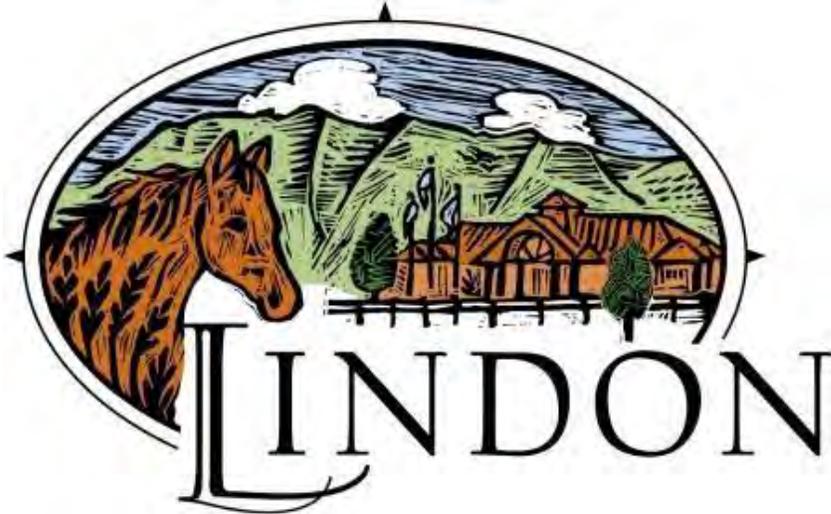


Lindon City Council Staff Report



Prepared by Lindon City
Administration

March 3, 2015

Notice of Meeting of the Lindon City Council



The Lindon City Council will hold a regularly scheduled meeting beginning at **6:00 p.m.** on **Tuesday, March 3, 2015**. The agenda will consist of the following:

WORK SESSION – 6:00 P.M. - Conducting: Mayor Jeff Acerson

1. Tour of Orem City Fire Station #3 (60 minutes)

The City Council will tour the Orem City Fire Station facilities at 255 N. 1200 W., Orem, Utah.

Scan or click here for link to download agenda & staff report materials:



REGULAR SESSION – 7:30 P.M. - Conducting: Mayor Jeff Acerson

Lindon City Center council chambers, 100 North State Street, Lindon, Utah.

Pledge of Allegiance: By Invitation

Invocation: Carolyn Lundberg

(Review times are estimates only)

- 1. Call to Order / Roll Call** (5 minutes)
- 2. Presentations and Announcements** (5 minutes)
 - a) Comments / Announcements from Mayor and Council members.
- 3. Approval of minutes: February 17, 2015** (5 minutes)
- 4. Consent Agenda – No Items**
- 5. Open Session for Public Comment** (For items not on the agenda) (10 minutes)
- 6. Review & Action — Funding Assistance for Miss Pleasant Grove Pageant** (10 minutes)

The City Council will review and take action on a request by Terry Marchbanks to provide \$2,000 of annual funding assistance to the Miss Pleasant Grove pageant.
- 7. Concept Review — Alan Cutler Twin Homes, approx. 520/530 South 400 West** (20 minutes)

Alan Cutler requests feedback on a proposal to adopt a PUD ordinance that would allow construction of 2 twin homes (4 units total) at 520/530 South 400 West in the General Commercial (CG) zone.
- 8. Public Hearing — Zone Map Amendment, approx. 15 N. to 10 S. State Street** (15 minutes)

Lindon City requests approval of a Zone Map Amendment from General Commercial A (CG-A) to General Commercial (CG) on properties identified by Utah County Parcel ID numbers 14:069:0229, 14:069:0152, and 14:069:0241, located from approximately 15 North to 25 South State Street. The Planning Commission recommends approval. Ord #2015-7-0
- 9. Public Hearing — Ordinance Amendment, LCC 17.33 Plat Amendments & 17.34 PLA** (15 minutes)

Lindon City requests approval of an Ordinance Amendment to LCC 17.33 Amending a Recorded Plat & 17.34 Property Line Adjustment to modify lot line and parcel boundary adjustment rules and procedures. The Planning Commission recommends approval. Ord #2015-8-0
- 10. Public Hearing — Ordinance Amendment, LCC 17.38 Improvement Completion Bonds** (15 minutes)

Lindon City requests approval of an Ordinance Amendment to LCC 17.38, Bonds for Completion of Improvements to Real Property. The Planning Commission recommends approval. Ord #2015-9-0
- 11. Review & Action — 2015 Street Rehabilitation Projects, Locust Avenue Bid Award** (5 minutes)

Lindon City received seven bids for reconstruction of Locust Ave between 400 North and 800 North, and recommends awarding the project to Staker and Parson Companies with the low bid of \$198,277.00.
- 12. Council Reports:** (20 minutes)

<ul style="list-style-type: none"> A) MAG, COG, UIA, Utah Lake, ULCT, Budget Committee B) Public Works, Irrigation/water, City Buildings C) Planning, BD of Adjustments, General Plan, Budget Committee D) Parks & Recreation, Trails, Tree Board, Cemetery E) Administration, Com Center Board, Lindon Days, Chamber of Commerce F) Public Safety, Court, Animal Control, Historic Commission, Budget Committee 	<ul style="list-style-type: none"> - Jeff Acerson - Van Broderick - Matt Bean - Carolyn Lundberg - Randi Powell - Jacob Hoyt
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I3. Administrator's Report

(20 minutes)

Adjourn

This meeting may be held electronically to allow a council member to participate by video conference or teleconference.

Staff Reports and application materials for the agenda items above are available for review at the Lindon City Offices, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our staff may be contacted directly at (801)785-5043. City Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for city-sponsored public meetings, services programs or events should call Kathy Moosman at 801-785-5043, giving at least 24 hours notice.

Posted By: Kathy Moosman

Date: February 27, 2015

Time: ~1:00 p.m.

Place: Lindon City Center, Lindon Police Dept, Lindon Community Center

WORK SESSION – 6:00 P.M. - Conducting: Mayor Jeff Acerson

I. Tour of Orem City Fire Station #3

(60 minutes)

The City Council will tour the Orem City Fire Station facilities at 255 N. 1200 W., Orem, Utah.

REGULAR SESSION – 7:30 P.M. - Conducting: Mayor Jeff Acerson

Pledge of Allegiance: By Invitation

Invocation: Carolyn Lundberg

Item 1 – Call to Order / Roll Call

March 3, 2015 Lindon City Council meeting.

Jeff Acerson
 Matt Bean
 Van Broderick
 Jake Hoyt
 Carolyn Lundberg
 Randi Powell

Staff present: _____

Item 2 – Presentations and Announcements

- a) Comments / Announcements from Mayor and Council members.

Item 3 – Approval of Minutes

- Review and approval of City Council minutes: ***February 17, 2015***

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, February 17,**
4 **2015 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: Stephanie Acerson, Miss Pleasant Grove
10 Invocation: Jake Hoyt, Councilmember

12 **PRESENT**

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

ABSENT

- 24 1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.
- 26 2. **Presentations and Announcements** –
 - 28 a) Comments/Announcements from Mayor and Councilmembers – There were
 - 30 no announcements at this time.
 - 32 b) Mayor Acerson invited Heath Bateman, Parks & Recreation Director, forward
 - 34 to present Randy Hoyt, representative from AmBank, with a plaque in
 - 36 recognition for their support of community events and recreation programs in
 - 38 Lindon City. Mr. Bateman noted that AmBank solely supports the Movies in
 - 40 the Park, which has been a great success for the citizens and they are also a
 - 42 great supporter of Lindon Days activities. Mr. Bateman thanked Mr. Hoyt
 - 44 stating that they couldn't do all they do without their support. Mr. Hoyt
 - thanked Mr. Bateman and stated that AmBank will be supporting the
 - programs again next year.
 - c) Mayor Acerson recognized Finance Director, Kristen Colson for her efforts in
 - achieving the GFOA Distinguished Budget Presentation Award for Lindon
 - City's 2014-15 fiscal year budget. The Mayor then presented Ms. Colson with
 - a plaque and thanked her for her hard work and efforts in obtaining the budget
 - award for the city.
- 46 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council
- of February 3, 2015 and the work session of October 20, 2014 were reviewed.

2 COUNCILMEMBER LUNDBERG MOVED TO APPROVE THE MINUTES
OF THE WORK SESSION MEETING OF OCTOBER 20, 2014 AS WRITTEN.
4 COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

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

12
14 COUNCILMEMBER POWELL MOVED TO APPROVE THE MINUTES OF
THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 3, 2015 AS
CORRECTED OR AMENDED. COUNCILMEMBER HOYT SECONDED THE
16 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

- COUNCILMEMBER BEAN AYE
 - 18 COUNCILMEMBER POWELL AYE
 - COUNCILMEMBER BRODERICK AYE
 - 20 COUNCILMEMBER HOYT AYE
 - COUNCILMEMBER LUNDBERG AYE
- 22 THE MOTION CARRIED UNANIMOUSLY.

- 24 4. **Consent Agenda** – No items.
- 26 5. **Open Session for Public Comment** – Mayor Acerson called for any public
comment not listed as an agenda item.

28
30 Terri Marchbanks, Miss Pleasant Grove Director and Stephanie Acerson, Miss
Pleasant Grove, were in attendance to address the Council on behalf of the Little Miss
Lindon Program at this time. Ms. Marchbanks thanked the Council for letting them
32 speak tonight. Ms. Marchbanks expressed that she loves this program and loves the girls
who participate. Ms. Marchbanks asked the Council if they would be willing to partner
34 in the scholarship fund program with Pleasant Grove. She noted they have paid out over
\$30,000 in scholarships to Lindon girls in the past 15 years. Ms. Marchbanks stated they
36 are asking if the city would be willing to contribute \$2,000 per year for the scholarship
fund and if they are willing to participate and if it is a possibility. Ms. Marchbanks noted
38 that she believes in this program as it changes these girls’ lives and there is value in their
service projects; they come prepared to serve and we want to continue this great program.
40 Ms. Marchbanks then turned the time over to Ms. Acerson for comment.

42 Miss Pleasant Grove, Stephanie Acerson, commented that the past year has been
amazing as she has not only served Pleasant Grove but also Lindon as well. She noted
44 that she has had the opportunity to work with the Little Miss Lindon girls with her Miss
Utah service project called “Shoes for Love” which donated shoes to Africa and she has
46 also been helping with the LML princess project. Ms. Acerson commented that her
platform is “Bringing Books to Life” which encourages young children to read and also
encourages parents to read to their children. She has also visited the elementary schools

2 including Lindon Elementary (where she is also a tutor), and has done some fun activities
4 with the kids. She expressed that it has been really fun for her to work with both Pleasant
Grove and Lindon City.

6 Ms. Marchbanks stated that she has received letters from the girls who leave with
skills that will last a lifetime and she has seen the benefits first hand. She also provided a
8 list of the girls from the community who have received scholarships. Ms. Marchbanks
commented that she is respectfully asking Lindon City to partnership with Pleasant Grove
to help provide these scholarships.

10 Councilmember Bean inquired how many scholarships they provide each year and
what the amounts are. Ms. Marchbanks replied that \$3,000 is awarded to Miss Pleasant
12 Grove with the 1st attendant receiving \$1,500 and the 2nd attendant receiving \$900 and
fourth place \$500, and \$300 for fifth place which is for one year. There is also
14 approximately \$600 dispersed between the non-finalists. Councilmember Hoyt asked
how much Pleasant Grove donates. Ms. Marchbanks stated that Pleasant Grove donates
16 approximately \$18,000 for the pageant not including the float. She commented that the
program would be more successful with both cities participating and to partner on
18 scholarships. She also mentioned that the Lindon Council approved \$1,000 per year
several years ago and then the funding just stopped.

20 Councilmember Hoyt asked if the city would receive recognition if we participate.
Ms. Marchbanks replied that she is sure that can be worked out. She stated that these
22 Little Miss Lindon girls learn how to do this from an early age and they love it and noted
the participant’s then follow on to the Miss Pleasant Grove pageant. She also mentioned
24 that one of the Little Miss Lindon girls went on to become Miss Utah (Whitney
Merrifield). Ms. Marchbanks concluded by stating this is not just a beauty pageant and
26 these girls go on to become community leaders and they will serve us well in our
communities.

28 Ms. Marchbanks then thanked the Council for what they do for the program and
for their time and consideration in this matter. The Mayor and Council thanked Ms.
30 Marchbanks for the information and for her service to the community. Mr. Cowie stated
he can bring this item back on March 3rd for official action.

32 Mayor Acerson called for any other public comment. Hearing none he moved on
to the next agenda item.

34 **CURRENT BUSINESS**

- 36 6. **Public Hearing** – *Ordinance Amendment, LCC 17.49.070 & 17.050.070*
38 *Architectural Design, Ordinance # 2015-6-O.* Lindon City requests approval of
40 an amendment to Lindon City Code 17.49.070 and 17.050.070. The proposed
amendment will modify architectural requirement in the Light Industrial (LI) and
42 Mixed Commercial (MC) zones. The Planning Commission recommends
approval.

44 COUNCILMEMBER HOYT MOVED TO OPEN THE PUBLIC HEARING.
COUNCILMEMBER POWELL SECONDED THE MOTION. ALL PRESENT VOTED
46 IN FAVOR. THE MOTION CARRIED.

2 Jordan Cullimore, Associate Planner, gave a brief overview of this agenda item
 4 stating that a lot of applications have been coming in and the Planning Commission has
 6 noticed there are not any design guidelines regarding concrete tilt up buildings to provide
 8 to the developer. After doing some research on concrete tilt up buildings, the Planning
 10 Commission came up with some recommendations and considered examples of concrete
 12 tilt-up buildings. They also discussed Lindon City's architectural standards for these

14 Recommendation for the LI zone:

- 14 1) Allow bare concrete buildings as long as such buildings incorporate additional
 architectural accents.
- 16 2) Allow painted or colored concrete buildings as long as the individual colors
 18 are consistently shaded. Do not require additional accents for painted or
 colored concrete buildings.

20 Recommendations for the MC zone:

- 22 1) Prohibit bare concrete buildings. Allow painted or colored concrete buildings
 as long as the color shades are consistent.
- 24 2) Require that the buildings also incorporate additional architectural accents.

26 *The proposed amendment seeks to codify the Commission's recommendations.*

28 Mr. Cullimore noted the Planning Commission reviewed the proposed
 30 amendment presented by staff at the February 10, 2015 meeting and the Commissioners
 32 determined that the proposal properly implements the changes they recommended as they
 34 will be good guidelines for the developers. The Commission recommended approval of
 the amendment with a 6:0 vote. Mr. Cullimore then referenced the proposed amendment
 followed by discussion. He concluded by stating the Planning Commission felt these
 changes would be helpful in providing some guidance to developers while not imposing
 strict architectural guidelines for these buildings because we do want to see quality and
 well-designed structures and it would be beneficial in the code.

36 Councilmember Broderick questioned wrought iron railings and finishes and what
 38 entails the "finishes" portion. Mr. Cullimore stated they pulled the language off of a
 40 concrete tilt up website hoping that within the industry they would define their
 42 architecture and would include finishes in general and accents which is what they were
 trying to convey. Mr. Cullimore stated that all of the concrete tilt up applications that
 have come to the department in the past year would comply with the more strict
 requirements so they do not foresee it being an issue as the developers want their projects
 to be quality work and match what is being required.

44 Councilmember Powell expressed her concerns with 2b in the ordinance where it
 46 states that painted and/or colored are permitted in the light industrial zone noting that she
 would like to see some additional architectural detail requirements included that would
 set it apart and would enhance the building at minimal costs. Mr. Cullimore agreed

2 stating it would make for a nicer building. He also explained the Planning Commission’s
4 reasoning behind it is because it is in the light industrial zone with more industrial
buildings, so they didn’t see it as necessary to add additional details that are seen more in
the commercial zones; but this issue is definitely open for discussion.

6 Councilmember Lundberg commented that it seems there are more businesses
with public type operations that locate in these types of structures in the light industrial
8 zones, so it might make sense to require more architectural detail. Councilmember
Broderick commented that it would not dictate entirely what the developers would have
10 to do. He added that it is an extra cost but it’s not a huge issue one way or the other in his
mind, however, he does like the idea of adding the pre-cast and the concrete tilt up in
12 making it acceptable, as it is very common right now. Councilmember Bean commented
that the new language doesn’t specify how much architectural design elements will be
14 required, so there is a fair amount of latitude already in the proposed changes.
Councilmember Hoyt inquired if staff has looked at other cities to see what they require.
16 Mr. Cullimore stated they have not surveyed any other cities noting they could look into
that issue. There was then some additional discussion by the Council regarding this issue.

18 Mayor Acerson suggested having the Planning Commission look at what the
Council has discussed and move forward from here with the exterior architectural
20 finishes. He then called for any public comments questions. Hearing none he called for a
motion to close the public hearing.

22
24 COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

26
28 Mayor Acerson called for any further comments or questions from the Council.
Hearing none he called for a motion.

30 COUNCILMEMBER POWELL MOVED TO APPROVE ORDINANCE
AMENDMENT #2015-6-0 WITH THE CHANGES AS DESCRIBED TO STAFF
32 REQUIREING THE ADDITIONAL ACCENTS FOR COLORED OR PAINTED
CONCRETE TILT UP STRUCTURES IN THE LIGHT INDUSTRIAL ZONE.
34 COUNCILMEMBER BRODERICK 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
44 At this time Mr. Van Wagenen made the Council aware that the Planning
Department is considering implementing a new project tracking method. He noted the
main function of the tracking list is to see any new project updates and what the
46 department is handling generally. He noted this list will now include a map that will
show what areas in town are developing visually and what is going on and at what stage.

2 He asked the Council to consider this change and get back with any feedback on how to
improve it or anything supplemental they need to provide and if it is helpful or not.

4 Following some discussion the Council was in agreement that the map is helpful
but they would still like to see the project tracking list as well. Councilmember Broderick
6 made a suggestion to also add the color next to the project tracking list. Mr. Van
Wagenen thanked the Council for their time and stated they will implement these
8 changes.

- 10 7. **Discussion Item** – *Public Safety Building: Timeline & Funding.* The City
Council will review the timeline for design & construction of the future public
12 safety/fire station building and will discuss building alternatives, public
involvement, and possible funding options. No motions will be made.

14 Mr. Cowie opened the discussion by explaining since the discussion at the last
16 City Council meeting he and Chief Cullimore met with Chief Gurney and the Battalion
Chief from Orem City and they had some discussion on whether or not there is any
18 flexibility in the building requirements in the agreement, which is very specific as far as
the building facility. He noted that it sounds like there is some room for discussion in
20 that specific section of the agreement. Mr. Cowie mentioned the other questions they
asked specifically of them were as follows:

- 22 1. Is the agreement able to be extended as far as time?
2. Is Orem City willing to participate financially?

24 Mr. Cowie expressed his opinion that as of this afternoon it was pretty clear from
26 an email from the Orem City Administrator that they are not interested in either one of
these options. Mayor Acerson commented that the assumption is that there will be more
28 discussion and we will see what that really means. Mr. Cowie did mention at the meeting
that about 50 % of calls from the Lindon Station are going to Orem City. He noted there
30 is another meeting scheduled for next Wednesday for himself and the Mayor. Mayor
Acerson commented that there has not been any meeting or discussion with Orem City
32 Mayor Brunst as yet but he did speak with the City Manager who indicated that he
seemed somewhat open. Mayor Acerson stated they will sit down at the meeting next
34 week and will hopefully get a better clarification of other possibilities. He noted there is
some potential of give and take in the contract that should have some discussion.

36 Mr. Cowie went on to say that during the discussion with Chief Gurney last week
it came to light that the needs assessment done with JRCA architects in 2013 showed that
38 the square footage, recommended on the needs, is less than what is shown, so there is
some potential savings of as much as a million dollars. He noted at the meeting the
40 Battalion Chief pointed out that the largest fire station in Orem is actually smaller than
what the proposed building is. Mr. Cowie mentioned that in our study the projected size
42 was about 13,700 square feet for the standalone fire station and pointed out that the Orem
City Fire Station on 1200 west is 12,000 square ft.

