form and verification of large water use is
all that would be needed.

8 Mr. Cowie stated in the end it was staff's opinion that a month to month billing
10 where somebody can control their water bill as to see the difference in their sewer
charges is maybe more of an incentive for people to stay on the month to month option as
12 a water conservation effort. If we change that and their sewer bill never fluctuates it is a
dis-incentive to pay as much attention, so the thought is in having the averaging there are
14 more conservation minded opportunities. It will also document on their bill that there has
been some spike depending on the usage, i.e., filling a swimming pool. There was then
some general discussion by the Council regarding this issue. Councilmember Bean stated
16 he would like to ensure this is fair for all residents. Councilmember Broderick stated he
does not want it to be burdensome.

18 Mayor Acerson suggested doing physical checks at each residence to ensure there
are not any cross connections with secondary as to be proactive. Mr. Cowie stated they
20 physically go out and read the meters yearly to make sure the radio reads are functioning
properly and check the boxes which is good policy. There was then some general
22 discussion by the Council regarding cross connection precautions/prevention for both the
citizens and for liability issues. Mr. Cowie stated a notice to residents regarding this issue
24 will be included in the city newsletter and on the website.

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

28 12. COUNCIL REPORTS:

30 **Councilmember Powell** – Councilmember Powell reported that the Community Center
Advisory Board will be presenting the movie “Horton Hears a Who” at Meadows Park on
32 June 19th. She also reported there is a new Lindon Days event this year (cardboard boat
race) that will be held at the pool. She also gave an update on the Employee party noting
34 she will send out an email to the Council with the details. She also mentioned that
someone is still riding a motorcycle on the trail. Councilmember Powell asked what the
36 current weed policy is as there are several weed issues, one on 200 East and Center Street
and one on the east side of Walmart behind Taco Bell. Mr. Cowie stated they send
38 notices to target properties (Gary Hoglund, Code Enforcement officer has the list). He
stated that anything taller than 6 inches (by code) can be classified as a fire hazard.
40 Councilmember Powell also mentioned the drive thru at Little Caesar's is causing
problems with the flow/deliveries and instigating animosity between the tenants. Mr.
42 Cowie stated he will check with the Planning Director regarding this issue (approvals,
permits, etc.).

44 **Councilmember Bean** – Councilmember Bean had nothing to report at this time.
46

2 **Chief Cullimore** – Chief Cullimore thanked the Council for allowing him to attend the
4 Children’s Justice Symposium last week noting it was very worthwhile. He mentioned
6 there were people from all over the nation and Utah is being seen as a leader for
8 children’s justice. Chief Cullimore also mentioned that Lindon is being recognized
10 across the State for the Quad Copter program and the program is moving forward and
setting an example for others. He also reported that a black Mercedes 2015 gl 450 SUV is
missing from the Larry H. Miller dealership. Apparently an employee (salesman)
crashed through the gate Sunday night with the SUV. He noted the Lindon Police
Department is working with the dealership to strengthen their security.

12 **Councilmember Hoyt** – Councilmember Hoyt was absent from the meeting.

14 **Councilmember Broderick** – Councilmember Broderick reported he will be attending
16 the Engineering Coordination meeting on June 19th. He noted they are still doing some
meter calibration to measure/verify water correctly as there is a huge variance.

18 **Councilmember Lundberg** – Councilmember Lundberg had nothing to report at this
20 time.

22 **Mayor Acerson** – Mayor Acerson reported on the upcoming ground breaking at the IHC
24 Hospital at Provo on June 17th at 11:00 am. He also reported that he attended the
meetings on the initiative to put the ¼ cent on the November ballot. There was a good
discussion with Mountainland Association of Government (MAG) and the County
Commission; he noted it will be on the November ballot. He also mentioned that Lindon
26 was highlighted by Commissioner Graves stating others should follow Lindon’s lead.
Mayor Acerson commented that many feel quite strongly that we can’t wait and need to
28 move forward which was the intent.

30 **Administrator’s Report:**

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

32

Misc. Updates:

34

- June City newsletter

36

- Project Tracking List

38

- Discussion on flash flooding that occurred on June 11th

40

- Update on claims status

42

- Architectural RFQ’s have been posted for the Fire Station and City Center/Police
Department remodel. Selection committee to meet in July: Mayor Acerson,
Councilmember Broderick and Staff will attend

44

- Elections: 4 candidates filed for office. Meet the Candidates night will be held on
October 22nd

46

- UTOPIA/UIA update

48

- Fireworks Restriction: Reminder that fireworks restrictions are in place. Maps
found on City website: City wide restrictions map and West-side/foothills
restrictions detail map

50

- Misc. Items

2 **Upcoming Meetings & Events:**

- 4 • Newsletter Assignment: Matt Bean - July newsletter article. *Due by last week in June.*
- 6 • June 25th at 6 pm – Employee Summer Party/Aquatics Center
- 6 • August 3rd – 8th – Lindon Days celebration. All Council members will attend.

8 **Future items:**

- 10 • Employee Policy Manual updates

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

14 **Adjourn** –

16 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
16 AT 9:25 PM. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
18 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

20 Approved – July 7, 2015

22
24 _____
Kathryn Moosman, City Recorder

26
28 _____
Jeff Acerson, Mayor