

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, January 17,**
4 **2017, beginning at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100
North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Jeff Acerson, Mayor
Pledge of Allegiance: Cody Cullimore
10 Invocation: Jeff Acerson

12 **PRESENT** **EXCUSED**

12 Jeff Acerson, Mayor
14 Van Broderick, Councilmember
Matt Bean, Councilmember
16 Carolyn Lundberg, Councilmember
Jacob Hoyt, Councilmember
18 Dustin Sweeten, Councilmember
Adam Cowie, City Administrator
20 Cody Cullimore, Chief of Police
Kathryn Moosman, City Recorder

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1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.

24

2. **Presentations/Announcements** –

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a) **Mayor/Council Comments** – There were no announcements at this time.

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3. **Approval of Minutes** – The minutes of the regular meeting of the City Council meeting of January 3, 2017 were reviewed.

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COUNCILMEMBER LUNDBERG MOVED TO APPROVE THE MINUTES
32 OF THE REGULAR CITY COUNCIL MEETING OF JANUARY 3, 2017 AS
AMENDED OR CORRECTED. COUNCILMEMBER BRODERICK SECONDED
34 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN AYE
36 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BRODERICK AYE
38 COUNCILMEMBER HOYT AYE
COUNCILMEMBER SWEETEN AYE

40 THE MOTION CARRIED UNANIMOUSLY.

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4. **Consent Agenda** – No items.

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5. **Open Session for Public Comment** – Mayor Acerson called for any public comment not listed as an agenda item. There were no public comments.

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CURRENT BUSINESS

2 **6. Public Hearing — Resolution #2017-4-R, FY 2017 Budget & Fee Schedule**
3 **Amendment.** Lindon City Staff will present Resolution #2017-4-R outlining
4 proposed FY2017 budget and fee schedule amendments.

6 COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC
7 HEARING. COUNCILMEMBER SWEETEN SECONDED THE MOTION. ALL
8 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

10 Adam Cowie, City Administrator, began this discussion by explaining the City
11 adopts an annual budget in June of each year with the expectation that as the fiscal year
12 proceeds there may need to be some additions or amendments to the budget. He noted a
13 budget amendment in October, January, April, and June is typical to account for these
14 unexpected additions or changes to the budget. He then referenced the Resolution and
15 information provided from the Finance Director and the Parks & Recreation Director.

16 Mr. Cowie noted there may be some additional outstanding items and another
17 budget amendment will be done in April when adopting the tentative budget. He then
18 turned the time over to Kristen Colson, City Finance Director and Heath Bateman, Parks
19 & Recreation Director for their presentation and discussion.

20 Ms. Colson began by going through each budget amendment item followed by
21 discussion:

- 24 1) Lindon City agreed to trade surplus property to Nicolson Construction in
25 exchange for them to build a drying bed for the Public Works building. Lindon's
26 surplus property is valued at \$121,253, which needs to be recorded in full as
27 revenue in the General Fund and then transferred to the Storm Water fund to
28 offset the drying bed expense of \$161,176 (trade of the land for work done).
- 29 2) The \$4,000 budget for a management intern is not needed. However, the budget
30 for a planning intern needs to be increased by \$1,000.
- 31 3) The Professional and Technical Services budget for Public Works Administration
32 needs to be increase \$1,000 to pay for an additional GIS license for Brad
33 Jorgensen.
- 34 4) The City Council had previously advised Staff to transfer excess fund balance to
35 the Road Fund. At this time, \$300,000 is being transferred and added to the
36 2017FY budget for road improvements. They are increasing the budget for this
37 year for road projects from \$500,000 to \$800,000.
- 38 5) Lindon City will install lights at the Aquatics Center in order to extend the rental
39 period at night (they have received bids). The cost will be about \$115,000. The
40 Redevelopment Agency (RDA) State Street District will contribute \$75,000.
41 towards the project and the remaining \$40,000 will come from PARC Tax funds.
- 42 6) The Provo River Water Users Association is refinancing a balloon payment on
43 one of their bonds. Lindon City opted to pay off the City's allocation of this debt
44 and save interest. Lindon's portion is \$23,302, but the budget only needs to be
45 increased \$20,000.
- 46 7) The work on the 835 East pumps was budgeted for \$40,000. However, the project
47 has grown and the estimated cost is now \$140,000 because of new pumps being

2 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
4 COUNCILMEMBER SWEETEN AYE
THE MOTION CARRIED UNANIMOUSLY.

