

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, February 18,**
4 **2020, at 7:00 pm** in the Lindon City Center, City Council Chambers, 100 North State
Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

Conducting: Jeff Acerson, Mayor

8 Pledge of Allegiance: Heath Bateman

Invocation: Mike Vanchiere

10

PRESENT

EXCUSED

12 Jeff Acerson, Mayor
Carolyn Lundberg, Councilmember
14 Jacob Hoyt, Councilmember
Van Broderick, Councilmember
16 Mike Vanchiere, Councilmember
Randi Powell, Councilmember
18 Adam Cowie, City Administrator
Brian Haws, City Attorney
20 Kathryn Moosman, City Recorder

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

24 2. **Presentations/Announcements** –
a) Comments/Announcements from Mayor and Council –

26

28 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council
meeting of February 4, 2020 were reviewed.

30 COUNCILMEMBER HOYT MOVED TO APPROVE THE MINUTES OF THE
REGULAR CITY COUNCIL MEETING OF FEBRUARY 4, 2020 AS AMENDED.
32 COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

34 COUNCILMEMBER LUNDBERG AYE

COUNCILMEMBER HOYT AYE

36 COUNCILMEMBER BRODERICK AYE

COUNCILMEMBER POWELL AYE

38 COUNCILMEMBER VANCHIERE AYE

THE MOTION CARRIED UNANIMOUSLY.

40

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

44 5. **Consent Agenda Items** – There were no consent agenda items presented for
approval.

46

2 **CURRENT BUSINESS**

4 **6. Presentation & Discussion — Parks, Trails, & Recreation Master Plan.**

6 MHTN Architects will present highlights of the draft update to the Parks, Trails &
8 Recreation Master Plan for council consideration and feedback. The final
document and updated impact fee will be adopted at a future meeting.

10 Heath Bateman, Parks & Recreation Director led this agenda item by explaining
12 MHTN Architects are in attendance to present highlights of the draft update to the Parks,
14 Trails & Recreation Master Plan for city council’s consideration and feedback. Mr.
16 Bateman introduced and then turned the time over to Aaron Montgomery, Ryan Wallace,
18 Randy Boudrero for their presentation.

20 Mr. Wallace began by explaining section one of the plan provides the purpose of
22 this plan, background data on Lindon City, brief demographics, community involvement
24 in this plan’s development, and a summary of relevant sections from existing City plans
26 and documents that bear influence on this plan (general plan and the bicycle and
pedestrian master plans and the parks plan). The second section of this document focuses
on the state of existing City parks, trails, and recreation facilities including maps, results
from the consultant team’s needs and gaps assessment and level of service analyses, and
land values. In the third section, recommendations are made to improve and update the
City’s parks, trails, and recreation facilities. He noted the proposed facility improvements
are described and listed by investment priority and expected outcomes of the plan after
implementation are described. Section four encapsulates the Impact Fees Facilities Plan
and provides a cost analysis/estimate for recommended system improvements

28 Mr. Montgomery explained they did a survey through public engagement and were
30 also able to collaborate with citizens at the Christmas event and gathered feedback. He
32 noted they had draft/guiding materials available with coloring sheets for the children and
34 asked what they liked about the parks. He noted they are trying to bring together other
36 efforts and build a niche for the community. They also want to revisit and ask if we are
38 doing these things.

Mr. Boudrero commented he took all the information and visited the parks and took
hundreds of pictures and combined this information (guidelines based on population) and
the survey information and worked with the steering committee and took the open house
information and put it all together. They itemized the elements of the existing parks and put
the plan together and itemized the existing parks amenities analysis. They also looked at
future facilities, opportunities and additional services that are not currently available. He
then went over the recommendations they have made.

He further explained the General Plan requires us to look at the future community
parks so they can be funded in the future. He then referenced the parks recommended
facilities types. He noted the feedback from the community was varied. Some said they
would like to see shade structures over playgrounds, more trees, and an all abilities
playground. Some older citizens wanted exercise amenities. They are updating old
playgrounds, adding parking, improving signage, and ada accessibility. They also
mentioned frisbee golf and additional improvements on trails are a priority. They followed

2 through and provided a concept and put costs to all of the amenities and put a summary
together (not a full list or total costs).

4 Mr. Montgomery then went through some of the costs and numbers. He noted the
population in Lindon is expected to increase to 13,046 by 2029. He also presented the
6 capacity analysis to look at existing levels of service. He noted land is at 6.22 acres per
1,000 in population. They also looked at the existing service levels based on current
8 population and the expectations in the next 10 years through impact fees.

