

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, July 21, 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: Cody Cullimore  
10 Invocation: Adam Cowie

12 **PRESENT** **ABSENT**

Jeff Acerson, Mayor  
14 Randi Powell, Councilmember  
Matt Bean, Councilmember  
16 Van Broderick, Councilmember  
Jacob Hoyt, Councilmember – arrived 8:00 pm  
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 regular City  
30 Council meeting of July 7, 2015 were reviewed.

32 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES  
OF THE REGULAR CITY COUNCIL MEETING OF JULY 7, 2015 AS AMENDED.  
34 COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS  
RECORDED AS FOLLOWS:

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

- 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 – General Plan Amendment, National Packaging Innovations**  
4           **(Ordinance #2015-16-O)**. Ed Daley of National Packaging Innovations request  
6           approval of a General Plan Map amendment to change the land use designation  
8           of the lot at approximately 750 North 2800 West (parcel #13:063:0057) from  
            Commercial to Mixed Commercial. The Planning Commission recommends  
            approval of the change.

10           COUNCILMEMBER POWELL MOVED TO OPEN THE PUBLIC HEARING.  
12           COUNCILMEMBER BEAN SECONDED THE MOTION. ALL PRESENT VOTED IN  
            FAVOR. THE MOTION CARRIED.

14           Jordan Cullimore, Associate Planner, opened the discussion by giving a brief  
16           summary of this agenda item. He stated this application came before the Planning  
18           Commission approximately a year ago, and at that time the property was re-designated  
            and rezoned to Mixed Commercial. He stated the project took a different direction and  
            the Council directed staff to revert the General Plan designation and zoning designation  
            to Commercial and now the applicant is ready to move forward with the project.

20           Mr. Cullimore explained that the development will likely serve businesses that  
22           require an office/warehousing environment in which light assembly, packaging, and  
24           shipping activities will occur. He noted the applicant’s proposed use is not allowed in the  
26           CG zone, but it is in the MC zone, and the applicant is also requesting the appropriate  
28           zoning under the next item on the agenda. Mr. Cullimore further explained that City Code  
            requires that any zone change must be consistent with the City’s General Plan  
            Designation. The current General Plan designation is Commercial, so the General Plan  
            map must first be modified for the rezone request to be possible. Therefore, the applicant  
            is requesting that the General Plan designation be changed to Mixed Commercial to  
            permit the zone change and allow the desired uses.

30           Mr. Cullimore went on to say that the General Plan currently designates the  
32           property under the category of Commercial. This category includes retail and service  
34           oriented businesses, and shopping centers that serve community and regional needs. The  
            applicant is requesting that the General Plan designation of the property be changed to  
            Mixed Commercial, which includes the uses in the General Commercial designation, as  
            well as light industrial and research and business uses.

36           Mr. Cullimore then referenced the relevant general plan policies to consider in  
            determining whether the requested change will be in the public interest as follows:

- 38           a. It is the purpose of the commercial area to provide areas in appropriate locations  
40           where a combination of business, commercial, entertainment, and related  
42           activities may be established, maintained, and protected.
- 44           b. Commercial use areas should be located along major arterial streets for high  
46           visibility and traffic volumes.
- c. The goal of commercial development is to encourage the establishment and  
            development of basic retail and commercial stores which will satisfy the ordinary  
            and special shopping needs of Lindon citizens, enhance the City’s sales and  
            property tax revenues, and provide the highest quality goods and services for area  
            residents.

            Mr. Cullimore also referenced the objectives of this goal are to do the following:

- 2 1. Expand the range of retail and commercial goods and services available within the community.
- 4 2. Promote new office, retail, and commercial development along State Street and 700 North.
- 6 d. Applicable city-wide land use guidelines:
  - 8 i. The relationship of planned land uses should reflect consideration of existing development, environmental conditions, service and transportation needs, and fiscal impacts.
  - 10 ii. Transitions between different land uses and intensities should be made gradually with compatible uses, particularly where natural or man-made buffers are not available.
  - 12 iii. Commercial and industrial uses should be highly accessible, and develop
  - 14 compatibly with the uses and character of surrounding districts.

16 Mr. Cullimore noted that the Planning Commission determined that all the factors that led to the approval granted last year still apply and that the applicant's proposal will  
18 serve the public interest. He added that the Commission recommended approval of the amendment on a 4-0 vote.

20 Mr. Cullimore then referenced an aerial photo of the proposed area to be re-classified, photographs of the existing site, conceptual site plan, conceptual architectural  
22 renderings and a concept site plan with multiple buildings and a rendering of what the building will look like and the proposed amendment followed by some general  
24 discussion. Mr. Cullimore then turned the time over to Mr. Daley, the applicant.

26 Councilmember Broderick asked if anything has changed as presented since last year. Mr. Daley stated it is identical and nothing has changed. Councilmember Lundberg  
28 commented that last time the contract was contingent on getting the zone changed and if that is still the case. Mr. Daley confirmed that statement stating this is the last step before  
30 closing. He noted the first building will be owner occupied and the first building to be occupied will be building C and the rest will be determined at a later date.