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7. **Recess to Lindon City Redevelopment Agency Meeting (RDA).** The Council
8 called the Lindon City Redevelopment Agency to order, then reviewed/approved
the RDA minutes.

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COUNCILMEMBER SWEETEN MOVED TO CONVENE THE MEETING OF
12 THE LINDON CITY REDEVELOPMENT AGENCY AT 7:26 P.M.
COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
14 VOTED IN FAVOR. THE MOTION CARRIED.

16

BOARDMEMBER SWEETEN MOVED TO ADJOURN THE MEETING OF
THE LINDON CITY RDA MEETING AND RE-CONVENE THE MEETING OF THE
18 LINDON CITY COUNCIL MEETING AT 8:36 P.M. BOARDMEMBER BEAN
SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
20 CARRIED.

22

8. **Review & Action — Aquatics Center Lighting Bid Award.** The Council will
review and consider bids received for lighting of the Aquatics Center enabling
24 later hours of pool use and increased rental times. Staff recommends approval of
the low bid to Alliant Electric for \$112,000.

26

Mr. Bateman explained they recently solicited bids for the Aquatics Center
28 Lighting upgrade project that was previously discussed by the Council. He noted the low
bidder is Alliant Electric with a bid of \$112,000 (\$107,000 plus \$5,000 for restoration).
30 He pointed out that Alliant Electric has previously done some big projects and are well
recommended. Mr. Bateman then reviewed the project and estimated pay-back period
32 from the increased revenues from implementing the lighting project at the pool that will
include boring, trenching and concrete cutting. He stated the increased hours that the pool
34 will be open with the new lighting will facilitate higher volume and will in turn increase
revenues. Mr. Bateman concluded by stating staff feels this is the best use of funds and
36 resources and it is their recommendation to award the bid to Alliant Electric. Following
some general discussion the Council was in agreement this action will keep the pool
38 relevant and competitive.

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

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COUNCILMEMBER LUNDBERG MOVED TO AWARD THE AQUATICS
CENTER LIGHTING PROJECT TO THE LOW BIDDER, ALLIANT ELECTRIC,
44 WITH THEIR BID OF \$112,000. COUNCILMEMBER BRODERICK SECONDED
THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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COUNCILMEMBER BEAN AYE
COUNCILMEMBER LUNDBERG AYE

2 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
4 COUNCILMEMBER SWEETEN AYE
THE MOTION CARRIED UNANIMOUSLY.

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9. **Major Subdivision — Anderson Farms Subdivision, Plat B, 330 North 1500 West.** Ken Watson, on behalf of Ivory Development, LLC, seeks preliminary plan approval of a forty-eight (48) lot (and one parcel “A”) subdivision, including dedication of public streets, at approximately 330 North 1500 West, in the Anderson Farms Planned Development (AFPD) zone.

12

14 Mr. Van Wagenen led this discussion by giving some background of this item explaining this is the second phase of the Anderson Farms Planned Development which was approved by the Development Agreement between Lindon City and Ivory
16 Development in June of 2016. He noted that Plat B consists of 48 lots in the plat and is considered Parcel B of the Anderson Farms concept plan. He explained that the
18 development of Anderson Farms is governed by the Anderson Farms Master Development Agreement and all standards referred to tonight is a part of that Agreement.
20 He noted Ken Watson is in attendance representing Ivory Development for this agenda item.

