

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, December 19,**
4 **at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100 North State Street,
Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Jeff Acerson, Mayor
Pledge of Allegiance: Brian Haws
10 Invocation: Van Broderick, Councilmember

12 **PRESENT** **ABSENT**

Jeff Acerson, Mayor
14 Matt Bean, Councilmember
Carolyn Lundberg, Councilmember
16 Van Broderick, Councilmember
Jacob Hoyt, Councilmember
18 Dustin Sweeten, Councilmember
Adam Cowie, City Administrator
20 Hugh Van Wagenen, Planning Director
Kathryn Moosman, City Recorder

- 22
- 24 1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.
 - 26 2. **Presentations/Announcements** –
 - 28 a) **Mayor/Council Comments** – There were no announcements at this time.
 - 30 b) **Recognition** – The Mayor and Council recognized Councilmember Dustin
Sweeten with a plaque and thanked him for his service as a City Council
32 member from July 2016 to December 2017.
 - 34 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council
meeting of December 5, 2017 were reviewed.

34 COUNCILMEMBER HOYT MOVED TO APPROVE THE MINUTES OF THE
REGULAR CITY COUNCIL MEETING OF DECEMBER 5, 2017 AS PRESENTED.
36 COUNCILMEMBER SWEETEN SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

38 COUNCILMEMBER BEAN AYE
COUNCILMEMBER LUNDBERG AYE
40 COUNCILMEMBER HOYT AYE
COUNCILMEMBER BRODERICK AYE
42 COUNCILMEMBER SWEETEN AYE
THE MOTION CARRIED UNANIMOUSLY.

- 44
- 46 4. **Consent Agenda** – No items.

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

6 **CURRENT BUSINESS**

- 8 6. **Continued Action Item — Emission Testing for Diesel Vehicles; Res. #2017-**
10 **22-R.** This item was continued from the Dec. 5, 2017 Council meeting. The
12 Council will review and consider a request by Jessica Reimer and Michael Shea
 with HEAL Utah to support proposed legislation requiring diesel vehicle emission
 testing to improve air quality in Utah County.

14 Adam Cowie, City Administrator, gave an update on this item stating the City
16 was contacted by the HEAL Utah organization who is requesting support of air quality
18 legislation that will require diesel vehicle emission testing within Utah County. He
20 explained this item was continued so Councilmembers could gather more information
22 and evaluate any other materials that may be obtained by HEAL Utah from the Utah
 Division of Air Quality. He noted additional information regarding private air quality
 monitoring stations was forwarded to the Council with data and maps available for
 viewing. The additional information on air quality in Utah can be found at the Utah Clean
 Air Partnership website or through the Utah Department of Environmental Quality,
 Division of Air Quality website.

24 Mr. Cowie noted he spoke with Scott Burton with the State Air Quality Division
26 and Beau Call who does the air monitoring at the State Division. They indicated the first
28 few years of testing would be effective and after that it would be fairly stabilized after
 catching those who are out of compliance. He noted the counties who are doing this are
 implementing things differently in their testing so there may not be equity in the methods
 of testing and their opinion, it would be overall effective.

30 Councilmember Sweeten spoke on the email he forwarded to the council and staff
32 about the research he obtained. Mayor Acerson also spoke on the information he
34 collected from emission testers he contacted noting the importance of getting those who
36 are out of compliance into compliance. Councilmember Lundberg said she contacted
38 Lube Doc (Chris Martin), who is the #1 volume tester in Utah, who noted they were
 involved when diesel was required. Mr. Martin indicated he thinks it is a good idea as
 most shops don't look under the tailpipe and they find a lot that are out of compliance.
 She noted Mr. Martin also stated they get customers in SLC that come to Utah County
 because it's not required here. He also indicated that the County would require training
 and shops can opt in to do the diesel testing noting Lube Doc would opt in.

