

2 The Lindon City Council held a regularly scheduled *electronic meeting* on **Monday,**
4 **April 13, 2020, at 5:15 pm** in the Lindon City Center, City Council Chambers, 100
North State Street, Lindon, Utah.

6 **REGULAR SESSION – 5:15 P.M.**

Conducting: Jeff Acerson, Mayor
8 Invocation: Mike Vanchiere

10 **PRESENT** **EXCUSED**

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

- 22 1. **Call to Order/Roll Call** – The meeting was called to order at 5:15 p.m.
24 2. **Approval of Minutes** – The minutes of the regular meeting of the City Council
26 meeting of March 16, 2020 were reviewed.

COUNCILMEMBER LUNDBERG MOVED TO APPROVE THE MINUTES
28 OF THE REGULAR CITY COUNCIL MEETING OF MARCH 16, 2020 AS
PRESENTED. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE
30 VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE
32 COUNCILMEMBER HOYT AYE
COUNCILMEMBER BRODERICK AYE
34 COUNCILMEMBER VANCHIERE AYE
COUNCILMEMBER POWELL AYE
36 THE MOTION CARRIED UNANIMOUSLY.

38 **3. COUNCIL REPORTS:**

40 **Councilmember Hoyt** – Councilmember Hoyt reported the Tree Advisory Board has a
42 few new members on the Board. He also reported the Parks and Recreation Department
has postponed several activities due to the pandemic.

44 **Councilmember Vanchiere** – Councilmember Vanchiere reported he had the
46 opportunity to visit the Bayview Landfill for a personal tour with Roger Harper on Friday
They also visited the Fairfield Construction and Demolition Landfill which was very

2 informative. He noted there are 650 acres out in Elberta and they estimate it will fill up in
4 100 years. He added it is very technical how they line a landfill noting the construction
6 and demolition landfills are very profitable. The advantages for Lindon and the North
8 Pointe Solid Waste landfill is the close proximity for residents and the good location. He
pointed out we pay \$30.50 tipping fee per ton (which is down from \$32.50). He also
reported we will be doing more green waste processing. He has also been working with
Mike Florence, Planning Director, on some different issues in the planning department.

10 **Mayor Acerson** – Mayor Acerson reported the ULCT held an electronic conference this
12 afternoon where Cameron Diehl shared the care funds from the feds that will be used for
14 cities. He noted there has to be 500,000 people to qualify and only three qualify. There
16 have also been discussions with the league and the governor regarding the 4th round of
18 funding of monies allocated to the smaller cities where the state should take the lead.
Mayor Acerson also noted we need to keep good accounting from March 1st on
qualifying expenditures during this pandemic. He asked Mr. Cowie if we have
completed the survey from the league. Mr. Cowie confirmed the survey has been
completed.

20 **Councilmember Broderick** – Councilmember Broderick reported on April 23rd he will
22 be attending the Provo River Water Users Association meeting. He mentioned the
24 bylaws (written proxy) are only good for 11 months. Mr. Cowie stated he will send the
26 notice. He also reported he and Councilmember Powell talked about projects for the
stormwater system noting we need to begin early and look at the associated costs. He
understands we will be having discussion on priorities and funding in regards to storm
water fees noting it may need to be bumped up a little.

28 **Councilmember Lundberg** – Councilmember Lundberg reported the Lindon/Pleasant
30 Grove Chamber of Commerce President and association are busy right now during the
32 pandemic with providing loan information on how to navigate to access funds through
34 electronic meetings. She noted the Chamber magazine is going forward and has been
36 successful in other cities (there is no charge for the magazine); this will give them a boost
38 to get things going. They are also putting a free ad regarding Lindon Days in the
40 magazine. They have social media where any business can put themselves on their
42 Facebook page where they encourage to buy local. She also reported she watched the
44 ULCT webinar townhall today where Juliet Tenor talked about interesting data points
which will be on the ULCT page. The takeaways from the webinar are that Utah has the
most diverse economy in the country and the Utah unemployment rate is 5% of the
population. She also mentioned local resident Jason Brown contacted her about the
intersection of Locust and 400 North and asked if the city would consider a traffic
calming measure at that location (flashing sign or 4 way stop). She noted Mr. Brown
indicated he will even donate and contribute to help out. Mr. Cowie stated he will ask the
city engineer to evaluate this issue.