32 Councilmember Lundberg asked about road access and if it was presented to the Commission. She also pointed out at the last review they had concerns about the  
34 condition of the "Blind man" business. Mr. Daley stated he met with the current landowner who indicated that he had no idea the building was in that type of condition  
36 and they are cleaning it up. Mr. Daley said that Curtis Miner will present a cross access towards 2800 West and it is still up in the air on which building gets built first.

38 Mayor Acerson asked if the Planning Commission had any concerns. Mr. Cullimore stated they felt comfortable moving forward as it was similar to what they had  
discussed last year.

40 At this time Mark Weldon, property owner in attendance, asked about a pie parcel zoned for office. He noted they talked about putting a warehouse there but was told they  
42 had to put office there so they moved ahead with an office plan and pointed out that now a warehouse is going in next door. He stated that they would like to have buffers for  
44 landscaping or something that will take it upscale as to not diminish the property value of a Class A office space. Mr. Cullimore stated the Planning Commission discussed, from a  
46 land use perspective, that it makes sense to have the commercial retail space along the corridors.

2 Mayor Acerson asked if the Planning Commission were aware that the adjacent  
parcel was going to be put into Class A office space. Mr. Van Wagenen stated they have  
4 not had an official application. Councilmember Lundberg asked Mr. Cullimore to advise  
the Council of the approved uses in mixed commercial i.e., noise, smells, etc. Mr.  
6 Cullimore then explained the uses in the commercial and mixed commercial zones.  
Councilmember Powell asked what the land use is west of Pheasant Brook Park (that  
8 backs up along Geneva Road). Mr. Cullimore stated it is Light Industrial. Mr. Van  
Wagenen stated there are additional landscaping requirements in the commercial zones.  
10 There was then some additional general discussion regarding this agenda item.

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

14 COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC  
HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL  
16 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

20 COUNCILMEMBER BRODERICK MOVED TO APPROVE ORDINANCE  
22 2015-16-O TO CHANGE THE GENERAL PLAN DESIGNATION OF THE LOT  
IDENTIFIED BY UTAH COUNTY PARCEL #13:063:0057 FROM COMMERCIAL  
24 TO MIXED COMMERCIAL. COUNCILMEMBER POWELL SECONDED THE  
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

26 COUNCILMEMBER POWELL AYE  
COUNCILMEMBER BEAN AYE  
28 COUNCILMEMBER BRODERICK AYE  
COUNCILMEMBER HOYT AYE  
30 COUNCILMEMBER LUNDBERG AYE  
THE MOTION CARRIED UNANIMOUSLY.

32

34 7. **Public Hearing** – *Zone Map Amendment, National Packaging Innovations*  
(*Ordinance #2015-17-O*). Ed Daley of National Packaging Innovations requests  
approval of a Zone Map amendment to change the zoning designation of the lot  
36 at approximately 750 North 2800 West (parcel #13:063:0057) from Commercial  
A8 (CG-A8) to Mixed Commercial (MC). The Planning Commission  
38 recommends approval of the change.

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

44 Mr. Cullimore led this discussion by explaining this is the second part of a two  
part request (now that the General Plan change has been approved) by Ed Daley of  
46 National Packaging Innovations, who is in attendance to also request to develop the  
parcels with a site configuration and architectural design similar to the site plan concept

2 included in the packets. He noted the complex will likely serve businesses that require  
office/warehousing space in which light assembly, packaging, and shipping activities will  
4 occur. Mr. Daley’s proposed use is not allowed in the CG-A8, but it is in the MC zone.  
So he is requesting that the lot be rezoned to the MC zone, subject to approval of a  
6 supporting General Plan Map amendment.

Mr. Cullimore explained that the current general plan designation does not permit  
8 the subject lots to be rezoned from CG to MC. He noted this item is contingent upon the  
approval, by the City Council, of agenda item #4 involving the General Plan designation  
10 of the lot. Mr. Cullimore further explained that subsection 17.04.090(2) of the Lindon  
City Code establishes the factors to review when considering a request for a zone change.  
12 The subsection states that the “Planning Commission shall recommend adoption of a  
proposed amendment only where the following findings are made:

- 14 ○ The proposed amendment is in accord with the master plan of Lindon City;
- 16 ○ Changed or changing conditions make the proposed amendment reasonably  
necessary to carry out the purposes of the division.”
- 18 The stated purpose of the General Commercial Zone is to “promote commercial  
and service uses for general community shopping.” Further, the “objective in  
establishing commercial zones is to provide areas within the City where  
20 commercial and service uses may be located.”
- 22 The purpose of the Mixed Commercial Zone is to “provide areas in appropriate  
location where low intensity light industrial (contained entirely within a building),  
research and development, professional and business services, retail and other  
24 commercial related uses not producing objectionable effects may be established,  
maintained, and protected.

26 Mr. Cullimore stated the Planning Commission determined that all the factors that  
led to the approval granted last year still apply and that the applicant’s proposal will serve  
28 the public interest. The Commission recommended approval of the amendment on a 4-0  
vote. Mr. Cullimore then referenced an aerial photo of the proposed area to be rezoned,  
30 photographs of the existing site, conceptual site plan, conceptual architectural renderings  
and the proposed amendment followed by discussion.