40 Councilmember Hoyt stated his concern is with the small percentage who are
42 making it bad for everyone. He noted air quality is a huge issue for him and he
44 researched this issue and the question is does the data support that this would have a
46 positive impact on air quality. He then referenced a website showing there is enough
 evidence that diesel emissions affect the air quality that there would be material
 improvement. He then mentioned one concern on the second line of the Resolution that
 states vehicles are the *main* contributor to pollution. Following some discussion with
 Ms. Reimer the Council was in agreement to modify the Resolution to state vehicles are a
 significant contributor to pollution. Councilmember Sweeten mentioned his concerns

2 about the expense involved if passed and there are not significant differences between
4 Utah counties and those counties who have implemented this, so he doesn't believe it
6 also like to see the inspection requirement re-instated.

8 Councilmember Lundberg pointed out there are economic impacts to Utah as well
as the health impacts that need to be taken into account in determining the best
stewardship of air quality.

10 Councilmember Bean offered that establishing causation of the air pollution is
impossible, although there was an association established with Geneva Steel. He pointed
12 out it is difficult to prove through statistical analysis that something was helping the air
quality. He added to make any efforts is the best way to help even if they are minor. The
14 Council thanked Ms. Raimer for her work with HEAL Utah and to continue with her
good efforts as air quality is an important issue.

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

18
20 COUNCILMEMBER BEAN MOVED TO APPROVE RESOLUTION #2017-22-
R SUPPORTING PROPOSED LEGISLATION REQUIRING DIESEL VEHICLE
EMISSION TESTING TO IMPROVE AIR QUALITY IN UTAH COUNTY WITH THE
22 LANGUAGE CHANGE ON THE RESOLUTION AS DISCUSSED.

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

26 COUNCILMEMBER BEAN	AYE
COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BRODERICK	AYE
28 COUNCILMEMBER HOYT	AYE
COUNCILMEMBER SWEETEN	NAY

30 THE MOTION CARRIED FOUR TO ONE.

- 32 7. **Public Hearing — Street Master Plan Amendment, 480 N. 2500 W.;**
Ordinance #2017-18-O. Lindon City Planning Staff requests approval of
34 Ordinance #2017-18-O consisting of an amendment to the Lindon City Street
Master Plan Map to remove a master planned road located at approximately 480
36 North 2500 West. The proposal is west of I-15 Exit 275 on properties identified
by parcel numbers: 13:063:0104, 13:079:0016, 14:059:0040, 14:059:0026, and
38 14:059:0048.

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

44 Hugh Van Wagenen, Planning Director, stated this request by staff is for council
approval of a Street Master Plan Map amendment to remove master planned roads
46 located at approximately between 400 and 600 North near 2800 West in Regional
Commercial and General Commercial zones. The future roadways were identified based

2 on the original concept alignment of the Vineyard Connector and its connection to I-15.
He explained a recent study identifies an alternative alignment that would have less
4 impact on developable land in the area and provide cost savings by preserving existing
infrastructure. Additionally, WICP Commercial Properties and doTERRA own parcels
6 14:059:0040 and 14:059:0048, respectively, and prefer not to have 480 North on the map,
as demonstrated by recent development concepts.

8 Mr. Van Wagenen noted the Planning Commission reviewed the item on
November 28, 2017 and recommended removal of the highlighted roadways. However,
10 they only recommended adding the road connection from 600 N/PG Boulevard between
I-15 and the future Vineyard Connector. They did not recommend adding the street
12 connection between 2800 West and 400 North based on a property owner's comments
citing impacts to his property. He clarified this was not in line with Staff's request. He
14 then referenced the meeting minutes from that discussion.

16 Mr. Van Wagenen stated as shown in the 2000 Street Master Plan and 2006 Street
Master Plan has had local roadways planned in this area for 17 years, ever since the
freeway interchange was completed. The 2011 plan reflects necessary modifications to
18 the area based on the Vineyard Connector UDOT facility, but most roads were left
unchanged. He stated staff strongly recommends that the new local connection proposed
20 between 2800 West and 400 North be included on the new map. He noted it would
accomplish two primary goals as follows:

- 22 1. Establish limits of development so that when the connection is required there are
no structures needing to be removed, relocated or demolished. This has huge costs
24 savings for the public.
- 26 2. Placing the road on the map allows the City to pursue regional corridor
preservation funding for the connection if the land cannot be acquired through
other means.