46 **Councilmember Powell** – Councilmember Powell mentioned Brad Jorgenson, Public
Works Director has given his notice and will be leaving on Friday. She noted Brad has

2 been great to work with and he has gotten everything up to speed. There is a large
4 applicant pool for the vacant position and the application period ends April 22nd. She
6 mentioned she has been fielding calls of concerns regarding the secondary water not
8 being on yet. She asked if this is a typical delay. Mr. Cowie said this is the standard and
10 typical for the last 2 or 3 years (3rd week in April). He noted April 15th is the soonest but
12 it is common for the 3rd week of April. It is under the control of the Provo River Water
Users Commissioner and we don't have control over when the water is delivered. She
also mentioned her concerns along the north union canal and it is her hope that we stay
away from weeds and she would like to have more dialogue before putting the native
grass in.

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

16 **Misc. Updates:**

- 18 • May newsletter article: Phil Brown - Article due to Kathy Moosman by end of
March
 - 20 ○ COVID-19 updates:
 - 22 ○ Some confirmed cases do exist within Lindon City.
 - 24 ○ As of 4/7/2020 one employee has been instructed by health officials to
quarantine 14-days due to close contact with confirmed case. Two others
26 tested; one negative, one pending.
 - 28 ○ Employee efforts to stay healthy: work staggering, disinfecting facilities &
equipment, social distancing, working from home, avoiding close contact as
able.
 - 30 ○ All City facilities closed to walk-in traffic. Remote / electronic & phone help
going well.
- 32 • Some forced changes have made for better efficiency (zoom meetings, more
digital invoices / less paper, saved fuel, etc.)
 - 34 ○ Parks are open for use but with closed playgrounds, pavilions, and pickleball /
tennis courts.
 - 36 ○ Nets on courts had to be removed due to gates being forced open when locked
 - 38 ○ More PPE's for public safety on order. Some masks obtained by PD provided
to Public Works.
 - 40 ○ Emergency Planning Coordinator & PD Chief communicating with State and
County Emergency Management daily.
- 42 • Tracking direct expenses for potential reimbursement; also tracking indirect
expenses (although not eligible for reimbursement)
- 44 • In regular contact with group homes & senior living facilities
 - 46 ○ Senior Center offering curbside lunch pick up to about 30 people; 3-days per
week
 - Soccer pushed to May 16th through June 20th (pending if State/County lifts
social distancing)
 - All recreation and community programs canceled during month of April
 - 4 crossing guards, 3 community/senior center employees paid through first

2 two-weeks of crisis. Then, after discussing with Mayor and not having work
4 for them to do, furloughed until further notice. All others still working regular
hours.

- 6 ○ Community and business help links continuing to be sent out by email,
Everbridge, and social media
- 8 ● Lots of seasonal job openings (we are continuing to interview for positions in
hopes the Aquatics Center opens this season); 1 new PD officer and 2 water
operators hired; 2 Sewer Operator openings; PW Director opening.
- 10 ● FYI - Road Maintenance projects in process. Anticipated Council bid approval in
May.
- 12 ● Misc. Items

14 **Upcoming Meetings & Events:**

- 16 ● Spring Clean-up dumpsters: April 10th – 20th. Dump passes are being mailed to
residents who call and request them.
- 18 ● CANCELED: April 22nd-24th – Utah League of Cities and Towns spring
conference in St George
- 20 ● May 4th City Council meeting – likely electronic only
- 22 ● May 18th City Council meeting. Little Miss Lindon Royalty and Employee of the
Quarter, Josh Edwards, to be recognized.

24 **5. Presentations and Announcements:**

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

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

30 **7. Consent Agenda Items** – The following consent agenda item was presented for
approval.

- 32 a) Telecommunications Franchise Agreement with Zayo Group, LLC
permitting infrastructure in right-of-way

34 COUNCILMEMBER VANCHIERE MOVED TO APPROVE THE CONSENT
36 AGENDA ITEM AS PRESENTED. COUNCILMEMBER LUNDBERG SECONDED
THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

42 THE MOTION CARRIED UNANIMOUSLY.

44 **CURRENT BUSINESS**

46 **8. Continued Public Hearing — Nuisance Ordinance updates, Ordinance**

2 #2020-4-O. The City Council will review and consider Ordinance #2020-4-O
4 updating Lindon City Code Chapter 8.20, Public Nuisances. This item was
continued from the March 16, 2020 meeting.

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

10 Adam Cowie, City Administrator, stated Brian Haws, City Attorney, will lead this
12 agenda item. Mr. Haws explained since the last discussion they added one paragraph to
the ordinance as discussed. This would allow the Council to have more input when more
14 serious actions are being taken or if they are planning to file criminal charges. Mr. Haws
stated it is their hope that this addresses the concerns on more serious abatement actions.
He then went over the ordinance and identified the new additions and language followed
16 by some general discussion.