44 Mr. Cowie mentioned that a tour of the fire station has been set up before the next
City Council meeting on March 3rd at the 1200 west Fire Station. The work session will
46 begin at 6:00 pm and the regular Council meeting will start at 7:30 pm. Mr. Cowie stated
they are running new numbers based on an 8,000 s/f standalone fire station concept

2 which would drop the projected costs from 4.25 million down to 2.7 million which is a
4 huge decrease in costs and includes a 10% contingency on top of that. Mr. Cowie then
showed photos of the Orem City Fire Station located on 1200 west and explained the
facility layout and amenities followed by some general discussion.

6 Mr. Cowie mentioned that Councilmember Powell asked at the last meeting about
evaluating and looking at a different funding methods. He then outlined some of the
8 options discussed at the budget kickoff meeting including discussion on a utility fee
option. Mr. Cowie stated the good news is that we can certainly decrease the costs on the
10 facility based on the estimates from JRCA. He reminded the Council to plan on the fire
station tour and to also be considering needs vs. wants.

12 Councilmember Bean questioned the estimated amount on the remodel of the City
Center building and if it was prior to the plans to add additional space and if now is the
14 time to give of a rough summary of what that may include. Mr. Cowie gave a quick
summary on the remodel of the city building. He noted that upgrading the building in a
16 substantial manner would require the installation of an elevator. Mr. Cowie stated that
remodeling the building is doable and he will get more concrete numbers. There was then
18 a brief discussion of relocating the Community Development Department to the upper
level of Community Center (converting) and noted that the flow of things is a challenge.
20 He added that the Department would rather stay in this building as there is more synergy
here in working with the other departments. Mr. Cowie noted that he feels we are making
22 progress on this issue.

24 Councilmember Powell asked if Mr. Cowie is saying rather than putting money
into a public safety building or the police department across the street that the city
building has needs that we are going to have to spend money on regardless. Mr. Cowie
26 replied if the Council chooses not to have the police department as part of the combined
fire station and if all the Council wants to do is a standalone fire station then it would be a
28 remodel of the city building. Mr. Cowie stated if the Council is interested in exploring the
combined fire and police facility option more then he would suggest going back to JRCA
30 and see about trimming out some of the underutilized extra space and rooms from the
original assessment. There was then some brief discussion on possible site locations of
32 the future proposed building. At this time Mr. Cowie asked for feedback from the
Council whether they prefer a standalone building or a combined facility.

34 Councilmember Lundberg commented that she would like to see use of the
existing property vs. trying to acquire other private property that would be an added
36 expense.

38 Mayor Acerson commented that we will have a better idea after discussion with
the Orem City Mayor as whether to do a standalone facility or a combined building.

40 Councilmember Broderick expressed that first and foremost road maintenance is
his number one priority (before the proposed building/remodel). He noted that he is
struggling with the idea that a new fire station does not increase our area of service, as we
42 currently provide outstanding fire and police service and our facilities are sufficient to
barely adequate at best, and he understands that but if the road funding is not acquired
44 first he will most likely vote no to anything on the fire station. He also feels that the
discussions should be a Mayor to Mayor conversation with Orem City not with the fire
46 chief or administrator. Councilmember Broderick added that he does like the direction
we are going with this as far as reducing the size but if we go ahead with this he would be

2 more in favor of a standalone facility. He added that he believes we provide outstanding
service which is a tribute to Chief Cullimore and Police Department.

4 Councilmember Bean expressed that he appreciates having this discussion and
noted that he is currently leaning towards a standalone building, but he is not opposed to
6 looking into a remodel of the city building to utilize it in a more effective way. He agreed
with Councilmember Broderick regarding the need to take care of roads, but he would
8 like to see what the costs would be for a standalone and combined building and he likes
the idea of utilizing the property across the street.

10 Councilmember Lundberg stated she is not closed off to the idea of a combined
building and feels the synergy aspect is important, but if we do a dual building she would
12 like to see it done economically in every sense. She would also like to see the most
economically stacked combined pros and cons, dollar wise and also utility wise, for
14 comparison.

Councilmember Powell echoed Councilmember Lundberg's comments agreeing
16 by stacking what are we saving and if so, is it savings that we can put towards the
remodeling of the city building. She also agrees there would be more synergy and she
18 also feels there could be some duality in taking care of all responsibilities in making sure
roads and public safety commitments are being met; she feels it is the Council's
20 responsibility to be able to handle all things in front of them all of the time.
Councilmember Powell pointed out that we do have a contract and she personally feels a
22 need to abide by the contract that was entered into.

Councilmember Hoyt expressed that he would like to see the contract lengthened
24 and believes that is a possibility. As far as a standalone versus a combined building, he
noted that it is a want versus a need. He does not see a combined building as a need and
26 feels our facilities may be lacking in some areas but they are adequate. He would have a
hard time raising taxes for something he sees as more of a want than a need as we do
28 have adequate facilities. He would also like to find some way to utilize the corner
property if at all possible. Councilmember Hoyt stated of the two options a standalone is
30 where he is at but before that a possible extension of the contract. He also asked about a
scenario to save money by using the Hogan bond money for a few years, selling the
32 rental properties and with a sales tax bond; this is something he would feel a little more
comfortable with moving forward.

34 Councilmember Lundberg inquired if we have projected at build out how many
more employees the various departments may need, because if we are talking about
36 sharing this building with police and 10 or 15 years down the road it will change as we
get closer to the population build out. She voiced her concerns about investing dollars
38 now which may just "Band-Aid" it when we should really be thinking about what the
right choice for the long term build out is so we don't have to do this again; the growth is
40 coming and we need to find a balance and address it.

Mr. Cowie stated as far as a time frame goes, unless the Council wants to put a
42 general obligation bond issue on the ballot this November we have a year to figure this
out as that is the only thing looming based on the current contract in place and other than
44 that we don't need a final decision until next spring when an architect is on board.

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

- 2 8. **Discussion Item** – *Refunding of Series 2008 Bonds*. The City Council will
 4 discuss options for refunding (refinancing) Lindon’s Series 2008 Sales Tax
 6 Revenue Bonds through possible private placement purchase. The Council will
 give feedback and direction to Staff regarding their desire on how to pursue the
 refunding.

8 Mr. Cowie explained that a few meetings ago the Council met with Jason
 10 Burningham from LYRB to discuss possible refunding options for the 2008 bonds. At
 12 that time the Council asked for a breakdown of possible scenarios based on various
 14 outcomes of the market if refunding through a private placement purchase. Mr. Cowie
 then referenced the email from LYRB. He asked the Council for direction if this private
 placement option is within the level of risk that they are willing to take to refund the
 bonds.

16 Mr. Cowie stated that he did not include all of the attachments referenced by Mr.
 18 Burningham, but noted they can be sent if anyone would like to review them. He noted
 20 the bottom line is that this private placement option looks beneficial and LYRB feels that
 22 given the historic interest rates we should realize \$45k to \$60k savings per year for at
 least the first 5 years which could be used in other areas. Mr. Cowie explained if the rates
 were to increase 100 basis points every five year period, the savings would still be
 realized. He added the bond remains callable in this scenario, so we could also seek to
 refund the bond again if this placement option is not to our benefit.

24 Mr. Cowie stated that the Council had also asked at the last discussion if we could
 26 re-finance, essentially, and the indicated we can do that which would reduce the final
 28 payment from 2033 to 2031 and all of the savings would not be realized until 2031 so
 from our prospective what we need now is cash influx and it would be beneficial if those
 savings could be realized now and every year thereafter. Mr. Cowie noted that given the
 historical interest rates the overall risk for this refunding transaction appears fairly low.

30 Councilmember Hoyt stated that he is ready to move forward on this issue and
 32 thinks it is a great idea and the rewards outweigh the risk. Mayor Acerson commented
 34 that the question is do we go with the 5 year re-set. Mr. Cowie stated what we are faced
 36 with now, from an administrative standpoint, is a financial constraint where the savings
 would help in a lot of other areas over multiple years. Councilmember Bean had a
 question on the private placement with the 5 year re-set and if it can be exited at all and if
 there is a penalty. Mr. Cowie stated that he spoke with Mr. Burningham who indicated
 that is something we can certainly do and it remains a callable bond.

38 Mr. Cowie stated he will have an estimate run on what it could be in May (which
 40 is a total guess). Councilmember Lundberg asked if the savings isn’t somewhat of a
 42 crystal ball because no one really knows. Mr. Cowie stated it is like a crystal ball until
 44 they lock it in and secure it at closing and based on the market fluctuations. Mayor
 46 Acerson stated that it shouldn’t fluctuate tremendously but it could. Councilmember
 Bean stated that he would like to see what the potential cost might be between now and
 May. Councilmember Powell asked when we have to “pull the trigger”. Mr. Cowie
 stated the sooner the better because the fluctuating line is going up so waiting another 2
 or 3 weeks is a concern. Mr. Cowie stated he will give direction to go with the public
 placement option which will lock the rate and he will move ahead. Mayor Acerson

2 directed Mr. Cowie to have Mr. Burningham move forward with this if he feels comfortable.

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

- 6
8
9. **Discussion Item** – *Insurance Coverage for Lindon City*. The City Council and staff will discuss current property and liability insurance coverages and desired procedures for soliciting bids for future insurance coverage.

10
12 Mr. Cowie gave a brief summary of this agenda item explaining that Lindon City has given its one-year advance “Notice of Intent to Withdraw” from the Utah Risk Management Mutual Association (URMMA) and its joint protection insurance program, which will be effective July 1, 2015. He stated the notice was provided in order to solicit competitive bids and select the best overall services for insurance coverage prior to Lindon’s 2015-16 fiscal year (July 1st). Mr. Cowie stated that the City’s intent is to request competitive bids within the next few weeks with URMMA being invited to be part of the bid process whether by RFP or not. Mr. Cowie explained that we anticipate that other insurance brokers and providers will also bid on the service.

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20 Mr. Cowie explained the premiums combined with worker’s compensation are with the Utah Local Government Trust and URMMA does not provide worker’s compensation insurance so we are currently with two separate providers. The premiums are under \$30,000 but under the current plan with URRMA some of the down sides are these payback requirements and higher deductibles. Mr. Cowie noted that he is leaning towards making the switch to the Trust who currently serves over 400 different entities. He noted that we will have to continue to pay the \$25,000 settlement whether with URMMA or not over the next 5 years.

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28 Councilmember Bean commented that he feels good about going with the Trust. He would also suggest asking some comparable cities (by population) who have gone that route and see what their track record is. He added that given how many cities are currently in the Trust portfolio it gives him a lot of confidence. Mr. Cowie stated that he will gather more information and bring the item back for further discussion.

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

36 **10. COUNCIL REPORTS:**

38 **Councilmember Powell** – Councilmember Powell reported that she was unable to attend the last Community Center Advisory Board meeting. She noted there are two new members, Steve Barsch and Jenny Anderson. Ms. Anderson was elected as the new chair replacing LaDawn Edwards who had to step down as chair due to injuries sustained in a car accident in December. She also reported that the Community Center will be holding their second movie (Wreck-it-Ralph) at 6:00 pm on February 27, 2015. Councilmember Powell mentioned that she will be attending the North County Outreach meeting next week. Councilmember Powell further reported that the first Lindon Days meeting is coming up the first week of March noting they will be making changes to some of the ways the events are held. Councilmember Powell reported that she attended a LML workshop where she explained how funding from the city works, etc. and noted the girls

2 were very appreciative. She noted the Little Miss Lindon pageant will be help on March
 7th at Oak Canyon Jr. High and to RSVP to reserve a seat up front at the pageant. She
 4 noted there are 20 contestants participating and it should be a fun evening.
 Councilmember Powell also reported that she attended the engineering coordination
 6 meeting with Mayor Acerson and Councilmember Broderick which was very
 informative. She also reported that she has had conversations with Chief Cullimore
 8 regarding the Neighborhood Watch Program and they will start with the Central Stake.

10 **Councilmember Bean** – Councilmember Bean mentioned that he appreciates the efforts
 put forth on the recent Ivory tour and meetings and feels we are making good progress.
 12 He noted that the Planning Commission feels that their opinions and voices matter which
 is beneficial and he hopes to continue with that. Councilmember Bean reported that there
 14 is still a vacant Planning Commission position and noted Ron Anderson mentioned a
 name of someone on the west side who may be willing to serve. He noted to contact
 16 himself, the Mayor or Mr. Van Wagenen with any suggestions.

18 **Chief Cullimore** – Chief Cullimore reported that Officer Curtis Campbell was recently
 honored as one of the officers of the year for the seven cities in North Utah County.
 20 Chief Cullimore also reported on the officer involved shooting in Provo and mentioned it
 is a cooperative effort with Utah County. He also mentioned to be aware that BYU will
 22 be filming a movie on the trail by the tunnel on February 20th. Chief Cullimore further
 reported that they have completed the tobacco compliance checks and all outlets were in
 24 compliance which is good. Chief Cullimore also reported on the Neighborhood Watch
 Program noting several neighborhoods have committed to hold meetings to help get the
 26 program revitalized and he mentioned that he has the signs available.

28 **Councilmember Hoyt** – Councilmember Hoyt reported he will not be able to attend the
 next Council meeting. He also reported that several people have approached him on the
 30 Ivory Development and inquired what information can be shared. Mr. Cowie stated that
 it is public information but to keep in mind they are drafts they are reviewing.

32 **Councilmember Broderick** – Councilmember Broderick reported that he plans on
 34 attending the upcoming Provo River Water Users Annual Shareholders meeting. He also
 reported that Alan College responded and indicated that he will proceed to do his own
 36 fence and will come in to discuss his water shares options with Mr. Cowie.
 Councilmember Broderick reminded the Council to look at the cemetery plans as to wrap
 38 up this issue with the Dain's.

40 **Councilmember Lundberg** – Councilmember Lundberg reported that she received a call
 about Terri Marchbanks coming to address the Council tonight regarding the Little Miss
 42 Lindon Program and the Miss Pleasant Grove Pageant noting they did not want to offend
 anyone about the request if the Council were to say no to the proposed joint scholarship
 44 venture. Councilmember Lundberg expressed her thoughts on getting full branding
 (recognition) for participation noting they indicated they would like to be able to say that
 46 Lindon is participating. Following some discussion the Council was in agreement to offer

2 the support of the scholarship fund with \$2,000 each year. Mr. Cowie stated he will bring
 4 this issue back as an action item at the next meeting.

6 **Mayor Acerson** – Mayor Acerson reported that he met with the Alpine School District
 8 along with Mr. Cowie and Jason Burningham. There was then some general discussion
 10 by the Council regarding the meeting with ASD. Mayor Acerson also mentioned that he
 12 talked to Heath Bateman who indicated he wants to change the Easter Egg Hunt from the
 14 Main Park to Pheasant Brook Park on 800 West. Mayor Acerson stated that they also
 discussed the possibility of rotating the event to a different park each year which may
 pull more people in. The Council agreed it would be a good idea to rotate the event to
 different parks in the city but to make sure the signage is sufficient. Mayor Acerson also
 reported that he got the impression from Orem City that they may not be paying the next
 Opex payments.

16 **Administrator's Report:**

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

20 **Misc. Updates:**

- 22 • February City newsletter
- 24 • Everbridge Emergency Notification System: sign-up available to the public. Links
 provided on web site and in newsletter
- 26 • Alpine School District – CDA update
- Legislative Updates
- Budget Meeting Kick-off discussion
- Misc. Items

28 **Upcoming Meetings & Events:**

- 30 • Newsletter Assignment: Councilmember Hoyt - March newsletter article. *Due by
 last week in February.*
- 32 • March 3rd at 6:00 pm – Orem Fire Station tour. 255 N. 1200 W., Orem. All
 Councilmembers will attend.
- 34 • March 7th at 6:00 pm – Little Miss Lindon Pageant at Oak Canyon Jr High
- 36 • April 13th at 12:30 pm – Budget Committee lunch meeting Mayor Acerson,
 Councilmember Bean and Councilmember Hoyt will attend
- 38 • April 14th at Noon – Engineering Coordination meeting at Public Works Mayor
 Acerson and Councilmember Broderick will attend
- April 24th through May 1st – City Wide Clean Up (dumpsters for public use)

40 **Future items:**

- 42 • Employee Policy Manual updates

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

46 **Adjourn** –

2 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
AT 10:15 PM. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
4 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

6 Approved – March 3, 2015

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10 Kathryn Moosman, City Recorder

12

14 Jeff Acerson, Mayor

DRAFT

Item 4 – Consent Agenda – *(Consent agenda items are only those which have been discussed beforehand and do not require further discussion)*

- No Items.

Item 5 – Open Session for Public Comment *(For items not on the agenda)*

6. Review & Action — Funding Assistance for Miss Pleasant Grove Pageant (10 minutes)

The City Council will review and take action on a request by Terry Marchbanks to provide \$2,000 of annual funding assistance to the Miss Pleasant Grove pageant.

The City Council was presented with this information in the open session of the February 17, 2015 City Council meeting and can now take action on the request since it has been noticed and properly advertised on a Council agenda.

See attached letters and funding requests from Terry Marchbanks and other Miss Pleasant Grove royalty and participants. If the Council chooses to help fund the pageant this fiscal year, an amendment to the budget will be made in June. If the Council chooses to help fund the pageant for next fiscal year (after July 1, 2015) the amount will be added to the 2015-16 budget.

Sample Motion: I move to (approve, not approve) the funding request for the Miss Pleasant Grove Pageant in the amount of \$_____ for (this fiscal year, next fiscal year) and direct Staff to budget funds and/or prepare budget amendments accordingly.

February 10, 2015

Lindon City Council

Re: Miss Pleasant Grove Pageant

Dear Lindon City Council,

As part of the Miss America Organization, the Miss Pleasant Grove pageant has been in existence for over 25 years. We believe our organization empowers young women to achieve their personal and professional goals while providing a forum in which to express their opinions, talent and intelligence. Participating in the Miss Pleasant Grove pageant not only helps these young women pay for college and prepare for a career, it also provides an opportunity for them to gain additional life experience, work on issues of importance to society, enhance their personal and professional skills and developing their performance-related and other talents.

For many years Pleasant Grove City has funded the Miss Pleasant Grove pageant and paid the expenses for the young woman chosen to compete at the Miss Utah pageant. In addition to these costs, Pleasant Grove City awards over \$6,700 yearly in scholarships to assist the young women in the cost of their education.

In the 15 years I have served as the director for the pageant, our girls from Lindon have won over \$30,000 in scholarship and Miss Utah preparation money. Eight of our last fifteen title holders have come from Lindon with one of those going on to be crowned Miss Utah. All of these girls have served and represented the community honorably.

We have always welcomed the young women of Lindon and believe that their participation has enhanced the program. We usually have 5 or 6 Lindon contestants. We want to continue to include them and ask for your help in funding this program. In 2000-2001 the Lindon city council approved \$1000 annually so Pleasant Grove would keep the pageant open to their young women. This payment was made for approximately 2 years but then stopped.

We respectfully ask that you make a commitment to support the pageant by making an annual contribution of \$2,000.

Thank you in advance for your support.

Kind regards,

Terry Marchbanks
Director, Miss Pleasant Grove

These are the young women that have won the title of Miss Pl Grove in the past 16 years. They have each received a \$3,000 scholarship (from PG City) to the school of their choice. This does not include the countless other Lindon women that have competed and received a scholarship in another amount. (\$1500.-\$300.00) There were also times when our young women competed and won a scholarship for being in the royalty and they returned the following few years and competed won more scholarships and eventually won.

Pleasant Grove City also gives Miss Pleasant Grove over \$1,000 for her preparation expenses for Miss Utah.