28 Mr. Van Wagenen pointed out the fact that the City is pursuing changing the
30 Master Plan on its own accord, and changing it in the suggested manner, is of huge
benefit to land owners in the area, even with the recommended additions. He then
32 referenced the comparisons to see how the proposed roads have changed over time.

34 Mr. Van Wagenen stated Horrocks Engineering recently produced a study of the
future Vineyard Connector facility as sponsored by Utah Department of Transportation
Region 3. The study had input from UDOT, Mountainland Association of Governments,
36 Vineyard Town, Lindon City, and American Fork City. For the Lindon portion of the
Vineyard Connector, a new connection between I-15 and the Vineyard Connector was
38 proposed and studied. Following the study recommendations, the new alignment was
principally agreed to by UDOT and Lindon City. He explained the new alignment
40 utilizes the existing I-15 Exit 275 off-ramp infrastructure, saving potentially millions of
dollars in not having to realign the off-ramp per the previous plan. The new alignment
42 also removes the necessity of future local road connections by utilizing existing
roadways.

44 Mr. Van Wagenen further explained the new alignment also frees up acres of land
for development and increasing the tax base for Lindon City. The new alignment does
46 affect parcel 13:079:0016, owned by Property Reserve Inc., by adding roadway across
the property to make the new connection. The new alignment also necessitates a new

2 local road connection from 2800 West to 400 North, but still has significantly less impact
4 than the current plan. Parcels that have roadways being recommended for removal still
have existing road frontage available to enable development of the property and all
parcels affected retain development possibilities.

6 Mr. Van Wagenen then referenced the relevant General Plan policies to consider
in determining whether the requested change will be in the public interest. He also
8 presented an Aerial photo showing existing Street Master Plan, the Current Street Master
Plan for identified area off Exit 275, the roads being recommended for removal from
10 plan, the proposed connection between I-15 and future Vineyard Connector, the proposed
Street Master Plan for area identified, the doTERRA concept plan, the WICP
12 Commercial Properties concept plan, Ordinance 2017-18-O, Planning Commission
Minutes from November 28, 2017, 2000 Street Master Plan for area and the 2006 Street
14 Master Plan for area followed by some general discussion.

The discussion included the impact of the Vineyard Connector and Mark
16 Weldon's development and if he will need to put in the roadway. City Attorney, Brian
Haws, addressed this issue stating it will be dependent on what type of project Mr.
18 Weldon brings in and the traffic flow it will bring. He added the burden of proof will
need to be shown that it is roughly proportionate to the impact he is creating. Mr. Haws
20 surmised, given what is there, Mr. Weldon would be required to put the roadway in at
that time. He went on to say, once on the master plan we need to make sure that roadway
22 is aligned as to not interfere with the future master plan and when the Vineyard
Connector goes in they will anticipate Mr. Weldon putting the road in when developed
24 (theoretically speaking). Mr. Van Wagenen made it clear that Mr. Weldon does not want
to see this approved and he is opposed to putting any money in to developing future
26 public roadways.

Mr. Van Wagenen then explained the available funds process, for both municipal
28 and UDOT projects, when constructing roads and purchasing land. Sharon Call, Planning
Commission Chair, spoke on how the Planning Commission came to their decision on
30 this issue.

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

34 COUNCILMEMBER HOYT MOVED TO CLOSE THE PUBLIC HEARING.
COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL PRESENT
36 VOTED IN FAVOR. THE MOTION CARRIED.

38 Councilmember Bean also spoke on the Planning Commission decision adding it
appears there is a lot of flexibility here (we don't know what the future will bring) and it
40 sounds like it would be a safer bet to have this on the master plan rather than not. Mr. Van
Wagenen agreed this action is appropriate and prudent to have this new connection. Mayor
42 Acerson called for any further comments or discussion from the Council. Hearing none
he called for a motion.

44 COUNCILMEMBER SWEETEN MOVED TO APPROVE ORDINANCE
46 #2017-18-O TO REMOVE/ADD THE STREETS IDENTIFIED IN THE STAFF
REPORT IN THE STREET MASTER PLAN WITH NO CONDITIONS.