18 Following discussion, the Council was in agreement they are in favor of the
changes and agreed to approve the ordinance amendment as presented.

20 Mayor Acerson called for any public comments at this time. Hearing none he
called for a motion to close the public hearing.

22 COUNCILMEMBER POWELL MOVED TO CLOSE THE PUBLIC HEARING.
24 COUNCILMEMBER VANCHIERE SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

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

28 COUNCILMEMBER HOYT MOVED TO APPROVE ORDINANCE
30 AMENDMENT #2020-4-O UPDATING LINDON CITY CODE CHAPTER 8.20
PUBLIC NUISANCES AS PRESENTED. COUNCILMEMBER POWELL
32 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER LUNDBERG AYE
34 COUNCILMEMBER HOYT AYE
COUNCILMEMBER BRODERICK AYE
36 COUNCILMEMBER VANCHIERE AYE
COUNCILMEMBER POWELL AYE
38 THE MOTION CARRIED UNANIMOUSLY.

40 **9. Public Hearing — FY2021 Tentative Budget Adoption, FY2020 Budget &**
Fee Schedule Amendment, Resolution #2020-8-R. The City Council will
42 review and consider Resolution #2020-8-Ramending the FY2020 budget and fee
schedule and adopting the FY2021 Tentative Budget for Lindon City. Lindon City
44 Finance Director, Kristen Colson, will present the budget amendments and
Tentative Budget for consideration. The City will hold additional public meetings
46 to review the budget on May 4, 2020 and May 18, 2020. The City will hold a

2 public hearing to adopt the FY2021 Proposed Budget on May 18, 2020 and a
4 public hearing to amend the FY2020 budget and adopt the FY2021 Final Budget
on June 15, 2020.

6 COUNCILMEMBER LUNDBERG MOVED TO OPEN THE PUBLIC
HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL
8 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

10 Mr. Cowie led this discussion item by stating Kristen Colson, Finance Director is
in attendance to present the actual costs associated with current projects and
12 revenue/expenditure line items updated based on new information and data obtained
since the budget was adopted in June of 2019. He noted a public notice of the budget
14 amendment has been advertised of the public hearing held on March 16, 2020 regarding
the proposed amendments.

16 Kristen Colson addressed the council at this time. Ms. Colson stated at this time
we don't have any idea how the city will be impacted in regards to the corona virus
18 pandemic as it continues to change. She noted the League of Cities and Towns
recommends being conservative on the budget, and to be aware that there will be budget
20 amendments because it won't be until July that we see the impact the pandemic has had.
She noted when we see recovery happening, we can do budget amendments to make
22 further expenditure cuts when looking at the budget process. As things are progressing
and when we do have expenditures, we will look at the timing and see what impact the
24 economy is having on the city.

Ms. Colson indicated we do have good sales tax generators with Walmart and
26 Home Depot and three car dealerships, but they are more impacted. However, we
generate more sales tax per capita than a lot of cities, but half is distributed based on
28 population so we don't get all of it back. Ms. Colson commented she doesn't know how
we are going to be affected with sales tax decreasing state wide and we may even get
30 less, but right now the city has reserves.

Mr. Cowie stated the department heads have already submitted budgets and they
32 were asked to reduce them by 5% and an additional 5% (10 % across the board for all
departments) noting if we need to reduce further those are already done. The Parks and
34 Recreation Department has the largest non-enterprise next to the Public safety
Department (15% level for Parks & Recreation). They have meetings set up to work with
36 the departments on paring things back to make it work, because there is a pretty big
unknown on sales tax at this time.

38 Mayor Acerson pointed out from an administrative point of view, that we don't
know where sales tax will be and the overarching principle would be to keep in mind that
40 we make sure that we don't have to let employees go and focus on that as we think these
things through. Following some discussion, the Council was in agreement that is the goal.

42 Ms. Colson then spoke on sales tax concerning the parc and transit tax noting
these taxes are not charged on groceries so there may be a decrease in those. Also, the
44 road fund allotment will decrease with people staying home and not driving as much. She
then called for any questions from the council.

2 Following some general discussion, the Council expressed their appreciation for
the great work on the budget noting the chart provided is very beneficial. They also
4 expressed their appreciation to the department heads for their efforts to get through this
period not knowing what the end result will be.

