

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, February 6,**
4 **2018, 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: Adam Cowie, City Administrator
10 Invocation: Carolyn Lundberg, Councilmember

12 **PRESENT** **EXCUSED**

Jeff Acerson, Mayor
14 Matt Bean, Councilmember
Carolyn Lundberg, Councilmember
16 Van Broderick, Councilmember
Jacob Hoyt, Councilmember
18 Daril Magleby, Councilmember
Adam Cowie, City Administrator
20 Hugh Van Wagenen, Planning Director
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** –
 - 26 a) **Mayor/Council Comments** – There were no announcements at this time.
 - 28 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council
meeting of January 16, 2018 were reviewed.

30

COUNCILMEMBER MAGLEBY MOVED TO APPROVE THE MINUTES OF
32 THE REGULAR CITY COUNCIL MEETING OF JANUARY 16, 2018 AS
PRESENTED. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE
34 VOTE WAS RECORDED AS FOLLOWS:

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

40 THE MOTION CARRIED UNANIMOUSLY.

- 42 4. **Consent Agenda** – No items.
- 44 5. **Open Session for Public Comment** – Mayor Acerson called for any public
comment not listed as an agenda item. There were no public comments.

46 **CURRENT BUSINESS**

2 6. **Discussion Item — General Plan Survey Results.** Lindon City Planning &
4 Economic Development Director, Hugh Van Wagenen, will present the results of
6 a citywide survey on various aspects of the General Plan and long-term
8 visions/desires of city residents. The survey had approximately 360 respondents.
10 The General Plan is the guiding document for the City’s long-term goals and
12 future development. The General Plan is in process of a comprehensive update by
14 the Planning Commission and then will be forwarded to the City Council for final
16 review and approval.

12 Lindon City Planning & Economic Development Director, Hugh Van Wagenen,
14 was in attendance to present to the Council the results of a city-wide survey on various
16 aspects of the General Plan and the long-term visions and desires of city residents. He
18 noted the survey was put in the newsletter, city website, Facebook and paper copies
20 throughout the city. The survey was open for several months and had approximately 360
22 respondents.

18 Mr. Van Wagenen explained the General Plan is the guiding document for the
20 City’s long-term goals and future development. The General Plan is in process of a
22 comprehensive update by the Planning Commission and then will be forwarded to the
24 City Council for final review and approval. Director Van Wagenen then reviewed the
26 survey results and findings and lead the discussion on the General Plan update process
28 including Land Use, Transportation, Parks and Recreation and City Services. There was
30 then some general discussion regarding the survey items presented including “word
32 clouds”.

26 Mr. Van Wagenen noted they tried to get customer satisfaction and the
28 respondents seemed overall satisfied with the city and employees and staff and all
30 appeared to be on the same because regardless of location in the city (36-50 was the
32 largest age bracket). Following discussion, the Council agreed the survey appeared to
34 cover the issues at hand and is good information. They also agreed it was well written
36 and commended staff for their good work on the survey. Mr. Van Wagenen stated they
38 will continue to update the General Plan with the information gathered for further
40 discussion.

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

36 7. **Discussion Item — Land Use Approvals and Development Process Overview.**
38 Lindon City Planning & Economic Development Director, Hugh Van Wagenen,
40 will review general processes and fees involved in various land use applications
42 and development/construction steps necessary within Lindon City. This is an
44 informative discussion item only. No motions will be made.

42 Mr. Van Wagenen reviewed the general processes and fees involved in various
44 land use applications and development and construction steps necessary within Lindon
46 City. He referenced the development costs that may be applicable to a project or
48 coordinated through or paid to Lindon City including Land Use Application fee, Review
50 fees beyond those covered by Land Use Application fee and Water shares (Residential:
52 \$20,000/acre Non-residential: 10,000/acre) and other associated fees as follows:

- 2 **Utah County Recording Fees:**
- 4 ○ Plat: \$30 per sheet plus \$1 per lot; check made out to Utah County
 - Plat: \$25 to Lindon City
 - 6 ○ Storm Water Maintenance Agreement: \$26
 - Other documents (CCRS/Declarations, etc.): per County fee schedule

Construction Phase Services Fee:

- 8 ○ Per lineal foot of street frontage, partially improved: \$3.55
- Per lineal foot of street frontage, unimproved: \$7.10
- 10 ○ Per acre (site plans): \$1,200 + \$1,250/acre (max \$15,000)
- Per lineal foot of off-site infrastructure: \$2.37