22

Mr. Van Wagenen then referenced the lot requirements as follows:

24

- The average lot size of Plat B is 7,426 s.f. with the largest lot being 11,509 s.f. and the smallest being 6,127 s.f. These lots are consistent with the concept plan that was presented in the Master Development Agreement.
- Parcel A is a storm water detention basin and is a non-buildable parcel (close to 3 acres).
- New roads will be built to serve the subdivision including a portion of Anderson Blvd. which will tie in to the existing 500 North and the associated round about. Curb, gutter and sidewalk will be installed along the new local streets in addition to six foot planter strips. There are several different cross sections for this phase.
- The round-about design is being finalized. The location may need to shift slightly and the diameter may be enlarged or shifted a little. If changes to the design affect the lot layout significantly, a different intersection may be considered. A recommended condition of approval is that a final design for the round-about/intersection be approved by the City Engineer. Anything major will be brought back before the Council.

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40 Mr. Van Wagenen then referenced the utility requirements as follows:

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- This second plat will require a combination sewer, ground water, and pressure irrigation system pump station with associated off-site lines to be built (they were also required for Plat A). Once built, this infrastructure will serve the remainder of the development. These systems will need to be operational before any certificates of occupancy are approved. Needs to be included as a condition of approval.
- No park improvements are required at this time.

44

46

- 2 • A six foot masonry wall will run along Anderson Boulevard and Lancaster Way
4 on the backside of the home lots. The Council may want to consider not having
6 the wall adjacent to Parcel A on Anderson Boulevard, the storm water detention
 area so it can act as accessible open space to the neighborhood.

8 Mr. Van Wagenen then presented and aerial photo of the proposed subdivision,
10 concept plan, preliminary Anderson Farms Plat B, street cross sections, and off-site
 utility maps followed by some general discussion. He noted this is a pretty
12 straightforward major subdivision up to this point. He then turned the time over to Mr.
 Watson for comment.

14 Mr. Watson stated they just learned from the City Engineer after reviewing the
16 diameter of the roundabout that it will need to be enlarged somewhat but that is not a
18 huge issue. He noted they are underway with Plat A with the utilities in the ground. They
20 are just waiting for some good weather to do the paving and concrete work, but it will
 happen in the early spring. The pump station is designed and well underway noting it
 was quite a process to get designed and bid out; they awarded the low bidder. The offsite
 utilities are about 80% in. They own a 1/3 of the park now and will soon own another 1/3
 of the park and once they buy property further to the north they will own all of the park
 and will then build the park and the detention pond (detention pond will be first).

22 Councilmember Lundberg mentioned there are a number of grassed in retention
24 areas in the city that are used recreationally. She asked Mr. Watson if there is access
26 between lots so pedestrians can walk through this area to give some access and facilitate
28 pedestrian movement. Mr. Watson replied that is a possibility but would be something
 they would have to work on to see what they can do; perhaps through an easement and a
 walkway/path (between lots #212 and #213). The Council agreed that an easement may
 be an appropriate solution. There was then some general discussion regarding building
 the phases (Plat A and Plat B), the park, cross sections, paving and the pump station.

30 Mr. Watson stated they are aware of the conditions of approval and all conditions
32 will be completed and dealt with as required and they have no issues or concerns with
 completing these items. Mr. Watson also thanked all involved who helped get the
 easement through the Schaeffer property noting the agreements are signed and recorded.

34 Mr. Van Wagenen recapped stating there are the four existing conditions to
36 include in the motion and also the condition to not have the wall along the detention pond
 as to provide an easement from the interior to the park.

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

40 **COUNCILMEMBER BEAN MOVED TO APPROVE THE APPLICANT’S
42 REQUEST FOR APPROVAL OF A 48 LOT RESIDENTIAL SUBDIVISION TO BE
44 KNOWN AS ANDERSON FARMS PLAT B WITH THE FOLLOWING
46 CONDITIONS: 1. ADDRESS THE STORM DRAINAGE CONCERNS OF THE CITY
 ENGINEER. 2. DEVELOPER BE RESPONSIBLE TO PUMP GROUNDWATER
 COLLECTED BY THE LAND DRAIN SYSTEM UNTIL THE GROUNDWATER
 PUMP STATION IS OPERATIONAL. 3. OFF-SITE SEWER, GROUND WATER,
 AND PRESSURE IRRIGATION SYSTEM PUMP STATION AND OFF-SITE SEWER
 FORCE MAIN AND PRESSURE IRRIGATION LINE SHALL BE CONSTRUCTED**