6 Mr. Cowie spoke on the ending balances and changes in the chart noting the
general fund ending balance is what he is focused on the most as to make sure to have
8 something in reserves if the recession is longer than 12 months. He noted the Tentative
Budget is like a rough-draft of the budget and, in this rapidly changing economy, may
10 have significant alterations before the final budget adoption in June. Additional changes
will certainly be forthcoming. They will carefully monitor economic conditions to
12 forecast a reasonable budget prior to adoption.

14 Ms. Colson then went over the budget amendment and fee schedule items
followed by some additional discussion.

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

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

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

24 COUNCILMEMBER POWELL MOVED TO APPROVE RESOLUTION #2020-
26 8-R ADOPTING THE FY2021 TENTATIVE BUDGET AND THE FY2020 BUDGET
& FEE SCHEDULE AMENDMENT AS PRESENTED. COUNCILMEMBER
28 VANCHIERE SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

30 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
32 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER VANCHIERE AYE
34 COUNCILMEMBER POWELL AYE
THE MOTION CARRIED UNANIMOUSLY.

36
38 **10. Recess to Lindon City Redevelopment Agency Meeting (RDA).**

40 COUNCILMEMBER BRODERICK MOVED TO RECESS THE MEETING OF
THE LINDON CITY COUNCIL AND CONVENE THE MEETING OF THE LINDON
42 CITY REDEVELOPMENT AGENCY AT 6:42 P.M. COUNCILMEMBER POWELL
SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
CARRIED.

44
46 BOARDMEMBER POWELL MOVED TO ADJOURN THE MEETING OF
THE LINDON CITY RDA AND RE-CONVENE THE MEETING OF THE LINDON

2 CITY COUNCIL MEETING AT 6:52 P.M. BOARDMEMBER BRODERICK
3 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
4 CARRIED.

6 **11. Public Hearing — 2020 Parks, Trails and Recreation Master Plan,**
7 **Resolution #2020-9-R.** The City Council will review and consider Resolution
8 #2020-9-R for adoption of the 2020 Parks, Trails and Recreation Master Plan.

10 COUNCILMEMBER POWELL MOVED TO OPEN THE PUBLIC HEARING.
11 COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL PRESENT
12 VOTED IN FAVOR. THE MOTION CARRIED.

14 Heath Bateman, Parks & Recreation Director, led this agenda item by stating they
15 have been working on this document since the fall and they feel they are to a point where
16 we can now get this passed. He mentioned Ryan Wallace consultant with (MHTN) is in
17 attendance. He pointed out there are a few housekeeping items with one or two typos,
18 but they feel the meat of this plan is ready to discuss and pass.

19 Mr. Bateman then gave a brief summary stating public input on parks, trails, and
20 recreation within the City was gathered through community wide surveys and a public
21 open house. In addition, a Parks Master Plan Committee was formed with elected
22 officials, citizens, staff, and the consultants participating in several work meetings to
23 discuss public input and desires, then prepare and finalize the document. He noted the
24 draft master plan has also been presented to the Planning Commission for their input and
25 feedback. Mr. Bateman stated if approved, this document will be used as the basis for
26 updating the impact fee studies/plans that will be prepared and brought back for
27 consideration in a future meeting.

28
29 Mr. Ryan Wallace, with MHTN Consultants, explained the biggest reduction of the
30 document is the quantity of pages. He then went over the changes that have occurred by
31 chapter as follows:

- 32
- Chapter 1: Amount of credits provided.
 - Chapter 2: Level of service.
 - 34 • Chapter 3: Recommendations to soften language.
 - Chapter 4: IFFP removed.
 - 36 • Chapter 5: Council approved park concept plans (included in appendix).

38 Mr. Bateman then reviewed the park properties added to the master plan as follows:

- 39
1. Radmall property next to Pheasant Brook park
 - 40 2. Cook property on Lakeview Drive
 - 41 3. Hollow Park expansion
 - 42 4. Mayor's property

44 Mr. Bateman stated he talked to two landowners who prefer to not be on the
45 master plan, the Radmall's and the Cook's.

46

2 Mr. Cowie spoke on these items noting within each of these parks in the current
plan are listed amenities and dollar amounts that were calculated into the plan. He noted
4 having property identified on the park's master plan doesn't change the zoning or
property value. It is identified as a future park and if they choose to adopt this, the
6 council would hope to acquire this future open space for the resident's use. We have had
situations in the past where there are areas identified that we were not able to acquire and
8 those opportunities changed, and that is part of this plan is to update and to look at these
areas for the council's current vision.