32 Councilmember Lundberg commented that last year the change was made and it  
fell through. She noted that the council requested that they go through the process to  
34 change it back. She recalls there was some discussion on how to handle those situations  
in the future and asked Mr. Cullimore if that was resolved. Mr. Cullimore stated it was a  
36 condition that staff would initiate the change and they would have to formally go through  
the process.

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

42 COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC  
HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL  
44 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

2 COUNCILMEMBER BRODERICK MOVED TO APPROVE ORDINANCE  
4 2015-17-O, TO CHANGE THE ZONING DESIGNATION OF THE LOTS  
6 IDENTIFIED BY UTAH COUNTY PARCEL #13:063:0057 FROM GENERAL  
COMMERCIAL A8 (CG-A8) TO MIXED COMMERCIAL (MC).

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

10 COUNCILMEMBER POWELL AYE

12 COUNCILMEMBER BEAN AYE

14 COUNCILMEMBER BRODERICK AYE

16 COUNCILMEMBER HOYT AYE

18 COUNCILMEMBER LUNDBERG AYE

20 THE MOTION CARRIED UNANIMOUSLY.

22 8. **Major Subdivision** – *Huckleberry Estates, approx. 750 N. Locust Avenue.*

Jared Bishop requests preliminary approval of an eight (8) lot subdivision, six (6) of which will be in Lindon and two (2) in Pleasant Grove, including dedication of public streets, at approximately 750 North Locust Avenue in the Single Family Residential (R1-20) zone. The Planning Commission recommends approval of the subdivision.

Hugh Van Wagenen, Planning Director, also led this discussion by explaining Jared Bishop (Andrew Bishop is in attendance representing this application) and is requesting preliminary approval of an eight (8) lot subdivision, six (6) of which will be in Lindon and two (2) in Pleasant Grove, including dedication of public streets, at approximately 750 North Locust Avenue in the Single Family Residential (R1-20) zone. The Planning Commission recommends approval of this subdivision. He noted that the name will change to Honeysuckle Estates, not Huckleberry Estates on the actual recording.

Mr. Van Wagenen explained this is a request to create eight (8) lots and dedicate a new public street in the Single Family Residential (R1-20) zone (4.4 acres). Two additional lots of the subdivision will be located in Pleasant Grove with Lots 3, 4, 5, 6 and the majority of Lot 8 will front on 1000 South in Pleasant Grove while Lot 7 fronts on Locust Avenue and Lots 1 and 2 will be in Pleasant Grove. He explained the lots will receive sewer and culinary water service from Lindon City with the secondary water and storm drain will be connected to Pleasant Grove City's systems.

Mr. Van Wagenen stated that Lindon and Pleasant Grove are working on an interlocal agreement regarding utility service to this subdivision (and similar situations as may come up in the future). He noted that an agreement signed by both Cities should be a condition of approval before the plat is recorded at the County. He added that the City boundary is located on the south side of the road at the back of the walk.

Mr. Van Wagenen further explained that the minimum lot size in the R1-20 zone is 20,000 square feet (.46 acre). Of the lots in Lindon, 3, 4, 5, 6, and 7 meet the minimum requirement while Lot 8 is 17,891 square feet. This lot currently exists in more or less the same configuration as is being proposed in the subdivision. He noted that the current configuration exists as is due to the City boundary with Pleasant Grove and required road

2 dedication for 1000 South. Staff is considering this lot to be a legal, nonconforming lot  
4 because its constraints are being imposed by government action with regards to the City  
boundary and required road dedication.

6 Mr. Van Wagenen went on to say that the minimum frontage in the R1-20 zone is  
50 feet and all lots meet this requirement and lot width requirements necessitate 100 feet  
8 of width at the front yard setback which is 30 feet back from the property line. He noted  
that all lots meet this requirement, and since 1000 South is a Pleasant Grove road, the  
10 street will meet that city's cross section. However, a temporary turn around on the east  
end of the road will be required by Engineering. He stated that staff has determined that  
12 the proposed subdivision complies, or will be able to comply before final approval, with  
all remaining land use standards in LCC 17.32. He added that the City Engineer is  
14 addressing engineering standards and all engineering issues will be resolved before final  
approval is granted.

16 Mr. Van Wagenen stated with a 4-0 vote, the Planning Commission  
recommended approval of this subdivision with the condition that the utility agreement  
between Lindon City and Pleasant Grove City be entered into in order to serve the lots in  
18 the Honeysuckle Subdivision prior to recording the plat. Mr. Van Wagenen then  
referenced an aerial photo of the proposed subdivision, photographs of the existing site  
20 and the preliminary plan. There was then some general discussion regarding this agenda  
item.

