

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, December 4,**
4 **2018, 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: Anders Bake
10 Invocation: Jake Hoyt, Councilmember

12 **PRESENT**

Jeff Acerson, Mayor
14 Jacob Hoyt, Councilmember
Carolyn Lundberg, Councilmember
16 Van Broderick, Councilmember
Daril Magleby, Councilmember
18 Adam Cowie, City Administrator
Michael Florence, Planning Director
20 Brian Haws, City Attorney
Kathryn Moosman, City Recorder

EXCUSED

Matt Bean, Councilmember

- 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) **Comments/Announcements from Mayor and Council** – There were no
announcements at this time.
 - 30 b) **Presentation** – The Mayor and Council recognized Councilmember Daril
Magleby for his service on the Council and his contributions to the city.
32 Councilmember Magleby and his wife have accepted a calling for an LDS
mission. Councilmember Magleby thanked the Mayor and Council for the
opportunity to serve.
 - 34 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council
meeting of November 20, 2018 were reviewed.

36

COUNCILMEMBER MAGLEBY MOVED TO APPROVE THE MINUTES OF
38 THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 20, 2018 AS
PRESENTED. COUNCILMEMBER HOYT SECONDED THE MOTION. THE VOTE
40 WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE
42 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
44 COUNCILMEMBER MAGLEBY AYE
THE MOTION CARRIED UNANIMOUSLY.

- 46
4. **Open Session for Public Comment** – Mayor Acerson called for any public

2 comment not listed as an agenda item. There were no public comments.

4 **5. Consent Agenda Items –**

- 6 a. 2019 Mayor and Council Liaison Assignments, Mayor pro tem and RDA
- 7 Board appointments, and other staff appointments; Resolution #2018-23-R.
- 8 This will be updated once the upcoming Council vacancy is filled.

10 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE CONSENT
11 AGENDA ITEM AS PRESENTED. COUNCILMEMBER LUNDBERG SECONDED
12 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

13 COUNCILMEMBER LUNDBERG	AYE
14 COUNCILMEMBER BRODERICK	AYE
15 COUNCILMEMBER HOYT	AYE
16 COUNCILMEMBER MAGLEBY	AYE

17 THE MOTION CARRIED UNANIMOUSLY.

18

CURRENT BUSINESS

20

6. Action Item — Financial Audit Report for Fiscal Year 2017-18.

21 Representatives from Keddington & Christensen, LLP and Lindon City Finance
22 Director, Kristen Colson, will present, for the City Council’s acceptance, the
23 city’s annual financial audit report, included as part of the Comprehensive Annual
24 Financial Report (CAFR), for fiscal year ended June 30, 2018.

26

27 Adam Cowie, City Administrator, led this discussion by stating in accordance
28 with State Law the City is required to annually have a complete financial audit performed
29 by an independent auditing firm. Keddington & Christensen, LLP (K&C) has performed
30 the audit for the 2017-18 (FY2018) fiscal year ending June 30, 2018. He noted over the
31 last several months their firm has been reviewing the City’s financial records, policies,
32 and procedures and will discuss the audit and any associated findings with the Council.
33 Staff recommends that the City Council accept the FY2018 audit as presented.

34 Mr. Cowie then referenced the FY2018 Annual Financial Statements included as
35 part of the CAFR and the Auditor’s Supplementary Report. He noted representatives
36 from K&C and the Lindon City Finance Director are in attendance to present the report
37 and answer any questions the council may have. Mr. Cowie then turned the time over to
38 the representatives to present the audit.

39 Phyl Warnock, representing Keddington & Christensen, was in attendance along
40 with Kristen Colson, Lindon City Finance Director to present the audit and any
41 associated findings with the Council. Mr. Warnock stated the Council is over the
42 financial governance of the city and is responsible for overseeing the financial audit and
43 the fact they have an audit does not relieve them of the responsibility.

44 Mr. Warnock stated their responsibility is to express opinions on these financial
45 statements based on their audit. They conducted the audit in accordance with auditing
46 standards generally accepted in the United States of America. Those standards require

2 that they plan and perform the audit to obtain reasonable assurance about whether the
financial statements are free from material misstatement.