10 Brian Haws, City Attorney commented that Utah State Code, under the Land Use
Management Act, it makes it clear that if in the future we want these types of parks they
12 need to be identified on the master plan, and it also states specifically that the adoption of
a map does not require the city to take action to acquire the property or to dedicate any
14 land; it is just an advisory point in the general map.

16 At this time, Mr. Bateman mentioned he received a lot of emails from the public
about the horse arena as a future amenity. Mr. Cowie commented this would be a little
late in the process, for future parks and amenities, with associated costs with those
18 improvements. He asked the council if there is a desire to look at the arena and if they
want to put more numbers and calculations to it but it cannot be adopted tonight.

20 Councilmember Powell commented she agrees at this point it is a little late for the
numbers, but she is a huge fan of the arena having improvements as a future amenity and
22 preserve that space for that specific purpose.

24 Councilmember Lundberg suggested adding it as a quick blurb on the potential
improvements page if it has to be tied to a number crunch.

26 Mr. Cowie said we would have to have a number calculation to it as there is a lot
of unknowns. Mayor Acerson asked if impact fees aren't used to perhaps have a broader
discussion and maybe use the general fund or another source of money or grant to
28 improve the arena. Councilmember Vanchiere suggested voting on approval and add that
paragraph in as a condition of approval.

30 Mr. Cowie stated there is a planned addition of bleachers already in the city center
park by the arena and an amphitheater and restroom. Updating fencing or stalls are there
32 but are maintenance issues. He asked the council what is the vision is on the arena.

34 Councilmember Lundberg pointed out the ground is impacted clay and needs a
refresh. Mr. Bateman stated that would be a general maintenance issue and needs to
happen for safety. He added the arena is too small for roping and barrels etc. and would
36 have to be widened. Councilmember Lundberg agreed the arena is too small for events
and activities to get the highest and best use and needs to be lengthened and widened.
38 She believes residents would love to see that happen and suggested we could go after
grant money.

40 Mayor Acerson stated he would like to see a committee or group of citizens
formed to hear what they would like to see with their knowledge and do the ground work
42 and bring it back to the council as to be a part of the discussion. He also asked is a
paragraph could be added to the plan to that effect, so, we could go for grant money and
44 see an overall vision and plan that the council can review and then add it into the master
plan that the citizens and residents support. Following some discussion the council was in
46 agreement to add the paragraph/language regarding the arena to the plan.

2 Mayor Acerson commented it is important to get the committee going and then
4 the council can move forward with that perceived vision. Mr. Bateman said he will come
up with paragraph to add to the plan that fits the bill.

6 Councilmember Broderick expressed that he understands impact fees are not a
part of this discussion tonight, but stated for the record that he is not in favor in raising
any impact fees whatsoever. Councilmember Hoyt agreed with that statement.

8
10 Mayor Acerson called for any public comment at this time. There were several
residents that commented as follows:

12 **Blaine Hamilton:** Mr. Hamilton spoke on the nature of virtual meetings and suggested
14 having public comments links right on the agenda. He also appreciates the mayor's
comments of putting a committee in place with an interest in the parks. He noted he has
16 lived in Lindon for 21 years and was on the committee for Pheasant Brook Park and they
went through a similar process there. It would be interesting to see if we continue to
18 pursue having a larger ball park on the master plan as 20 years ago as there were surveys
sent out to residents and a committee formed etc. and the majority of usage was to not
20 have ball diamonds in place; is this still being pushed forward as it has been looked at
before. This is more of an outside interest as a recreational use, as the interest in baseball
22 has diminished and Equestrian parks are more utilized than the existing ball parks; he is
in support of improvements.

24 **Deann Huish:** Ms. Huish stated she is with the Utah Valley Home Builders Association.
She expressed that Adam and Heath have done a great job on the master plan and it is
26 done very well. She is happy they removed the IFFP with the next step being to look at
the impact fees. She noted the vision is the first step as they move forward, but with
28 caution. She pointed out the purpose of impact fees is to keep that level of service for
residents and to keep them usable; she is in favor of this master plan.

30 **Tony Cook:** Mr. Cook said his property is listed as a potential site on the master plan.
32 He noted he spoke with Brad Jorgensen, Public Works Director, and he made it clear they
are not looking for dollars. He lives in Lindon but would suggest they look for something
34 comparable, but that is not something that is out there on the market. Mr. Cook made it
clear he does not want to be on the master plan.

36
38 Mayor Acerson called for any further public comment. Hearing none he called for
a motion to close the public hearing.

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

44 Mayor Acerson called for any further comments from the council at this time.

2 Councilmember Hoyt asked council how they feel about those residents that are
opposed to being on the master plan.

4 Councilmember Broderick questions what the drawbacks would be of listing it as
a possible location as it doesn't diminish the value of property and may in fact increase it.

