

2 The Lindon City Council held a special meeting on **Monday, March 15, 2021, at 5:15**
4 **pm** in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon,
Utah.

6 **REGULAR SESSION – 5:15 P.M.**

8 Conducting: Jeff Acerson, Mayor
Invocation: Jeff Acerson
10 Pledge of Allegiance: Chief Mike Bower

12 **PRESENT** **EXCUSED**

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

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1. **Call to Order/Roll Call** – The meeting was called to order at 5:15 p.m.

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2. **Approval of Minutes** – The minutes of the regular City Council meeting of
26 March 1, 2021 were reviewed.

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28 COUNCILMEMBER VANCHIERE MOVED TO APPROVE THE MINUTES
OF THE REGULAR CITY COUNCIL MEETING OF MARCH 1, 2021 AS
30 PRESENTED. COUNCILMEMBER POWELL SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

32 COUNCILMEMBER LUNDBERG AYE

COUNCILMEMBER BRODERICK AYE

34 COUNCILMEMBER HOYT AYE

COUNCILMEMBER POWELL AYE

36 COUNCILMEMBER VANCHIERE AYE

THE MOTION CARRIED UNANIMOUSLY.

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3. **COUNCIL REPORTS:**

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Councilmember Broderick – Councilmember Broderick reported he will be going on a
42 walk thru tomorrow at the Central Utah Water Conservancy District with Councilmember
Powell and Juan Gariddo. He also inquired what the process is when trees and shrubbery
44 are close to blocking visual views in regards to safety issues. Juan Gariddo, Public
Works Director, reported they will follow up with homeowner and provide resources.
46 Mr. Cowie noted sometimes the summer help will trim trees with the permission from
property owners.

2 **Councilmember Vanchiere** – Councilmember Vanchiere reported a dissatisfied resident
4 reached out to him about an issue with a rooster that crows at all hours. He then read
6 portions of the animal ordinance and asked staff if there is there anything that can be
8 done to encourage the rooster owner to mitigate the issue. Mr. Cowie said a courtesy
10 letter can be sent including a copy of the noise ordinance. He noted the planning
12 department would handle this type of issue and can follow up. Councilmember
14 Vanchiere also reported he spoke with Mr. Cowie about speed bumps located at 910 East
16 and 140 North where a lot of residents aren't in favor of them. He also asked what the
18 history is of those speed bumps. Mr. Cowie stated the speed bumps came in as a citizen-
20 initiated traffic calming issue. JUB Engineers did a traffic study and they determined they
were warranted (which was over 20 years ago). Mr. Cowie stated he would have to do
some further research on this issue as this is the only complaint he has heard.
Councilmember Vanchiere stated he also spoke with Heath Bateman about the sign at the
horse park on 12th East that is looking pretty weathered; they have put metal letters on it
and it is in the works. He also asked where the new Pickle ball courts will be located. Mr.
Cowie stated there are 2 under construction right now at Pheasant Brook Park and there
are 2 new ones Creekside Park that are recently finished with 4 in Hollow Park and some
future courts are on the parks master plan.

22 **Councilmember Hoyt** – Councilmember Hoyt reported Friday April 30th is the Arbor
24 Day celebration. He also noted the registration has come and gone for soccer noting it is
26 a very well-run program and he gave kudos to the Parks and Recreation Department for
28 running such a great program. He also reported that Gene “the Iron Cowboy” Lawrence,
who is a Lindon resident, is trying to break the Guinness world record for the Iron Man
Triathlon. He has been using the Aquatics Center and the Murdock Trail to train. He also
reported the Senior Center is celebrating its One-year anniversary of serving lunch
outside tomorrow from 11-noon with games, music and fun.

30 **Councilmember Powell** – Councilmember Powell reported she attended the recent
32 engineering coordination meeting at public works along with Mayor Acerson. She also
34 reported she will be attending a field trip tomorrow with Councilmember Broderick and
36 the Public Works Director to tour the facilities at the Central Utah Water Conservancy
District to learn how things work in regards to water. She also reported the Easter Egg
Hunt is cancelled due to covid, but the Little Miss Lindon Royalty has pre-packaged
boxes of easter eggs for residents to pick up and will be offered through the Parks and
Recreation Department who has done a great job with this event.

38 **Councilmember Lundberg** – Councilmember Lundberg had nothing to report at this
40 time.

42 **Mayor Acerson** – Mayor Acerson gave an update on Utopia and the operating expenses.
44 He noted Utopia is doing quite well with the original cities that entered into the
agreement. He pointed out that all cities will be built out by next year.

