The Lindon City Council held a regularly scheduled meeting on **Tuesday, April 17, 2018, at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

REGULAR SESSION – 7:00 P.M.

Conducting:	Carolyn Lundberg, Mayor Pro tem
Pledge of Allegiance:	Taylor Caouk, Boy Scout
Invocation:	Jake Hoyt, Councilmember

PRESENT	**EXCUSED**
Carolyn Lundberg, Councilmember	Jeff Acerson, Mayor
Matt Bean, Councilmember	Daril Magleby, Councilmember
Jacob Hoyt, Councilmember	
Van Broderick, Councilmember	
Adam Cowie, City Administrator	
Hugh Van Wagenen, Planning Director	
Kathryn Moosman, City Recorder	

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

2. **Presentations/Announcements** –
   a) **Comments/Announcements from Mayor and Council** – There were no announcements at this time.
   b) **Employee Recognition Award** – Judy Harper, Community/Senior Center Front Desk Attendant, was chosen for the quarterly Employee Recognition Award. Adam Cowie, City Administrator, read comments submitted by employees nominating Mrs. Harper for this award. He then presented her with a plaque and gift card in appreciation for her service. The Mayor and Council also congratulated and thanked Mrs. Harper for her exemplary example, service and good works for the city.

3. **Approval of Minutes** – The minutes of the regular meeting of the City Council meeting of April 3, 2018 were reviewed.

COUNCILMEMBER HOYT MOVED TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF ARPIL 3, 2018 AS AMENDED OR CORRECTED. COUNCILMEMBER BEAN SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BEAN	AYE
COUNCILMEMBER HOYT	AYE
COUNCILMEMBER BRODERICK	AYE

THE MOTION CARRIED UNANIMOUSLY.

4. **Consent Agenda** – *Consent agenda may contain items which have been*

discussed beforehand and/or do not require significant discussion, or are administrative in nature, or do not require public comment. The Council may approve all Consent Agenda items in one motion or may discuss individual items as needed and act on them separately.

a) **Proclamation:** Declaring the 27th day of April 2018 as "Arbor Day" in Lindon City.

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

COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BEAN	AYE
COUNCILMEMBER HOYT	AYE
COUNCILMEMBER BRODERICK	AYE

THE MOTION CARRIED UNANIMOUSLY.

b) **Utility Right of Way Easement Agreement:** This agreement is between Lindon City and Vineyard Town to exchange a 10,590 sq/ft easement for a power line for 3-acre feet of water credit with Vineyard. The water is to be used on the future Geneva Resort Park area next to the Lindon Marina. Water credit is valued at approximately $10k. Lindon has no utility services available in this area and anticipated needing to connect to Vineyard utilities. This easement transaction came to the Council a couple years ago but had no compensation proposed, and therefore was not approved at that time. The exchange for water has been discussed for many months between Staff at the two cities, with the Vineyard Town Council recently approving this agreement. The easement area can still be used for landscaping, parking, etc. but would prohibit buildings or permanent structures. It is located adjacent to the railroad tracks on the SE corner of the property that is listed for sale and has been identified on the ALTA survey since the property has been listed. He noted this has been reviewed by the City Attorney and includes some minor wording changes and Vineyard is securing the easement on behalf of Rocky Mtn. Power. Mr. Cowie stated this issue will be brought back to the Council at the next available meeting.

COUNCILMEMBER HOYT MOVED TO CONTINUE CONSENT AGENDA ITEM "B" TO THE NEXT AVAILABLE MEETING. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BEAN	AYE
COUNCILMEMBER HOYT	AYE
COUNCILMEMBER BRODERICK	AYE

THE MOTION CARRIED UNANIMOUSLY.