6 Councilmember Vanchiere agreed with that statement re-iterating it doesn't
diminish property value. He pointed out the city would pay market value for property and
8 it doesn't obligate them or us. The benefit of having it listed for the city is far more
beneficial than not listing it. He appreciates the property owner's desires, but it doesn't
10 harm them and does everything for the city down the road; the benefits far out-weigh the
negatives.

12 Councilmember Powell echoed the sentiments stated. She would like to make sure
people are comfortable and to not take away from the rights of property owners and the
14 value of their property. However, we also need to preserve the opportunity of the
possibility to acquire land as that is part of the process, we have to go through in looking
16 at what the future holds.

Councilmember Lundberg mentioned Pheasant Brook park was discussed for 21
18 years and no trigger was pulled. As we look at this document not everything will be
necessarily implemented and we have to discuss where the priorities are. It is more like a
20 strategic vision and we would have to allocate the funding for it. She expressed that she is
sensitive to the property owners and how it may impact them, but it would just be in the
22 Lindon City repository; she hopes this mitigates some of their concerns.

Councilmember Hoyt stated he agrees we should always be cautious when we as
24 a government body say what is right for a property owner. He agrees with statements
from the councilmembers and he hopes the property owners know where the council is
26 coming from.

Mayor Acerson commented his property has been on the master plan since 2008.
28 He expressed that he never wants a citizen to feel the city is telling them what to do with
their property, and he would be the last to impose eminent domain. We need to be
30 respectful to people's property rights, and to acquire a piece of property should be a win
win for everyone and the council is sensitive to that.

32 Following some additional discussion, the council was in agreement to approve
the document as presented with the added paragraph/language regarding the vision for the
34 equestrian arena to be included in the master plan.

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

38 COUNCILMEMBER LUNDBERG MOVED TO APPROVE RESOLUTION
#2020-9-R ADOPTING THE 2020 PARKS, TRAILS AND RECREATION MASTER
40 PLAN AS PRESENTED WITH THE CHANGE TO HAVE SAID CONSULTANTS OF
THE DOCUMENT ADD TO THE PROJECTED AMENITIES FOR
42 CONSIDERATION TO THE DOCUMENT IMPROVEMENTS TO THE LINDON
CITY ARENA. COUNCILMEMBER POWELL SECONDED THE MOTION. THE
44 VOTE WAS RECORDED AS FOLLOWS:

46 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE

2 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER VANCHIERE AYE
4 COUNCILMEMBER POWELL AYE
THE MOTION CARRIED UNANIMOUSLY.

6

12. Public Hearing — Development Moratorium, 700 North ‘Lindon Village

8 **Commercial Zone Ordinance #2020-5-O.** The City Council will review and
consider Ordinance #2020-5-O creating a temporary land use ordinance
10 (development moratorium) along portions of the 700 North ‘Lindon Village
Commercial Zone’ in order to prepare an area master plan and associated zoning
12 standards. This ordinance will temporarily prohibit the filing of new development
applications within the designated area for an anticipated period of six-months or
14 less.

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

20 Mike Florence, Planning and Economic Development Director, led this discussion
item by stating Lindon City recently was awarded a technical planning grant from UDOT
22 to create a master plan for the Lindon Village zone. He explained with the creation of the
master plan the City will also be updating the Lindon Village ordinance to coincide with
24 the masterplan. He noted due to development pressures that the City is receiving for the
Lindon Village zone, they need to put a plan together to adopt a Temporary Land Use
26 regulation as per Utah Code 10-9a-504. He stated this regulation will enact a moratorium
that will prohibit the filing of new development applications for the period not to exceed
28 six months.

Mr. Florence explained the City is in the process of finalizing a contract with IBI
30 Group to be the consultant on this master planning project. He noted the master plan will
also include an economic development market analysis to ensure that what is proposed in
32 the master plan can realistically be developed. He then referenced Utah Code: 10-9a-504.
Temporary land use regulations. He added notices were sent to property owners
34 regarding this public hearing tonight. He stated they estimate this could take up to five
months to ensure this is done well.

36 Following some general discussion, the Council was in agreement that this is a
needed action at this time.

38 Mayor Acerson called for any public comments. There were several comments
from residents as follows:

40

Ron Anderson: Mr. Anderson commented he is not opposed to this action. He feels
42 within the scope of work doing an economic analysis is good.