22 Councilmember Bean inquired if someone wanted to develop more legal non-  
conforming lots how many could they have. Mr. Van Wagenen stated in this case,  
24 because it is an existing parcel with existing geometry, it is pretty straightforward and  
they would have to come into conformance. Councilmember Lundberg asked if Pleasant  
26 Grove is requiring a park strip. Mr. Van Wagenen confirmed that statement. He pointed  
out that the applicant is running the subdivision application through Pleasant Grove  
28 simultaneously with Lindon City. Councilmember Broderick asked if this is fitting with  
the road master plan. Mr. Van Wagenen confirmed that statement. Councilmember  
30 Lundberg asked if the property owners to the north are going to participate in sub-  
dividing their lots.

32 Clark Evans, property owner in attendance, gave a brief history of his property  
and easements. He also commented that the property is taxed by Lindon and Pleasant  
34 Grove and it was originally also taxed by the County. Mr. Van Wagenen stated that the  
easement issues will be worked out. He added that this is a preliminary plan with  
36 additional drawings and submittals that will be coming with the final plat and it will be  
handled at staff level before recordation.

38 Following some additional discussion, Mayor Acerson called for any further  
comments or questions from the Council. Hearing none he called for a motion.  
40

42 **COUNCILMEMBER LUNDBERG MOVED TO APPROVE THE**  
**APPLICANTS REQUEST FOR APPROVAL OF AN EIGHT LOT RESIDENTIAL**  
**SUBDIVISION WITH THE FOLLOWING CONDITION 1. THE UTILITY**  
**AGREEMENT BETWEEN LINDON CITY AND PLEASANT GROVE CITY BE**  
**ENTERED INTO IN ORDER TO SERVE THE LOTS IN THE HONEYSUCKLE**  
**SUBDIVISION PRIOR TO RECORDING THE PLAT. COUNCILMEMBER**  
46

2 BRODERICK SECONDED THE MOTION. THE VOTE WAS RECORDED AS  
FOLLOWS:

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

10

12 9. **Concept Review – Weldon Industries.** Mark Weldon requests feedback on a  
14 proposal to extend the MC zone along 1700 West near 700 North in order to  
16 accommodate an 80,000 s.f. office/warehouse building. Mr. Weldon is the  
developer of the Lindon Tech site on 500 North and 2000 West and will also be  
developing the Mountain Tech office site on the northwest corner of I-15 Exit  
275. No motions will be made.

18 Mr. Van Wagenen led this discussion by giving a brief overview explaining Mark  
20 Weldon (who is in attendance) is requesting feedback on a proposal to extend the MC  
22 zone along 1700 West near 700 North (south of the former Noah’s building) in order to  
24 accommodate an 80,000 s.f. office/warehouse building. He explained that Mr. Weldon is  
the developer of the Lindon Tech site on 500 North and 2000 West and is in the process  
of developing the Mountain Tech office site on the northwest corner of I-15 Exit 275. He  
noted that no motions will be made on this item as it is a concept review only. He noted  
that Mr. Weldon is just looking for feedback from the Council on what they would like to  
see on the 700 North corridor. He added that a visual representation of the applicant’s  
proposal and a concept site plan are included in the packets.

28 Mr. Van Wagenen stated that currently, the property in question is split zoned  
30 CG/MC and because it is a single parcel, the CG zone is the governing zone as it is more  
restrictive in its use options than the MC. Mr. Van Wagenen further explained that in  
order to construct the proposed office/warehouse building, a subdivision would have to  
32 occur with an MC zone extension of about 240 feet to the north being approved by the  
Planning Commission and City Council. Mr. Van Wagenen then referenced an aerial  
34 photo of the land involved in the concept review and photos of the existing site and the  
applicant’s concept site plan followed by discussion. He then turned the time over to the  
36 applicant for comment.

38 Mr. Weldon addressed the Council at this time along with Mr. Brandon Fugal.  
Mr. Weldon stated the first project is for the office building for Frontier  
Communications. He explained they are spending \$125,000 just for landscaping alone to  
40 ensure that they respect the residential homes in the area. He noted they are putting a lot  
of money into landscaping and expensive water to service the landscaping. Mr. Weldon  
42 state this project will bring in 400 jobs and a 10 year lease as soon as they can get the  
project started if they have the appropriate zoning. He noted this project is similar to the  
44 building they built in the Lindon Tech development. They are slated to bring two (2)  
buildings there and by the time they are done they will have 22 million dollars invested.  
46 Mr. Weldon mentioned they have two concerns 1. Long term easement (in and out) and  
2. Protecting their investment to ensure they have the best of world class type buildings in

2 that area. He noted they also paid \$7,500 for a traffic study that showed a turnaround  
4 would be a nice addition in the area for traffic flow; they are also paying for  
infrastructure in the area.

6 Mr. Weldon then turned the time over to developer, Brandon Fugal. Mr. Fugal  
gave a brief background on each of the tenants that have committed to these projects  
8 noting both are fortune 500 companies. He explained that Global Payments is an 8 billion  
dollar company with Frontier Communications being about the same. He pointed out that  
10 it is very fortunate that these companies are entering Lindon because of the jobs they will  
create (400) and both will double in size and expand beyond that with their scope and  
presence in Lindon.