12 **Street light installation fee:**

- Esplanade LED: \$9,000/each
- 14 ○ Washington LED: \$6,000/each
- Granville LED: \$5,500/each

16 **Building:**

- Application deposit: \$100/residential, \$300/commercial
- 18 ○ Permit fee (based on valuation of project): \$4,000 for \$300,000 home

Impact Fees (paid upon approval of building permit):

- 20 ○ Culinary Water: \$1,557.00/1 inch
- Sewer: \$1,086/ERU
- 22 ○ Storm Water: \$799/ERU
- Street (if applicable): based on trip generation by use
- 24 ○ Parks, Recreation, Trails:
- Single Family: \$4,500
- 26 ○ All other housing per unit: \$1,500

Fire:

- 28 ○ Residential Unit: \$152
- Non-residential (per 1000 SF floor space)
- 30 ○ Commercial: \$78
- Industrial: \$31

32 **Police:**

- Residential Unit: \$162
- 34 ○ Non-residential (per 1000 SF floor space)
- Commercial: \$84
- 36 ○ Industrial: \$41

Not coordinated through or paid to Lindon City:

- 38 ○ Engineering/Surveying/Architecture design of project
- 40 ○ Construction costs for site or subdivisions improvements including streets, curb, gutter, sidewalk, etc.
- 42 ○ Fees for utility services such as natural gas, electricity, telecommunications lines, etc.

44 Mr. Van Wagenen noted that this is not an exhaustive list and the prices are
subject to change. He pointed out this list is meant as an aid in projecting project costs
46 only and actual costs may vary. Financial guarantees that such improvements will be
constructed and warranted for one (1) year may be required prior to certain City

2 approvals such as plat recording, certificate of occupancy, acceptance of improvements,
4 etc. He also pointed out the Development Review Committee meets every Monday to
discuss with developers upcoming projects etc. noting this is a service provided by the
city at no charge.

6 Mr. Van Wagenen then reviewed the following flow charts followed by discussion:

- 8 ➤ *Land Development Process*
- *Land Development Process– Subdivision Approval Phase*
- 10 ➤ *Land Development Process– Property Line Adjustment Approval Phase*
- *Construction Phase*

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

- 16 8. **Review & Action — Air Quality Monitoring Stations.** The City Council will
18 consider whether to purchase and install a few air quality monitoring stations at
various locations in the City. The monitoring devices provide real-time air quality
20 data available on www.purpleair.com

22 Mr. Cowie gave some background of this agenda item noting Lindon City
received information from UTOPIA that they are able to install air quality monitoring
24 devices at their utility cabinet locations throughout Lindon. He explained that the devices
will connect to www.purpleair.com for real-time air quality measurements available to
the public. Many of these cabinets are located in parks, road shoulders, or next to other
26 utility boxes. UTOPIA indicated a cost of \$500 to have them purchase and install the
monitoring device with an additional \$7 per month recurring fee for internet service and
28 maintenance as needed.

30 Mr. Cowie pointed out that the devices can be purchased directly through the
purpleair website for a cost of \$229 each and could be installed by our own staff and
connected via WiFi at a few of the City buildings. He noted this is a cheaper option with
32 no recurring maintenance fee if only 2 or 3 monitoring devices are installed. He indicated
that one could be installed at the City Center, Community Center, and Public Works
34 buildings (which all have WiFi connection ability).

36 There was then some general discussion by the Council with them agreeing that
the monitors are not critical, but it would be nice to show that Lindon is participating and
concerned about air quality and there could be some positive aspects that may affect
38 public policy. They also agreed to watch and see how the monitors do to determine
continuation of the program in the future. They also agreed to have them dispersed
40 throughout the city; East, Center and West and perhaps on the Murdock Canal Trail and
the Animal Shelter.

42 Following some additional discussion regarding this proposal, the Council was in
agreement to purchase three air quality monitoring stations at of a cost of \$229 each to be
44 installed by staff with no recurring maintenance fee.