Miss Pleasant Groves from Lindon

Rebecca Marchbanks (Lindon) \$3,000

Aimee Worthington (Lindon) \$3,000

Lizzy Marchbanks (Lindon) \$1,500 and \$3,000

Ashlyn McCurdy (Lindon) \$3,000

Whitney Merrifield (Lindon) \$3,000 (went on to win Miss Utah)

Staci Spinder (Lindon) \$3,000 \$1,500.

Emily Nelson (Lindon) \$3,000

Stephanie Acerson (Lindon) will receive \$3,000 in June.

We have five contestants from Lindon this year and it is very possible that we will have another Miss Pleasant Grove from Lindon.

aBrittney Beagley
*Stephanie Acerson
Jessica Matheson
Jessie Beck
McKinzie Tomlinson
*Ashlyn McCurdy
Ciera McCurdy
*Talia Smoot
*Jenna Smoot
*Staci Spinder
*Bethany Brown Hoyt
*Hallah Harmon
Rachel Harmon
*Nicole Tucker
*Brooke Savage
*Ashley Savage
Janelle Matheny
Tamela Daly
*Courtney Brown
*Emily Nelson
*Whitney Merrifield
*Audi Turley
*Kelly Coombs
*Briana McCurdy
*Kyrstin Millett
Amanda Ricks
*Lacey Griffin
Emily Livingston
Sarah Isaacson
Elisa Bird
Tessa Daly
Ashley Stewart
Hayley Hill

Lindon City Council

I want to see the young women in Lindon continue to benefit from the Miss Pleasant Grove Scholarship Pageant. I have devoted over 20 years of my life to serving as a volunteer in this capacity. I know the benefits that come from this program. I have seen young women come to me so shy that they could barely look you in the eye. But through this experience they have gained confidence in themselves and realize their amazing potential.

I recently had a young woman come up to me at a wedding. She asked if I remembered her...and I did. She told me that she had competed 12 years ago. She competed twice and never won or was in the royalty. However she told me the things that she learned as a contestant were life changing for her. She told me the interview skills she had learned helped her to know that she could walk confidently into any interview situation. She had started her own charitable organization and had graduated from college. This is one of the reasons I love and believe in this program.

The other reason I love this program is the growth that comes from learning to serve in ones community. As the director of Little Miss Lindon for 12 years I introduced the Service projects to the program. It was important to me that our little ladies learn to serve early. As you can imagine LML has prepared many little ladies to come to Miss Pleasant Grove. They are being well prepared and they win!

Learning to service cannot be underestimated. It helps our young women become leaders. Many of the young women that competed the first few years that I was director are community leaders now. They have made a difference in many lives. Many of them have come back to help carry on the tradition of Miss Pleasant Grove by volunteering during the pageant and preparation time. They love the program as I do.

Please check out our Facebook page to see what Stephanie has been working on this past year. **"Miss Pleasant Grove Scholarship Pageant"**.

I know that funding is tight but this program offers more to a young woman that I can express. Please help us to continue this program for our Lindon ladies. Without Miss Pleasant Grove there is no other option for them.

Sincerely



Terry Marchbanks
Director-Miss Pleasant Grove Scholarship Pageant

11 February 2015

Ashlyn McCurdy Cann
4023 Kapalua
Cedar Hills, UT 84062

To Whom it May Concern,

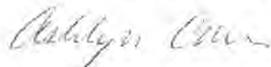
I would like to express my sincerest thanks and appreciation for the opportunities that were allotted to me by serving as Miss Pleasant Grove 2007. Serving in this capacity was such an amazing experience and has helped me in so many ways. It was not only an amazing opportunity at the time of service to get involved in my community, but it has shaped my life in so many ways. I continue to see the benefits in my life today from the skills I learned from serving my community.

The Miss Pleasant Grove pageant helped to instill in me a sense of confidence that would be integral to my success in the future. It provided me with the confidence I needed to be able to speak publicly and convey a clear message. It helped me develop communication and interview skills that would carry me through college as well as into the workforce. I am able to hold my own, have confidence, and express my thoughts and opinions in a way that is eloquent and professional. I attribute these skills to the wonderful support that I received while participating in the Miss America Program. This began on a city level, and carried me through to an extremely empowering experience at Miss Utah where I was able to place in the top ten due to the amazing support my city offered me. I truly believe that I was so incredibly blessed to have participated specifically in Pleasant Grove's program.

I took the things that I learned as a contestant, performer, speaker, and representative to help me through the complete my Bachelor's of Science with a degree from the Marriott School of Management in 3 ½ years time. The scholarship money that I received as a part of this program helped me to graduate from college debt free. The communication and interview skills I learned helped me to walk right into an amazing CPA/Wealth Management firm where I am still employed today.

The Miss Pleasant Grove Scholarship Pageant was such an amazing experience. I could never thank the city and all those that supported me enough for the opportunities that this program both directly and indirectly have provided me. I love to see the confidence it gives the women of our city, and the drive they gain to continue on and do amazing things.

My Sincerest Gratitude,



Ashlyn McCurdy Cann
Miss Pleasant Grove 2007

Lindon City Council

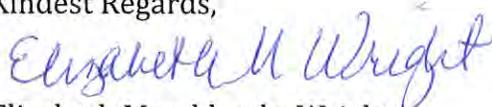
My name is Elizabeth Marchbanks Wright former Miss Pleasant Grove 2004.

I want to express my gratitude for the Miss Pleasant Grove program. Even though I was from Lindon I always wanted to compete in the Miss Pleasant Grove Pageant. My first year I was an attendant and then returned the following year to become Miss Pleasant Grove. It was and still is one of the greatest learning experiences of my life and it has also taught me many personal values and skills that I still use today.

My life has been greatly blessed because of this program, not just through the educational Scholarship support but also by helping me to become a mentor and example to the youth of Pleasant Grove and Lindon. My platform was Internet Safety and I was able to go into schools and help the youth in Pl Grove and Lindon learn and understand how to be safe on the internet.

It is truly an understatement to say that the Miss Pleasant Grove program has greatly influenced my life for the better and I am both grateful and honored for the opportunity and privilege I was given as a Lindon resident to compete. This is an amazing community program that changes young women's lives. Without this program I would not have been able to finish my professional schooling and attain the career that I always dreamed of. I completed my schooling completely debt free through the generous scholarships that I received. The skills this program taught me have been tools that I have used to become a successful woman and mother, it also provided me with a means and also a drive to achieve my dreams and to continue to influence others for good.

Kindest Regards,



Elizabeth Marchbanks Wright
Miss Pleasant Grove 2004

February 6, 2015

Dear Lindon City Council,

My name is Whitney Thomas and I served as Miss Pleasant Grove 2007. I also call Lindon my hometown and you will find my picture as Little Miss Lindon 2001 hanging on the wall of Little Miss Lindon pictures in the Lindon City Building.

I feel very fortunate to have started my experience in the Miss America Program (the largest scholarship provider for young women in the nation), at the Miss Pleasant Grove Scholarship pageant.

As a teenager living in Lindon, I had the choice to attend either Pleasant Grove High School or Timpanogos High School. I chose Pleasant Grove, and as a student there, had the opportunity to compete and win the title of Miss Pleasant Grove.

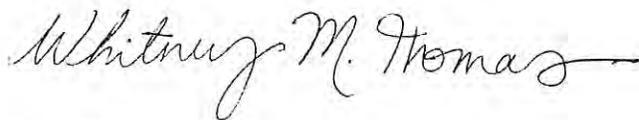
Following my year of service as Miss P.G., I competed at the Miss Utah pageant and was awarded first runner up. Later that summer, (because I had held the title of Miss P.G.,) I was eligible to compete for the title of Miss Utah County, which I was also fortunate to win. During my year of service to the county, I had the pleasure of working with County Commissioner Larry Ellertson, former mayor of Lindon. He supported my efforts to implement a suicide prevention program into high schools in Utah County and I can confidently say that this program has saved the lives of many distressed teens.

With this local/county title, I was able to compete at the Miss Utah pageant once more and on June 19, 2009, I was crowned Miss Utah. I then went on to represent our great state at the Miss America pageant in 2010, where I was awarded additional scholarship money.

Not only has the Miss America Organization provided me with many unforgettable experiences, but it also gave me the opportunity to gain the education I desired. Through all of these pageants, I was awarded a total of over \$20,000 in scholarships, and graduated from Brigham Young University with a degree in Communications, debt free.

I feel very fortunate to have competed in the Miss Pleasant Grove pageant because as a Lindon girl, there was no other way I could have been a part of such an amazing organization. This journey has brought me friends, experiences, and a good education and I hope you will consider the opportunities young women in Lindon can have through the opportunity to compete for the title of Miss Pleasant Grove.

Sincerely,

A handwritten signature in cursive script that reads "Whitney M. Thomas". The signature is written in black ink and includes a long horizontal flourish at the end.

Whitney Thomas

Miss America

SINCE 1921

Style, Service, Scholarship and Success

The Miss America Organization is one of the nation's leading achievement programs and one of the world's largest providers of scholarship assistance for young women. Last year, the Miss America Organization and its state and local organizations made available millions in cash and scholarship assistance. This assistance is not just for the handful of young women who become Miss America, but is available to the over 12,000 young women who compete in the state and local competitions as well.

Rich in history and social significance, the Miss America Organization is a not-for-profit organization that has maintained a tradition for many decades of empowering young women to achieve their personal and professional goals, while providing a forum in which to express their opinions, talent and intelligence. Scholarships have been the cornerstone of the Miss America program since 1945 when Bess Myerson was the first Miss America to receive a scholarship from the Organization.

Participating in the Miss America system not only helps you pay for college and prepare for a career, it also provides an opportunity to gain additional life experience, working on issues of importance to society, enhancing your personal and professional skills and developing your performance-related and other talents.

In 1989, (due to a request by the Miss Utah board) the Miss America Organization founded the platform concept, which requires each contestant to choose an issue about which she cares deeply and that is of relevance to our society. Once chosen, Miss America and the state titleholders use their stature to address community-service organizations, business and civic leaders, the media and others about their platform issues. Since 1989, Miss America titleholders have appeared at thousands of public speaking engagements and charitable events to generate awareness for a variety of causes, including homelessness, HIV/AIDS prevention, domestic violence, diabetes awareness, character education, and literacy.

- 7. Concept Review — Alan Cutler Twin Homes, approx. 520/530 South 400 West** (20 minutes)
Alan Cutler requests feedback on a proposal to adopt a PUD ordinance that would allow construction of 2 twin homes (4 units total) at 520/530 South 400 West in the General Commercial (CG) zone.

See attached information provided by the Planning Department.

Concept Review — Alan Cutler Twin Homes, approx. 520/530 South 400 West

Alan Cutler requests feedback on a proposal to adopt a PUD ordinance that would allow construction of 2 twin homes (4 units total) at 520/530 South 400 West in the General Commercial (CG) zone.

<p>Applicant: Alan Cutler Presenting Staff: Hugh Van Wagenen</p> <p>Type of Decision: None Council Action Required: No</p>	<p><u>SUMMARY OF KEY ITEMS</u></p> <ol style="list-style-type: none"> 1. This is a concept review to receive feedback from the City Council regarding the applicant's proposal. <p><u>MOTION</u> No motion necessary.</p>
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OVERVIEW

A detailed description of the applicant's proposal and a concept site plan are included in attachment 3.

PLANNING COMMISSION REVIEW

The Planning Commission reviewed Mr. Cutler's proposal and overall was favorable to the concept.

MOTION

No motion necessary.

ATTACHMENTS

1. Aerial of land involved in the concept review with zoning
2. Photos of the existing lots
3. Applicant's Proposal & Concept Site Plan



R&B

500

523

400 WEST

600 South



R1-20



551

551

595

CG

470 SOUTH

1770 NORTH

1740 NORTH

1030 WEST

425

369

347

343

325

311

303

455

453

322

308

384

473

355

341

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315

301

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277

489

1773

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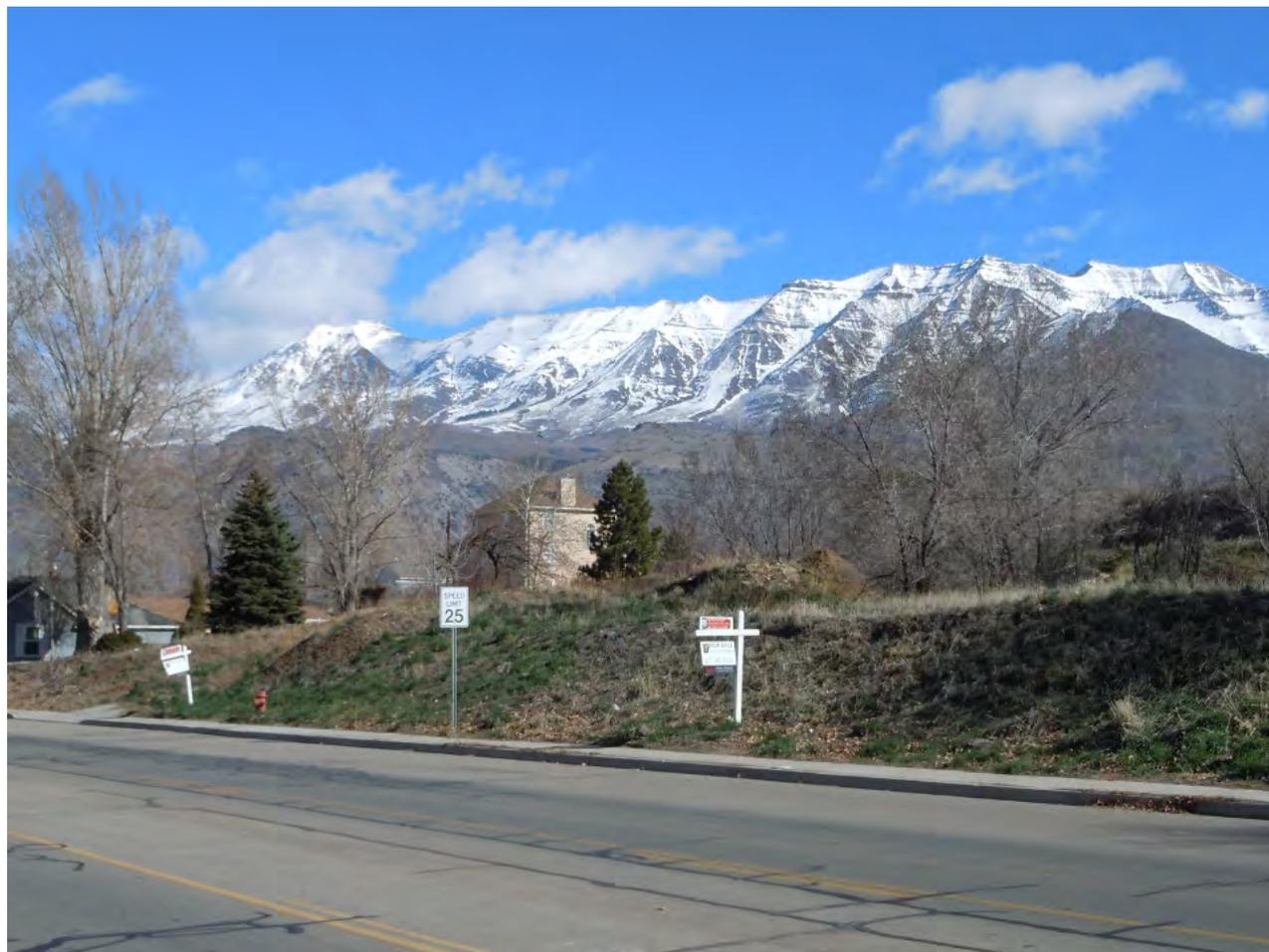
263

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1785

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1022





APPLICATION FOR CONCEPT PLAN REVIEW LINDON CITY

Date: 2-10-15

From: Alan Cutler, Broker 801-368-5388
Hometown Properties
386 W. Center, Orem UT 84057

To: Lindon City Council

Ladies and Gentlemen of the City Council,

By way of introduction, I am a small-time developer with many years of experience in construction and design, having taught in the BYU Construction Management Department in years past focusing on Real Estate Development. I have designed and built many custom homes in California and Utah.

When I tried to help my kids find a home to buy in Lindon, I realized that there is little affordable housing in the City under \$300,000. I decided to look into doing a small development project here since that's the price range that younger families with one or two children can afford given current favorable interest rates. I soon learned that land costs are extremely high and densities so low that doing an affordable housing project wasn't practical – especially given that your R-2 overlay is 'filled up'.

Then I discovered the 2 orphan lots shown on the attached map owned by Peck Ormsby, developers of the Karl Maeser School immediately to the east. When the Maeser project was rezoned to CG, it was reasonable to extend the CG zone to 400 West with Home Depot across the street. This created 2 legal non-conforming 10,000 SF lots with single family residential on either side – all within the CG zone.

As you will see from the topo map attached, the terrain is difficult to design around with a 6' elevation change to get from the street up to a building pad level, with the overall grade change 24' front to back property line. The existing homes to the south have chosen to absorb the grade change by setting garage floors at street level, requiring a full 9' flight of ascending stairs from driveway to main house floor. This design, in my opinion, is architecturally obsolete and development of the two vacant lots – even if developed for single family homes – would still require figuring out a way to get on top of the pad and into a garage – and more importantly, how to get cars out. Using a residential 30' setback, a residential driveway would look like a steep boat ramp with cars *backing* into 400 West, a busy collector street. I'm not sure how Public Works would feel about that.

I decided to take a fresh look at the 'best practices' way to develop the lots while ignoring the current zoning use or density limitations, and see if we could propose something that might appeal to the City. After consultation with your planning staff on Jan 29 regarding possible uses of the land, I proposed a plan with one attached wall twin-home on each lot, developed under a new PUD ordinance to be proposed, allowing the shared drive concept shown on the plan. This will allow construction of 4 – 1700 Sf, 3 Br, 2-1/2 Ba family homes with full 2 car garages, priced in the range of \$300,000. The plan takes advantage of the lots' topography and views while distributing the grade change over the full two lots to the advantage of both properties. A concept rendering is attached.

Thank you for your consideration.



WINATEL INC

KARL N

17-016-0042

N 87°38'21" E 150.14'

FUTURE LOT
0.28 ACRES

FUTURE LOT
0.27 ACRES

10' P.U.E.

S 89°39'07" W 112.61'

17-016-0103

N 00°44'59" E *223.46'

10' P.U.E.