12 Mr. Fugal mentioned their biggest concern is that because of the overlap in the  
two zones (on the Lindon Tech park side) they have significant momentum and they have  
14 a catalyst with Frontier and other businesses that have committed to this site, and the  
current zoning doesn't necessarily allow for them to expand the scope of Lindon Tech;  
16 they would love to have the flexibility to continue staging the expansion.

18 Mr. Fugal commented that they are currently in talks with an international  
company that could very well anchor both buildings. He re-iterated they are concerned  
with the overlap and being able to adjust the line of delineation relative to the zoning in  
20 order to accommodate a staged growth immediately or they may lose momentum. Right  
now they have a unique window of opportunity with these credit tenants that are  
22 committed to bring in significant jobs, employment and value creation to the market and  
to Lindon and they don't want anything to stifle their ability to proceed.

24 Mr. Fugal also mentioned an item second to the zoning which is the intended use  
of the road and the improvements. He noted there is a ditch that needs to be addressed as  
26 they provide access in from the east side of the project. They need to appropriately  
address what improvements are really going to be required by the developer in order to  
28 make that work; this is a critical discussion.

30 Mr. Fugal stated that Dan Torfman (Dennis Baker's partner) is in attendance to  
specifically address this issue with the Council to come up with some resolutions as they  
32 proceed forward. He added that Mr. Weldon is moving at an accelerated pace to close  
within the next several weeks subject to coming to some reasonable settlement on how to  
address the infrastructure required by the city for development and to be able to proceed  
34 as quickly as they can break ground. Mr. Fugal pointed out that this is a remarkable time  
in Lindon City's history and in the market, as there is unprecedented growth  
36 opportunities and National attention and no one knows how long that will continue and  
they should take advantage of the momentum. He added that they want to be good  
38 stewards to this property and a good partner to the City and to set the right tone. They  
would also appreciate any cooperation on the part of the city to help them reasonably  
40 make some adjustments in order to help facilitate this development plan which is in  
everyone's best interest. Mr. Fugal stated there is a unique opportunity to create a nice  
42 transition and buffer as they come into the gateway to Lindon City with good quality  
tenants and they don't want anything to impede that.

44 Mr. Weldon mentioned the timeline for Global Payments noting they would like  
to be in their building by May or June. They fear if they are not able to get a start with  
46 site work in September it may pose some issues. They are poised and ready to submit the  
permits and they have met with Mr. Van Wagenen and his team and are trying to move

2 ahead as quickly as possible. He also mentioned they have concerns about other  
warehouse buildings going in and they would make one respectful request that the  
4 developer will provide a good buffer, limit outside storage, have a certain amount of  
windows etc. that would certainly add value to their property and to their neighbor's  
6 property. Mr. Weldon pointed out that just like the Council wants to protect their City  
they want to protect their investment as to have a return on it at some point.

8 Mr. Van Wagenen stated they have engaged all affected parties. There was then  
some general discussion regarding this issue. Mayor Acerson pointed out that the 700  
10 north corridor is relatively open, and inquired if they are thinking beyond this footprint.  
Mr. Fugal stated they will let the market decide that to a degree. He commented that they  
12 have had very little interest from the retail community relative to the 700 north corridor;  
they feel it is premature until there is really solid anchor tenancy. Mr. Fugal stated, that  
14 being said, professional office and complimentary future service retail will continue to  
gravitate towards this area and he sees this corridor into the Lindon community as  
16 building out; the more head count, the more critical mass that is developed and captive  
audience (not just Lindon) will change the scope; once you develop the critical mass and  
18 momentum the retail and service amenities will follow.

Mr. Fugal concluded by stating there are a lot of buildings currently under  
20 construction and 80% of which are pre-leased. He stated that Mark Weldon is merciless  
as a developer and he is persistent and he executes. He is building buildings within 7 to 8  
22 months as compared to others who are 12 to 14 months. His contacts and connections  
coupled with his dedication is shaving 4 months off the development timeframe which is  
24 crucial. Mr. Fugal stated that in reality a lot of these companies want occupancy now and  
not in a year. Mr. Fugal stated they are here tonight to set expectations and want  
26 permission and cooperation from the City to move swiftly in the process and take  
advantage of the momentum.

28 Councilmember Lundberg commented that residents in the area have concerns  
about what is going to be right behind their homes. Mr. Weldon stated they will have a  
30 nice buffer and will put a lot of money into landscaping and also money into covering the  
ditch and access issues; this is new in the process and they will do what the city requires.

32 Councilmember Powell commented that she feels this is one of the components of  
what we need; we have the housing coming and we need the employees to help drive the  
34 retail that will help bring tax dollars to the city. Councilmember Bean asked about the  
access and covering the ditch. Mr. Weldon stated they plan to buffer with the landscaping  
36 and fencing and he also showed where they plan to have the traffic access and continue  
the canvass. There was then some general discussion regarding access.

38 Mr. Fugal stated they are trying to lay out something cohesive like bookends to  
the master plan, and this will be a great transitional product and a good catalyst leading  
40 into the gateway to the city. Mr. Van Wagenen reminded the Council this is a concept  
review only and conceptual in nature. Mr. Weldon stated they will have more discussion  
42 regarding access issues.