44 **Skylar Peterson:** Mr. Peterson questioned what exactly is the intent behind this action.
Mr. Florence explained we want to be able to put a vision together for the area so it
46 develops efficiently and with that vision to make the process transparent to the developer

2 that will create more value for the property owner so they can also understand what can
4 be developed and is a predictable process.

6 COUNCILMEMBER POWELL MOVED TO CLOSE THE PUBLIC HEARING.
8 COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
10 VOTED IN FAVOR. THE MOTION CARRIED.

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

16 COUNCILMEMBER BRODERICK MOVED TO APPROVE ORDINANCE
18 #2020-5-O AS PRESENTED. COUNCILMEMBER LUNDBERG SECONDED THE
20 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

| | |
|----------------------------|-----|
| 22 COUNCILMEMBER LUNDBERG | AYE |
| 24 COUNCILMEMBER HOYT | AYE |
| 26 COUNCILMEMBER BRODERICK | AYE |
| 28 COUNCILMEMBER VANCHIERE | AYE |
| 30 COUNCILMEMBER POWELL | AYE |

32 THE MOTION CARRIED UNANIMOUSLY.

34 **13. Review & Action — Lindon Treasury B Major Subdivision Approval.**

36 Approximately 200 W. 130 S. Jeff Bastian requests major subdivision approval
38 for a 4-lot single family residential subdivision located in the R1-20 zone. Parcel
40 #'s 14:069:0301, 14:069:0140. The Planning Commission recommended approval
42 to the City Council.

44 Mr. Florence led this discussion item by stating the applicant, Mr. Jeff Bastian is
seeking preliminary major subdivision approval for a 4-lot single family home
Development. The applicant will be connecting 130 South and dedicating new access
right-of-way. He noted the Lindon City Streets Master Plan map identifies connecting
130 South as well as a future north/south road connecting 130 South to 40 South.

Mr. Florence explained the applicant, will only be installing a portion of the new
north/south road and future development will connect to this partially installed road. The
proposed 4-lots meet the minimum lot size for the R1-20 zone. He noted the City
Engineer is working through technical issues related to the plat and civil engineering
plans and will ensure all engineering related issues are resolved before final approval is
granted. He then turned the time over to the applicant for comment.

Mr. Jeremy Ackley commented as far as his piece goes, he is weighing out the
financial aspect as there is a heavy burden on the roads and also on Mr. Bastian's piece.
He added they are splitting some the costs of the road to connect to 40 South as there is
such a heavy burden with asphalt and concrete etc. that goes into the decision making. He
just wanted to acquire that piece to make sure no one builds in his back yard. He hopes
to have this done in the next few years, if not sooner, if it all works out as planned. Mr.
Bastian stated he also plans to build on one of lots.

2 Mr. Florence then presented an Aerial photo, Street Master Plan Map, Vicinity
4 map and the Plat followed by discussion. He noted the planning commission
recommended approval to the city council with the listed conditions.

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

8 COUNCILMEMBER HOYT MOVED TO APPROVE LINDON TREASURY
10 PLAT B WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WILL
CONTINUE TO WORK WITH THE CITY STAFF TO MAKE ALL FINAL
12 CORRECTIONS TO THE ENGINEERING DOCUMENTS AND PLAT; 2. PRIOR TO
PLAT RECORDING THE APPLICANT WILL PROVIDE STAFF WITH A FINAL
14 PLAT MYLAR TO INCLUDE NOTARIZED SIGNATURES OF OWNER'S
CONSENT TO DEDICATION, OBTAIN SIGNATURE OF ALL ENTITIES
16 INDICATED ON THE ATTACHED SUBDIVISION PLAT; 3. COMPLETE (OR POST
AN ADEQUATE IMPROVEMENT COMPLETION ASSURANCE), WARRANT AND
18 POST REQUIRED WARRANTY ASSURANCE FOR ALL REQUIRED PUBLIC
INFRASTRUCTURE IMPROVEMENTS; 4. THE PLANS AND PLAT WILL MEET
20 AND BE CONSTRUCTED AS PER THE RELEVANT SPECIFICATIONS AS FOUND
IN THE LINDON CITY DEVELOPMENT MANUAL; 5. THE CONNECTING
22 PORTION OF 130 S. AS WELL AS THE IDENTIFIED SEGMENT OF 200 W., AS
IDENTIFIED ON THE PLAT, WILL BE DEDICATED TO LINDON CITY; 6. PRIOR
24 TO FINAL APPROVAL THE APPLICANT SHALL PLACE PERMANENT SURVEY
MONUMENTS IN THE SUBDIVISION; 7. ALL ITEMS OF THE STAFF REPORT.
COUNCILMEMBER VANCHIERE SECONDED THE MOTION. THE VOTE WAS
26 RECORDED AS FOLLOWS:

| | |
|----------------------------|-----|
| 28 COUNCILMEMBER LUNDBERG | AYE |
| COUNCILMEMBER HOYT | AYE |
| COUNCILMEMBER BRODERICK | AYE |
| 30 COUNCILMEMBER VANCHIERE | AYE |
| COUNCILMEMBER POWELL | AYE |