17-016-0117

400 WEST STREET

N 60°09'34" W = 208.10'

ROCK RETAINING WALL (SEE GRADING PLAN)

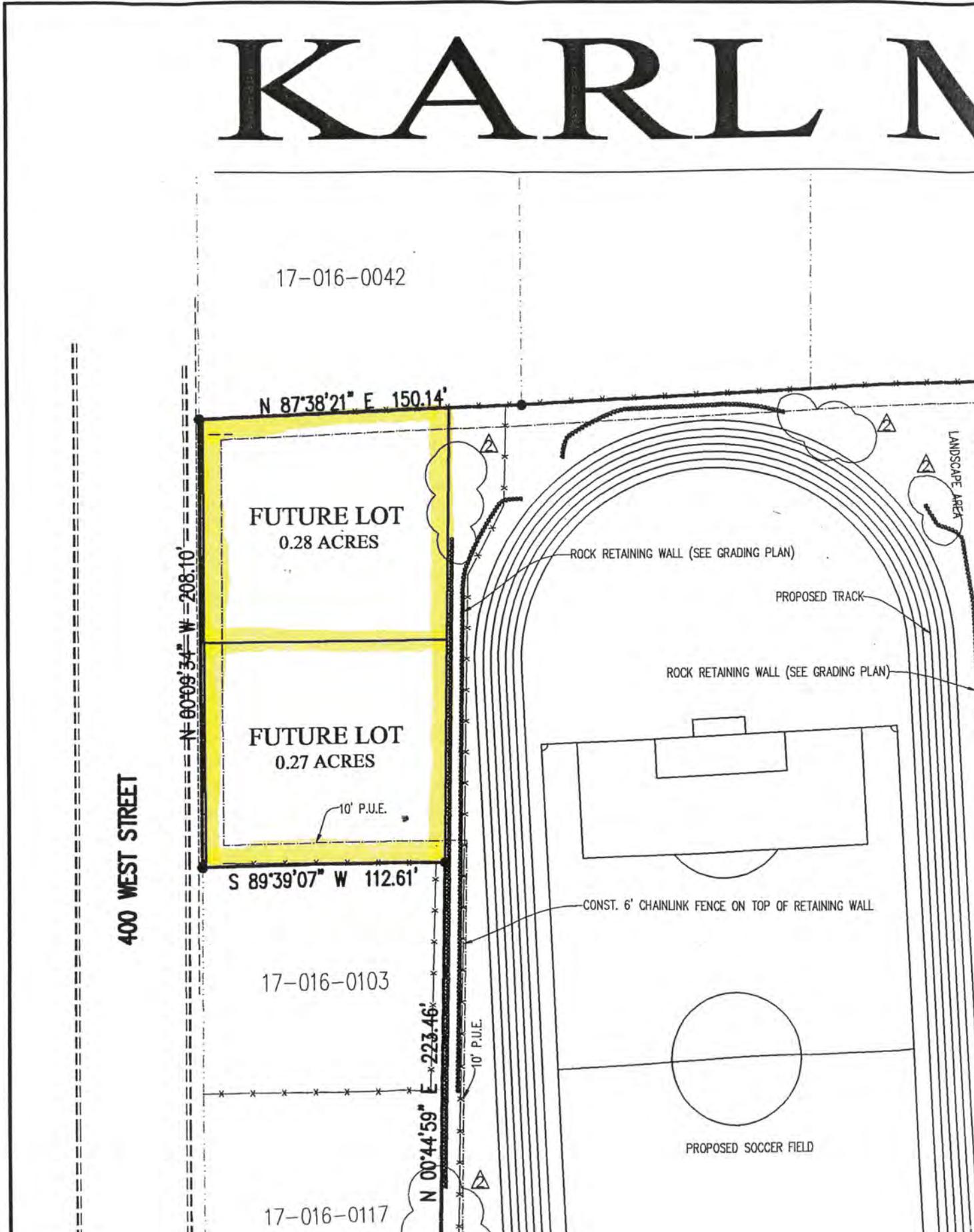
PROPOSED TRACK

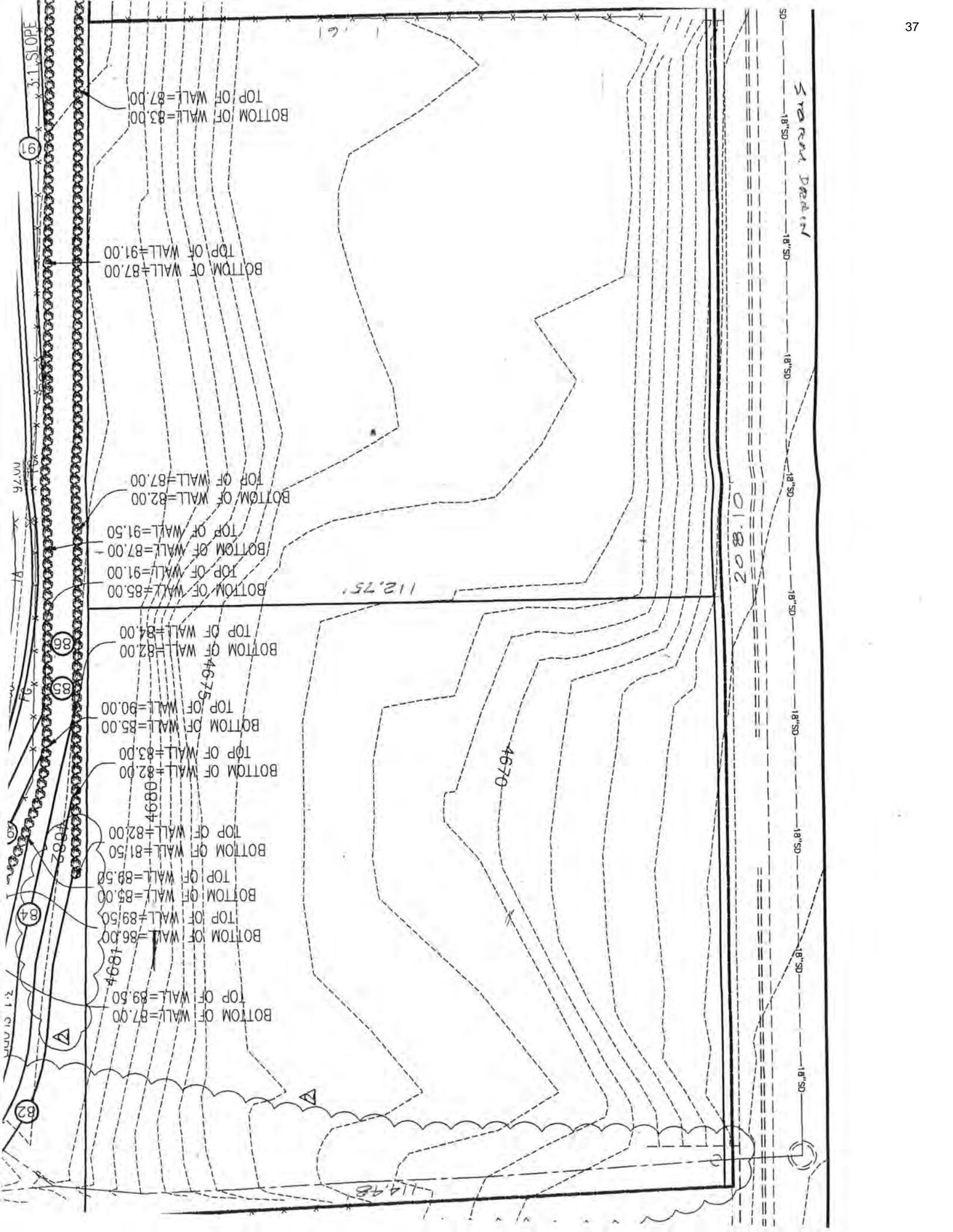
ROCK RETAINING WALL (SEE GRADING PLAN)

CONST. 6' CHAINLINK FENCE ON TOP OF RETAINING WALL

PROPOSED SOCCER FIELD

LANDSCAPE AREA





8. Public Hearing — Zone Map Amendment, approx. 15 N. to 10 S. State Street *(15 minutes)*

Lindon City requests approval of a Zone Map Amendment from General Commercial A (CG-A) to General Commercial (CG) on properties identified by Utah County Parcel ID numbers 14:069:0229, 14:069:0152, and 14:069:0241, located from approximately 15 North to 25 South State Street. The Planning Commission recommends approval. **Ord #2015-7-O**

See attached information provided by the Planning Department.

Public Hearing — Zone Map Amendment, 15 North to 10 South State Street

Lindon City requests approval of a Zone Map Amendment from General Commercial A (CG-A) to General Commercial (CG) on properties identified by Utah County Parcel ID numbers 14:069:0229, 14:069:0152, and 14:069:0241, located from approximately 15 North to 25 South State Street.

<p>Applicant: Lindon City Presenting Staff: Jordan Cullimore</p> <p>General Plan: Commercial Current Zone: General Commercial (CG-A) Requested Zone: General Commercial (CG)</p> <p>Property Owner(s): MP Corp; Kiran Kamdar; 7-Eleven Inc Addresses: 15 North; 10 South; 25 South State Street Parcel IDs: 14:069:0229; 14:069:0152; 14:069:0241 Lot Sizes: 1.3 acres; 0.93 acre; 1.25 acres</p> <p>Planning Commission Recommendation: Approval (6:0 vote)</p> <p>Type of Decision: Legislative</p>	<p>SUMMARY OF KEY ISSUES</p> <ol style="list-style-type: none"> Whether to approve a request to change the zoning designation of the subject lots from General Commercial (CG-A) to General Commercial (CG). <p>MOTION</p> <p>I move to (<i>approve, deny, continue</i>) Ordinance 2015-7-O to change the zoning designation of the subject lots from General Commercial A (CG-A) to General Commercial (CG) with the following conditions (if any):</p> <ol style="list-style-type: none">
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BACKGROUND

While reviewing the Performance Motors rezone request, the City Council identified a few lots that are zoned CG-A, but are not being used as used car lots. Members of the Council approved the Performance Motors rezone request and directed staff to initiate a zone map amendment to reclassify the lots not being used as car lots to CG to ensure the size of the CG-A does not grow too large. The lots to be rezoned are outlined in attachment 1.

ANALYSIS

- Subsection 17.04.090(2) of the Lindon City Code establishes the factors to review when considering a request for a zone change. The subsection states that the “planning commission shall recommend adoption of a proposed amendment only where the following findings are made:
 - The proposed amendment is in accord with the master plan of Lindon City;
 - Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes of the division.”
- 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 commercial and service uses may be located.” Commercial zones include the CG, CG-A, CG-A8, CG-S, PC-1, and PC-2 zones.

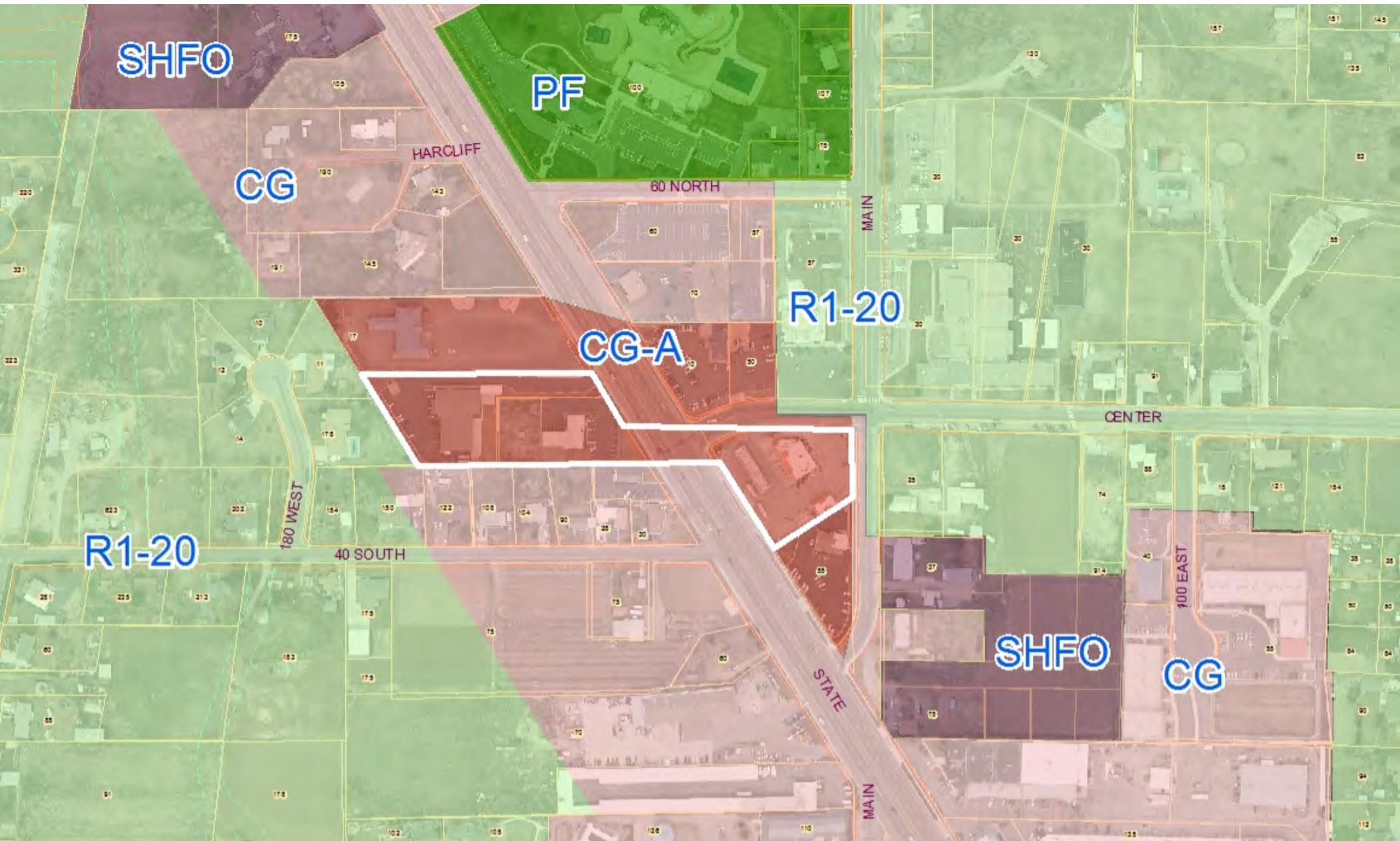
PLANNING COMMISSION RECOMMENDATION

Members of the Planning Commission agreed that this rezone request is in the public interest. A few Commissioners questioned whether the 7-Eleven property should be rezoned since it could reasonably convert into a car lot, or become an expansion of an adjacent car lot, at some future point. After further discussion, the Commissioners agreed that an applicant could request that the 7-Eleven property be rezoned back to CG-A when and if interest arose, but that it made sense presently to change the zoning to match the existing uses. Consequently, the Planning Commission unanimously recommended approval of the amendment.

ATTACHMENTS

1. Aerial photo of the proposed area to be re-classified
2. Proposed Ordinance

Attachment 1



Attachment 2

ORDINANCE NO. 2015-7-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING PORTIONS OF THE LINDON CITY ZONING MAP FROM GENERAL COMMERCIAL A (CG-A) TO GENERAL COMMERCIAL (CG) AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Municipal Council of Lindon City finds it necessary to amend portions of the Lindon City Zoning Map, specifically the properties generally located at the following addresses from General Commercial A (CG-A) to General Commercial (CG):

15 North State Street (Utah County Parcel #14:069:0229)
 10 South State Street (Utah County Parcel #14:069:0152)
 25 South State Street (Utah County Parcel #14:069:0241)

(See map labeled as Exhibit A);and

WHEREAS, the City finds it is necessary to amend the Zoning Map to benefit the City; and

WHEREAS, the Planning Commission recommended adoption of the revised provisions, and the revision of such provisions will assist in carrying out general plan goals related to the promotion of businesses and industry within the City, and said changes are compatible with land use guidelines as found in the General Plan; and

WHEREAS, a public hearing was held on February 24, 2015 to receive public input and comment regarding the proposed amendment; and

WHEREAS, no adverse effects were identified by the Commission during the hearing; and

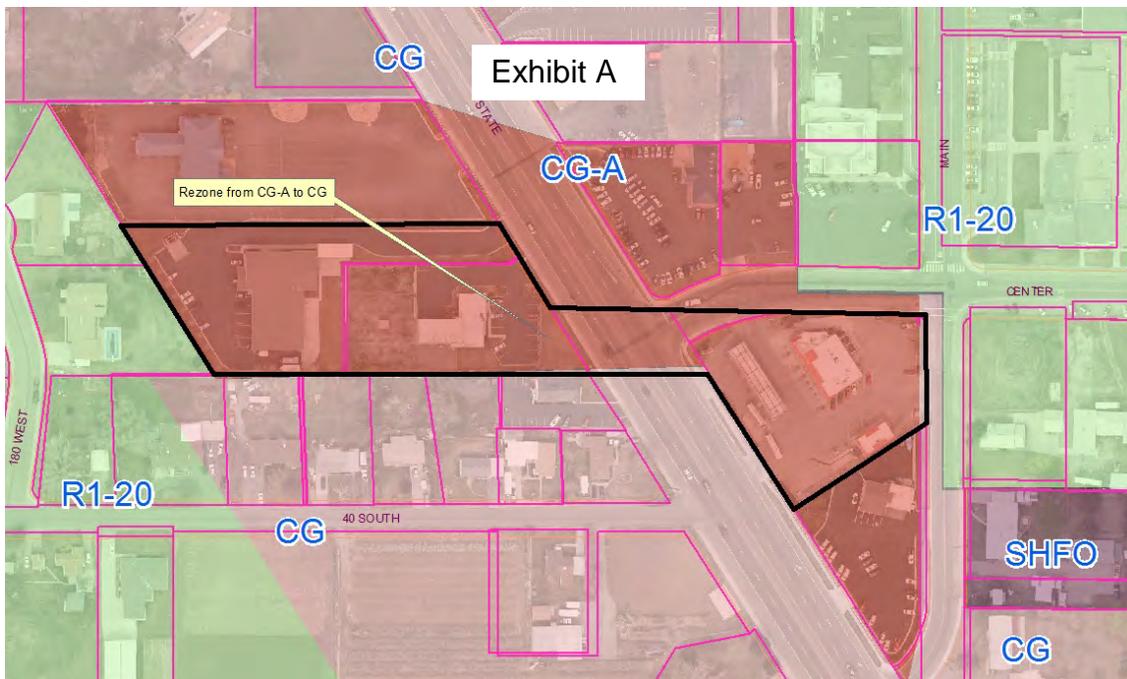
WHEREAS, the Council held a public hearing on **March XX, 2015** to consider the recommendation and **no adverse effects were identified**; and

WHEREAS, the current Zoning Map should be amended to provide such provisions to the Municipal Code of Lindon City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lindon City, Utah County, State of Utah, the Lindon City Zoning Map is hereby amended and will read as follows:

SECTION I:

See *Exhibit A* showing parcel changing from General Commercial A (CG-A) to General Commercial (CG) on the Lindon City Zoning Map.



SECTION II: The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

SECTION III: Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

SECTION IV: This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2015.

 Jeff Acerson, Mayor

ATTEST:

 Kathryn A. Moosman,
 Lindon City Recorder

SEAL

9. Public Hearing — Ordinance Amendment, LCC 17.33 Plat Amendments & 17.34 PLA *(15 minutes)*

Lindon City requests approval of an Ordinance Amendment to LCC 17.33 Amending a Recorded Plat & 17.34 Property Line Adjustment to modify lot line and parcel boundary adjustment rules and procedures.

The Planning Commission recommends approval. **Ord #2015-8-0**

See attached information provided by the Planning Department.

Public Hearing — Ordinance Amendment, LCC 17.33 Plat Amendments & 17.34 PLA

Lindon City requests approval of an Ordinance Amendment to LCC 17.33 Amending a Recorded Plat & 17.34 Property Line Adjustment to modify lot line and parcel boundary adjustment rules and procedures. Recommendations will be made to the City Council at the next available meeting.

<p>Applicant: Lindon City Presenting Staff: Jordan Cullimore</p> <p>Type of Decision: Legislative</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <p>1. Whether it is in the public interest to approve the proposed amendment.</p> <p><u>MOTION</u> I move to (<i>approve, deny, continue</i>) ordinance amendment 2015-8-O (<i>as presented, with changes</i>).</p>
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DISCUSSION & ANALYSIS

Recent amendments to State Law have changed how local governments review property line adjustments. The proposed amendments in attachment 1 and 2 have been recommended by Lindon City Attorney Brian Haws. The amendments bring Lindon City's rules into conformance with existing State Law.

PLANNING COMMISSION RECOMMENDATION

The Commissioners agreed that Lindon's ordinance should be updated to reflect State requirements. The Commission unanimously recommended approval.