10 Mr. Montgomery then presented for discussion the consideration of all revenue
sources and the overview of primary funding sources including the following:

- 12 • Bonds
- Interfund Loans
- Transfer from General Fund
- 14 • Impact Fees

16 He also presented the Parks and Recreation Funding Options as follows:

- 18 • Local Sales Tax
- Monthly Fees
- Parks, Arts, Recreation and Culture Tax
- 20 • General Obligation Bonds
- Lease Revenue Bonds
- 22 • User Fees
- Recreation District
- 24 • Foundations and Donations
- Joint Funding Partnerships
- 26 • Grants and Other Funding Sources
- Impact Fees
- 28 • Special Assessment Areas

30 He then presented the 2020 Lindon City Parks Master Plan followed by some
general discussion. Mr. Cowie pointed out Lindon has a really high level of service of
32 parks and trails based our size and population. As we are looking at this document, he
advised the council that this is the maximum that can be charged and staff doesn't
34 anticipate recommending anything different other than what we may be charging. He
reminded the council this is just a discussion of the draft numbers tonight so this is very
36 preliminary.

38 There was then some general discussion regarding the draft document including
parks & trails funding and future park property and amenities (Geneva Resort Park,
Anderson Farms Park, Keeneland Park, Cook Property, Hutchinson Family Property).
40 Following discussion Councilmember Lundberg stated she is hearing the common theme of
the councilmembers is how to use the available funds wisely with the best return on
42 investment with amenities that will have the best use.

44 Councilmember Broderick asked for clarification on credits with park impact fees.
Mr. Montgomery noted in the core master plan, it was determined that a certain amount of

2 credit was needed to qualify for a system park that are impact fee eligible. There are several
ways to obtain credits (see page 9-10 on the draft).

4 Councilmember Broderick pointed out this is a guiding document where something
has been determined with an expectation to maintain. In his opinion, these are suggestions
6 that we will base future decisions on. If this is approved, that doesn't mean we are doing
the things that are in there but just suggestions to consider. He expressed he is
8 uncomfortable with the terms used in the document. In his mind these are still just
suggestions and he is uncomfortable with some of the terms used. He also questioned the
10 summary of potential funding sources (page 97) stating he would not be in support.

12 Councilmember Lundberg stated the question is how do we balance that concern
yet not leave it open and ambiguous. Mr. Cowie pointed out these are suggestions and this
can be changed at any time. If the council chooses not to fund something that is up to them.
14 He noted 95% of the document is duplicated from the previous plan.

16 Mayor Acerson pointed out the challenge is that the impact fees are based upon our
planning. The level of service in planning is what the state requires in order to justify the
impact. That can change, but we have to do the ground work to keep us from a lawsuit.

18 Councilmember Lundberg pointed out we could potentially have to refund fees if
we don't implement them in a certain time to the State; we have to identify what we are
20 trying to do and implement in a certain time.

22 Councilmember Vanchiere commented, in his mind, this plan doesn't commit us to
anything but provides us with a well-researched menu of items. He feels we are not being
painted into a corner and this doesn't obligate us to do these things but rather it is a guiding
24 document that we can change as we see fit; it doesn't require us to act on these
recommendations.

26 Councilmember Hoyt expressed his concerns about the expectation level that it sets
and the potential liability.

28 Mr. Bateman explained he will come to city council for approval when there are
impact fees. He pointed out this document will give direction to him on what to build or
30 what to improve on for the next 7 to 10 years.

32 Mayor Acerson pointed out we shouldn't underestimate what the impact fee
number will be. And once that is done, whatever bar we set we are obligated to that bar.
The reality is most of our residents are far away from the high-level mark, but we don't
34 know where that mark is.

36 Mr. Cowie directed the council to go through document and identify any language
to add or omit. He re-iterated this is just a guiding document.

38 Councilmember Hoyt asked for clarification on the liability aspect. Brian Haws,
City Attorney, explained the guiding principle of these plans is that it sets the parameters
and we can't go outside of this plan. If we don't have at least a vision of what we want to
40 do in the future we may be restricting our ability to do so. As far as impact fees go, they
have to be spent within a certain timeframe and if not in that timeframe they do have to be
42 refunded. He then referenced State Code (Title 10) that states these are guiding principles
or plans.