2 AND FUNCTIONAL BEFORE ANY HOMES CAN BE OCCUPIED OR CULINARY
4 WATER SERVICE IS PROVIDED TO ANY HOMES. 4. THE ROUND-ABOUT BE
4 DESIGNED TO ENSURE SAFETY TO THE SATISFACTION OF THE CITY
ENGINEER OR SOME OTHER SATISFACTORY INTERSECTION BE APPROVED
6 AND 5. A PATH AND EASEMENT BECOME PART OF THIS PLAT BETWEEN
LOTS 212 AND 213 AS DISCUSSED AND TO BE DESIGNED WITH THE
8 APPROVAL OF CITY STAFF WITH NO REQUIRED FENCE TO DATE.

COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS
10 RECORDED AS FOLLOWS:

11	COUNCILMEMBER BEAN	AYE
12	COUNCILMEMBER LUNDBERG	AYE
	COUNCILMEMBER BRODERICK	AYE
14	COUNCILMEMBER HOYT	AYE
	COUNCILMEMBER SWEETEN	AYE

16 THE MOTION CARRIED UNANIMOUSLY.

18 **10. Concept Review – Legacy Plaza, 730 N. State Street.** Roy Morgan, Roy’s Auto
Services, requests feedback on proposed improvements and zoning for automotive
20 repair at 730 N. State Street. The property is currently in the General Commercial
(CG) zone. General Auto/Vehicle Repair is not a permitted use in the CG zone.
22 As a concept review, feedback is requested but no formal action will be taken.

24 Mr. Van Wagenen led this discussion by stating the applicant, Mr. Roy Morgan,
is in attendance and is interested in utilizing the site located at 730 N. State Street for
26 General Auto/Vehicle Repair (South of Arctic Circle). He noted Mr. Morgan specializes
in Volvo maintenance and repair. He added that Mr. Morgan has submitted a concept
28 review layout which includes the demolition and removal of the existing structures and
redevelopment of the property.

30 Mr. Van Wagenen stated the Planning Commission reviewed this proposed
concept on January 10, 2017. He noted the Commission generally felt it may be
32 appropriate to develop conditions similar to those identified for vehicle sales lots (as
found in Lindon City Code 17.48.200). The Planning Commission also indicated to Mr.
34 Morgan that further discussion and approval is needed in order to take that course of
action (application and fees would also be required).

36 Mr. Van Wagenen noted the Planning Commission also voiced the following concerns:

- 38 1) Is it appropriate to amend the land use table to allow general auto/vehicle repair as
a permitted use or conditional use in all areas currently in the General
Commercial (CG) zone?
- 40 2) It is not appropriate to consider rezoning only this parcel to allow the proposed
concept.
- 42 3) Concerns with the use in general include:
 - 44 a. Outdoor storage of parts and materials
 - b. Outdoor storage of damaged, dismantled or inoperable vehicles
 - 46 c. Shift the focus off of the use and more to (favorable) site improvements and
amenities (site must bring buildings up to meet building materials and other
design standards)

- 2 4) Concerns with the site:
3 a. Current conditions of the building and site
4 b. Lack of landscaping (street frontage)
5 c. Lack of parking (in front of the building)
6

7 Mr. Van Wagenen pointed out the goal of commercial development is to
8 encourage the establishment and development of basic retail and commercial stores
9 which will satisfy the ordinary and special shopping needs of Lindon citizens, enhance
10 the City's sales and property tax revenues, and provide the highest quality goods and
11 services for area residents. Objectives of this goal are to facilitate the following:

- 12 1. Expand the range of retail and commercial goods and services available within the
13 community.
14 2. Promote new office, retail, and commercial development along State Street and
15 700 North.
16 3. Encourage development of commercial facilities, such as hotels, restaurants and
17 vehicle related services at transportation interchanges.
18

19 Mr. Van Wagenen went on to say the commercial ordinance is established to
20 promote commercial and service uses for general community shopping. The objective in
21 establishing commercial zones is to provide areas within the City where commercial and
22 service uses may be located. These zones include the General Commercial Zones (CG,
23 CG-A, CG-A8, CG-S) Lindon Village Commercial Zone and the Planned Commercial
24 (PC-1 and PC-2) Zones.