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

2 COUNCILMEMBER MAGLEBY MOVED TO APPROVE THE PURCHASE
AND INSTALLATION OF THREE AIR QUALITY MONITORING STATIONS NOT
4 TO EXCEED \$229 EACH AND TO BE INSTALLED AT VARIOUS LOCATIONS
WITHIN THE CITY LIMITS. COUNCILMEMBER BEAN SECONDED THE
6 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN AYE
8 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BRODERICK AYE
10 COUNCILMEMBER HOYT AYE
COUNCILMEMBER MAGLEBY AYE

12 THE MOTION CARRIED UNANIMOUSLY.

- 14 9. **Review & Action — Update to Employee Policy & Procedures Manual; Res.
#2018-5-R.** The City Council will consider Resolution #2018-5-R updating
16 various portions of the Lindon City Policies and Procedures Manual including
employee probationary time periods and merit increase, donation of sick leave
18 time to other employees, and updating the list of exempt positions to include the
City Engineer position.

20 Adam Cowie, City Administrator, explained tonight the City Council will
22 consider Resolution #2018-5-R for updating various portions of the Lindon City Policies
and Procedures Manual including employee probationary time periods and merit
24 increase, donation of sick leave time to other employees, and updating the list of exempt
positions to include the City Engineer position. He then referenced and clarified the
26 Resolution and proposed changes to the policy manual as follows:

28 **Lindon City Policies and Procedures Manual updates:**

5.23.4 Cost Sharing

30 In specific situations, and with Department Head approval, employees using a cell phone
in the course of their duties may use their personal cell phone on a personal account for
32 City business. In this case, the City will reimburse the employee \$10 per month to
compensate for cost associated with City business. **With Department Head approval,
34 some Employees may choose to use a cell phone issued and paid for by the City. It is
understood that personal calls, emails, text messages, etc. may occur on the City issued
36 phone and the City permits such personal use of the city issued cell phone. In this case,
the employee will pay \$10 per month through payroll deduction to compensate for the
38 City for the cost of personal use of the cell phone. If an employee is provided a City
issued cell phone and desires an upgraded or more expensive phone, the employee is
40 responsible to pay the cost difference between a base model phone, as determined by the
City, and the upgrade phone. The payment by the employee may be in the form of
42 upfront payment or withholding from regular paychecks. The phone remains the property
of Lindon City except as follows:**

- 44 1) **If the phone is no longer needed, or the employee leaves employment of the City,
and the phone has remaining trade-in or resale value the City will trade-in or sell
46 the phone and the employee will be repaid a proportional amount of the trade-in
or resale value based on the proportion of the original cost of the phone for which**

- 2 the employee paid; or
3 2) If the phone is no longer needed and determined to have no trade-in or resale
4 value, and if declared surplus property by the Department Head, it may be kept by
5 the employee.

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7 **5.7.1 Exempt Employees**

8 The following positions have been designated as being exempt positions based on FLSA
9 employment standards: City Administrator, Planning and Economic Development
10 Director, Finance Director, Chief Building Official, Chief of Police, Parks & Recreation
11 Director, Public Works Director, **City Engineer**, Justice Court Judge, and any other
12 established Department Head positions. Exempt employees are classified as
13 Administrative Staff as defined in FLSA Section 54. Administrative Staff are expected to
14 supervise their own activities, as well as the activities of those under their supervision.
15 Administrative Staff reports to the Governing Body through the City Administrator.
16 Administrative Staff is responsible to carry out established policies of the City and
17 decisions of the Governing Body as handed down through the City Administrator.
18 Exempt positions will be reviewed periodically to determine whether or not exempt status
19 should be withdrawn based on changes in duties and related factors. Where services are
20 obtained through contract or agreement with professional firms, such as attorney,
21 engineer, accountant, etc., the terms of such contract or agreement will apply.

22 -----
23 **Merit Increases**

24 **6.1.2(1)** A regular full time or regular part time employee may qualify for a merit (**step**)
25 increase effective January 1 each year, based on the following criteria:

- 26 a) After the annual performance evaluation employees, will be eligible for a full or
27 partial merit increase as approved by the City Council based on the following
28 Performance Evaluation criteria:
- 29 • Employees currently working in Step 1 through Step 5 on the pay scale will be
30 moved to the next step on the pay scale for an evaluation score of 6.0 average
31 or better.
 - 32 • Employees currently working between the Mid and High steps in their
33 respective pay range will be eligible to receive the full merit increase or a
34 partial merit increase at the percentage approved by the City Council based on
35 the Final Score and Merit Percent shown in Table 6.1 above.
- 36 b) **As listed in Section 6.1.10 ‘Salary Advancement’**, In the case of an exceptional
37 employee, after full written justification and review, he or she may be moved to a
38 higher step **within the same pay range** upon Department Head recommendation
39 and Personnel Director approval; and
- 40 c) For employees **hired prior to February 6, 2018 and who are** completing the
41 probationary period, if the evaluation at the end of the probationary period shows
42 6.0 performance score or better, an employee may be granted a step increase.
43 **Employees hired after February 6, 2018 are eligible for a step increase on January**
44 **1st after completion of their probationary period.**
- 45 d) Performance Evaluation Forms are found in Appendix A. **An employee may not**
46 **receive a merit/step increase while on probation.**
2. **Performance Evaluation Report forms with evaluation criteria are found in**