Mr. Weldon stated that if and when they are able to get this approved, they will  
44 move very fast and move ahead quickly. Their focus is to get the people from Global  
Payments who have made the 10 year commitment to build the capacity because Frontier  
46 and Global may give additional buildings. He added that they would like to get an answer

2 at some point going forward and noted that Global Payments is a big presence to move  
3 this forward and they need some feedback as soon as possible.

4 Councilmember Lundberg commented it great they have brought quality tenants  
5 and she would hope to partner with them and get moving forward. She likes what she is  
6 hearing that they are wanting abundant landscaping as too often these business parks go  
7 up and they become concrete jungles and are not attractive and they want to keep it really  
8 inviting on the corridor with a park like setting. Mr. Weldon stated they have good  
9 tenants because they move fast and it has been a good team effort and it speaks volumes  
10 for the City. Mayor Acerson thanked the applicants for their presentation.

11 Following some additional discussion by the Council Mayor Acerson called for  
12 any further comments. Hearing none he moved on to the next agenda item.

14 **10. Review and Action – *Architectural Services for Fire Station and City Center***  
15 ***Remodel.*** Lindon City advertised and received nine proposals for architectural  
16 services for the new fire station, and six proposals for the city center/police  
17 department remodel. A selection committee evaluated the proposals and  
18 recommends awarding the service contracts for both projects to Curtis Miner  
19 Architecture (CMA). CMA’s fee of \$100,000 for the fire station and \$50,000 for  
20 the city center remodel includes, but is not limited to, design, construction  
21 documents, bidding assistance, and construction phase services. Funds for this  
22 design work have been budgeted and staff recommends approval of the  
23 architectural service agreements for both projects.

24  
25 Mr. Cowie led this discussion by explaining Lindon City advertised and received  
26 nine proposals for architectural services for the new fire station, and six proposals for the  
27 city center/police department remodel. A selection committee (including himself, Mayor  
28 Acerson, Chief Cullimore, Orem Fire Chief Gurney, Councilmember Broderick,  
29 Battalion Chief Peterson and Phil Brown, Chief Building Official) evaluated the  
30 proposals and recommends awarding the service contracts for both projects to Curtis  
31 Miner Architecture (CMA). Their fee of \$100,000 is for the fire station and \$50,000 for  
32 the city center remodel includes, but is not limited to, design, construction documents,  
33 bidding assistance, and construction phase services. He noted the funds for this design  
34 work have been budgeted and staff recommends approval of the architectural service  
35 agreements for both projects.

36 Mr. Cowie explained that the city advertised a Request for Qualifications (RFQ)  
37 for architectural services for both the fire station and the city center/police department  
38 remodel projects. He noted that nine proposals were received for the fire station and six  
39 proposals for the city center remodel. Mr. Cowie stated the committee recommends that  
40 Curtis Miner Architecture (CMA) be awarded the contract for architectural services for  
41 both projects. He noted CMA will follow the approximate timelines through to  
42 completion as follows:

44 **City Center / Police Department Remodel**

45 Architect Selection	1 Month (June/July 2015)
46 Design	3-4 Months (July - Oct)
Securing of Finances (by City)	2-3 Months (Nov – Jan 2016)

2 Contractor Selection & Bid Award 1 ½ Months (Dec – Jan 2016)  
 Construction 2-3 Months (Feb–April 2016)  
 4 Contingency & Move-in 1 Months (May 2016)

6 **Fire Station**

Architect Selection 1 Month (June/July 2015)  
 8 Design 5 Months (July-Nov)  
 Securing of Finances (by City) 2-3 Months (Nov – Jan 2016)  
 10 Contractor Selection & Bid Award 1 ½ Months (Dec-Jan 2016)  
 Construction 10 Months (Feb-Oct 2016)  
 12 Contingency & Move-in 2 Months (Nov-Dec 2016)

14 Mr. Cowie stated that staff has also reviewed the contract service agreements and  
 recommends approval of the contracts with Curtis Miner Architecture. Mayor Acerson  
 16 commented that the potential to exceed our expectation is there. Mr. Cowie also asked  
 that in the motion they authorize him to sign the contract agreements for both projects.

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

20

COUNCILMEMBER POWELL MOVED TO AWARD THE  
 22 ARCHITECTURAL DESIGN SERVICES CONTRACT FOR BOTH FIRE STATION  
 AND THE CITY CENTER REMODEL PROJECTS TO CURTIS MINER  
 24 ARCHITECTURE AND AUTHORIZE THE CITY ADMINISTRATOR TO SIGN THE  
 CONTRACT AGREEMENTS FOR BOTH PROJECTS. COUNCILMEMBER  
 26 BRODERICK SECONDED THE MOTION. THE VOTE WAS RECORDED AS  
 FOLLOWS:

28 COUNCILMEMBER POWELL AYE  
 COUNCILMEMBER BEAN AYE  
 30 COUNCILMEMBER BRODERICK AYE  
 COUNCILMEMBER HOYT AYE  
 32 COUNCILMEMBER LUNDBERG AYE  
 THE MOTION CARRIED UNANIMOUSLY.