2 COUNCILMEMBER BEAN SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

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

10
12 **8. Public Hearing — Ordinance Amendment, Lindon City Code 17.48.025;
Ord#2017-13-O.** The Lindon City Council has requested an amendment to LCC
14 17.48.025, as presented in Ordinance #2017-13- O, regulating the Lindon Village
Commercial zone regarding the maximum acreage any given land use can occupy
within the zone.

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

20
22 Mr. Van Wagenen gave an overview of this agenda item stating the City Council
has expressed concern that the Lindon Village Commercial zone will fill up before any
24 substantial retail development is located on the corridor. He stated this ordinance will
require certain areas along 700 North to have a sales tax producing business. He noted
26 this amendment was discussed in several Planning Commission meetings in 2017 as
follows: August 22, September 12, September 26, October 10, October 24.

28 Mr. Van Wagenen explained staff researched two commercial areas in preparation
for this request: Cottonwood Corporate Center in Holladay/Cottonwood Heights and a
30 portion of the Thanksgiving Pointe corporate area. Land uses were looked at to ascertain
what ratios existed between office, retail, and other land uses and looking at these areas
32 informed some of the decisions made by the Commission. The Commission ultimately
voted in a 6-0 vote (one member excused) to recommend amending the Lindon Village
34 Commercial District Map by both creating new districts and identifying “retail corners”
conducive to sales tax production.

36 Mr. Van Wagenen further explained with direction from the Planning
Commission, staff has identified additional Districts in the LVC zone east of Geneva
38 Road with each district needing to be developed in a comprehensive manner. He noted
street corners at full movement intersections have also been identified as prime locations
40 for sales tax producing businesses. Therefore, any project within the identified corners
must produce sales tax that is collected and of benefit to Lindon. He further noted the
City Council is able to make exceptions if it is in the best interest of the public. He then
42 referenced the draft Ordinance 2017-13-O, LVC District and Sales Tax Producing
Corners Map and the Land Use Analysis followed by some general discussion.

44 Councilmember Broderick asked for clarification of the verification process. Mr.
Van Wagenen explained the verification process stating within an existing location the
46 documents (business models, site plans, permits etc.) can be obtained to see the business
plan etc. This could be staff intensive especially for new businesses, but these issues can

2 be fleshed out and further explored including the use of outside expertise. He also gave
some examples.

4 Councilmember Lundberg pointed out that Lindon is setting a vision and if it
means being selective and waiting for the right project in the right place to get mixed use
6 opportunities, then this will accomplish that and will be a good tool along with the other
ground work that has been laid.

8 Councilmember Bean commented this is a creative approach on 700 North and
questioned if there is precedent for this type of approach for establishing a percentage on
10 these intersections. Mr. Van Wagenen replied he is not aware if it has been used as far as
identifying specific corners in this way, other than Pleasant Grove, however this is more
12 specific and includes a map.

Sharon Call expressed that she appreciates the input from Planning
14 Commissioners who are developers with their depth of experience. The Mayor and
Council thanked the Planning Commission for their hard work on this issue.

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

18

COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC
20 HEARING. COUNCILMEMBER SWEETEN SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

22

Councilmember Hoyt commented he is glad this issue is being addressed noting
24 he agrees we may be pushing some businesses away which causes a little concern, but
with the amount of growth that is coming we can be patient to get what we want on the
26 corridor.

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

30

COUNCILMEMBER LUNDBERG MOVED TO APPROVE ORDINANCE
32 AMENDMENT 2017-13-O AS PRESENTED. COUNCILMEMBER SWEETEN
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

34 COUNCILMEMBER BEAN AYE

COUNCILMEMBER LUNDBERG AYE

36 COUNCILMEMBER BRODERICK AYE

COUNCILMEMBER HOYT AYE

38 COUNCILMEMBER SWEETEN AYE

THE MOTION CARRIED UNANIMOUSLY.

40

9. **Review & Action — Declaration of Surplus Items; Resolution #2017-23-R.**

42 The City Council will review and consider Resolution #2017-23-R to declare
various items and equipment as surplus to be sold at auction per adopted city
44 policies.