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

2 **Misc. Updates:**

- Next regular council meetings: March 15th & April 5th
- Spring clean-up (dumpsters) April 10th-20th
- April 2021 newsletter assignment (due last week of March): Kristen Colson
- Mr. Cowie gave an update on the new LDS Temple/site plan
- Misc. Items

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10 **5. Presentations and Announcements:**

- a) Comments/Announcements from Mayor and Council members.

12 **7. Open Session for Public Comment** – Mayor Acerson called for any public
comment not listed as an agenda item.

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16 Jared and Sara Allred addressed the council at this time. They mentioned some
safety issues at 400 North by the bridge on the Murdock Canal Trail. They stated they are
18 surprised that there have not been more serious accidents at this location as they have
heard and have seen some tragic near misses; they feel it is the bikers not the cars that are
20 more reckless. The flashing light helps but they are surprised at how many people don't
check the mirror. They would like to put before the council that there are some safety
concerns with the crossing of bikes at this location.

22 Mr. Cowie said this is unique as Utah County has offered surface improvements
on the trail adding the city has similar concerns. He pointed out that the city added the
24 flashing stop signs, mirrors and the lines that have been initiated by the city to get some
resolution there. They also petitioned the county to put offset gates to get the cyclists to
26 slow down but that was rejected. He pointed out the other aspect is that the aqueduct
workers drive it once a day so they have received pushback. Mr. Cowie said he will talk
28 to the Chief of Police for enforcement action and educational opportunities and other
options.

30 Mr. Allred expressed that another concern is that this seems to be a convenient
spot to upload and off load to start on the trail. He questioned if perhaps a sign could be
32 put in that tells the patrons to use the trailhead; this is also a safety issue. Mr. Allred
mentioned another challenge is with people parking along the street and by their
34 driveway and it is hard to see oncoming traffic when pulling out and makes it difficult.
He asked about possibly painting a red strip on the driveway in order to make it more
36 visible.

38 Following some general discussion Mayor Acerson stated council and staff will
take these comments under consideration and research this issue further. He also thanked
them for bringing their concerns and comments to the council.

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42 **7. Consent Agenda Items** – The following consent agenda items were presented for
approval.

- a) Surplus equipment: Resolution #2021-5-R

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

2 COUNCILMEMBER HOYT MOVED TO APPROVE THE CONSENT
AGENDA ITEM AS PRESENTED. COUNCILMEMBER BRODERICK SECONDED
4 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE
6 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
8 COUNCILMEMBER POWELL AYE
COUNCILMEMBER VANCHIERE AYE

10 THE MOTION CARRIED UNANIMOUSLY.

12 **CURRENT BUSINESS**

14 **8. Review & Action — Award & approve 2021 crack sealing project.** The City
Council will review and consider approval of the 2021 crack sealing project to
16 M&M Asphalt for \$101,500.

18 Adam Cowie, City Administrator, explained the bids for this project were
tabulated and opened on Tuesday, March 2, 2021 for the 2021 Crack Repair Project. He
20 explained that the work on this project includes asphalt crack filling and sealing work at
multiple locations throughout Lindon. He noted crack routing is also included in the
22 contract at locations to be identified by the City Engineer. This contract also includes
2021 crack repair work, as well as an option to extend the contract for up to 2 additional
24 years. He noted extension of the contract will be at the discretion of the City and is
contingent on the contractor holding bid prices, or the City and contractor negotiating
26 adjustments based on documented changes in labor or material costs.

Mr. Cowie indicated there were seven bidders that submitted bids. M&M Asphalt
28 is the low bidder with a total bid price of \$101,500.00. He noted Gary Taylor has worked
with M&M Asphalt and considers them to be a responsible and reputable contractor. He
30 added staff believes awarding the contract to them to be in the best interests of the City.
He stated staff recommends awarding the project to M&M Asphalt. The probable
32 construction cost for the project is \$115,000.00 and their bid is \$13,500.00 (12%) lower
than the opinion. He noted the average bid was \$111,668.57, or \$3331.43 (3%) lower
34 than the opinion and the median bid was \$112,250, or \$2,750.00 (2% lower than the
opinion. He then referenced the notice of award.

36 Following some general discussion, the Council was in agreement to approve the
2021 crack sealing project as presented.

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

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42 COUNCILMEMBER POWELL MOVED TO APPROVE THE 2021 CRACK
SEALING PROJECT AS PRESENTED. COUNCILMEMBER HOYT SECONDED
THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

44 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BRODERICK AYE
46 COUNCILMEMBER HOYT AYE
COUNCILMEMBER POWELL AYE

2 COUNCILMEMBER VANCHIERE AYE
THE MOTION CARRIED UNANIMOUSLY.

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6 **9. Review & Action** — Utah County elections agreement / contract. The City
Council will review and consider approval of the 2021 Utah County elections
agreement/contract.