44 Mr. Cowie further explained we are trying to have a rational good plan that is
legitimate for the public and developers as to maintain a certain level of service.

2 Councilmember Vanchiere commented he feel this report provides enough
information to where he could make an intelligent decision.

4 Mr. Bateman commented at this point he needs a direction he can go. He pointed
out this document will help him chart a direction. He noted he will come back to the city
6 council for approval on any impact fees but that doesn't mean they have to fund them. He
stated he also believes this document is well done and he can see five years out for level of
8 service.

10 Mr. Cowie then led a discussion on where the future park areas could potentially be
and could be actively pursued, including the Geneva Resort Park, Anderson Farms Park,
Keeneland Park, Cook Property, Hutchinson Family Property and Lindon Village.

12 Mr. Cowie asked if the Hollow Park trail connection is that something the council
would want to keep on the plan. Following discussion, the City Council agreed to add back
14 on the plan.

16 Mr. Cowie asked the consultants when they anticipate coming back to the council.
The consultants replied they are open and available and could change the wording and
come back in two weeks. Mr. Cowie directed the council to review the document for any
18 typos, language change etc. He asked for an updated draft and to get any changes or
concerns back to the consultants before the second meeting in march.

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

22
7. Public Hearing — Aquatics Center Employee Compensation; Resolution

24 **#2020-4-R.** The City Council will review and consider changes to the Aquatics
Center seasonal employee pay ranges and incorporate recommendations into the
26 FY2020 Budget Amendment in March.

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

32 Mr. Bateman stated the Parks & Recreation Department management has
determined that an adjustment in pay rates for positions at the Aquatics Center,
34 particularly for lifeguards, are necessary to attract and retain employees and should be
implemented. Mr. Bateman then presented the Lindon Aquatics Seasonal Pay Scale and a
36 matrix showing ranges and cost of training. He noted this is the middle to top end as
compared to other jurisdictions. He added this is the best-case scenario of keeping the
38 lifeguards and staff. Following some general discussion, the council was in agreement to
approve this request.

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

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

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

4
6 COUNCILMEMBER VANCHIERE MOVED TO APPROVE RESOLUTION
#2020-4-R AS PRESENTED. COUNCILMEMBER HOYT SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

8 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
10 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER POWELL AYE
12 COUNCILMEMBER VANCHIERE AYE

THE MOTION CARRIED UNANIMOUSLY.

14
8. Review & Action — Adoption of Resolution #2020-3-R; Updated 2020

16 **Calendar.** The Lindon City Council will review and consider for adoption the
updated 2020 Lindon City Public Meeting Schedule.

18
20 Mr. Cowie stated Staff has prepared two calendar options for consideration for
either Monday meetings at 7pm or Wednesday meetings at 7pm. Please also consider
possible earlier start times for Council business and administrative items (5 or 5:30pm
22 with regular public session starting at 6 or 6:30pm). He then presented a spreadsheet
showing the various meeting times of other municipalities.

24 Following discussion, the Council was in agreement to amend the 2020 meeting
public meeting schedule and move the city council meeting day to Mondays beginning at
26 5:15 pm with the understanding that it could be subject to change if any issues come up
for both the council and citizens.

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

30
32 COUNCILMEMBER HOYT MOVED TO APPROVE RESOLUTION #2020-3-
R AS PRESENTED WITH THE MONDAY SCHEDULE BEGINNING AT 5:15 PM.
COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS
34 RECORDED AS FOLLOWS:

36 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
COUNCILMEMBER BRODERICK AYE
38 COUNCILMEMBER POWELL AYE
COUNCILMEMBER VANCHIERE AYE

40 THE MOTION CARRIED UNANIMOUSLY.

42 **9. Discussion Item — 700 North Corridor Development and Incentives.** The

44 Lindon City Council will discuss and consider possible developments and
incentives that may be considered along the 700 North Corridor.

2 Mr. Cowie led this discussion item by giving a brief overview. He presented a
map showing the 700 North CDA project areas. He noted when originally set up the CDA
4 was eligible to receive funding. The CDA itself without Alpine School District
participating is estimated to bring in 4.2 million dollars over a 20-year lifespan. It has
6 primarily been used for infrastructure projects.