46 Mr. Cowie referenced Resolution #2017-23-R and exhibits showing the various
surplus items and equipment to be sold at auction per adopted city policies. He indicated

2 a few changes including the John Deere mower and the 125-gallon sprayer noting all
4 other items are good to surplus. He then presented photos of the items being surplus
policy.

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

8

10 COUNCILMEMBER SWEETEN MOVED TO APPROVE RESOLUTION
#2017-23-R DECLARING THE LISTED ITEMS AS SURPLUS PROPERTY AND
12 AUTHORIZING DISPOSAL PER CITY POLICY. COUNCILMEMBER BRODERICK
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

14 COUNCILMEMBER BEAN AYE
14 COUNCILMEMBER LUNDBERG AYE
14 COUNCILMEMBER BRODERICK AYE
16 COUNCILMEMBER HOYT AYE
16 COUNCILMEMBER SWEETEN AYE

18 THE MOTION CARRIED UNANIMOUSLY.

20 10. COUNCIL REPORTS:

22 **Councilmember Hoyt** – Councilmember Hoyt reported he attended the Budget
24 Committee meeting where they discussed the current rates on the sewer revenue bond
and the fixed rate seems to be the best option. He also reported that the Chamber of
Commerce hosted American Fork and Lehi at the Pizza Factory in Lindon.

26

28 **Councilmember Broderick** – Councilmember Broderick reported he attended the
Engineering Coordination meeting noting they are making progress.

30 **Councilmember Bean** – Councilmember Bean reported he and Mayor Acerson and Mr.
32 Cowie met with UTA and talked about the BRT. He noted it was a great meeting with
the representatives who are focused on the use of public transportation and they want to
34 work with Lindon and are open to traditional and public transportation and the need to
fund both.

36 **Councilmember Lundberg** – Councilmember Lundberg asked about the body found
near the Lindon marina. Mr. Cowie stated it was handled by the Utah County Sherriff's
38 Department and not the Lindon PD.

40 **Councilmember Sweeten** – Councilmember Sweeten reported he attended the NPSWD
42 meeting last Monday along with Daril Magleby where they discussed the contract. He
also thanked the Mayor and Council and staff for the opportunity to serve on the council.
44 He stated he is confident Daril Magleby will do a great job and he believes the city is in
good hands.

46 **Mayor Acerson** – Mayor Acerson mentioned the Lt. Governor has said in the next 10
years we will be in driverless and electric cars and that will bring more efficient freeways

2 and cleaner air; his motivation is air quality. He also reported the NUVASS Board
4 approved the injection system for euthanizing animals.

11. **Administrator's Report:** Mr. Cowie reported on the following items followed by
discussion.

8 **Misc. Updates:**

- 10 • December newsletter
- 10 • January newsletter article: Carolyn Lundberg - Article due to Kathy Moosman
last week in December
- 12 • Elected officials training – January 6th at ULGT office in North Salt Lake
- 12 • Park property sale – counter offer delivered; waiting to hear back.
- 14 • UTOPIA update – \$11 bond going to market. Fits within original bonding
capacity parameters. Financial report for year showed %15 increase in revenues
16 over prior year.
- 18 • \$400 bi-annual tech allowance will be paid in January 2018 to Daril, Carolyn,
Jake, and Van. Mayor & Matt will receive their next allowance in January 2019.
- 20 • Misc. Items

20 **Upcoming Meetings & Events:**

- 22 • December 22nd at Noon – Employee Christmas party at Community Center
- 22 • December 25th–26th – City offices closed for Christmas Holiday
- 24 • January 1st – City offices closed for New Years
- 26 • January 2nd 7:00 pm – Swearing-in of elected officials at regularly scheduled
Council meeting
- 28 • January 16th at 6:00 pm – tour of new sewer lift station (prior to Council meeting)

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

32 **Adjourn –**

34 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
36 AT 9:25 PM. COUNCILMEMBER SWEETEN SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

38 Approved – January 2, 2018

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Kathryn Moosman, City Recorder

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46

Jeff Acerson, Mayor