32 THE MOTION CARRIED UNANIMOUSLY.

34 **14. Review & Action — Lindon Harbor Industrial Condominium Approval –**

36 Approximately 220 S. 1250 W. Dennis and Burl Franco request major subdivision
approval for a commercial condominium subdivision to subdivide the two
38 existing buildings into nine condominium units. The project is located in the light
industrial zone. Parcel # 45:241:000. The Planning Commission recommended
40 approval to the City Council.

42 Mr. Florence opened this discussion by stating Jared Hunt is representing the
property owner for this agenda item. He noted the applicants are seeking preliminary
44 major subdivision approval for a 9-unit industrial condominium development. He noted
the two buildings are existing and no new development is occurring with this proposal.
46 Mr. Florence pointed out that condominium developments follow Utah Code Title 57
Chapter 8 for dividing property as well as Lindon City major subdivision requirements

2 and processes. He noted the planning commission recommended approval to the city
council following review with the listed conditions.

4 Mr. Florence stated the applicant has provided letters from both an architect and
an attorney stating that the application follows the Utah Condominium Code Title 57
6 Chapter 8 (letters are included in the staff report). The proposed development meets the
one-acre minimum lot size requirement for the LI zone. Mr. Florence pointed out the
8 applicant has provided Covenants, Conditions and Restrictions (CC&R's) for the
development. He added the condominium plat includes sheets identifying both the
10 internal floor area and vertical space.

12 Mr. Florence stated the City Engineer is working through technical issues related
to the plat and civil engineering plans and will ensure all engineering related issues are
resolved before final approval is granted. He noted Staff is recommending approval with
14 the listed conditions. He then turned the time over to the applicant for comment.

16 Mr. Hunt, representing the applicant, stated several tenants that are occupying the
units have expressed an interest to own and they started to recognize there are not a lot of
opportunities for small proprietors to own their own shop at a reasonable price, so that
18 motivated them to consider doing a condo unit so tenants can own rather than pay rent.

20 Mr. Florence then referenced an Aerial photo, the Plats and Compliance letters
followed by some general discussion.

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

24 COUNCILMEMBER POWELL MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR PRELIMINARY APPROVAL OF THE LINDON HARBOR
26 INDUSTRIAL CONDOMINIUM PLAT WITH THE FOLLOWING CONDITIONS: 1.
THE APPLICANT WILL CONTINUE TO WORK WITH CITY STAFF TO MAKE
28 ALL FINAL CORRECTIONS TO THE PLAT FOR RECORDING; 2. PRIOR TO PLAT
RECORDING THE APPLICANT WILL PROVIDE STAFF WITH A FINAL PLAT
30 MYLAR TO INCLUDE NOTARIZED SIGNATURES OF OWNER'S CONSENT TO
DEDICATION AND OBTAIN SIGNATURES OF ALL ENTITIES INDICATED ON
32 THE ATTACHED SUBDIVISION PLAT; 3. THE PLANS AND PLAT WILL MEET
AND BE CONSTRUCTED AS PER THE RELEVANT SPECIFICATIONS AS FOUND
34 IN THE LINDON CITY DEVELOPMENT MANUAL; 4. FINAL COVENANTS,
CONDITIONS AND RESTRICTIONS WILL BE RECORDED WITH THE
36 SUBDIVISION PLAT; 5. ALL ITEMS OF THE STAFF REPORT.

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

| | |
|----------------------------|-----|
| 40 COUNCILMEMBER LUNDBERG | AYE |
| COUNCILMEMBER HOYT | AYE |
| COUNCILMEMBER BRODERICK | AYE |
| 42 COUNCILMEMBER VANCHIERE | AYE |
| COUNCILMEMBER POWELL | AYE |

44 THE MOTION CARRIED UNANIMOUSLY.

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

4 **Adjourn** –

6 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
8 AT 8:15 PM. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

10 Approved – May 4, 2020

12
14

Kathryn Moosman, City Recorder

16
18

Jeff Acerson, Mayor