8 He then referenced some city-initiated Items as follows:

- City funded construction of 700 North roadway & utilities. \$3.7 million
- 10 • City funded \$1 Million of Lindon/PG I-15 interchange and worked with land
owners for their tax benefits from ‘friendly condemnations’ to secure land
- 12 • City vacated large portion of 600 North public roadway as an incentive to attract
Walmart
- 14 • City vacated portions of Main Street and returned property to adjacent business
owners
- 16 • UTOPIA – city funded fiber optic infrastructure to homes and businesses. May
ultimately pay over \$19 Million
- 18 • Sent letters of support / thanks to businesses
- 2014 also sent pool passes to top sales tax producing businesses
- 20 • Goodfellow Corp – received letter and sought one-on-one help to facilitate new
building addition
- 22 • Business recognitions in Council & Chamber of Commerce meetings

24 He also presented Ordinance Changes to Accommodate Businesses as follows:

- Sign Ordinance (Murdock Hyundai, Harley Davidson, Vivint)
- 26 • Created Commercial Farm Ord (Wadley Farms, etc.)
- Increased building height to accommodate taller businesses (A-8 zones, churches)
- 28 • Allowed increased locations for used auto sales
- Created Commercial Design Guidelines to stream-line development reviews and
30 protect businesses from poor buildings, colors, and site design
- Reduced significant land-use processing time (minor subdivisions, signing of
32 plats, etc.)
- Eliminated ‘white fence’ requirement
- 34 • Created extensive Development Manual – outlines development process with
clear guidelines and expectations
- 36 • Removed prohibition on Sunday sales in Beer License Ord

38 RDA Improvements & Incentives:

- 700 North CDA will provide approx. \$4.22 million for infrastructure and/or
40 incentives over 20 yrs.
 - (If Alpine SD participated at 50% level this would increase to approx. \$14.2
42 million)
- Murdock Hyundai: gave 1 acre of land + over \$400,000 in post-performance cash
44 back incentive

- 2 • Dist. 3 (canopy bldg. area) – 2014 landscaping improvements along business street frontages
- 4 • Dist. 3 lighting, streets, sidewalks, etc.
- 6 • Dist. 3 developer incentives and pay-back plan (Johansen Thackery Development got paid ~\$250,000 / yr. for life of RDA; approx. \$5 million over 20 yrs.)
- 8 • West Side RDA – Shadow Mountain Industrial Properties, paid cash property tax rebates for life of RDA (now expired)
- 10 • State Street RDA - South Towne Business Mall (strip mall on State street) paid hundreds of thousands in cash sales & prop tax rebates over 15 yrs. (finished in 2012).
- 12 • Multiple road and utility installations and improvements

14 Industrial Revenue Bonds:

- 16 • Mountain States Steel – used excess city bonding capacity to secure low interest loans to enable business expansion
- 18 • Interstate Gratings - used excess city bonding capacity to secure low interest loans to enable business expansion

20 Other High-Quality Services & Business Friendly practices (indirect benefits):

- 22 • \$10k per year toward PG/Lindon Chamber of Commerce
- 24 • Full-time Police / Fire services available
 - Low city crime rate
- 26 • Low business license fees
- 28 • Lower than average property taxes
- 30 • Moderate utility fee rates
- 32 • Fast development processes. We've worked hard to streamline and speed the land use and building permit process.
- 34 • Fairly good streets and infrastructure
- 36 • Great snow plowing program
- 38 • Higher standards for fire protection, building inspections, and FEMA flood plain regulation, which allows lower commercial insurance rates for residents and businesses
- 40 • Friendly and Approachable City Council members and Staff

36 Recognitions / Awards that Businesses may benefit from:

- 38 • 2013 State of Utah – Governor Herbert Business Friendly practices recognition
- 40 • 2008 – Utah Valley Home Builders Assoc. voted Lindon the Best City to Build In
- 42 • 2009, 2011, 2013 – CNN Money Magazine ranks Lindon in top 100 Best Cities

42 Councilmember Lundberg stated this preliminary plan looks to accomplish a nice central core community gathering area with a lot of nice features with an identifiable downtown place maker. There are lot of negotiables at play and we will need to give an

2 incentive package no matter who it is. We can retain a nice piece of acreage to do the city
center feel. She questioned what is the willingness of the council to get that to happen?
4 She also mentioned other towns and cities that have created downtown areas or villages;
when you bring a central gathering area, the rest will follow.