ATTACHMENTS

1. Proposed Ordinance Amendments

ORDINANCE NO. 2015-8-O

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AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING CHAPTERS 17.33 & 17.34 OF THE LINDON CITY CODE TO MODIFY LOT LINE AND PARCEL BOUNDARY ADJUSTMENT RULES AND PROCEDURES AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the proposed amendment will bring provisions of the Lindon City Code into compliance with State law; and

WHEREAS, the proposed amendment is consistent with the goals of the General Plan; and

WHEREAS, the Lindon City Planning Commission has recommended approval of an amendment to chapters 17.33 and 17.34 of the Lindon City Code; and

WHEREAS, a public hearing was held on February 24, 2015, to receive public input and comment regarding the proposed amendment; and

WHEREAS, no adverse comments were received during the hearing; and

WHEREAS, the Council held a public hearing on February XX, 2015 to consider the recommendation and no adverse comments were received.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lindon, Utah County, State of Utah, as follows:

SECTION I: LCC chapters 17.33 and 17.34 of the Lindon City Code are hereby amended to read as follows:

Chapter 17.33 Amending a Recorded Plat

Sections:

- 17.33.010 Purpose
- 17.33.020 When these regulations apply
- 17.33.030 Application requirements
- 17.33.040 Review process and requirements for approval
- 17.33.050 Adjustment of boundaries between adjacent lots (Lot Line Adjustment)
- ~~17.33.050~~060 Recording an approval

Section 17.33.010 Purpose

A plat amendment is any a change or alteration to a recorded plat that does not create any new parcels or lots, not including the adjustment of boundaries between adjacent lots. (The change may be a the relocation of multiple property lines, or the elimination of a property line within the plat, a change in notations or lot numbers on the plat, a change of the title or name of the plat, etc.) A plat amendment is an alternative to having to go through a subdivision application process in order to amend a recorded plat when no new parcels or lots will be created. These regulations will ensure that:

1. A plat amendment does not result in properties that violate the requirements of this Title or other currently adopted zoning and development standards of Lindon City; and
2. A plat amendment does not alter the coverage or availability of existing utility services to existing lots or parcels.

52
 53 Section 17.33.020 When these regulations apply
 54 A plat amendment is required to change or alter an existing subdivision plat ~~in any way~~
 55 ~~–~~ when said changes or alterations do not create additional lots or parcels, excluding
 56 adjustment of boundaries between adjacent lots. Changes or alterations that create additional
 57 lots or parcels and/or initiate installation of new public improvements (other than utility
 58 relocations) constitute a subdivision, not a plat amendment, and are subject to the subdivision
 59 approval process.

60
 61 Section 17.33.030 Application requirements
 62 Application submittal requirements shall be followed as listed in the Land Development Policies,
 63 Standard Specifications and Drawings manual (Development Manual). The submittal
 64 requirements for subdivisions shall apply unless specific requirements for Plat Amendments are
 65 shown.

66
 67 Section 17.33.040 Review process and requirements for approval
 68 Plat Amendments are reviewed by Staff, the City Engineer, and the Land Use Authority in the
 69 same manner and process as a subdivision plat per LCC 17.32, and as outlined in the
 70 Development Manual. A request for a plat amendment ~~may~~ shall be denied by the Land Use
 71 Authority, if it is determined that the application fails to meet requirements found within Lindon
 72 City Code. In addition to any requirements required as part of a typical subdivision plat review,
 73 the following items shall be met:

- 74 A. Properties.
- 75 1. For purposes of this subsection, the plat amendment will not cause any involved
 76 properties to move out of conformance with any of the regulations of this Title (become
 77 non-conforming), except as follows:
 78 a. If a property or lot is already out of conformance with a regulation in this Title, the
 79 plat amendment will not cause the property or lot to move further out of conformance
 80 with the regulation(s);
 - 81 2. The plat amendment will not result in the creation of a flag lot;
 - 82 3. No new building lot or additional housing units will result from the amendment;
 - 83 4. The plat amendment does not result in remnant land that did not previously exist;
 - 84 5. The plat amendment will not result in a property that is in more than one zone (split
 85 zoning), unless that property was already in more than one zone;
- 86 B. Utility Services and Lot Improvements.
- 87 1. The availability of utility services to the properties or lots must be maintained with no
 88 new utility services being installed other than utility relocations (i.e., realignment of
 89 property lines that require relocation of utility stubs).
 - 90 2. Water shares must be submitted per LCC Section 17.32.270 for any acreage or lots
 91 within the plat for which water shares have not already been turned into the City;
 - 92 3. A plat amendment that results in new street frontage being added to an existing lot or
 93 parcel is acceptable as long as the new street frontage will not result in the creation of
 94 any new lots or parcels and the new street frontage already has all typically required
 95 public improvements installed (curb, gutter, sidewalk, utilities, etc.). If any new public
 96 improvements are necessary along unimproved street frontages (not just relocation of
 97 existing utilities) and are to be included within the amended plat, then the request needs
 98 to go through a subdivision application – not a plat amendment.

100 | 17.33.050 Adjustment of boundaries between adjacent lots (Lot Line Adjustment)

- 101 1. The owners of record of adjacent lots in a recorded plat may exchange title to portions of
- 102 those lots through a Lot Line Adjustment (LLA) if the exchange of title is approved by the
- 103 Land Use Authority as provided in this subsection.
- 104 a. Applicants requesting an LLA shall not be required to follow the submittal
- 105 requirements listed in the Land Development Policies, Standard Specifications,
- 106 and Drawings Manual (Development Manual), but shall submit such documents
- 107 and information requested by Staff to determine the effects of the adjustment and
- 108 the resulting lots.
- 109 2. A request for an LLA shall be reviewed by Staff. The City Engineer and the Lindon City
- 110 Planning Director shall constitute the Land Use Authority for approving such requests.
- 111 a. The Land Use Authority may approve a request for an LLA if the resulting lots
- 112 meet the requirements of this Title.
- 113 b. The Land Use Authority shall deny a request for an LLA if it is determined that
- 114 the application fails to meet Lindon City Code requirements.
- 115 c. If the Planning Director and the City Engineer, in their sole discretion, determine
- 116 that an LLA request presents a difficult question or would create a unique or
- 117 unanticipated result, they may refer the request to the Planning Commission for
- 118 final decision.
- 119 i. Upon referral of an LLA request, the Planning Commission shall become
- 120 the Land Use Authority.
- 121 d. If the Land Use Authority denies an LLA request, the applicant may file an appeal
- 122 pursuant to LCC 17.09.
- 123 i. The Planning Commission shall be the Appeal Authority on Lot Line
- 124 Adjustment requests.
- 125 A. If the original request was referred by Staff to the Planning
- 126 Commission the City Council shall act as the Appeal Authority on
- 127 appeal.
- 128 3. Upon approval of an LLA request, Planning Director shall execute a Notice of Approval
- 129 to be recorded with the Utah County Recorder's Office.
- 130 a. The Notice of Approval shall contain the following:
- 131 i. the signatures of all property owners involved;
- 132 ii. an acknowledgment for each party executing the notice in accordance
- 133 with the provisions of U.C.A. Title 57, Chapter 2a; and
- 134 iii. descriptions of both the original lots and the lots created by the exchange
- 135 of title.
- 136 b. It shall be the applicant's responsibility to provide the legal description required in
- 137 the Notice of Approval and to secure the signatures of all the property owners.

139 Section 17.33. ~~059060~~ Recording an approval plat amendment
 140 The Approval and recording process for plat amendments will be the same as an approval for
 141 a subdivision plat as found within LCC 17.32 and the Development Manual.
 142 (Ord. 2015-8, amended XX/XX/2015)

144 Chapter 17.34 Property Line Adjustment ~~Parcel Boundary Adjustment~~

- 146 Sections:
- 147 17.34.010 Purpose
 - 148 17.34.020 When these regulations apply
 - 149 17.34.030 Application requirements
 - 150 17.34.040 Review process and Requirements for approval
 - 151 17.34.050 Recording an approval

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Section 17.34.010 Purpose

A ~~Property Line~~Parcel Boundary Adjustment (~~PLA~~PBA) is the relocation or elimination of a common property line between two or more abutting properties that are not part of a platted subdivision lot. A ~~PLA~~PBA ~~does may~~ not create any new parcels or lots. Pursuant to Utah Code Section 10-9a-523, a PBA may be executed by a boundary line agreement or quit claim deed and these transactions are not subject Land Use Authority review. The resulting parcels, however, are still subject to compliance with the requirements of this Title or other adopted Lindon City zoning and development standards. The regulations of this Chapter are designed to ensure that:

1. ~~A PLA does not result in properties that violate the requirements of this Title or other currently adopted zoning and development standards of Lindon City~~the developed parcels modified or altered by a PBA continue to comply with City requirements for parcel size and acreage, street frontage, water shares regulations, and parcel improvements; and
2. ~~a PLA~~PBA does not alter the coverage or availability of existing utility services to existing lots or parcels.

Section 17.34.020 When these regulations apply

~~A PLA~~PBA ~~does not require Land Use Authority approval, but a parcel that may be modified or altered by a PBA must comply with the provisions of this Title. Lindon City may require a property owner to bring parcels into compliance with this Title and Chapter through a zoning enforcement action, including denial of permits or licenses, the issuance of stop work orders, or red tagging the lot. is required to relocate or remove a common property line between two or more properties that are not part of platted lots.~~ Amendments to property lines that are part of a platted subdivision lot may not be completed through a ~~PLA~~PBA, but instead ~~require an amendment of the plat as outlined in~~shall follow the requirements set forth in LCC 17.33.

~~Section 17.34.030—Application requirements~~

~~Application submittal requirements shall be followed as listed in the Land Development Policies, Standard Specifications and Drawings manual (Development Manual).~~

~~Section 17.34.040—Review process and Requirements for approval~~

~~PLA's are reviewed through a non-discretionary, administrative procedure by the Land Use Authority. A request for a PLA may be denied by the Land Use Authority, or designee, if it is determined that the application fails to meet requirements found within this division or violates any other regulations within Lindon City Code. A request for PLA will be approved if all of the following are met:~~

~~A. Properties:~~

1. ~~For purposes of this subsection, the PLA will not cause any involved properties to move out of conformance with any of the regulations of this Title (become non-conforming), except as follows:~~
 - a. ~~If a property or lot is already out of conformance with a regulation in this Title, the PLA will not cause the property or lot to move further out of conformance with the regulation(s);~~
2. ~~The PLA will not result in the creation of a flag lot;~~
3. ~~No new building lot or additional housing units will result from the adjustment;~~
4. ~~All adjoining property owners consent to the new lot lines by signing the application;~~
5. ~~The lot line adjustment does not result in remnant land that did not previously exist;~~
6. ~~The PLA will not result in a property that is in more than one zone (split zoning), unless that property was already in more than one zone;~~

203 ~~7.—A PLA that results in new street frontage being added to an existing lot or parcel is~~
204 ~~acceptable as long as the new street frontage will not result in the net effect of creating~~
205 ~~any new lots or parcels.~~

206 ~~B.—Utility Services and Lot Improvements.~~

207
208 Section 17.34.030 Review of Resulting Parcels

209 Upon learning that a lot has been modified or altered by a PBA and fails to comply with
210 requirements for parcel size and acreage, street frontage, water shares regulations, and parcel
211 improvements as set forth in this Title, the City may require the property owner to bring the
212 parcel into compliance with this Title and other zoning and development standards that shall
213 include, but not be limited to, the following:

- 214 1. Separate Utility Services. The availability of separate utility services to ~~the all~~ properties
215 or lots must be maintained. If the availability of separate utility services are not
216 maintained to all parcels, the property owner whose property lacks access to separate
217 utility services shall be responsible for establishing such availability. Lindon City may
218 deny licenses and permits or otherwise prohibit the use of the property or red tag a
219 parcel until separate utility services are provided to the parcel.;
- 220 2. Water Shares. Water shares must be submitted per LCC Section 17.32.270 for any
221 acreage of the properties for which water shares have not already been turned into the
222 City. Lindon City may deny licenses and permits or otherwise prohibit the use of the
223 property or red tag a parcel until the required water shares are provided as required.
- 224 3. Street Improvements. No new lot or public improvements (curb, gutter, sidewalk, etc.)
225 are required if a PLA-PBA creates additional street frontage that is added to an existing
226 parcel or lot unless the frontage of the existing lot contains improvements, in which case
227 the improvements shall be extended from the existing point where the improvements
228 end and shall be continued across any unimproved street frontage within the lot.
229 Improvement plans and an improvement bond will be required prior to approval.
230 Payment of any additional fees for engineering reviews of improvement plans and/or
231 bonds will be the responsibility of the applicant. Lindon City may deny licenses and
232 permits or otherwise prohibit the use of the property or red tag the parcel until such
233 improvements are made.

234
235 Section 17.34.050—Recording an approval

236 ~~Within 30 days of written approval of the PLA the notice of approval certifying that the PLA~~
237 ~~satisfies all applicable ordinances and resolutions of Lindon City shall be recorded with the Utah~~
238 ~~County Recorder. Recording fees will be paid by the applicant as per the Lindon City Fee~~
239 ~~Schedule and fees adopted by Utah County. The notice of approval does not convey title. In~~
240 ~~order to convey title, the adjoining property owner(s) will need to prepare and record a quit claim~~
241 ~~deed, warranty deed, or other acceptable instrument in the office of the Utah County Recorder.~~

242
243 Section 17.34.050 Illegal Parcels

244 Any lot or parcel modified or altered by a PBA so as to violate any provisions of this Title, or any
245 other Lindon City zoning or development standards, shall become an illegal lot or parcel and
246 any use thereon shall become an illegal, non-conforming use. Such illegal parcels or uses
247 created by Parcel Boundary Adjustments are not grandfathered parcels or uses as provided in
248 LCC Chapter 17.16 because the modifications or alterations resulting in the illegal or
249 nonconforming status of the parcels are the result of actions of private property owners and not
250 governmental acts of Lindon City.
251 (Ord. 2015-8, amended XX/XX/2015)

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254
255 **SECTION II:** The provisions of this ordinance and the provisions adopted or incorporated by
256 reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or
257 unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall
258 nevertheless be unaffected and continue in full force and effect.
259

260 **SECTION III:** Provisions of other ordinances in conflict with this ordinance and the provisions
261 adopted or incorporated by reference are hereby repealed or amended as provided herein.
262

263 **SECTION IV:** This ordinance shall take effect immediately upon its passage and posting as
264 provide by law.
265

266 PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this
267 _____ day of _____, 2015.
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271 _____
272 Jeff Acerson, Mayor

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276 ATTEST:
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278 _____
279 Kathryn A. Moosman,
280 Lindon City Recorder
281

282
283 SEAL

10. Public Hearing — Ordinance Amendment, LCC 17.38 Improvement Completion Bonds *(15 minutes)*

Lindon City requests approval of an Ordinance Amendment to LCC 17.38, Bonds for Completion of Improvements to Real Property. The Planning Commission recommends approval. **Ord #2015-9-O**

See attached information provided by the Planning Department.

Item 10: Public Hearing — Ordinance Amendment, LCC 17.38 Bond for Completion of Improvements to Real Property

City Staff requests an ordinance amendment to Lindon City Code Section 17.38 in order to clarify bonding requirements for both public and private improvements and to align City Code with Utah State Code.

Applicant: City Staff
Presenting Staff: Hugh Van Wagenen
Zones Affected: All
Type of Decision: Legislative
Council Action Required: Yes
Planning Commission Recommendation:
 Approval (5-0)

SUMMARY OF KEY ISSUES

1. Whether it is in the public interest to approve the proposed amendment.

MOTION

I move to (*approve, deny, continue*) ordinance 2015-9-O (as presented, with changes).

DISCUSSION & ANALYSIS

In a nutshell, the proposed amendment to LCC 17.38 Bonds for Completion of Improvements to Real Property is an update that reflects current State Code with regards to when a bond is required, the bond amount, and the length of time the bond can be held.

The ordinance addresses two types of bond circumstances, or Improvement Completion Assurances: bonds can be posted by a developer with the City when (1) required public improvements are not complete but the applicant would like their plat recorded and (2) when required public or private improvements are not complete but the applicant would like their certificate of occupancy.

Also addressed is the length and time of the Improvement Warranty, which is a guarantee of workmanship on the public improvements. The City cannot ask for more than a 10% warranty and its duration is one year from acceptance of the improvements by the City, with few exceptions.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommended approval of the ordinance with a 5-0 vote.

ATTACHMENTS

1. Redlined ordinance
2. Clean ordinance

ORDINANCE NO. 2015-9-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING SECTION 17.38 OF THE LINDON CITY CODE ADDRESSING IMPROVEMENT COMPLETION ASSURANCES AND WARRANTIES, MORE GENERALLY KNOWN AS BONDS, FOR PUBLIC AND PRIVATE IMPROVEMENTS.

WHEREAS, the vision of the Lindon City General Plan (the “*General Plan*”) is to provide for a strong, positive civic image which seeks to preserve a high quality living atmosphere; and

WHEREAS, an objective of the General Plan is to ensure that new development reflects quality site design standards consistent with its particular use and location; and

WHEREAS, the Lindon City Council (the “*Council*”) recognizes the need to protect the public from burdens resulting from failed developments and poor workmanship; and

WHEREAS, the Lindon City Planning Commission has recommended an amendment to section 17.38 of the Lindon City Code; and

WHEREAS, a public hearing was held on February 24, 2015 to receive public input and comment regarding the proposed amendment pertaining to bonds for completion of improvements to real property; and

WHEREAS, no adverse comments were received during the hearing; and

WHEREAS, the Council held a public hearing on March 3, 2015 to consider the recommendation.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lindon, Utah County, State of Utah, as follows:

SECTION I:

Chapter 17.38

BONDS FOR COMPLETION OF IMPROVEMENTS TO REAL PROPERTY

Sections:

- | | | |
|------------------|---|---|
| 17.38.010 | Improvement completion bonds | <u>Completion Assurances and Improvement Warranties</u> Generally |
| <u>17.38.015</u> | <u>Definitions</u> | |
| 17.38.020 | Bond for off-site improvements | <u>Improvement Completion Assurances for Public Improvements</u> |
| 17.38.030 | Bond for on-site improvements | <u>Improvement Completion Assurances for Private Improvements</u> |
| 17.38.040 | Required Forms | |

Section 17.38.010 ~~Improvement completion bonds generally~~ Improvement Completion

Assurances and Improvement Warranties Generally

All required landscaping or infrastructure improvements shall be completed prior to any plat recordation or development activity unless the applicant requests to post an Improvement Completion Assurance under the terms of this chapter. In all cases shall the Improvement Warranty be posted prior to any plat recordation or development activity. If desiring to record a plat (in the case of subdivision improvements being incomplete) or obtain a certificate of occupancy (in the case of land developments in which a certificate of occupancy is requested before all required improvements are completed) Any person or entity subdividing, improving, building upon or otherwise developing real property (hereinafter "developer") shall post for the benefit of Lindon City an ~~improvement completion bond~~ **Improvement Completion Assurance and Improvement Warranty** in such amount and of adequate security, as set forth hereinafter, insuring the timely and proper completion of all improvements required by the Lindon City Code, the Lindon City Development Review Committee ("DRC"), and all applicable building codes, standards and specifications.(Ord. 2000-2, Amended, 10/04/2000)

Section 17.38.015 Definitions

1. "Improvement Completion Assurance" means an irrevocable letter of credit, escrow bond, cash bond, or combination bond posted by a developer to guarantee the proper completion of required improvements.
2. "Improvement Warranty" means a an irrevocable letter of credit, escrow bond, cash bond, or combination bond posted by a developer to unconditionally warrant that accepted improvements comply with the approved plans and the municipality's written standards for design, materials, and workmanship, and are and will remain free of defects (or will be repaired or replaced at no cost to the City) within the improvement warranty period.
3. "Public Improvements" (for the purpose of this ordinance) means:
 - a. Utility installations, including piping of culinary and irrigation water, sanitary sewer, storm drainage, and other required utilities as established by Lindon City;
 - b. Utility improvements required for service by the following utilities, but not provided by the utility company: power, telephone, natural gas, cable television, and telecommunications.
 - c. Roads, grading, curb, gutter, sidewalks, trails, street lights, erosion control, and related items;
 - d. Any other improvement that may or may not appertain to an individual lot being developed but which benefits the property or that the DRC reasonably deems necessary to the development of the property; required by or promised to the City; required by ordinance or statute; shown on plans approved by the City; or required by the City Engineer, the DRC or the Legislative Authority as part of the land development process.
4. "Private Improvements" means:
 - a. Parking, storm drain, landscaping, fencing.
 - b. Any other improvement on the property that was promised to the City, required by City ordinances, shown on plans approved by the City, or that was required by the DRC, City Engineer, Building Official or Legislative Authority as part of the land development or building approval process.