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10 Mr. Cowie explained we had a brief discussion at the last meeting on ranked
choice voting and the council opted not to pursue that option. He then explained the city
has contracted with the Utah County Elections office in the past for that process and they
12 administer the election process minus a few administrative items. He then referenced the
agreement including the election costs. He noted if there is not a primary election that
14 number would be cut in half.

16 Councilmember Powell asked for clarification on the “consolidation election”
clause in the agreement. She is concerned because it is so ambiguous and we don’t know
the clear definition and the language is not specific. City Attorney, Brian Haws stated he
18 is not familiar with that clause and will have to look into that.

20 Mr. Haws stated he believes it means that you can’t demand different processes
for your own city’s election other than what they do for all the other cities, and that the
county chooses the process that works best for the most cities. He also pointed out this is
22 basically the same agreement that has been used for that last two municipal elections. Mr.
Haws added the County procedures are dictated by statute and confined in those
24 parameters and they are the final administrator on these elections.

26 Mr. Cowie pointed out they do an election every year and is not anything new for
them. Mr. Haws stated this doesn’t raise a lot of concern for him but can appear open but
when taken into consideration the statutory parameters he feels we will not be too
28 exposed. Councilmember Powell stated she hoped the county would have been clearer on
the language and she does not want to be on board with something she doesn’t fully
30 understand. Mr. Haws stated he will follow up with the county attorney on this issue.

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

34 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE UTAH
COUNTY ELECTIONS AGREEMENT/CONTRACT AS PRESENTED.
36 COUNCILMEMBER VANCHIERE SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

38 COUNCILMEMBER LUNDBERG AYE

COUNCILMEMBER BRODERICK AYE

40 COUNCILMEMBER HOYT AYE

COUNCILMEMBER POWELL NAY

42 COUNCILMEMBER VANCHIERE AYE

THE MOTION CARRIED UNANIMOUSLY.

44

46 *Councilmember Powell stated the reason for her nay vote is because she feels the
paragraph in question needs more clarification.*

2 **10. Presentation & Discussion — Service Line Warranties of America.** The City
4 Council will hear a presentation for discussion from the Service Line Warranties
 of America.

6 Mr. Cowie explained the utility laterals between a building and the public utility
8 mains in a street are typically NOT covered by regular property insurance. If a lateral is
 broken or needs replacement it can be costly and shocking for residents to find that it's
10 not usually covered by insurance. He noted State law requires the City to notify property
 owners of this issue annually which we do in our newsletter and occasionally through
 social media.

12 Mr. Cowie indicated the Lindon Public Works Department has met with Service
14 Line Warranties of America (SLWA) to consider their utility lateral insurance services
 for residents and would like the Council to consider opting into this program. He went on
16 to say that participation with SLWA will enable the City to meet its obligation of annual
 notice to residents regarding their utility lateral services being their own responsibility
 (not the City's).

18 Mr. Cowie pointed out that the City is not interested in receiving royalties off the
20 insurance premiums and hopes these costs reductions will be passed onto the
 homeowners purchasing the insurance. He noted if the Council is interested in
22 participating in this program then they will bring the item on a future agenda back for
 formal action. He then turned the time over to Dennis Lyon to give his presentation
 including the following bullet points:

- 24 • EPA estimates that cities will spend heavily on infrastructure over the next
 20 years
- 26 • Aging Infrastructure Is Problematic for Cities and Homeowners
- 28 • Homeowners Are Unprepared for Emergencies and Expect Solutions from
 the City/Utility
- 30 • NLC Service Line Warranty Program Benefits
- Water Line Coverage
- 32 • Sewer Lateral Coverage
- In-Home Plumbing Coverage
- 34 • Optional Revenue Sharing
- Solutions for Municipalities and Homeowners

36 Following the presentation and some general discussion Mr. Cowie asked the
38 council if there is an interest to explore this issue further. The majority of the Council
 agreed additional information regarding this program may be beneficial as to provide
40 more education to the residents and to give annual notice to residents regarding their
 utility lateral services being their own responsibility and not the City's. Mayor Acerson
 pointed out the Utah League of Cities and Towns supports this program.

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

46 **Adjourn** –

2 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
AT 7:10 PM. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
4 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

6 Approved – April 5, 2021

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Kathryn Moosman, City Recorder

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Jeff Acerson, Mayor