4 Mr. Warnock explained an audit involves performing procedures to obtain audit
evidence about the amounts and disclosures in the financial statements. The procedures
6 selected depend on the auditor's judgment, including the assessment of the risks of
material misstatement of the financial statements, whether due to fraud or error. In
8 making those risk assessments, the auditor considers internal control relevant to the
City's preparation and fair presentation of the financial statements in order to design
10 audit procedures that are appropriate in the circumstances, but not for the purpose of
expressing an opinion on the effectiveness of the City's internal control so, accordingly,
12 they express no such opinion. An audit also includes evaluating the appropriateness of
accounting policies used and the reasonableness of significant accounting estimates made
14 by management, as well as evaluating the overall presentation of the financial statements.
They believe that the audit evidence we have obtained is sufficient and appropriate to
16 provide a basis for our audit opinions.

18 Mr. Warnock explained they do not express an opinion or provide any assurance
on the information because the limited procedures do not provide them with sufficient
evidence to express an opinion or provide any assurance. Their audit was conducted for
20 the purpose of forming opinions on the financial statements that collectively comprise
Lindon City Corporation's basic financial statements. He noted the introductory section,
22 combining and individual nonmajor fund financial statements, budgetary comparison
schedules, and statistical section are presented for purposes of additional analysis and are
24 not a required part of the basic financial statements.

26 Mr. Warnock stated in their opinion, the combining and individual nonmajor fund
statements and budgetary comparison schedules are fairly stated in all material respects in
relation to the financial statements as a whole. The introductory and statistical sections
28 have not been subjected to the auditing procedures applied in the audit of the basic
financial statements, and accordingly, they do not express an opinion or provide any
30 assurance on them.

32 Mr. Warnock stated in accordance with Government Auditing Standards, they
have also issued a report dated November 30, 2018, on their consideration of Lindon City
Corporation's internal control over financial reporting and their tests of its compliance
34 with certain provisions of laws, regulations, contracts and grant agreements and other
matters. The purpose of that report is to describe the scope of their testing of internal
36 control over financial reporting and compliance and the results of that testing and not to
provide an opinion on the effectiveness Lindon City Corporation's internal control over
38 financial reporting or on compliance. That report is an integral part of an audit performed
in accordance with Government Auditing Standards and should be considered in
40 conjunction with this report in considering the results of our audit.

42 Mr. Warnock then went over the supplemental report on internal controls noting
management of the City is responsible for establishing and maintaining effective internal
control over compliance with the state compliance requirements. In planning and
44 performing their audit of compliance, they considered the City's internal control over
compliance with the state compliance requirements to determine the audit procedures that
46 are appropriate in the circumstances for the purpose of expressing an opinion on
compliance with those state compliance requirements and to test and report on internal

2 control over compliance in accordance with the State Compliance Audit Guide, but not
4 for the purpose of expressing an opinion on the effectiveness of internal control over
6 compliance. Accordingly, we do not express an opinion on the effectiveness of the City’s
8 internal control over compliance.

6 Mr. Warnock stated there were two findings this year as follows:

- 8 1. According to Utah State Code approved minutes must be posted to the
10 public notice website within three days business days after approval in a
12 public meeting. During the audit, it was noted that the minutes for
14 April 17, 2018 were approved by the Council on May 1, 2018, but the
16 minutes were not uploaded to the Utah Public Notice website until
18 May 8, 2018. The cause of this was not determined. Mr. Warnock
20 pointed out they are required to disclose this information, but in terms of
22 the financial statement this finding is inconsequential.
- 24 2. According to Utah Code Annotated (UCA) 10-6-123, “City officers
26 may not make or incur expenditures or encumbrances in excess of total
appropriations for any department in the budget as adopted or as
subsequently amended.” During the audit, it was noted that four funds
had actual expenses materially over the final budgeted amounts. As a
result, the City is not in compliance with Utah Code as referenced
above. The cause of this was not determined. The fund which
exceeded the budget and the amounts over budget were as follows:
 - Road Capital Projects Fund exceeded the budget by \$92,649
 - General Capital Projects Fund exceeded the budget by \$1,785
 - Water Collection Fund exceeded the budget by \$22,009
 - Storm Water Fund exceeded the budget by \$207,824

28 Ms. Colson stated the City has complied with uploading agendas, public notices,
30 and pending minutes, but missed uploading approved minutes within the 3-day
32 requirement on a few occasions. The City will comply with Open and Public Meetings
34 Act requirements and upload city council minutes to the Utah Public Notice website
within three (3) days of approval. She noted the City will also comply with budgetary
compliance requirements and only incur expenditures for which the City has legally
budgeted.