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

CURRENT BUSINESS

6. **Review & Action — 2018 PARC Tax Mini-Grant Funding Recommendation.** The City Council allocated a portion of 2018 PARC (Parks, Arts, Recreation, and Culture) tax funds to be set aside for funding of mini-grants for non-profit cultural arts organizations with a heavy presence in Lindon. After advertising the grant opportunity, the City received three applications. For the 2018 funding cycle it is recommended that the Council approve all three grant application requests in the total amount of $13,252.75

Heath Bateman, Parks & Recreation Director, was in attendance to address the Council for this agenda item. Mr. Bateman explained the application deadline for the 2018-19 PARC Mini Grants application closed on April 10th. He noted he received three completed applications for consideration for funding and has reviewed them and all are qualified. He indicated the funds are available and there is a healthy reserve. Mr. Bateman then referenced the brief description of each request followed by his recommendation for funding as follows:

1. **Lindon Chamber Music Society.**
   The Lindon Chamber Music Society strives to bring quality instrumental and vocal music into Lindon. They are a qualifying organization as per the PARC Tax Grant Policies. The Chamber Music Society request funding for contracting professional performers and instructors, marketing and advertising, administrative salaries and rental space at the community center. The Chamber received funding for the last 4 years. The Chamber currently uses the Lindon Community Center as a practice and performance venue.

They have requested $7,500 for the following:

- $2,000 for Contract Services
- $500 for Marketing and Advertising
- $4,000 for Other Salaries
- $1,000 for Space Rental (Community Center)
    - TOTAL REQUEST $7,500

Recommend Award $7,500

2. **Lindon Elementary PTA**
   The PTA for Lindon Elementary requests funds to purchase musical instruments the District and School cannot purchase to enhance the music learning program at the school. There is a question about the PTA as a qualifying organization. In PARC Tax Policies 1.5.3 prohibits the use of funds for Public Schools and /or school programs. The PTA however is a separate 501c3 organization.

They have requested $2,752.75 for the following:

- 1 Studio 49 Series 1600 BM Base Metallophone for $1,069

- 1 Studio 49 Series 1600 AM Alto Metallophone for $494.00
- 1 Studio 49 Series 1600AX Alto Xylophone for $574.00
- 1 Studio 49 Series 1600 SX Soprano Xylophone $409.00
- 1 Studio 49 Series 1600 Gad Alto Glockenspiel for $98.00
    - Shipping $108.75
    - TOTAL REQUEST $2,752.75

Recommend Award $2,752.75

3. **Timpanogos Storytelling Institute.**
   The Timpanogos Storytelling Institute is dedicated to establishing and embracing programs, festivals, events, organizations and products that use the power of story to strengthen individuals, families and communities. The Timpanogos Storytelling Institute was funded in 2017/18. The institute would like funding to support a free public performance by a national professional storyteller Bill Lepp at the Lindon Community Center in January 2019 as well as 2 performance assemblies at local Lindon Elementary Schools for students. $500 is requested for Mr. Lepp's traveling fees.

They have requested the following:

- $1,000 performance fee for Bill Lepp free public performance at the Lindon Community center.
- $1,500 for Bill to perform at 2 Lindon Elementarys250 for 25 free tickets for Lindon Senior Center Participants to attend the festival.
- $500 for travel costs.
    - TOTAL REQUEST $3,000
- **Recommend Award $3,000**

PARC Tax budget allocation: $15,000
Total Grants recommended: $13,252.75

Councilmember Hoyt asked if the amount the Lindon Chamber Music Society requested is more than they have requested in the past. Mr. Bateman confirmed that statement noting some of that money is "in kind" to give back to Parks & Rec. as revenue. Mr. Bateman stated he recommends approval. Councilmember Lundberg made mention the Lindon Chamber Music Society brings in many good artists and events to the community that are free to the public and the orchestra program draws students from around the valley. Councilmember Broderick stated he feels these three organizations are great with the programs they provide to the community that are free of charge.

Mayor Pro tem Lundberg called for any further comments or discussion from the Council. Hearing none she called for a motion.

COUNCILMEMBER BRODERICK MOVED TO APPROVE THE 2018 PARC TAX MINI-GRANT FUNDING APPLICATIONS AS RECOMMENDED. COUNCILMEMBER HOYT SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BEAN AYE
COUNCILMEMBER HOYT AYE
COUNCILMEMBER BRODERICK AYE
THE MOTION CARRIED UNANIMOUSLY.

7. **Review & Action — Fee Waiver Request; PG-Lindon Chamber of Commerce.** The City Council will review and consider a request by the Pleasant Grove–Lindon Chamber of Commerce to reduce the fee for a one-time Aquatics Center group rental from $1,500 to $900.