2 **Appendix A.**

4 **6.1.10 Salary Advancement**

6 Increases **within the same pay range** based on the meritorious or superior performance of
8 job duties as indicated by a performance evaluation are available upon recommendation
10 of the **Department Head and Personnel Director**. A “Salary Advancement” is separate
12 from a “Merit Increase.” Salary advancements are available only within the current pay
14 range identified for the position in the Salary Scale. **Advancement above an existing pay
16 range is considered a job pay reclassification and can only be approved by the City
18 Council after recommendation by the Personnel Director.**

20 **6.2.3 Reclassification**

- 22 1. If the duties and responsibilities of a position change significantly, the
24 Department Head should submit a written request for reclassification to the
26 Personnel Director. The Personnel Director will perform an analysis of the
28 position and make a final recommendation for or against reclassification, **with
30 final approval made by the City Council.**
- 32 2. If circumstances arise requiring removal of a position from the Staffing Plan, job
34 security shall be attempted by:
36 a. Returning the employee to a previous position, if possible;
38 b. Promoting the employee based on merit and qualification, if reasonable;
40 c. Transferring the employee to another department to fill a position for which the
42 employee is qualified or may become qualified, if possible; or
44 d. Terminating the employee if none of the above alternatives is feasible.
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46 **6.8.8 Donation of Sick Leave**

48 Employees may donate accrued sick leave to another employee. **Requests for donation of
50 sick leave should be made only in extraordinary circumstances, such as an extended
52 illness or serious injury of an employee or an immediate family member of an employee
54 covered under the sick leave policy.** The employee requesting donation of sick leave from
56 other employees should initiate the request by submitting the Sick Leave Donation
58 Request Form, found in Appendix A, to the City Administrator. The City Administrator
60 will disseminate the request to employees through Department Heads. Any employee
62 who wishes to donate sick leave to the employee making the request will fill out the
64 donor portion of the request form and return it to the Department Head. **All donations of
66 sick leave will be kept confidential.** Requests for donation of sick leave should be made
68 only in extraordinary circumstances, such as an extended illness or serious injury of an
70 employee or an immediate family member of an employee covered under the sick leave
72 policy. Donated sick leave will be available only after the employee has exhausted all
74 other paid leave, including sick leave, vacation leave and compensatory time off. All
76 donations of sick leave will be kept confidential.

78 **Use of donated sick leave is subject to the following:**

- 80 1. **Donated sick leave will be available only after the employee has exhausted all
82 other paid leave including sick leave, vacation leave and compensatory time off.**
- 84 2. **FMLA time starts automatically after three days of donated sick leave use and
86 runs concurrently with use of donated sick leave time.**

- 2 3. Use of donated sick leave may not exceed 90-days in any 12-month consecutive
- 4 4. An employee may only request donated sick leave once in any 12-month
- 6 consecutive period.

7.4 RANDOM TESTING

8 All employees shall be subject to random drug and alcohol testing. In accordance with
10 federal regulations addition, employees who are required to possess a commercial
12 driver’s license (CDL) shall be subject to random drug and alcohol testing in accordance
14 with federal regulations. Testing dates shall be unpredictable and shall be spread
16 reasonably throughout the year. Fifty (50) percent of employees in this CDL pool shall be
18 tested annually for drugs and twenty-five (25) percent annually for alcohol. The selection
20 process for random testing shall be based on a scientifically valid method (i.e. a computer
22 based random number selection system.) Employees participating in a random drug and
alcohol test shall be required to sign a consent and medical release authorization form
before being tested. For employees under 18 years of age, the consent and medical
release form shall be signed by the employee’s parent or legal guardian. If the results of
the drug or alcohol test are positive, the employee shall be subject to disciplinary action,
up to and including termination, pursuant to this policy and the City’s personnel policies
and procedures. Mr. Cowie noted this is basically a housekeeping item to update various
portions of the policies and procedures manual.