36 At this time, Mr. Warnock asked if there were any questions. There was some
38 general discussion with the council on the findings presented. Mr. Warnock stated city staff
is doing a great job and they enjoyed working with Ms. Colson and staff on the audit.

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

42 COUNCILMEMBER HOYT MOVED TO ACCEPT THE AUDIT REPORT AS
PRESENTED FOR FISCAL YEAR ENDED JUNE 30, 2018 WITH COMMENTS
44 ADDED IN BY MS. COLSON. COUNCILMEMBER MAGLEBY SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

46 COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER HOYT	AYE

2 COUNCILMEMBER MAGLEBY AYE
THE MOTION CARRIED UNANIMOUSLY.

4
7. **Presentation Item — Mountainland Association of Governments**

6 **TransPlan50.** Shawn Eliot, with Mountainland Association of Governments
7 (MAG) will give an overview of MAG’s TransPlan50, which is the draft regional
8 transportation plan for urbanized Utah County through 2050. The projects and
9 programs proposed within the plan are a coordinated system of capital-intensive
10 roadway projects, transit improvements, and pedestrian/bicycle facilities needed
11 over the next thirty years. A public comment period is planned for the spring of
12 2019 with final adoption anticipated in June 2019. No motions will be made.

14 Adam Cowie, City Administrator, gave some background of this item explaining
15 TransPlan50 is the draft regional transportation plan for urbanized Utah County. The
16 projects and programs proposed within the plan area coordinated system of capital-
17 intensive roadway projects, transit improvements, and pedestrian/bicycle facilities needed
18 over the next thirty years. Mr. Cowie noted the plan attempts to minimize impacts to
19 society and environment while providing for enough capacity and transportation choices
20 to ensure the region’s economy continues to grow. Work with the municipalities and
21 county and various agencies is being conducted to finalize this new plan. He noted a
22 public comment period is planned for the spring of 2019 with final adoption anticipated
23 in June 2019. He then turned the time over to Shawn Eliot to present and overview of
24 MAG’s TransPlan50 plan to the Council.

26 Mr. Eliot gave a brief history of the transportation system and projected growth in
27 Utah County; he also presented a video. He noted as Salt Lake County grew it did it outside
28 from the city center and in Utah County, we grew village to village to village, so the
29 connections didn’t always occur which is a challenge because as we double our population
30 traffic is focused on a select few roads. He pointed out that State Street carries double the
31 traffic of anywhere in Salt Lake County and is more of a regional highway as a compared
32 part of the main grid system in the county.

34 Mr. Eliot then presented a map showing the institute of transportation. He indicated
35 there are places with gaps in the road system pointing out that adding in a million more
36 people will be very impactful. He pointed out on the map showing by 2050 what type of
37 growth will happen numerically by county. He noted Utah County has the most growth
38 occurring as we are adding just under a million people; the growth is coming our way and
39 the direction of growth on the Wasatch Front is going southward. He also presented a chart
40 showing population growth and density by region in Utah County (2017 to 2050); Lindon
41 is nearing buildout. He also spoke on the main things they can do to improve the
42 transportation system are connecting the transportation grid and updating the plan (every 4
43 years) and to study the future of I-15, parallel facilities, a bridge over Utah lake,
44 commuter/light rail and other viable options to help move traffic and keep congestion
45 down.

46 Mr. Eliot stated they are proposing to work with City Councils and Planning
Commissions to achieve more connections to spread out traffic and they are always
working for more funding to help build these roads and connections (grids). He also
presented examples and spoke on the three proposed phases.

2 There was then some general discussion regarding the presented draft regional
transportation plan and funding options.

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

- 6
- 8 **8. Action Item — 2018 Lindon City Moderate Income Housing Report;**
Resolution #2018-24-R. Lindon City Planning & Economic Development
Director, Mike Florence, will present for the Council’s consideration the 2018
10 Moderate Income Housing Report that is required to be submitted to the State of
Utah biennially (every two years).

12

14 Mike Florence, Planning Director led this discussion by referencing the 2018
Lindon City Moderate Income Housing Report, resolution, reporting forms, and city
General Plan and moderate-income housing support documents. He noted State Code 10-
16 9a-408 requires each municipality to submit a biennial housing report to the Utah
Department of Workforce Services describing efforts made by the municipality to
18 support affordable housing and to mitigate regulatory barriers for housing development in
the community.