Mr. Bateman referenced the associated Fee Waiver/Reduction Request application materials from the PG-Lindon Chamber of Commerce. He explained that technically the fee waiver/reduction application process has been specific to the Community Center rentals only. However, as the Chamber is a city-sponsored organization and was seeking relief in partial fees for a Chamber event to be held at the Aquatics Center, the Parks Department felt the waiver/reduction application process was appropriate for the Council to review and consider this one-time request from the Chamber of Commerce.

Josh Walker, Executive Director with the PG/Lindon Chamber of Commerce was present to address this request. Mr. Walker explained they don't need the flow rider and they are not asking for concessions; they are trying to minimize the number of needed employees and lessen the impact to the city. He noted they really don't need the whole night, perhaps just three hours. They are planning this thank you BBQ for Chamber members and families as they are looking for tangible benefits and a lot of businesses are unaware of the Lindon Aquatics Center.

Councilmember Hoyt expressed his concerns about setting a precedent with reducing the fee waiver. He noted the Council is heavily invested in the future of the Chamber and this may be another way to support them, however it is not something the Council takes lightly, but it is a good way to support the businesses and the Chamber.

Mayor Pro tem Lundberg called for any further comments or discussion from the Council. Hearing none she called for a motion.

COUNCILMEMBER HOYT MOVED TO APPROVE THE APPLICATION TO REDUCE THE AQUATICS CENTER RENTAL FEE FOR THE PG-LINDON CHAMBER OF COMMERCE. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BEAN AYE
COUNCILMEMBER HOYT AYE
COUNCILMEMBER BRODERICK AYE
THE MOTION CARRIED UNANIMOUSLY.

8. **Concept Review — Castle Park Offices, 126 S. Main.** Eric Barzeele, Castle Park, requests feedback regarding proposed offices and shared parking with the event center. The subject property is in the General Commercial (CG) zone.

At this time Councilmember Hoyt recused himself from this item due to a potential conflict of interest and stepped out of the Council Chambers.

Hugh Van Wagenen, Planning Director, invited the applicants, Amy and Eric Barzeele and Ed Axley with Davies Design Build forward. Mr. Van Wagenen explained the site plan application for this type of permitted development is not something that would normally come to the City Council for review and would typically be reviewed only by the Planning Commission. However, the applicant's desire feedback from both the Planning Commission and the City Council prior to submitting a formal site plan development application. He reminded the Council a Concept Review is for providing general feedback only with no motion necessary.

Mr. Van Wagenen further explained the applicant is requesting feedback on a proposed office project that would share parking with the existing events center. The remaining buildings and residences would be removed. He indicated the applicant may decide to keep additional space around the events center for a garden or grove area. He noted the property (Castle Park) is currently located in the General Commercial (CG) zone and the General Plan Land Use Map identifies this area as Commercial. He then presented photos of the site for discussion.

Mr. Van Wagenen commented the Planning Commission reviewed this item on April 10, 2018. He then referenced the discussion and feedback including the following items:

- Potential for improvements on Main Street
- Potential traffic counts
- Shared parking and offset hours to avoid congestion
- Potential phasing of the site.

He noted the applicant also provided a list of the various businesses they found currently in office buildings the size they are proposing, of which a commercial realtor said the list was an accurate representation.

Insurance agents (P), mortgage companies (P), builders (Professional Office (P), Building Construction – General Contractor, Office & Storage (N)), accountants (P) small law offices (P), property managers (P), investment groups/advisors (P) mental health (Family & Behavioral Counseling (P)), NGO's (Professional Office (P)) Off-site offices for local/regional businesses such as restaurants/etc. (Professional Office (P), Tech company offices (not support or call centers) for phone, satellite, etc. (Professional Office (P), a few physical therapy and massage places (P), financial & processing businesses of various types.

Mr. Van Wagenen then explained that any redevelopment of the property will need to comply with all applicable codes and ordinances (i.e. site plan: landscaping, parking, setbacks, etc.; development manual, access and circulation, public improvements and engineering, architectural design standards).

He then referenced Lindon City Code (parking): 17.18.040 Mixed occupancies that states the following: in the case of mixed uses in a building or on the lot, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately.