25 Mr. Van Wagenen noted that the applicant is essentially interested in demolishing
26 the buildings on site and re-developing the property to run a general auto repair business
27 that specializes in Volvo's which is their customer base and their niche. He then
28 referenced the concept plan layout. Mr. Van Wagenen then turned the time over to the
29 applicant for comment.

30 Mr. Morgan stated this is will be a non-traditional automotive shop (office
31 warehouse look) and they will run a nice, clean business. There will be a front and rear
32 entrance so a future use for office warehouse is a possibility. He noted the real question
33 is if this proposal is a possibility to pursue according to this property use. Mr. Morgan
34 stated, if approved, he will re-locate his current shop from his Orem location to Lindon.
35 Mr. Morgan noted he plans on buying the property with some space being sublet.

36 Mr. Van Wagenen pointed out the question tonight is if the Council has any
37 interest in allowing vehicle repair along State Street and at what level (the existing auto
38 repair businesses are grandfathered in). The other question is if the Council will allow
39 vehicle repair in the existing buildings or allow it to be re-developed. Mr. Van Wagenen
40 mentioned the majority of the Commissioners were more comfortable with it being
41 contingent upon re-development of the property. There was then some general discussion
42 including concerns with no outside storage of cars, customer parking, landscaping, tenant
43 rental use, etc. Mr. Van Wagenen pointed out that this could be allowed with a new
44 "zoning column" that would essentially allow general vehicle repair along State Street
45 and apply the zone (where appropriate) which is more of a "spot zoning" and would be at
46 the Council's discretion.

2 Councilmember Hoyt pointed out that re-development is so important and when
we have an opportunity like this where there is a possible revenue generator he would be
4 open to it and to try to find a way to make it work. Councilmember Lundberg agreed
adding the owner of the property has been trying to sell this property for several years
6 and he is having a hard time because the existing structure needs a lot of work and was
“hodge podged” together in the first place. Councilmember Hoyt added if the right codes
8 are put into place this would be an improvement to the site. Mr. Van Wagenen pointed
out this is just a concept review but a lot of the layout presented looks correct and appears
10 they could make it meet the design standards. Mayor Acerson asked the Councilmembers
how they generally feel about this concept. Councilmember Lundberg commented she is
12 open to this concept but would like to look into the parameters to do it the right way in
order to avoid the reasons it was removed by ordinance in the first place. She added she
14 has concerns of what is allowed because the State Street corridor is very limited in size
and they want a good diversity.

16 Councilmember Sweeten stated he is more open to this concept following the
discussion but only if we can protect certain areas and it doesn’t open it all up.
18 Councilmember Bean commented he would also be in favor if the parking and storage
was facilitated in the back. Mr. Van Wagenen stated there are currently standards in place
20 that they would have to be in compliance and any other conditions can be added. Mayor
Acerson observed, generally speaking, this concept plan is a move in a better direction
22 but the concern overall is the multiple examples on State Street as to why general vehicle
repair was removed in the first place. Councilmember Broderick agreed with these
24 statements adding he would be open to this concept with re-development and having the
parking where it is not visible. Mr. Morgan stated they understand these concerns and
26 will put forth a good image and a good clean business. Mr. Van Wagenen stated the next
step is a code revision on the standard land use table and any ordinance change needed
28 per direction of the Council.

Following some additional discussion Mayor Acerson called for any further
30 comments or discussion from the Council. Hearing none he moved on to the next agenda
item.