20 Mr. Florence then referenced the report that will be submitted to the State of Utah
after the Council has had a chance to adopt a resolution approving the information
22 presented tonight. He noted the report has to be submitted to the State no later than
December 31, 2018. In addition, every five years cities are required to update their
24 Moderate-Income Housing Plan (MIHP) Element of their general plan. Mr. Florence
stated in 2019, Lindon City will be required to update its MIHP and file a revised plan
26 with the Department of Workforce Services.

28 Mr. Florence indicated Lindon has made significant efforts over the last two years
to provide for moderate income housing opportunities within the City, mainly through
approval of the Anderson Farms master planned residential development. He noted they
30 will continue with their efforts to provide opportunities for moderate income housing that
will be necessary as the city continues to grow and affordable housing becomes more
32 scarce. Mr. Florence stated the MIHP has goals and guidelines that the City will review
and reevaluate as it updates the plan in 2019. There was then some general discussion
34 regarding the Moderate-Income Housing Report.

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

38 COUNCILMEMBER HOYT MOVED TO APPROVE RESOLUTION #2018-
24-R ADOPTING THE 2018 LINDON CITY MODERATE INCOME HOUSING
40 REPORT AND ASSOCIATED SUPPORT DOCUMENTS FROM THE LINDON CITY
GENERAL PLAN AND R-2 OVERLAY ORDINANCE. COUNCILMEMBER
42 LUNDBERG SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

44 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BRODERICK AYE
46 COUNCILMEMBER HOYT AYE
COUNCILMEMBER MAGLEBY AYE

2 THE MOTION CARRIED UNANIMOUSLY.

4 9. **Action Item — Employee Merit Increases.** In the FY2019 budget the City
6 Council previously approved a 0.9% merit increase and a 1.0% one-time lump
8 sum payment for employees (based upon year-end employee performance
10 evaluation scores). The merit increase and one-time payment will be effective
12 January 1, 2019. Per past practice, the City evaluates mid-fiscal year budget
constraints and economic indicators to determine if recommended merit increases
are still financially prudent. Given a healthy economic outlook, strong revenues,
and healthy General Fund reserves the City Administration recommends the
payments be applied as approved in the FY2019 budget.

14 Mr. Cowie led this discussion item by stating staff recommends that the Council
16 authorize employee merit pay per the previously approved FY2019 budget. He then
18 referenced the memo from Kristen Colson, Finance Director. He noted the practice
20 (since the recession) has been to give it six months to make sure the city is in a healthy
22 position. Mr. Cowie indicated sales tax revenue is good and there are good business
opportunities in Lindon for building permits and for residential growth. Therefore, staff
would recommend approving the merit increase as there is a healthy position in the
general fund balance in the reserve account which is a good savings.

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

26 COUNCILMEMBER MAGLEBY MOVED TO AUTHORIZE THE
28 EMPLOYEE MERIT PAY PER THE APPROVED FY2019 BUDGET.
COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

30 COUNCILMEMBER LUNDBERG AYE
32 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
COUNCILMEMBER MAGLEBY AYE
THE MOTION CARRIED UNANIMOUSLY.

34 10. **Public Hearing — Ordinance Change; Lindon City Code 13.12; Ord. #2018-
36 18-O.** *This item was advertised for this meeting but is not ready for discussion
38 and will be continued to the December 18, 2018 Council meeting.* The Lindon
40 City Council will review and consider Ordinance #2018-18-O amending sections
of LCC 13.12 ‘Administration of Water and Sewer Service’ regarding utility
service agreements and billing policies.

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

46 Mr. Cowie stated this item was advertised for this meeting but is not ready for
discussion and will be continued to the December 18, 2018 Council meeting.

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

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

8
10 COUNCILMEMBER LUNDBERG MOVED TO CONTINUE THIS PUBLIC
HEARING TO THE DECEMBER 18, 2018 COUNCIL MEETING.