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

26 COUNCILMEMBER HOYT MOVED TO APPROVE RESOLUTION 2018-5-R
28 BASED ON THE UPDATED VERSION PRESENTED, UPDATING THE LINDON
CITY POLICIES AND PROCEDURES MANUAL. COUNCILMEMBER
LUNDBERG SECONDED THE MOTION. THE VOTE WAS RECORDED AS
30 FOLLOWS:

32 COUNCILMEMBER BEAN	AYE
COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER HOYT	AYE
COUNCILMEMBER MAGLEBY	AYE

36 THE MOTION CARRIED UNANIMOUSLY.

38 **14. COUNCIL REPORTS:**

40 **Councilmember Hoyt** – Councilmember Hoyt reported he will be meeting with the
42 Community Center Advisory Board tomorrow. He noted two members of the Board have
44 given their notice and will not continue on with the Board, so if the Council has any
46 suggestions for members to let him know. He also met with the Historic Preservation
Commission and they are doing the Yard of the Month program again. He questioned if
there is anything the city can give the recipients for winning yard of the month, i.e., pool
pass, utility credit etc. The program will start in May and run 4 or 5 months. The Council
agreed a punch pool punch pass would be a good idea. They also suggested that they

2 implement the yard of the month for businesses also. Councilmember Magleby suggested
4 a gift certificate to a restaurant would be a nice gesture to the recipients also.

6 **Councilmember Broderick** – Councilmember Broderick reported he had the
8 opportunity to hear some good reports about some public works employees who are
10 doing a great job. He also stated Brad Jorgensen has had some great reviews also. He
12 also reported he attended the North Union Canal shareholders meeting and they are in
14 good shape financially; it was a good meeting with good cooperation.

16 **Councilmember Bean** – Councilmember Bean reported Bob Wily has officially tendered
18 his resignation from the Planning Commission. He encouraged the Council to give some
20 thought to who would be willing to serve. The Council agreed it would be beneficial to
22 advertise the position and to balance the representation in the city and to perhaps have a
24 councilmember interview the applicant.

26 **Councilmember Lundberg** – Councilmember Lundberg reported she attended the Tree
28 Board meeting noting the Board is looking to plan the next Arbor Day Celebration. She
30 noted there are great people with great skills and background on the Board. She also
32 attended the recent Ivory Development open house along with Mr. Cowie. She also
34 reported she attended the Silicone Slope Summit in SLC. She noted there is a lot going
36 on in the state right now with the tech sector on the Wasatch front.

38 **Councilmember Magleby**– Councilmember Magleby reported he will be attending the
40 North Pointe Solid Waste Special Services District training in March. He also reported
42 the first Lindon Days meeting will be held on February 28th. He asked the Council if they
44 have any input on Lindon Days prior to the meeting would be helpful.

46 **Mayor Acerson** – Mayor Acerson reported he attended the Masonry Honor awards
which is an event where the city was honored with a plaque of the Public Safety
Building. He also reported that MAG has had a big turnover with new Mayors; the new
Chair is the Payson Mayor and the new Vice Chair is the Saratoga Springs Mayor. He
noted there are a lot of people running for the vacant County Commissioner Chair. He
also mentioned the league meetings are coming up in April in St. George.

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

Misc. Updates:

- February newsletter
- March newsletter article: Matt Bean - Article due to Kathy Moosman last week in February
- Recycling pick up week will be switched starting April 6th. So, recycling will get picked up on March 30th then again the next week on April 6th and then every other week going forward from that April 6th date.
- Republic Services submitted garbage / recycling rate increase & contract extension proposal to be reviewed at next Council meeting.

- 2 • Misc. Items

4 **Upcoming Meetings & Events:**

- 6 • January 29th through March 8th – Utah Legislature updates.
- 6 • February 8th at 6:00 pm – Budget Kickoff Meeting with Council and Department Heads
- 8 • February 19th – offices closed for Presidents Day
- 10 • April 6th-14th Spring Clean-up – (dumpsters available throughout City)
- 10 • April 25th -27th – ULCT Spring Conference in St. George

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

18 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
18 AT 9:20 PM. COUNCILMEMBER MAGLEBY SECONDED THE MOTION. ALL
20 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

20

Approved – February 20, 2018

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Kathryn Moosman, City Recorder

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Jeff Acerson, Mayor

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