34

At this time Councilmember Hoyt commented on his “aye” vote. He mentioned  
 36 that he is in favor of moving forward at this point and noted looking at the timeline we  
 are about six months away from securing the financing. He also mentioned two points he  
 38 previously brought up as follows:

- 40 1) He is still a “no” on the fire station until the contract is rewritten and unless we  
 are paying for a portion of it through means other than debt (50% financed by sale  
 of assets or some other means) as we do have six months.
- 42 2) He is still in favor of moving forward but feels we don’t need any new debt.

44 Councilmember Broderick asked (along the lines of selling assets) if anything has  
 been done on the property by the Lindon Marina (Geneva property). Mr. Cowie stated he  
 46 met with a realtor from Brandon Fugal’s office and actually walked the site and asked for  
 a proposal, but he has not gotten back to him at this time. Mr. Cowie stated he will

2 follow up with this issue. There was then some discussion regarding an update on the  
selling of city owned assets including the tithing office.

4 At this time Mr. Cowie asked Councilmember Hoyt if he had specific ideas on the  
proposed 50% funding he mentioned and if he is asking for approximately a million  
6 dollars in cash in six months. Councilmember Hoyt stated if the amount they would save  
in that time, then absolutely. Councilmember Lundberg commented that retiring the  
8 Hogan Bond would count towards that amount. Councilmember Hoyt asked when the  
Hogan Bond retires.

10 Mr. Cowie stated the Hogan Bond is complete and \$230,000 has been put into this  
year's budget (2015-16) to go towards the fire station. Councilmember Hoyt stated he  
12 would consider that amount as cash. Mayor Acerson commented we will have about  
\$400,000 plus before we have to make the first payment. Mr. Cowie added that he hopes  
14 that a large part of any site work (if we can work with the architect) can be done with  
RDA funds which will help bring the costs down on the site work and also should bring  
16 the overall costs down. He noted the actual construction of the building may come in at 2  
million or 1.8 million with a lot of the site work being done through RDA funds, which  
18 will be additional funds that we won't have to bond for. He stated a lot of these things he  
won't know until the architectural plans are finished and they can price it out.

20 Councilmember Broderick commented that Councilmember Hoyt made some  
good points, but noted this action is just to allow the architectural portion to move  
22 forward. Councilmember Hoyt agreed this is a step that needs to be taken as he agrees  
that a new fire station is not a bad idea, but he does not want additional debt and wants  
24 portions of the contract re-written. Councilmember Lundberg asked for clarification on  
the portions of the contract that are causing concern. Councilmember Hoyt then read  
26 several sections in the Interlocal Agreement with Orem City that he has concerns with.  
Councilmember Broderick agreed that the contract needs to be addressed to hopefully  
28 assuage their concerns with Vineyard servicing and if for some reason we have to get out  
of the contract, he is not saying we want to get out as we want to keep the good  
30 relationship with Orem. He also agreed that some portions are very punitive.

Councilmember Hoyt also mentioned he went through the budget again today and  
32 it scares him to death where we are at as a city with the best sales tax year ever and how  
much we struggle and how we "rob Peter to pay Paul." He went on to say if it's difficult  
34 in the best year ever, and if they are predicting a downfall in the future, he doesn't want  
to back ourselves into a corner; but he agrees these are the right steps to take right now as  
36 it shows good faith to Orem City. Mayor Acerson commented that when we get to the  
point when we really know what the costs will be then we can say we have done our due  
38 diligence and are ready to make the commitment, then we can talk about negotiation.  
Mayor Acerson stated he feels this is the right step to identify the costs based on the  
40 architectural design. Mayor Acerson called for any further discussion, hearing none he  
moved on to the next agenda item.

42  
44 **11. Presentation and Discussion – *Police Department, Crime & Traffic incident*  
*statistics.* Lindon City Police Chief, Cody Cullimore, will review police  
department call data, traffic incidents, and crime statistics for Lindon over the  
46 last two fiscal years (2013-14, 2014-15). The overview is for informational  
purposes of issues occurring in Lindon.**

2 Lindon City Police Chief, Cody Cullimore was in attendance to review police  
department call data, traffic incidents, and crime statistics for Lindon over the last two  
4 fiscal years (2013-14, 2014-15) with the Council. He noted this overview is for  
informational purposes of issues occurring in Lindon.

6 Chief Cullimore then gave his presentation referencing the statistical comparison  
of incidents to which the Police Department responded to or initiated during the past two  
8 fiscal years/July 1- June 30. He noted this information is for the purpose of comparison  
of rising or declining offense rates within Lindon City. Chief Cullimore then explained  
10 the Criminal Offenses by type. He referenced a graph including Part 1 Crimes, which are  
the more serious offenses of homicide, rape, robbery, aggravated assault, burglary, theft,  
12 motor vehicle theft and arson. He also referenced graphs indicating the increase or  
decrease of each statistical type within the comparison years.