32 **11. Review & Action — Resolution #2017-5-R; Grant Funding for North Union**

34 **Canal Piping.** The Council will review and consider Resolution #2017-5-R
supporting submittal of the WaterSMART: Water and Energy Efficiency Grant
36 and committing \$300,000 in grant match funding for piping of significant sections
of the North Union Canal in order to maintain this system improvement and
38 reduce water loss.

40 Mr. Cowie stated the City has been working with the North Union Irrigation
Company to maintain the North Union Canal because a significant water loss from the
42 canal has been documented. He explained the canal is a critical water delivery
infrastructure for the Lindon Secondary Water System. He noted the City also owns
44 approximately 60%+ shares of the North Union Irrigation Company water stock. He
further explained that maintaining and preserving the North Union Canal and the water it
46 delivers is critical to the ability of Lindon to deliver secondary water to its residents and

2 businesses. He pointed out with the documented water losses in the canal, the City has
been working to apply for grant opportunities to pipe the canal.

4 Mr. Cowie went on to say the WaterSMART grant through the Bureau of
Reclamation (BOR) is the best opportunity so far to obtain the funding levels needed to
6 pipe large sections of the canal. In order to best compete for the funding, a significant
match is scored higher by the BOR. Mr. Cowie stated staff recommends applying for
8 \$600,000 in funding with a commitment by Lindon City to match 50% (\$300,000) of the
grant. The North Union Irrigation Company has committed to contribute \$15,000 to the
10 project. If awarded, the funds would be needed in FY2018, with the project most likely
being completed in the spring of 2018 with no change in the current fiscal year budget
12 being required. He then referenced for discussion the DRAFT grant application and
letters of support received to date. Mr. Cowie added the City Attorney has drafted the
14 documents. Mr. Cowie stated this temporary fix would get us through several years at
least and will dramatically increase the water retention.

16 Mayor Acerson commented that any funding mechanism that can be identified
long term is the right thing to do and this would be significant. There was then some
18 discussion of the scoring system on the grants and scoring and breakdowns looking at
further funding options. Mr. Cowie stated they are trying to maximize the score. Mayor
20 Acerson stated it would be prudent to look at other funding options to see what is
available. Mr. Cowie stated he will evaluate additional funding options (up to \$500,000).
22 Following discussion the Council was in agreement to match the funds towards the
piping of the canal. Mayor Acerson expressed his appreciation to staff for taking the steps
24 to facilitate the grant.

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

28 COUNCILMEMBER SWEETEN MOVED TO APPROVE RESOLUTION
2017-5-R SUPPORTING THE WATERSMART GRANT APPLICATION AND
30 COMMITTING \$300,000 MATCHING FUNDS TOWARDS PIPING OF THE NORTH
UNION CANAL IF THE GRANT IS AWARDED. COUNCILMEMBER BRODERICK
32 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN AYE
34 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BRODERICK AYE
36 COUNCILMEMBER HOYT AYE
COUNCILMEMBER SWEETEN AYE

38 THE MOTION CARRIED UNANIMOUSLY.

40 **12. Discussion Item — Road Maintenance Funding.** The Council will discuss
current road maintenance funding sources and review options and considerations
42 for additional sources of road maintenance funding, including a potential
Transportation Utility Fee as has been created in Provo, Vineyard, and Pleasant
44 View and contemplated by many other cities. No motion will be made on this
discussion item.

2 Mr. Cowie stated the City has been discussing a possible Transportation Utility
4 Fee option for growing road maintenance funds since 2014-15. He noted staff is now
6 looking for firm direction from the Council if they choose to proceed with this fee option.
8 Mr. Cowie stated a straw poll is needed to know if the majority of the Council desires to
implement this type of fee in order to support road funding, what the approximate fee
levels may be and, if proceeding, how the Council wants to include more public input
prior to any adoption of fees (open houses, digital notification, mailers, etc.).