Section 17.38.020 ~~Bond for off-site improvements~~ Improvement Completion Assurance for Public Improvements

1. ~~Prior to, and as a condition for obtaining approval of~~ When required infrastructure improvements are not complete and the applicant requests recordation of a subdivision plat, approval of a building permit, or conditional use permit, any developer making "~~Off-Site Public~~ Public Improvements," as defined ~~below~~ above, to real property shall post an ~~improvement completion bond~~ Improvement Completion Assurance for the proper and timely installation and completion of all such ~~Off-Site Public~~ Public Improvements. The Improvement Completion Assurance shall be executed by agreement between the City and the developer, with the City Administrator, or other designated City representative, having authority to enter into said agreement.
2. ~~For the purposes of this ordinance, Off-Site improvements shall include:~~
 - a. ~~Utility installations, including piping of culinary and irrigation water, sewer connections, storm drainage, and other required utilities as established by Lindon City;~~
 - b. ~~Roads, grading, curb, gutter, sidewalks, grading, and erosion control;~~
 - c. ~~Any other improvement that may or may not appertain to an individual lot being developed but which benefits the property or that the DRC reasonably deems necessary to the development of the property and any improvements required by or promised to the City; required by ordinance or statute; shown on preliminary plats, final plats and construction drawings approved by the City; or required by the city engineer or the DRC as part of the plat approval process.~~
32. The Improvement Completion ~~Bond~~ Assurance shall guarantee that all required improvements will:
 - a. ~~Be constructed in accordance with the City's construction standards and specifications and as represented in the construction drawing approved by the city engineer.~~ Be constructed in accordance with the City's construction standards and specifications; as represented in the construction drawing approved by the City Engineer; as promised to the City; and as required by the City Engineer, the DRC or the Legislative Authority.
 - b. Be completed and pass city inspection within one (1) year of the date that the final plat is recorded or building permit is issued, except that required improvements for plats or building permits recorded between October 1 and March 31 must be completed by the next October 1. For example, the required improvements for a plat recorded on February 6, 1990 2015 must be completed by October 1, 1990 2015. The purpose of this requirement is to give the City an opportunity to collect on the bond and complete required asphalt ~~and concrete~~ improvements before the asphalt batch plants close for the winter and before the weather prohibits the completion of the improvements. The City may retain and use the Improvement Completion ~~Bond~~ Assurance for work not timely completed ~~where no extension was granted to the developer~~. The developer may request extensions from the DRC and such extensions shall be granted for good cause shown.
 - c. ~~Remain free from defects for a period of two (2) years following the date that all improvements pass City inspection, or until April 15th of the following year, whichever time period is longer. The purpose of this warranty is to assure that the improvements will last through at least two (2) full winters. The developer shall repair or replace any improvements which are or become defective during this time period. Subdivision public improvements shall remain free from defects for a period of two (2) years following the date that all improvements pass City inspection.~~

4. Further, the Improvement Completion Bond will guarantee that all repairs to, or replacements of, the required improvements will be made to the satisfaction of the DRC and the city engineer. The DRC may require the developer to guarantee and warrant that any repairs will remain free of defects for a period of six (6) months following the date that the repairs pass City inspection, or until April 15th of the following year, whichever time period is longer. The City may retain the Improvement Completion Bond until the repairs have lasted through the warranty period, and may take action against the bond if necessary to properly complete the repairs. The Improvement Completion Bond shall not be released until the DRC has certified in writing that the promised performance is completed and the warranty period has expired. Site plans shall be released at the end of the warranty period.
53. The Improvement Completion Bond Assurance guaranteeing the timely and proper installation of required improvements shall be equal in value to at least one hundred and ten percent (110 100%) of the cost of the required improvements of what it would cost the City to have the required improvements constructed, as estimated by the City Engineer. This estimated cost is intended to include all costs associated with the City having the required improvements constructed, including costs such as engineering costs, inspection costs, administrative costs, and collection costs, including court costs and attorney's fees. The purpose of the bond is to enable the City to make or complete the required improvements in a timely manner in the event of the developer's inability or failure to do so. The City need not complete the required improvements before collecting on the bond. The City may, in its sole discretion, delay taking action on the bond and allow the developer to complete the improvements if it receives adequate assurances that the improvements will be completed in a timely and proper manner. The additional ten percent (10%) will be used to make up any deficiencies in the bond amount and will reimburse the City for administrative costs and collection costs, including court costs and attorney's fees. The City shall not release more than 90% of the Improvement Completion Assurance until the following have been completed:
- a. A certificate of final acceptance of required improvements has been issued by the Lindon City Public Works Department.
 - b. The Developer has submitted record drawings to the City.
 - c. The Developer has posted the Improvement Warranty for the amount required in 17.38.020(5).
4. The Improvement Completion Assurance may be posted before beginning construction or during construction. If it is posted during construction, the costs established by the City Engineer for those improvements already constructed and accepted by the City may be deducted from the required bond amount.
5. The Improvement Warranty is required and:
- a. Shall guarantee that all required improvements will remain free from defects for a period of one (1) year following the date that a certificate of final acceptance of required improvements has been issued by the Lindon City Public Works Department. The developer shall repair or replace any improvements which are or become defective during this time period. Subdivision public improvements shall remain free from defects for a period of one (1) year following the date that all improvements pass City inspection.
 - i. The DRC may require a warranty period beyond one (1) year in order to protect the

- public health, safety, and welfare if there is substantial evidence:
- A. of prior poor performance by the developer; or
 - B. that the area upon which the infrastructure will be constructed contains suspect soil and the City has not otherwise required the developer to mitigate the suspect soil.
- b. Shall be in the amount of ten percent (10%) of the lesser of the:
 - i. City Engineer's original estimated cost of completion of required improvements; or
 - ii. developer's reasonable, proven cost of completion of required improvements.
 - c. Shall be executed by agreement between the City and the developer, with the City Administrator, or other designated City representative, authorized to enter into said agreement.
 - d. Must be posted before the City will record the subdivision plat (in the case of improvements associated with a subdivision) or before the City will issue a Certificate of Occupancy (in the case of improvements not associated with a subdivision).
6. Further, the Improvement Warranty will guarantee that all repairs to, or replacements of, the required improvements will be made to the satisfaction of the DRC, the Public Works Department, and the City Engineer. The Public Works Director or his authorized designee may require the developer to guarantee and warrant that any repairs will remain free of defects for a period of six (6) months following the date that the repairs pass City inspection, or until April 15th of the following year, whichever time period is longer. The City may retain the Improvement Warranty until the repairs have lasted through the warranty period, and may take action against the bond if necessary to properly complete the repairs. The Improvement Warranty shall not be released until the Public Works Director or his authorized designee has certified in writing that the promised performance is completed and the warranty period has expired.
67. The ~~bond~~ Improvement Completion Assurance and Improvement Warranty shall be an irrevocable letter of credit, escrow bond, cash bond or combination bond in favor of the City. The requirements relating to each of these types of bonds are detailed below in the approved bond form as maintained by the Development Review Committee. The City must approve any bond submitted pursuant to this section. The City reserves the right to reject any of the bond types if it has a rational basis for doing so. Letters of credit shall be form a federally insured bank or financial institution and shall be submitted on one of the forms set forth in this section or as approved by DRC. Escrow bonds shall be held by a federally insured bank, credit union, or similar financial institution or a title insurance underwriter authorized to do business in the State of Utah.
7. The City shall have the sole right to enforce the Improvement Completion ~~Bond~~ Assurance. Private parties shall not be third- party beneficiaries of the Improvement Completion Bond. (Ord. 2000-2, Amended, 10/04/2000, ~~XX/XX/2015~~)

Section 17.38.030 ~~Bond for on-site improvements~~ Improvement Completion Assurance for Private Improvements

- 1. Any developer making on-site Private improvements to real property that are not completed at the time of application for an occupancy permit shall post an Improvement

Completion Bond Assurance for the proper and timely installation of all such on-site Private Improvements. The Improvement Completion Assurance shall be executed by agreement between the City and the developer, with the City Administrator, or other designated City representative, having authority to enter into said agreement. The term "on site improvements" means and includes:

- a. ~~Parking, storm drain, landscaping, fencing.~~
 - b. ~~Any other improvement on the property or that was promised to the City, required by City ordinances, shown on preliminary plats, final plats and construction, site plans, drawings approved by the City, or that was required by the DRC or city engineer as part of the plat approval process.~~
2. The Improvement Completion Bond Assurance shall guarantee that all required improvements will:
- a. Be constructed in accordance with the city's construction standards and specifications ~~and the construction drawings approved by the City Engineer~~ and the plans approved by the City Engineer and Building Official, as promised to the City, and as required by the DRC, City Engineer, Building Official and Legislative Authority.
 - b. Be completed and pass City inspection within one (1) year of the date that the occupancy permit is issued. Improvements required between November 1 and March 31 must be completed by the next October 1. For example, the required improvements for an occupancy permit issued on February 6, 1990 2015 must be completed by October 1, 1990 2015. The purpose of this requirement is to give the City an opportunity to collect on the Bond and complete any required asphalt ~~and concrete~~ improvements before the asphalt batch plants close for the winter and before the weather prohibits the completion of the improvements. The City may retain and use the Improvement Completion Bond Assurance for work not timely completed ~~where no extension was granted to the developer~~. The developer may request extensions from the DRC and such extensions shall be granted for good cause shown.
 - c. ~~Remain free from defects for a period of one (1) year following the date that all improvements pass City inspection, or until April 15th of the following year, whichever time period is longer. The purpose of this warranty is to assure that the improvements will last through at least one (1) full winter. The developer shall repair or replace any improvements that are or become defective during this time period. Public improvements in subdivisions shall remain free from defects for a period of two (2) years following the date that all improvements pass City inspection.~~
 - d. ~~All repairs or replacements shall be made to the satisfaction of the DRC. The DRC may require the developer to guarantee and warrant that any repairs remain free from defects for a period of six (6) months following the date that the repairs pass City inspection, or until April 15th of the following year, whichever time period is longer. The DRC may retain the Improvement Completion Bond until the repairs have lasted through the warranty period, and may take action on the bond if necessary to properly complete the repairs. The Improvement Completion Bond shall not be released until the DRC has certified in writing that the promised performance is completed and the warranty period has expired.~~

3. The Developer retains full responsibility for failure or defects of Private Improvements. Any

failure in materials or workmanship of a Private Improvement after the item passes inspection is not the responsibility of the City. The City's review and concern for Private Improvements is that they pass inspection if specific code requirements apply to the item, and/or the improvements meet substantial conformance with an approved plan at the time of inspection.

34. The Improvement Completion ~~Bond~~ Assurance guaranteeing the timely and proper installation of required improvements shall be equal in value to at least one hundred percent (100%) of the cost of what it would cost the City to have the required improvements constructed, as estimated by the City Engineer. This estimated cost is intended to include all costs associated with the City having the required improvements constructed, including costs such as engineering costs, inspection costs, administrative costs, and collection costs, including court costs and attorney's fees. The purpose of the bond is to enable the City to make or complete the required improvements in a timely manner in the event of the developer's inability or failure to do so. The City need not complete the required improvements before collecting from or foreclosing on the bond. The City may, in its sole discretion, delay taking action on the bond and allow the developer to complete the improvements if it received adequate assurances that the improvements will be completed in a timely and proper manner.
45. The bond shall be an irrevocable letter of credit, escrow bond, cash bond or combination bond in favor of the City. The requirements relating to each of these types of bonds are detailed in the approved bond form as maintained by the Development Review Committee. The City must approve any bond submitted pursuant to this section. The City reserves the right to reject any of the bond types if it has a rational basis for doing so. Letters of credit shall be from a federally insured bank or financial institution and shall be submitted on one (1) of the forms set forth in this section or as approved by the DRC. Escrow bonds shall be held by a federally insured bank, credit union, or similar financial institution or a title insurance underwriter authorized to do business in the State of Utah.
56. The City shall have the sole right to enforce the Improvement Completion ~~Bond~~ Assurance. Private parties shall not be third- party beneficiaries of the Improvement Completion ~~Bond~~ Assurance.

(Ord. 2000-2, Add, 10/04/2000, XX/XX/2015)

Section 17.38.040 Required Forms

1. Any person posting an Improvement Completion ~~Bond~~ Assurance or Improvement Warranty shall use the original stamped forms listed below and maintained by the DRC. ~~No copies or facsimile reproduction as acceptable:~~
 - a. DRC Form #1 - Improvement Completion ~~Bond~~ and Warranty Agreement Form.
 - b. DRC Form #2 - Irrevocable Letter of Credit Form.
2. The DRC shall have power to create, maintain, and amend such forms as necessary to fulfill the purposes of this ordinance.

(Ord. 2000-2, Add, 10/04/2000, XX/XX/2015)

SECTION II: The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or

unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

SECTION III: Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

SECTION IV: This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2015.

Jeff Acerson, Mayor

ATTEST:

Kathryn A. Moosman,
Lindon City Recorder

SEAL

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2

Chapter 17.38

4

BONDS FOR COMPLETION OF IMPROVEMENTS TO REAL PROPERTY

6

Sections:

8	17.38.010	Improvement Completion Assurances and Improvement Warranties Generally
	17.38.015	Definitions
10	17.38.020	Improvement Completion Assurances for Public Improvements
	17.38.030	Improvement Completion Assurances for Private Improvements
12	17.38.040	Required Forms

14 Section 17.38.010 Improvement Completion Assurances and Improvement Warranties Generally

16 All required landscaping or infrastructure improvements shall be completed prior to any plat recordation or
 18 development activity unless the applicant requests to post an Improvement Completion Assurance under the
 20 terms of this chapter. In all cases shall the Improvement Warranty be posted prior to any plat recordation or
 22 development activity. If desiring to record a plat (in the case of subdivision improvements being incomplete)
 24 or obtain a certificate of occupancy (in the case of land developments in which a certificate of occupancy is
 26 requested before all required improvements are completed) any person or entity subdividing, improving,
 building upon or otherwise developing real property (hereinafter "developer") shall post for the benefit of
 Lindon City an Improvement Completion Assurance and Improvement Warranty in such amount and of
 adequate security, as set forth hereinafter, ensuring the timely and proper completion of all improvements
 required by the Lindon City Code, the Lindon City Development Review Committee ("DRC"), and all
 applicable building codes, standards, and specifications. (Ord. 2000-2, Amended, 10/04/2000,
 XX/XX/2015)

Section 17.38.015 Definitions

- 28 1. "Improvement Completion Assurance" means an irrevocable letter of credit, escrow bond, cash bond, or
 combination bond posted by a developer to guarantee the proper completion of required improvements.
- 30 2. "Improvement Warranty" means a an irrevocable letter of credit, escrow bond, cash bond, or combination
 32 bond posted by a developer to unconditionally warrant that accepted improvements comply with the
 approved plans and the municipality's written standards for design, materials, and workmanship, and are
 34 and will remain free of defects (or will be repaired or replaced at no cost to the City) within the
 improvement warranty period.
3. "Public Improvements" (for the purpose of this ordinance) means:
- 36 a. Utility installations, including piping of culinary and irrigation water, sanitary sewer, storm drainage,
 and other required utilities as established by Lindon City;
- 38 b. Utility improvements required for service by the following utilities, but not provided by the utility
 company: power, telephone, natural gas, cable television, and telecommunications.
- 40 c. Roads, grading, curb, gutter, sidewalks, trails, street lights, erosion control, and related items;
- 42 d. Any other improvement that may or may not appertain to an individual lot being developed but
 which benefits the property or that the DRC reasonably deems necessary to the development of the
 property; required by or promised to the City; required by ordinance or statute; shown on plans
 44 approved by the City; or required by the City Engineer, the DRC or the Legislative Authority as part
 of the land development process.

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4. "Private Improvements" means:

- 2 a. Parking, storm drain, landscaping, fencing.
- 4 b. Any other improvement on the property that was promised to the City, required by City
 6 ordinances, shown on plans approved by the City, or that was required by the DRC, City Engineer,
 Building Official or Legislative Authority as part of the land development or building approval
 process.

Section 17.38.020 Improvement Completion Assurance for Public Improvements

- 8 1. When required infrastructure improvements are not complete and the applicant requests recordation of a
 10 subdivision plat, approval of a building permit or conditional use permit, any developer making "Public
 12 Improvements," as defined above, to real property shall post an Improvement Completion Assurance for
 the proper and timely installation and completion of all such Public Improvements. The Improvement
 Completion Assurance shall be executed by agreement between the City and the developer, with the City
 Administrator, or other designated City representative, having authority to enter into said agreement.
- 14 2. The Improvement Completion Assurance shall guarantee that all required improvements will:
 - 16 a. Be constructed in accordance with the City's construction standards and specifications; as represented
 in the construction drawing approved by the City Engineer; as promised to the City; and as required
 by the City Engineer, the DRC or the Legislative Authority.
 - 18 b. Be completed and pass city inspection within one (1) year of the date that the final plat is recorded or
 20 building permit is issued, except that required improvements for plats recorded or building permits
 issued between October 1 and March 31 must be completed by the next October 1. For example,
 22 the required improvements for a plat recorded on February 6, 2015 must be completed by October
 1, 2015. The purpose of this requirement is to give the City an opportunity to collect on the bond
 and complete required asphalt improvements before the asphalt batch plants close for the winter and
 24 before the weather prohibits the completion of the improvements. The City may retain and use the
 Improvement Completion Assurance for work not timely completed. The developer may request
 26 extensions from the DRC and such extensions shall be granted for good cause shown.
- 28 3. The Improvement Completion Assurance guaranteeing the timely and proper installation of required
 30 improvements shall be equal in value to at least one hundred percent (100%) of what it would cost the
 City to have the required improvements constructed, as estimated by the City Engineer. This
 32 estimated cost is intended to include all costs associated with the City having the required
 improvements constructed, including costs such as engineering costs, inspection costs, administrative
 costs, and collection costs, including court costs and attorney's fees. The purpose of the bond is to
 34 enable the City to make or complete the required improvements in a timely manner in the event of the
 developer's inability or failure to do so. The City need not complete the required improvements before
 36 collecting on the bond. The City may, in its sole discretion, delay taking action on the bond and allow
 the developer to complete the improvements if it receives adequate assurances that the improvements
 38 will be completed in a timely and proper manner. The City shall not release more than 90% of the
 Improvement Completion Assurance until the following have been completed:
 - 40 a. A certificate of final acceptance of required improvements has been issued by the Lindon City Public
 Works Department.
 - 42 b. The Developer has submitted record drawings to the City.
 - c. The Developer has posted the Improvement Warranty for the amount required in 17.38.020(5).