Mr. Van Wagenen explained that exceptions to the minimum parking standards may be granted in order to reward users of mass transit and to allow applicants options to

reduce parking spaces in order to save construction costs and reduce land area needed for parking. Exceptions to the minimum parking standards may be granted upon approval by the Planning Director and City Engineer as follows:

1. Shared parking agreements. Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. The Planning Director and City Engineer may approve joint use of required nonresidential parking spaces between two lots and/or uses upon a determination that no substantial conflict in the periods of peak demand would occur from the shared parking allowance. The total number of spaces provided between the uses shall be at least equal to the sum of the minimum number of spaces required for each use. Applicants requesting the use of shared parking shall submit the following documentation as part of a building permit, business license, or land use application:
    a) The names and addresses of the uses and of the owners and tenants that are sharing the parking;
    b) A detailed site plan showing the location and number of parking spaces that are being shared. The shared spaces shall be no more than 350' away from the buildings or uses being served and shall have a safe and convenient pedestrian connection provided between the shared parking and the building or use. The shared parking allowance and/or pedestrian connection shall be signed and identified at both the use being served and the shared parking location;
    c) An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
    d) A legal instrument written to the satisfaction of Lindon City that may include easements or deed restrictions that guarantee access to the parking for both uses in perpetuity.

Mr. Van Wagenen stated the documents must state that new uses that require more parking spaces, or have similar peak parking times, will not be permitted by Lindon City unless the minimum required parking is constructed to accommodate both the new use and the existing uses which have claim on the shared parking agreement and said instrument(s) shall be signed by all property owners involved and shall be recorded against each property at the County Recorder's Office.

Mr. Van Wagenen then referenced the Building Elevations and Concept Plan followed by some general discussion. He then turned the time over to the applicant for comment.

Mr. Barzeele explained this small office concept is the one that seems feasible to make the best use of the land, as they are not fully making it as just a reception center and need an alternative to have both entities succeed. They are partners with this project and this is an ideal location for this type of development and for these types of businesses in Lindon. He noted the northern three buildings were added on the site plan, but they will be built on a tiered plan as they lease out. Mr. Axley said the plan is for business space and not retail as it is not located right on state street. He noted they also did some

research this past year with realtors as to what the best use would be for this property. The heights of the buildings will not exceed 25 ft. including the parapet so they will be lower than the surrounding properties. They feel this will be a great project and will be within the current zoning. Mr. Axley stated this will create a gravitational pull to the area. They want to have a good project that Lindon and the neighbors can feel good about. They will also create a buffer between the commercial and residential.

Councilmember Bean commented that overall the Planning Commission was positive and open about this concept.

Mr. Barzeele stated they went through a lot with the original approval years ago. He expressed that they complied with all issues; he is hopeful it won't take as long with this concept. He understands there are regulations and they will comply with all requests. Mr. Van Wagenen stated it will be reviewed when it comes in as an official submittal; when requesting an exception is when it has to go through the channels so the process goes smoothly. He reminded the Council site plans are reviewed by the Planning Commission and do not come before the City Council.

Mayor Pro tem Lundberg commented staff will work with them on the architectural guidelines and all requirements. Mr. Van Wagenen commented it will be a nice injection into the area. Mayor Pro tem Lundberg called for any further comments or discussion from the Council. Hearing none she moved on to the next agenda item.

9. **Public Hearing — Ordinance Amendment, Lindon City Standard Land Use Table.** Lindon City requests approval of Ordinance #2018-6-O containing an amendment to the Lindon City Standard Land Use Table to allow vehicle services centers in conjunction with new vehicle dealerships. The Planning Commission recommends approval.

Councilmember Hoyt rejoined the meeting at 7:57 pm.

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

Mr. Van Wagenen gave a brief background of this item noting this is a request by staff. He explained the Mercedes-Benz of Lindon recently vacated their business in Lindon in the PC 1 zone to relocate to Draper. He noted the Murdock Hyundai group is in the process of purchasing the Mercedes-Benz lot from the Larry H. Miller Group, which would allow for an expansion of the Murdock campus (currently in the PC 2 zone). As part of the expansion, Murdock plans to use the Mercedes-Benz building to expand its vehicle service center. He noted vehicle service centers perform services such as oil changes, tire rotations, emissions checks, tune-ups, etc.