10 Mr. Cowie reminded the Council as to why increased road funding is needed and
12 at what funding levels are recommended. He then referenced the 2015 Pavement
14 Management Study that was adopted by the City Council. He also referenced Provo
16 City's video and ordinance explaining and supporting their Utility Transportation Fund.
18 Mr. Cowie stated it is anticipated if the Lindon City Council decides to proceed with a
transportation fee, the City would adopt something similar to Provo's model which has
been in effect since March 1, 2014. He noted the Town of Vineyard has also adopted a
more unique/simplified Transportation Utility fee calculation of \$3.50 per ERU
(Equivalent Residential unit). Mr. Cowie also presented the spreadsheet showing possible
fee calculations (residential and commercial) followed by discussion.

20 Mr. Cowie stated it is anticipated that adoption of a transportation utility fee
22 would not solve all of the funding needs of the City, but it would be a supplementary
24 funding source in addition to the Class C road funds from the State and other General
Fund contributions. He noted that ultimately, we have no long term road funding
maintenance solutions. There was then some general discussion regarding road funding
options and utility fees and the gas tax.

26 Councilmember Hoyt stated we have come a long way with road funding in the
28 past 3 years. He stated the 5 year utility rate increase we are committed to is significant
and because of that he is hesitant and is on the fence. He would like to see a comparison
of where we are at on utilities in comparison to neighboring cities. Councilmember
Lundberg commented any time a new fee is created she feels we should be transparent
about it and "sell" it to the residents and use same marketing that was used with the Parc
Tax to educate and inform the citizens that we are in a dire situation with roads and to
gather their support instead of legislating it.

34 Mr. Cowie stated the direction he is asking from the Council tonight is if they
36 want to go the next step of engaging the City Engineer to gather some hard numbers and
38 figures into something that is presentable to the public through open houses etc. as to get
some dialogue going. He re-iterated that the Council is limited as to what they can do for
road funding with either a utility fee, property tax increase or to supplement it on good
years with sales tax revenue. Councilmember Sweeten stated he will never support a
property tax increase. He also stated he feels there may not be a lot of push back from
40 residents on a utility fee but that will not be the case with business owners as it will be
42 higher. Mayor Acerson suggested the Councilmembers take the opportunity to talk to
their neighbors and prepare their thoughts on the pros and cons of a proposed utility fee.

44 Councilmember Bean commented that his position hasn't changed and feels this
46 should be looked at seriously to address the problem. He pointed out that the Council
agrees that road maintenance needs to be more important as was the sewer and water
issues several years ago that were addressed as costs out pace what we are collecting so
rates were raised over a period of time. He stated that road issues are much worse and

2 should be looked at as were the water and sewer issue. He pointed out we have examples
4 from other cities who have stepped forward and we need to look at this as we don't have
6 a sustainable model. Councilmember Lundberg agreed with Councilmember Bean's
8 statements but pointed out this would be creating a new fee when sewer and water were
10 existing fees that were bumped. However, she would be ready to get a public relations
12 campaign going and selling it to the citizens as to get a "ground swell" of support for it;
14 she feels kicking the can down the road is a far worse option. Mayor Acerson pointed out
16 there is really a double focus to consider 1. Address the legislature that we are serious
18 about this and 2. If they are not willing to step up then we as a Council need to step up to
20 address this issue. Councilmember Sweeten stated he would support a fee more than a
22 property tax increase; he really doesn't approve but if it can be justified he would be
24 more in favor. Councilmember Broderick commented that he likes the plan on getting to
26 where we need to be as we did with the water fund in working with the City Engineer etc.
28 However, he would like to see the full comprehensive plan as he does have some
30 reservations (i.e. 700 North). He wants to show that we as a city have done everything we
32 can before implementing a fee.

34 At this time Mr. Cowie took a straw poll vote asking the Council if they want him
36 to go to the next step and engage the City Engineers to gather some hard numbers and good
38 estimates/data on several options to review before presenting to the public. The straw poll
40 vote was recorded as follows:

42

Councilmember Broderick: Yes.

44

Councilmember Lundberg: Yes.

46

Councilmember Sweeten: Yes.

48

Councilmember Hoyt: Yes.

50

Councilmember Bean: Yes.

52

54 Following the straw poll vote the Council was unanimous to direct Mr. Cowie to
56 engage the City Engineer to gather some good accurate figures with alternative costs to
58 bring back to the Council for review.