12 COUNCILMEMBER MAGLEBY SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

14 COUNCILMEMBER LUNDBERG AYE

14 COUNCILMEMBER BRODERICK AYE

14 COUNCILMEMBER HOYT AYE

16 COUNCILMEMBER MAGLEBY AYE

18 THE MOTION CARRIED UNANIMOUSLY.

11. **Public Hearing — FY2018-19 Fee Schedule Amendment; Res. # 2018-25-R.**

20 *This item was advertised for this meeting but is not ready for discussion and will*
be continued to the December 18, 2018 Council meeting. The Lindon City
22 Council will review and consider Resolution #2018-25-R amending sections of
the FY2018-19 fee schedule for utility services billed to accessory apartments and
24 multi-tenant residential facilities, with review of updated utility billing policies.

26 COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC
HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT
28 VOTED IN FAVOR. THE MOTION CARRIED.

30 Mr. Cowie stated this item was advertised for this meeting but is not ready for
discussion and will be continued to the December 18, 2018 Council meeting.

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

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

38
40 COUNCILMEMBER LUNDBERG MOVED TO CONTINUE THIS PUBLIC
HEARING TO THE DECEMBER 18, 2018 COUNCIL MEETING.

42 COUNCILMEMBER MAGLEBY SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

44 COUNCILMEMBER LUNDBERG AYE

44 COUNCILMEMBER BRODERICK AYE

44 COUNCILMEMBER HOYT AYE

46 COUNCILMEMBER MAGLEBY AYE

THE MOTION CARRIED UNANIMOUSLY.

2 **COUNCIL REPORTS:**

4 **Councilmember Hoyt** – Councilmember Hoyt reported the Historic Preservation
6 Commission held the annual tree lighting ceremony and it was a great event and well
attended. He also reported the PG/Lindon Chamber of Commerce is having a combined
Chamber Christmas luncheon this Thursday.

8
10 **Councilmember Broderick** – Councilmember Broderick expressed his appreciation to
the Public Works road department noting they do a fantastic job with snow removal etc.

12 **Councilmember Bean** – Councilmember Bean was absent.

14 **Councilmember Lundberg** – Councilmember Lundberg reported Mark Brandt is the
16 newest member on the Tree Board noting he is looking forward to begin serving on the
Board.

18 **Councilmember Magleby**– Councilmember Magleby reported Monday will be his last
20 meeting with the North Pointe Solid Waste District. He would also encourage his
replacement on the Council to get engaged with the police and try to engage businesses
with the PG/Lindon Chamber of Commerce and the Drill Down for Safety.

22
24 **Mayor Acerson** – Mayor Acerson reported he will be attending a meeting with the Utah
County Health Department next week. He also reported the North Utah Valley Animal
26 Shelter is doing well and doing a great job. He noted they are in need of more employees
and their relationships with outreach groups are good and reliable.

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

30

Misc. Updates:

- 32
- December City newsletter
 - January newsletter article: Carolyn Lundberg - Article due to Kathy Moosman
34 before the Christmas holiday.
 - FYI – sewer back-up occurred on night of Nov 29th along Gillman Lane. Sewage
36 backed up into basement of Kevin & Lisa Gillman’s home. They’re working with
a disaster restoration company and our insurance. Blockage was cleared that
38 night. Main lines still being investigated / TV’d, but assumed at this point to have
been large paper/grease clog in main line on Gillman Ln.
 - Possible RDA tax increment incentives for pending development
 - Thank you to Mayor and Storm Water employees at Public Works for picking up
42 thousands of leaf bags from residential properties
 - Misc. Items

44

Upcoming Meetings & Events:

- 46
- Dec. 3rd at 6:30pm – Tree Lighting Ceremony at the Community Center
 - Dec 10th through January 7th: advertise Councilmember vacancy. Applications

- 2 due Jan 7th at 5pm.
- Interview and select new Councilmember on January 15th.
 - 4 • Dec 12th at 6:00pm - Employee Christmas party at Community Center
 - Dec 21st Closed at Noon
 - 6 • Dec 24th – 25th – City offices closed for Christmas holiday.
 - Tuesday, January 1st – City offices closed for New Year’s holiday. No Council
 - 8 meeting.
 - Jan. 2nd through Jan. 13th – dumpster available at Aquatics Center parking lot for
 - 10 Christmas tree disposal

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

14 **Adjourn** –

16 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
18 AT 9: 06 PM. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

20 Approved – December 18, 2018

22
24 _____
Kathryn Moosman, City Recorder

26
28 _____
Jeff Acerson, Mayor