14 Chief Cullimore then showed a comparison of Part 2 Crimes, which are less  
serious crimes which usually do not involve violence or personal injury. He noted these  
16 crimes include simple assault, forgery, fraud, embezzlement, possession of stolen  
property, some sex offenses, minor drug possession or use, and DUI's etc. Chief  
18 Cullimore also referenced a chart depicting "Quality of Life" offenses such as animal  
control violations, alarms, disorderly conduct, violations of the peace such as loud music,  
20 intoxication etc.

Chief Cullimore then explained the offenses and details and the number of  
22 violations for which individuals were physically arrested. He also displayed the number  
and type of traffic accidents which were investigated and their type. He also indicated the  
24 number of traffic citations issued and traffic stops conducted. He noted that this  
information does not indicate traffic stops which are accounted in other areas of the  
26 report such as traffic stops resulting in a DUI violation or a drug or warrant arrest. He  
noted the data does not include traffic stops for which verbal or written warnings only  
28 were given.

There was then some general conversation and lengthy discussion with Chief  
30 Cullimore regarding the presented information. Mayor Acerson thanked Chief Cullimore  
for the valuable information and expressed his appreciation to him and his officers for  
32 their good service to the City.

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

## 36 **12. COUNCIL REPORTS:**

38 **Councilmember Powell** – Councilmember Powell gave an update on Lindon Days  
including discussion on how to go down the parade route (they agreed to walk the route)  
40 and how to hand out the otter pops (they agreed to use reusable grocery bags). They also  
agreed to wear white shirts. She reminded the Council to plan on attending all day on  
42 Saturday and to pick their events from the program.

44 **Councilmember Bean** – Councilmember Bean commented that it is good to see that  
there is new interest on the 700 north corridor and it is good to see the 2 new subdivisions  
46 on Locust Avenue happening.

2 **Chief Cullimore** – Chief Cullimore had nothing further to report.

4 **Councilmember Lundberg** – Councilmember Lundberg mentioned the Lindon  
6 monument at 200 south is in need of work and feels it is a poor reflection to welcome  
8 visitors to Lindon as it is a major focal point. She noted that perhaps just cleaning it up  
10 and adding some beautification may be sufficient. Mr. Cowie stated if the Council wants  
to allocate funds to let him know. Councilmember Hoyt suggested making it a scout  
project. Mr. Cowie stated he will talk to Heath Bateman about the issue. Councilmember  
Lundberg noted she will be absent at the next meeting in August.

12 **Councilmember Hoyt** – Councilmember Hoyt mentioned at the last Historic  
14 Preservation Commission meeting the issue of the partial garden at Pioneer Park was  
discussed. He noted it is currently weeds and the committee would like to keep it a  
garden. He mentioned at one point the Lemone’s were taking care of it. Councilmember  
16 Hoyt commented this is just something to keep in mind.

18 **Councilmember Broderick** – Councilmember Broderick had nothing further to report.

20 **Mayor Acerson** – Mayor Acerson reported that he will be attending the County Health  
Department meeting next week.

22

**Administrator’s Report:**

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

26 **Misc. Updates:**

- 28 • July City newsletter
- 30 • Project Tracking List
- 32 • Fireworks Restriction: Reminder that fireworks restrictions are in place. Maps  
found on City website.
- 34 • Public Works/Dave Nicolson plat amendment, utilities installation. Agreement  
coming in August.
- 36 • Meet the Candidates night –formal question/answer debate.
- 38 • Possible written introduction/why you’re running statement posted on web with  
photo. Submit by August 15<sup>th</sup>.
- 40 • Councilmember Bean is Mayor pro tem from July through September 2015.
- 42 • This watering season City has found/fixed six cross-connections between culinary  
and secondary system.
- 44 • Continued investigation into city-wide chlorination of water system
- 46 • Public outreach on dangers of cross-connections will continue
- Free inspection of connections continued to be offered
  - No fines or citations if connections are found during requested inspections
- Fines/citations for *non-voluntarily discovered violations* will be issued per city  
ordinance (Class B misdemeanor)
  - Home owners, businesses, contractors
- Misc. Items

2 **Upcoming Meetings & Events:**

- 4 • Newsletter Assignment: Councilmember Randi Powell – September newsletter article. *Due by last week in August.*
- 6 • August 3<sup>rd</sup> – 8<sup>th</sup> – Lindon Days celebration. All Council members will attend
- 8 • August 11<sup>th</sup> at Noon – Engineering Coordination Meeting at Public Works. Mayor Acerson and Councilmember Broderick will attend
- 8 • October 22<sup>nd</sup> at 7:00 pm – Meet the Candidates Night at the Community Center
- 10 • November 3<sup>rd</sup> – Election night

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

14 **Adjourn** –

16 COUNCILMEMBER POWELL MOVED TO ADJOURN THE MEETING AT  
18 10:00 PM. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL  
18 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

20 Approved – August 18, 2015

22  
24 \_\_\_\_\_  
Kathryn Moosman, City Recorder

26  
28 \_\_\_\_\_  
Jeff Acerson, Mayor