60

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

66

68 *Mayor Acerson excused himself at 9:30 pm. Councilmember Sweeten stepped in
70 as Mayor Pro Tem at this time. Mayor Acerson returned to the meeting at 9:40 pm.*

72

74 **COUNCIL REPORTS:**

76

78 **Chief Cullimore** – Chief Cullimore had nothing to report.

80

82 **Councilmember Hoyt** – Councilmember Hoyt reported that he attended the recent
84 ribbon cutting for Global Marketing which was great and brought a lot of people
86 together. He noted he is excited to have their business in Lindon and feels they will be a
88 great addition to the city. He also reported the PG/Lindon Chamber luncheon was well
90 attended and he is so proud of Lindon and noted the Mayor showcased our city well. He
92 stated the luncheons are typically held the second Wednesday of every month and the

2 Council is always invited (he noted he will add them to the email list). He feels this is a
4 great opportunity to meet business owners.

6 **Councilmember Broderick** – Councilmember Broderick reported the Mayor did a nice
8 job on the State of the City report at the Chamber of Commerce meeting. He also
10 reported he plans to attend the North Union Irrigation Board meeting this Saturday.

12 **Councilmember Bean** – Councilmember Bean expressed his appreciation for the good
14 discussion by the Council tonight and he hopes to do some good things in 2017.

16 **Councilmember Lundberg** – Councilmember Lundberg reported she will be attending
18 the Tree Board meeting later this month. She also attended the Global Marketing ribbon
20 cutting noting there was a big turnout. She also mentioned she had discussion with Mr.
22 Van Wagenen about the 700 North corridor guidelines presented by the committee and
24 she would like the Council to consider those elements in the guidelines/standards to
26 improve on and perhaps adopt in the commercial zone. She noted the committee will be
28 bringing something back before the council in February. She also brought up an issue
with the Tams and Zyto buildings on 700 North. She stated that apparently the Tams
building had some additional features they were supposed to add per the site plan, and
they got occupancy, but staff determined to take them at their word and they have not
completed the items and are stonewalling. She asked the Council how they feel about
holding the contractor accountable before obtaining the certificate so they finish the items
before occupancy. Mr. Cowie stated he is hesitant to do that because it may affect other
properties/owners and he suggested a better approach and direction would be to seek a
fine instead or send a warning letter from the City Attorney. Mr. Cowie stated he will talk
to the Planning Director about this issue and get back with the Council.

30 **Councilmember Sweeten** – Councilmember Sweeten reported that the Chamber has
32 already brought in a lot of businesses to the Chamber of Commerce and Josh Walker is
doing a great job.

34 **Mayor Acerson** – Mayor Acerson mentioned the Provo State of the City report noting he
36 will send the information out to the councilmembers. He also asked for an update on the
recent drive approach issue. Mr. Cowie stated the homeowner posted a bond and they
came to an agreement that worked for both parties.

38 **Administrator's Report:**

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

42 **Misc. Updates:**

- 44 • January newsletter:
- 46 • March newsletter article: Councilmember Bean - Article due to Kathy Moosman
last week in February.
- City Center Elevator remodel. Architect is preparing plans for bidding by early
February.
- Public Safety Building – Hoping for completion date of January 19th. Police

- 2 Department will move over on January 25-26th. Open house most likely during
week of February 13th.
- 4 • Budget Kick-off meeting – typically a working dinner at 6pm. February 9th
(Thursday)
- 6 • Water system update – well chlorination, 835 E. tank, etc.
- FYI:
- 8 ○ Planning Commission voted Sharon Call to continue as Chair of the Planning
Commission
- 10 ○ Tattoo shop - business license
- Misc. Items:

12 **Upcoming Meetings & Events:**

- 14 • January 16th – City offices closed.

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

18 **Adjourn** –

20 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
22 AT 10:00 PM. COUNCILMEMBER SWEETEN SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

24 Approved – February 7, 2017

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28 _____
Kathryn Moosman, City Recorder

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32 _____
Jeff Acerson, Mayor