6 Councilmember Lundberg pointed out this is preliminary draft and she would like
to know what our vision is and what is worth incentivizing. Should we acquire land with
8 a strategic partner; the timeline with Ivory is an issue and it would be close with Center
Cal. Would we want to be strategic and acquire the ground and have something in this
10 location and what are we willing to invest; that is the question.

12 Councilmember Powell stated she likes the proposal with the idea of a central
gathering place for families. We really don't have that now and something nice like this
would identify the city, but won't know until we investigate the options.

14 Councilmember Hoyt stated he worries about Ivory and if they would buy off on
any commercial player. He noted going all in on the Center Cal design would identify us.
16 There are a lot of variables and he would be in favor of looking at all options to make this
happen. Councilmember Hoyt commented that time is of the essence here (1 1/2 years
18 before Ivory acts). He also likes the idea of global retailers.

20 Councilmember Vanchiere commented he loves the concept but feels there is not
enough numbers to make a determination. Councilmember Broderick said we are all open
to looking at what the possible incentives would be and if it made sense, he would be in
22 support of it.

24 Councilmember Lundberg stated if that is the end goal and vision, we need to look
at what is in our tool box and network with potential partners and get those conversations
going. Following some additional discussion, Councilmember Lundberg noted she is
26 hearing the majority of the council is in favor of looking at the options with further
discussion.

28 Mayor Acerson said part of the challenge we are facing is that Center Cal is tied
up and it may be outside the window; he would suggest talking to Ivory Homes to see if
30 they are open to the city purchasing property.

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

34 **10. Discussion Item — Lindon Days Grand Marshal.** The Lindon City Council
will discuss and consider possible names to serve as the 2020 Lindon Days Grand
36 Marshal.

38 Mr. Cowie led this discussion by stating the council will need to discuss and
consider some other possible names to serve as the 2020 Lindon Days Grand Marshal as
40 several candidates have declined. He then presented a list of possible candidates.
Following review of the candidates the council was in agreement to send out an invitation
42 to Ren and Kathy Allred to be the 2020 Lindon Days Grand Marshal.

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

46

2 **COUNCIL REPORTS:**

4 **Councilmember Hoyt** – Councilmember Hoyt thanked the Parks & Recreation
6 department for their hard work on the Master plan. He also mentioned the Tree Board has
some new members.

8 **Councilmember Broderick** – Councilmember Broderick reported there is a pothole on
10 100 South 400 East that needs to be high on the list. He also reported he will be attending
the Hollow Water and Provo Bench Canal meeting on Saturday. He also attended a
12 Legislative Session and sat with Keven Stratton on the floor which was very interesting
and informative.

14 **Councilmember Powell** – Councilmember Powell reported she attended the Engineering
16 Coordination Meeting at Public Works. She also asked about having a Mayor Pro Tem
plaque to identify who is acting Mayor Pro Tem.

18 **Councilmember Lundberg** – Councilmember Lundberg reported she attended recent
20 leadership event. She also mentioned the initiative in the city to encourage citizens to
have an emergency 24 hr. kit. She noted there is a new pothole by the cemetery at 600
22 North on the corner.

24 **Councilmember Vanchiere** – Councilmember Vanchiere reported he attended the last
26 planning commission meeting where they had discussion on the height of the canopy
building going higher. A lot of residents were in attendance encouraging the commission
to not approve it. He noted the developer will be having a neighborhood meeting to
28 discuss some options.

30 **Mayor Acerson** – Mayor Acerson reported the buildout is going well with Utopia and
moving in a favorable direction.

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

Misc. Updates:

- 36 • March newsletter article: Van Broderick - Article due to Kathy Moosman by end
of February
- 38 • Legislative Update: HB 273, Val Peterson, Property rights ombudsman; punitive
damages
- 40 • UTOPIA Update. Op-Ex payback in 2022.
- 42 • Future meeting items: street lighting/dark sky presentation; R-2 overlay for
housing; review of fireworks restriction boundaries map; storm water master plan
& impact fee study updates.
- 44 • Travel/hotel reimbursement process
- 46 • Misc. Items

2 **Upcoming Meetings & Events:**

- 4 • Little Miss Lindon Pageant – Saturday, February 29th at 6:00pm at Oak Canyon Jr. High
- 6 • April 22nd - 24th – Utah League of Cities and Towns spring conference in St George

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

10

Adjourn –

12

14 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
AT 10:27 PM. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

16

Approved – March 2, 2020

18

20

Kathryn Moosman, City Recorder

22

24 _____
Jeff Acerson, Mayor