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- 2 4. The Improvement Completion Assurance may be posted before beginning construction or during
 4 construction. If it is posted during construction, the costs established by the City Engineer for those
 6 improvements already constructed and accepted by the City may be deducted from the required bond
 8 amount.
- 10 5. The Improvement Warranty is required and:
- 12 a. Shall guarantee that all required improvements will remain free from defects for a period of one (1)
 14 year following the date that a certificate of final acceptance of required improvements has been
 16 issued by the Lindon City Public Works Department. The developer shall repair or replace any
 18 improvements which are or become defective during this time period. Subdivision public
 20 improvements shall remain free from defects for a period of one (1) year following the date that
 22 all improvements pass City inspection.
- 24 i. The DRC may require a warranty period beyond one (1) year in order to protect the public health,
 safety, and welfare if there is substantial evidence:
- A. of prior poor performance by the developer; or
- B. that the area upon which the infrastructure will be constructed contains suspect soil and
 the City has not otherwise required the developer to mitigate the suspect soil.
- b. Shall be in the amount of ten percent (10%) of the lesser of the:
- i. City Engineer's original estimated cost of completion of required improvements; or
- ii. developer's reasonable, proven cost of completion of required improvements.
- c. Shall be executed by agreement between the City and the developer, with the City Administrator, or
 other designated City representative, authorized to enter into said agreement.
- d. Must be posted before the City will record the subdivision plat (in the case of improvements
 associated with a subdivision) or before the City will issue a Certificate of Occupancy (in the case of
 improvements not associated with a subdivision).
6. Further, the Improvement Warranty will guarantee that all repairs to, or replacements of, the required
 improvements will be made to the satisfaction of the DRC, the Public Works Department, and the City
 Engineer. The Public Works Director or his authorized designee may require the developer to guarantee
 and warrant that any repairs will remain free of defects for a period of six (6) months following the date
 that the repairs pass City inspection, or until April 15th of the following year, whichever time period is
 longer. The City may retain the Improvement Warranty until the repairs have lasted through the warranty
 period, and may take action against the bond if necessary to properly complete the repairs. The
 Improvement Warranty shall not be released until the Public Works Director or his authorized designee
 has certified in writing that the promised performance is completed and the warranty period has expired.
7. The Improvement Completion Assurance and Improvement Warranty shall be an irrevocable letter of
 credit, escrow bond, cash bond or combination bond in favor of the City. The requirements relating to
 each of these types of bonds are detailed in the approved bond form as maintained by the Development
 Review Committee. The City must approve any bond submitted pursuant to this section. The City
 reserves the right to reject any of the bond types if it has a rational basis for doing so. Letters of credit
 shall be from a federally insured bank or financial institution and shall be submitted on one of the forms
 set forth in this section or as approved by the DRC. Escrow bonds shall be held by a federally insured
 bank, credit union, or similar financial institution or a title insurance underwriter authorized to do

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business in the State of Utah.

2 8. The City shall have the sole right to enforce the Improvement Completion Assurance and Improvement
4 Warranty. Private parties shall not be third- party beneficiaries of the Improvement Completion
Assurance or Improvement Warranty.

6 9. Whenever a temporary turn-around is approved as part of a subdivision and in anticipation of a future
8 through road being constructed, the applicant constructing the temporary turn-around shall post a cash
10 payment to the City equal in amount, as estimated by the City Engineer, to the cost of removing the
temporary turn-around and construction of the required street improvements along the street frontage
where the temporary turn-around will have previously existed. This cash payment will be applied to
construction costs at the time the through road is constructed.

(Ord. 2000-2, Amended, 10/04/2000, XX/XX/2015)

12 Section 17.38.030 Improvement Completion Assurance for Private Improvements

14 1. Any developer making private improvements to real property that are not completed at the time of
16 application for an occupancy permit shall post an Improvement Completion Assurance for the proper
and timely installation of all such Private Improvements. The Improvement Completion Assurance shall
be executed by agreement between the City and the developer, with the City Administrator, or other
designated City representative, having authority to enter into said agreement.

18 2. The Improvement Completion Assurance shall guarantee that all required improvements will:

20 a. Be constructed in accordance with the City's construction standards and specifications and the plans
approved by the City Engineer and Building Official, as promised to the City, and as required by the
DRC, City Engineer, Building Official and Legislative Authority.

22 b. Be completed and pass City inspection within one (1) year of the date that the occupancy permit is
24 issued. Improvements required between November 1 and March 31 must be completed by the next
26 October 1. For example, the required improvements for an occupancy permit issued on February
28 6, 2015 must be completed by October 1, 2015. The purpose of this requirement is to give the City
an opportunity to collect on the bond and complete any required asphalt improvements before the
30 asphalt batch plants close for the winter and before the weather prohibits the completion of the
improvements. The City may retain and use the Improvement Completion Assurance for work not
timely completed. The developer may request extensions from the DRC and such extensions shall be
granted for good cause shown.

32 3. The Developer retains full responsibility for failure or defects of Private Improvements. Any failure in
34 materials or workmanship of a Private Improvement after the item passes inspection is not the
responsibility of the City. The City's review and concern for Private Improvements is that they pass
inspection if specific code requirements apply to the item, and/or the improvements meet substantial
conformance with an approved plan at the time of inspection.

36 4. The Improvement Completion Assurance guaranteeing the timely and proper installation of required
38 improvements shall be equal in value to at least one hundred percent (100%) of the cost of what it would
cost the City to have the required improvements constructed, as estimated by the City Engineer. This
40 estimated cost is intended to include all costs associated with the City having the required improvements
constructed, including costs such as engineering costs, inspection costs, administrative costs, and
42 collection costs, including court costs and attorney's fees. The purpose of the bond is to enable the City
to make or complete the required improvements in a timely manner in the event of the developer's
inability or failure to do so. The City need not complete the required improvements before collecting

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from or foreclosing on the bond. The City may, in its sole discretion, delay taking action on the bond and allow the developer to complete the improvements if it received adequate assurances that the improvements will be completed in a timely and proper manner.

5. The bond shall be an irrevocable letter of credit, escrow bond, cash bond or combination bond in favor of the City. The requirements relating to each of these types of bonds are detailed in the approved bond form as maintained by the Development Review Committee. The City must approve any bond submitted pursuant to this section. The City reserves the right to reject any of the bond types if it has a rational basis for doing so. Letters of credit shall be from a federally insured bank or financial institution and shall be submitted on one (1) of the forms set forth in this section or as approved by the DRC. Escrow bonds shall be held by a federally insured bank, credit union, or similar financial institution or a title insurance underwriter authorized to do business in the State of Utah.

6. The City shall have the sole right to enforce the Improvement Completion Assurance. Private parties shall not be third-party beneficiaries of the Improvement Completion Assurance.

(Ord. 2000-2, Add, 10/04/2000, XX/XX/2015)

Section 17.38.040 Required Forms

1. Any person posting an Improvement Completion Assurance or Improvement Warranty shall use the original stamped forms listed below and maintained by the DRC.

a. DRC Form #1 — Improvement Completion and Warranty Agreement Form.

b. DRC Form #2 — Irrevocable Letter of Credit Form.

2. The DRC shall have power to create, maintain, and amend such forms as necessary to fulfill the purposes of this ordinance.

(Ord. 2000-2, Add, 10/04/2000, XX/XX/2015)

II. Review & Action — 2015 Street Rehabilitation Projects, Locust Avenue Bid Award *(5 minutes)*

Lindon City received seven bids for reconstruction of Locust Ave between 400 North and 800 North, and recommends awarding the project to Staker and Parson Companies with the low bid of \$198,277.00.

See attached letter, notice of award, and bid documents from JUB Engineers who recommend award of the bid to Staker and Parson Companies. The low bid is below the engineers estimated cost to construct the project, and therefore Staff recommends the City proceed with the low bidder. The bid amount includes construction of 8' wide shoulders along both sides of Locust Ave wherever there is not existing shoulders with curb/gutter already in place between 400 North and 800 North.

Sample Motion: I move to (approve, not approve) the 2015 Street Rehabilitation Project to reconstruct Locust Avenue and award the bid to Staker and Parson Companies with the low bid of \$198,277.00.



J-U-B COMPANIES

THE
LANGDON
GROUPGATEWAY
MAPPING
INC.

February 26, 2015

Adam Cowie, City Administrator
Lindon City Corporation
100 North State Street
Lindon, UT 84042

RE: 2015 Street Rehabilitation Projects – Locust Avenue Project

Dear Adam:

We have tabulated the bids submitted Thursday, February 26, 2015 at 10:00 a.m. for the above project. Our Opinion of Construction Cost for the project base bid is \$206,492.00. We had 7 Bidders submit bids. The low bidder is Staker & Parson Companies at \$183,121.00. Their bid is \$23,371.00 (8.8%) lower than the Opinion. Our Opinion of Construction Cost for the project base bid plus additive alternate B is \$222,867.00. Staker & Parson Companies bid for the project base bid plus additive alternate B is \$198,277.00. Their bid is \$24,590.00 (11.0%) lower than the Opinion and is low bid for this option as well. Staker & Parson Companies have been in Utah for many years and completed several successful projects for Lindon City. We recommend that the City accept their bid and award them the project.

We have prepared the Notice of Award and attached it to this letter. If the City Council awards the Contract next Tuesday night, please sign and return three copies of the Notice of Award to us. We have also included the Bid Tabulation for reference to the bidding options and costs.

Please let us know of the Council's decision and we will proceed in accordance with the direction given. We are happy to answer any questions you may have.

Best regards,
J-U-B Engineers, Inc.

Todd Trane, P.E.
Project Engineer

Enclosures

cc Don Peterson, Public Works Director
Staker Parson Companies

J-U-B ENGINEERS, Inc. celebrates 60 YEARS

Notice of Award

Dated: March 3, 2015

Project: 2015 Street Rehabilitation Projects	Owner: Lindon City Corporation	Owner's Contract No.:
Contract: Locust Avenue Project		Engineer's Project No.: 50-13-031
Bidder: Staker & Parson Companies		
Bidder's Address: (send Certified Mail, Return Receipt Requested) 89 West 13490 South, Suite 100, Draper, UT 84020		

You are notified that your Bid dated February 26, 2015 for the above Contract has been considered. You are the apparent Successful Bidder and are awarded a Contract for the **Locust Avenue Project**, as modified per Supplemental Attachment A.

Description and Scope of Work: The Project includes street improvements consisting primarily of 131,200 square feet of reconstructed asphalt street surface along Locust Avenue in Lindon. The work will consist of pulverizing the existing asphalt, reshaping and compacting the pulverized asphalt, and placing 3" of PG 58-28 grade asphalt. The project will also include additional asphalt shoulder expansion of up to 5,800 square feet as additives. Other work includes adjusting manhole covers and valve boxes to grade and removal and replacement of concrete collars. The work includes all items as listed and described in the Bid Form and Measurement and Payment.

The Contract Price of your Contract is One Hundred Ninety Eight Thousand Two Hundred Seventy Seven Dollars (\$198,277.00).

3 copies of each of the proposed Contract Documents and Drawings accompany this Notice of Award.

You must comply with the following conditions precedent within 15 days of the date you receive this Notice of Award.

1. Deliver to the Owner three fully executed counterparts of the Contract Documents.
2. Deliver with the executed Contract Documents the Contract Security Bonds as specified in the Instructions to Bidders (Article 20), and General Conditions (Paragraph 5.01), and Supplementary Conditions (Paragraph SC-5.01).
3. Deliver with the executed Contract Documents the Insurance Certificates as specified in the Instructions to Bidders (Article 20), and General Conditions (Paragraph 5.03), and the Supplementary Conditions (Paragraph SC-5.04).
4. Other conditions precedent:

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

Lindon City Corporation

 Owner
 By: _____

 Jeff Acerson

 Mayor

Copy to Engineer

LINDON CITY CORPORATION
 2015 Street Rehabilitation Project - Locust Ave.
 2/26/2014

BASE BID

Item No.	Description	Unit	Quantity	Engineers Estimate		Staker Parson		Kilgore		Morgan		Geneva Rock		Miller		Granite		Peckham	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization	LS	1	\$7,000.00	\$7,000.00	\$15,200.00	\$15,200.00	\$7,975.00	\$7,975.00	\$9,000.00	\$9,000.00	\$4,500.00	\$4,500.00	\$9,900.00	\$9,900.00	\$10,400.00	\$10,400.00	\$4,600.00	\$4,600.00
2	Traffic Control	LS	1	\$5,000.00	\$5,000.00	\$11,150.00	\$11,150.00	\$8,200.00	\$8,200.00	\$6,800.00	\$6,800.00	\$18,000.00	\$18,000.00	\$21,350.00	\$21,350.00	\$8,989.85	\$8,989.85	\$8,820.00	\$8,820.00
3	Conduct Storm Water Pollution Prevention Activities	LS	1	\$3,000.00	\$3,000.00	\$320.07	\$320.07	\$4,260.00	\$4,260.00	\$2,450.00	\$2,450.00	\$5,800.00	\$5,800.00	\$2,200.00	\$2,200.00	\$4,000.00	\$4,000.00	\$300.00	\$300.00
4	Sawcut Existing Asphalt	LF	628	\$1.00	\$628.00	\$0.52	\$326.56	\$1.00	\$628.00	\$1.00	\$628.00	\$2.00	\$1,256.00	\$0.64	\$401.92	\$1.25	\$785.00	\$0.80	\$502.40
5	Pulverize Existing Asphalt, Reshape, Compact and Deliver Excess to Lindon City	SF	131,185	\$0.30	\$39,355.50	\$0.18	\$23,613.30	\$0.28	\$36,731.80	\$0.24	\$31,484.40	\$0.29	\$38,043.65	\$0.35	\$45,258.83	\$0.30	\$39,355.50	\$0.10	\$13,118.50
6	Remove and Replace 24" Curb & Gutter	LF	44	\$40.00	\$1,760.00	\$36.50	\$1,606.00	\$37.35	\$1,643.40	\$41.00	\$1,804.00	\$54.00	\$2,376.00	\$47.70	\$2,098.80	\$43.00	\$1,892.00	\$50.00	\$2,200.00
7	Remove and Replace Concrete Sidewalk	SF	176	\$10.00	\$1,760.00	\$5.70	\$1,003.20	\$5.85	\$1,029.60	\$6.60	\$1,161.60	\$13.60	\$2,393.60	\$12.15	\$2,138.40	\$6.75	\$1,188.00	\$18.00	\$3,168.00
8	Adjust Manhole Cover to Grade	EACH	17	\$70.00	\$1,190.00	\$200.00	\$3,400.00	\$205.00	\$3,485.00	\$670.00	\$11,390.00	\$70.00	\$1,190.00	\$350.00	\$5,950.00	\$240.00	\$4,080.00	\$280.00	\$4,760.00
9	Adjust Water Valve Box to Grade	EACH	15	\$40.00	\$600.00	\$125.00	\$1,875.00	\$130.00	\$1,950.00	\$475.00	\$7,125.00	\$40.00	\$600.00	\$250.00	\$3,750.00	\$150.00	\$2,250.00	\$257.50	\$3,862.50
10	Adjust Culinary Water Meter Box to Grade	EACH	1	\$200.00	\$200.00	\$475.00	\$475.00	\$490.00	\$490.00	\$475.00	\$475.00	\$40.00	\$40.00	\$275.00	\$275.00	\$560.00	\$560.00	\$440.00	\$440.00
11	Adjust SD Drop Inlet Box to Grade	EACH	1	\$200.00	\$200.00	\$900.00	\$900.00	\$925.00	\$925.00	\$1,175.00	\$1,175.00	\$70.00	\$70.00	\$747.50	\$747.50	\$1,000.00	\$1,000.00	\$275.00	\$275.00
12	Place or Replace Concrete Collar Around Manhole	EACH	17	\$500.00	\$8,500.00	\$475.00	\$8,075.00	\$490.00	\$8,330.00	\$335.00	\$5,695.00	\$800.00	\$13,600.00	\$150.00	\$2,550.00	\$500.00	\$8,500.00	\$380.00	\$6,460.00
13	Place or Replace Concrete Collar Around Valve Box	EACH	15	\$300.00	\$4,500.00	\$325.00	\$4,875.00	\$335.00	\$5,025.00	\$305.00	\$4,575.00	\$55.00	\$825.00	\$100.00	\$1,500.00	\$350.00	\$5,250.00	\$347.50	\$5,212.50
14	Furnish, Place, and Compact 3" Surface Course of Asphalt	TON	2,004	\$65.00	\$130,260.00	\$54.50	\$109,218.00	\$59.95	\$120,139.80	\$62.80	\$125,851.20	\$57.75	\$115,731.00	\$59.18	\$118,596.72	\$70.00	\$140,280.00	\$98.91	\$198,215.64
15	Furnish and Place Single Solid White Traffic Stripe as Shown on Plans	LF	5,197	\$0.30	\$1,559.10	\$0.07	\$363.79	\$0.07	\$363.79	\$0.31	\$1,611.07	\$0.14	\$727.58	\$0.17	\$883.49	\$0.25	\$1,299.25	\$0.15	\$779.55
16	Furnish and Place Double Solid Yellow Traffic Stripe as Shown on Plans	LF	2,366	\$0.40	\$946.40	\$0.13	\$307.58	\$0.13	\$307.58	\$0.62	\$1,466.92	\$0.28	\$662.48	\$0.40	\$946.40	\$0.40	\$946.40	\$0.15	\$354.90
17	Furnish and Place 12" White Stop Bar as Shown on Plans	LF	33	\$1.00	\$33.00	\$12.50	\$412.50	\$12.85	\$424.05	\$3.00	\$99.00	\$14.75	\$486.75	\$1.00	\$33.00	\$8.00	\$264.00	\$2.07	\$68.31
TOTAL				\$206,492.00		\$183,121.00		\$201,908.02		\$212,791.19		\$206,302.06		\$218,580.06		\$231,040.00		\$253,137.30	

ADDITIVE ALTERNATE A

\$23,371.00 0.88681886

Item No.	Description	Unit	Quantity	Engineers Estimate		Staker Parson		Kilgore		Morgan		Geneva Rock		Miller		Granite		Peckham	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
18	Excavate for, Furnish, Place and Compact 12" Untreated Road Base Under New Asphalt	TON	86	\$20.00	\$1,720.00	\$17.50	\$1,505.00	\$35.20	\$3,027.20	\$25.00	\$2,150.00	\$55.80	\$4,798.80	\$51.16	\$4,399.76	\$25.00	\$2,150.00	\$39.51	\$3,397.86
19	Excavate for, Furnish, Place and Compact 8" Untreated Road Base Under New Asphalt	TON	57	\$15.00	\$855.00	\$17.50	\$997.50	\$39.40	\$2,245.80	\$40.00	\$2,280.00	\$61.50	\$3,505.50	\$50.07	\$2,853.99	\$25.00	\$1,425.00	\$44.35	\$2,527.95
20	Furnish, Place and Compact 3" Surface Course Asphalt	TON	21	\$65.00	\$1,365.00	\$54.50	\$1,144.50	\$59.95	\$1,258.95	\$71.00	\$1,491.00	\$72.00	\$1,512.00	\$111.80	\$2,347.80	\$70.00	\$1,470.00	\$158.18	\$3,321.78
ADDITIVE ALTERNATE A - SUBTOTAL				\$3,940.00		\$3,647.00		\$6,531.95		\$5,921.00		\$9,816.30		\$9,601.55		\$5,045.00		\$9,247.59	
BASE BID TOTAL (BID ITEMS 1-20)				\$210,432.00		\$186,768.00		\$208,439.97		\$218,712.19		\$216,118.36		\$228,181.61		\$236,085.00		\$262,384.89	

ADDITIVE ALTERNATE B

Item No.	Description	Unit	Quantity	Engineers Estimate		Staker Parson		Kilgore		Morgan		Geneva Rock		Miller		Granite		Peckham	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
21	Excavate for, Furnish, Place and Compact 12" Untreated Road Base Under New Asphalt	TON	269	\$20.00	\$5,380.00	\$17.50	\$4,707.50	\$35.20	\$9,468.80	\$23.00	\$6,187.00	\$40.75	\$10,961.75	\$39.27	\$10,563.63	\$25.00	\$6,725.00	\$37.36	\$10,049.84
22	Excavate for, Furnish, Place and Compact 8" Untreated Road Base Under New Asphalt	TON	180	\$15.00	\$2,700.00	\$17.50	\$3,150.00	\$39.40	\$7,092.00	\$40.00	\$7,200.00	\$47.65	\$8,577.00	\$41.71	\$7,507.80	\$25.00	\$4,500.00	\$40.80	\$7,344.00
23	Furnish, Place and Compact 3" Surface Course Asphalt	TON	67	\$65.00	\$4,355.00	\$54.50	\$3,651.50	\$59.95	\$4,016.65	\$71.00	\$4,757.00	\$73.00	\$4,891.00	\$84.28	\$5,646.76	\$70.00	\$4,690.00	\$127.21	\$8,523.07
ADDITIVE ALTERNATE B - SUBTOTAL				\$12,435.00		\$11,509.00		\$20,577.45		\$18,144.00		\$24,429.75		\$23,718.19		\$15,915.00		\$25,916.91	
BASE BID TOTAL (BID ITEMS 1-23)				\$222,867.00		\$198,277.00		\$229,017.42		\$236,856.19		\$240,548.11		\$251,899.80		\$252,000.00		\$288,301.80	

12. **Council Reports:**

(20 minutes)

- | | |
|--|--------------------|
| A) MAG, COG, UIA, Utah Lake, ULCT, Budget Committee | - Jeff Acerson |
| B) Public Works, Irrigation/water, City Buildings | - Van Broderick |
| C) Planning, BD of Adjustments, General Plan, Budget Committee | - Matt Bean |
| D) Parks & Recreation, Trails, Tree Board, Cemetery | - Carolyn Lundberg |
| E) Administration, Com Center Board, Lindon Days, Chamber of Commerce | - Randi Powell |
| F) Public Safety, Court, Animal Control, Historic Commission, Budget Committee | - Jacob Hoyt |

13. Administrator's Report:

(20 minutes)

Misc Updates:

- February City newsletter: <http://siterepository.s3.amazonaws.com/442/february15final.pdf>
- Everbridge Emergency Notification System: sign-up available to the public. Links provided on web site and in newsletter. Please promote sign-ups!!! Sign up here: <https://member.everbridge.net/index/892807736722443#/login>
- Legislative Updates
- Public Safety Building:
 - Thoughts from Fire Station tour?
 - Update on discussions with Orem regarding contract agreement.
 - Update on architectural estimates for potential City Center remodel to accommodate Police expansion needs.
- 2015 Lindon Days Grand Marshal – be thinking of potential individuals or couples to select.
- ULCT spring conference, April 8-10th in St. George
- New Neos Play System in the City Center Park – funded through PARC taxes.
- Project Tracking List
- Misc. Items:

Upcoming Meetings & Events:

- Newsletter Assignment: **Jake Hoyt** - March newsletter article. *Due by last week in February.*
- March 3rd @ 6:00pm – Orem Fire Station tour. 255 N. 1200 W., Orem **All Councilmembers**
- March 7th @ 6:00pm – Little Miss Lindon Pageant @ Oak Canyon Jr High
- April 8-10th ULCT spring conference in St. George
- April 13th @ 12:30pm – Budget Committee lunch meeting **Mayor, Matt, Jake**
- April 14th @ Noon – Engineering Coordination meeting at Public Works **Mayor, Van, ???**
- April 24th through May 1st – City Wide Clean Up (dumpsters for public use)

Future items:

- Employee Policy Manual updates

Adjourn

As of February 27, 2015

PROJECT TRACKING LIST

APPLICATION NAME	APPLICATION DATE	APPLICANT INFORMATION	PLANNING COMM.	CITY COUNCIL
			DATE	DATE
Ordinance changes: LCC 17.38 'Bonds for Completion of Improvements to Real Property'	January 2014	City Initiated	Mar. 11	TBD
<i>City initiated ordinance changes needed to bring code into compliance with current practices and State laws.</i>				
Zone Change: Old Town Square	Feb 1, 2012	Scott Larsen	Feb. 14, continued	Pending
<i>Request for approval of a zone change for two parcels located at 873 West Center Street from R1-20 (Residential Low) to LI (Light Industrial).</i>				
Property Line Adjustment: LBA Rentals	Mar 12, 2012	Lois Bown-Atheling	N/A	N/A
<i>Request for approval of a property line adjustment to clean up existing parcels lines for five parcels in the CG zone at 162 & 140 South Main Street. This project is in conjunction with the Castle Park project.</i>				
Ordinance changes: LCC 17.32, 17.58, 17.66.020 'Subdivisions'	Nov. 2012	City Initiated	Nov. 13, Dec. 11, Jan. 8, Jan. 22	TBD
<i>City initiated ordinance changes needed to bring code into compliance with current practices and State laws.</i>				
Site Plan: Lindon Senior Apartments	Sept. 2013	Matt Gneiting	TBD	TBD
<i>Request for site plan approval for senior housing apartments on State & Main</i>				
Amended Site Plan: Wasatch Ornamental Iron	June 2014	Melvin Radmall	N/A	N/A
<i>Request for staff approval of a 16x18 machine cover in the LI zone located at 310 North Geneva Road.</i>				
Property Line Adjustment	Oct. 2014	Steven Merrill	N/A	N/A
<i>Request for a property line adjustment at 455 E 500 N. Staff approved.</i>				
Site Plan: Scott's Provo GM	Jan. 2015	Mandy Ogaz	Feb. 10 (cont.)	N/A
<i>Request to add a small office building to the Scott's Miracle Gro site located at 347 South 1250 West in the LI zone.</i>				
Site Plan: Lindon Tech Center Phase III	Feb. 2015	Mark Weldon	TBD	N/A
<i>Request to construct a ~50,000 square foot two-story office building in the MC zone on 5 acres. Located approximately 500 North 2000 West.</i>				
Site Plan: Spring Gardens Senior Community	Feb. 2015	Russ Watts	Mar. 10	TBD
<i>Request for site plan approval of a 105 bed assisted living facility. Located at approximately 800 West 700 North</i>				
Concept Review: Twin Homes at 520/530 South 400 West	Feb. 2015	Alan Cutler	Feb. 24	Mar. 3
<i>Request for feedback on a proposal to create a PUD ordinance and apply it to the lots at 520/530 South 400 West to allow the construction of twin homes.</i>				
Zone Map Amendment: Reduce size of CG-A on State St	Feb. 2015	City Initiated	Feb. 24	Mar. 3
<i>City initiated zone map amendment to rezone parcels at 15 South to 25 North State Street from CG-A to CG.</i>				
NOTE: This Project Tracking List is for reference purposes only. All application review dates are subject to change.				
PC / CC Approved Projects - Working through final staff & engineering reviews (site plans have not been finalized - or plat has not recorded yet):				
Stableridge Plat D	Tim Clyde – R2 Project		Old Station Square Lots 11 & 12	
AM Bank – Site Plan	Joyner Business Park, Lot 9 Site Plan		Lindon Harbor Industrial Park II	
Lindon Gateway II	Freeway Business Park II		Lakeside Business Park Plat A	
West Meadows Industrial Sub (Williamson Subdivision Plat A)	Keetch Estates Plat A		Green Valley Subdivision	
Long Orchard Subdivision	Reflections Recover Center		Noah's Life Subdivision	
Bishop Corner Plat B	Lexington Cove Major Subdivision		Lindon Springs Garden Minor Subdivision	
Zyto/Tams Office Buildings Site Plan	Pen Minor Subdivision		Coulson Cove Plat D	
Lindon Tech Center Site Plan	Olsen Industrial Park Minor Subdivision		Lindon Tech Center Subdivision	
Mix Right Site Plan	Westlind Industrial Condo Subdivision		Ostler Industrial Park Subdivision Plat B	
Happy Valley Derby Darlins CUP	Ruf Subdivision			

Board of Adjustment		
Applicant	Application Date	Meeting Date

Annual Reviews				
APPLICATION NAME	APPLICATION DATE	APPLICANT INFORMATION	PLANNING COMM.	CITY COUNCIL
			DATE	DATE
Annual review - Lindon Care Center 680 North State Street (File # 05.0383.8) administrator@lindoncare.com	Existing use.	Lindon Care Center Manager: Christine Christensen 801-372-1970.	March 2015 Last Reviewed: 3/14	N/A
<i>Annual review of care center to ensure conformance with City Code. Care center is a pre-existing use in the CG zone.</i>				
Annual review of CUP - Housing Authority of Utah County - Group home. 365 E. 400 N. (File # 03.0213.1) lsmith@housinguc.org	Existing CUP	Housing Auth. Of Utah County Director: Lynell Smith 801-373-8333.	March 2015 Last Reviewed: 3/14	N/A
<i>Annual review of CUP to ensure conformance with City Code. Group home at entrance to Hollow Park was permitted for up to 3 disabled persons.</i>				
Heritage Youth Services - Timpview Residential Treatment Center. 200 N. Anderson Ln. (File # 05.0345) info@heritageyouth.com info@birdseyvertc.com	Existing CUP	HYS: Corbin Linde, Lynn Loftin 801-798-8949 or 798-9077	March 2015 Last Reviewed: 3/14	N/A
<i>Annual review required by PC to ensure CUP conditions are being met. Juvenile group home is permitted for up to 12 youth (16 for Timp RTC) not over the age of 18.</i>				

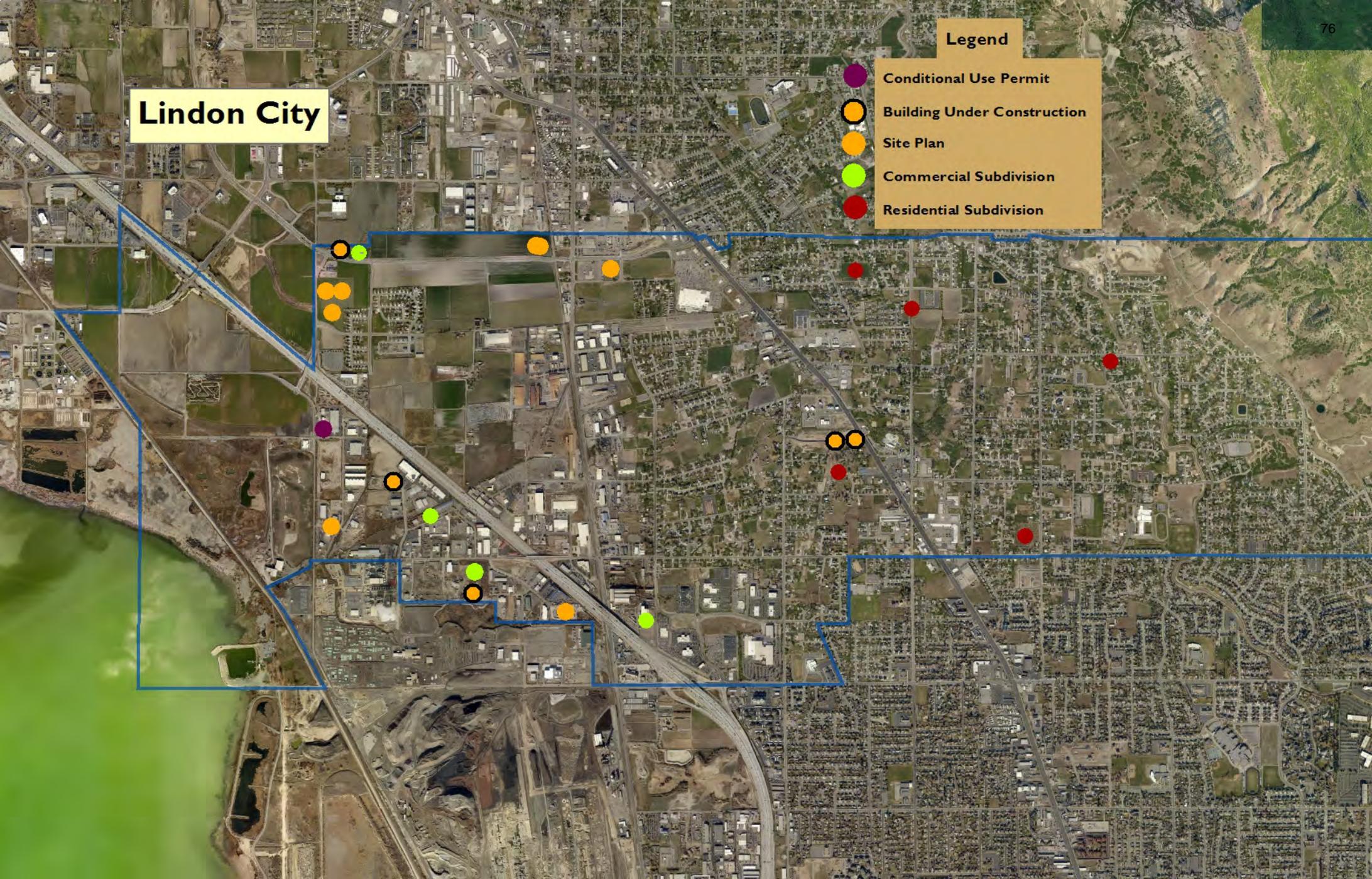
Grant Applications	
Pending	Awarded
Bikes Belong - Trail construction grant. Requested amount: \$10,000 o Status: NOT SELECTED FOR 2010. WILL RE-APPLY IN 2015.	MAG Bicycle Master Plan Study Awarded funds to hire consultant to develop bicycle master plan to increase safety and ridership throughout the city.
Land and Water – Trail construction grant. Requested amount: \$200,000 o Status: NOT SELECTED. RE-APPLY IN 2015.	EDCUtah 2014 — Awarded matching grant to attend ICSC Intermountain States Idea Exchange 2014.
Hazard Mitigation Grant / MAG Disaster Relief Funds- (pipe main ditch)	CDBG 2014 Grant – Senior Center Computer Lab (\$19,000)
FEMA Hazard Mitigation Grant – (pipe Main Ditch)	

Planning Dept - Projects and Committees			
On-going activities (2014 yearly totals)	Misc. projects	UDOT / MAG projects	Committees
Building permits Issued: 228 New residential units: 53	2010-15 General Plan implementation (zoning, Ag land inventory, etc.)	700 North CDA	Utah Lake Commission Technical Committee: Bi-Monthly
New business licenses:74	Lindon Hollow Creek-Corps of Eng., ditch relocation	Lindon Bicycle Master Plan	MAG Technical Advisory Committee: Monthly
Land Use Applications: 64 Drug-free zone maps: 27	Lindon Heritage Trail Phase 3		Lindon Historic Preservation Commission: Bimonthly Utah APA Fall Conference Committee

Lindon City

Legend

- Conditional Use Permit
- Building Under Construction
- Site Plan
- Commercial Subdivision
- Residential Subdivision



Lindon Calls for Service								
Monthly Statistics - 2015								
	Engine 35 Responses in Lindon	Rescue 35 Responses in Lindon	Engine 35 Responses in Orem	Rescue 35 Responses in Orem	Mutual Aid - Engine 35	Mutual Aid - Rescue 35	Orem Sta. Responses in Lindon	Total Calls
<i>January</i>	40	39	8	8	3	3	35	136
<i>February</i>								
<i>March</i>								
<i>April</i>								
<i>May</i>								
<i>June</i>								
<i>July</i>								
<i>August</i>								
<i>September</i>								
<i>October</i>								
<i>November</i>								
<i>December</i>								
Total Calls	40	39	8	8	3	3	35	136

Orem Fire

Orem, UT

This report was generated on 2/24/2015 8:21:38 AM



Incidents for Zone for Date Range

Zone: Station 5 Lindon Response - Responses in Lindon Boundaries | Start Date: 01/01/2015 | End Date: 01/31/2015

INCIDENT NUMBER	INCIDENT TYPE	DATE	LOCATION	APPARATUS
2015-00011	321 - EMS call, excluding vehicle accident with injury	01/01/2015	640 N 500	E-35,R-35
2015-00015	600 - Good intent call, other	01/01/2015	655 W 1870	E-35,R-35
2015-00045	321 - EMS call, excluding vehicle accident with injury	01/03/2015	111 S Eagles Nest AVE	E-35,R-35
2015-00055	321 - EMS call, excluding vehicle accident with injury	01/03/2015	649 E Center ST	E-35,R-35
2015-00064	321 - EMS call, excluding vehicle accident with injury	01/04/2015	340 E 400	E-35,R-35
2015-00071	550 - Public service assistance, other	01/04/2015	432 W 100	E-35
2015-00087	735 - Alarm system sounded due to malfunction	01/06/2015	535 N State ST	E-35,R-35
2015-00091	736 - CO detector activation due to malfunction	01/06/2015	421 N 600	E-35
2015-00092	323 - Motor vehicle/pedestrian accident (MV Ped)	01/06/2015	495 E 400	E-35,R-35
2015-00111	743 - Smoke detector activation, no fire - unintentional	01/07/2015	644 N 2000 WEST ST	E-35
2015-00128	321 - EMS call, excluding vehicle accident with injury	01/08/2015	323 N 135	E-35,R-35
2015-00133	321 - EMS call, excluding vehicle accident with injury	01/08/2015	1925 N STATE ST	E-35,R-35
2015-00136	611 - Dispatched & cancelled en route	01/09/2015	537 W 550	E-35,R-35
2015-00139	111 - Building fire	01/09/2015	1809 N 50	BC-34,E-32,E-33,E-35,R-31,R-32,R-33,R-35,T-31
2015-00161	322 - Motor vehicle accident with injuries	01/10/2015	1700 N STATE ST	E-35,R-35
2015-00187	321 - EMS call, excluding vehicle accident with injury	01/12/2015	122 S 640	E-35,R-35
2015-00188	321 - EMS call, excluding vehicle accident with injury	01/12/2015	110 S 2000	E-35,R-32,R-35
2015-00203	321 - EMS call, excluding vehicle accident with injury	01/13/2015	323 N Main ST	E-35,R-35
2015-00209	500 - Service Call, other	01/13/2015	384 N 1085	E-32

Only REVIEWED incidents included.

INCIDENT NUMBER	INCIDENT TYPE	DATE	LOCATION	APPARATUS
2015-00218	736 - CO detector activation due to malfunction	01/14/2015	384 N 1085	E-35,R-35
2015-00231	321 - EMS call, excluding vehicle accident with injury	01/15/2015	1264 E CANBERRA DR	E-35,R-35
2015-00255	321 - EMS call, excluding vehicle accident with injury	01/17/2015	725 E Center ST	R-35
2015-00279	321 - EMS call, excluding vehicle accident with injury	01/19/2015	705 N 200	E-35,R-35
2015-00280	736 - CO detector activation due to malfunction	01/19/2015	500 S 500	E-35,R-35
2015-00281	735 - Alarm system sounded due to malfunction	01/19/2015	500 S 500	E-35,R-35
2015-00335	321 - EMS call, excluding vehicle accident with injury	01/22/2015	1975 N State ST	E-35,R-35
2015-00336	321 - EMS call, excluding vehicle accident with injury	01/22/2015	200 N Anderson LN	E-35,R-35
2015-00352	321 - EMS call, excluding vehicle accident with injury	01/23/2015	275 W 200	E-35,R-35
2015-00353	321 - EMS call, excluding vehicle accident with injury	01/23/2015	275 W 200	E-35,R-35
2015-00391	321 - EMS call, excluding vehicle accident with injury	01/26/2015	767 W 320	E-35,R-35
2015-00394	321 - EMS call, excluding vehicle accident with injury	01/26/2015	230 S 1250	E-35,R-35
2015-00395	321 - EMS call, excluding vehicle accident with injury	01/26/2015	250 N 400	E-35,R-35
2015-00414	321 - EMS call, excluding vehicle accident with injury	01/27/2015	225 N Queensland CT	E-35,R-35
2015-00429	321 - EMS call, excluding vehicle accident with injury	01/28/2015	710 E Sunrise DR	E-35,R-35
2015-00430	321 - EMS call, excluding vehicle accident with injury	01/28/2015	1975 N State ST	E-35,R-35
2015-00432	321 - EMS call, excluding vehicle accident with injury	01/28/2015	550 N State ST	E-35,R-35
2015-00448	322 - Motor vehicle accident with injuries	01/29/2015	700 N Geneva RD	E-35,R-35
2015-00456	321 - EMS call, excluding vehicle accident with injury	01/30/2015	166 N 400	E-35,R-35
2015-00466	321 - EMS call, excluding vehicle accident with injury	01/31/2015	680 N State ST	E-35,R-35

Total # Incidents: 39

Only REVIEWED incidents included.