Mr. Van Wagenen pointed out although it is common practice to have a service center as part of a new vehicle dealership, in the PC 1 and PC 2 zones, stand-alone Auto Lube & Tune-up and General Auto/Vehicle Repair shops are not permitted. He indicated to ensure there are no issues with Murdock utilizing the former Mercedes-Benz building as a service center, staff is requesting this change on the Standard Land Use Table.

Mr. Van Wagenen noted this code change will not substantially change the current practice at new dealerships, but rather clarify that service centers are permitted with new dealerships even if stand-alone service centers are not permitted in the same zone. He then referenced ordinance #2018-6-O and the PC 1 and PC 2 Zoning Maps followed by some general discussion. Following discussion, the Council was in agreement that Murdock Hyundai has been a great business partner with the City and this will be a good use of the vacated building.

Mayor Pro tem Lundberg called for any public comments. Hearing none she called for a motion to close the public hearing.

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

Mayor Pro tem Lundberg called for any further comments or discussion from the Council. Hearing none she called for a motion.

COUNCILMEMBER HOYT MOVED TO APPROVE ORDINANCE AMENDMENT 2018-6-O AS PRESENTED. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BEAN	AYE
COUNCILMEMBER HOYT	AYE
COUNCILMEMBER BRODERICK	AYE

THE MOTION CARRIED UNANIMOUSLY.

10. **COUNCIL REPORTS:**

Councilmember Hoyt – Councilmember Hoyt reported he attended the Chamber of Commerce luncheon along with Councilmember Lundberg which was a good event. They talked with a representative from St. Johns Property about the city property. He also reported the Historic Preservation Commission yard of the month program will start in May and they are open for suggestions for the neighborhoods (west, central & east) to be awarded.

Councilmember Broderick – Councilmember Broderick reported he attended the bi-monthly engineering meeting with Mayor Acerson, Adam Cowie and JUB Engineers. He also gave an update of the discussion items from the meeting. He noted the north union canal water will be flowing soon for the secondary water and will most likely be turned on the first to the end of next week. He stated Brad Jorgensen, Public Works Director, talked about the need to inform/notice residents with Facebook posts, email blasts, Everbridge notification system, etc. to check their pipes and lines and watch for leaks etc. before the secondary is turned on as to avoid any potential flooding or problems.

Councilmember Bean – Councilmember Bean reported the Planning Commission approved the doTerra distribution center and overall the product looked pretty good. He noted a new zone was created and we should be pleased with the development.

Councilmember Lundberg – Councilmember Lundberg reported she attended the Chamber of Commerce luncheon along with Councilmember Hoyt and Josh Walker. She noted there is a lot of synergy and great things going on with the Chamber. She also met with Ron Clegg to discuss future grants for Parks and Recreation and hopefully there will be some more matching fund opportunities. Councilmember Lundberg asked Mr. Van Wagenen if EdcUtah has the marketing package done yet. Mr. Van Wagenen replied it is still in rough draft form at this point. Councilmember Lundberg also asked if there is a switch to control the lights at the Hollow Park pickle ball court. Councilmember Broderick replied there is an override switch on the east side of the fence with a sign and a button to push to adjust the lights.

Councilmember Magleby– Councilmember Magleby was absent from the meeting.

Mayor Acerson – Mayor Acerson was absent from the meeting.

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

Misc. Updates:

- April newsletter
- May newsletter article: Daril Magleby - Article due to Kathy Moosman last week in April
- City Center Elevator: CDBG request was not approved in this funding cycle. Will try again next year
- Geneva park property listing - status update
- UTOPIA/UIA update
- Emergency Operations Center (EOC) ham radio volunteers will be operating out of the City Center upstairs conference room at 9pm on the 3rd Tuesday of each month for equipment testing
- Misc. Items

Upcoming Meetings & Events:

- April 6th-14th Spring Clean-up – (dumpsters available throughout City)
- April 25th-27th – ULCT Spring Conference in St. George
- April 27th at 5:30pm to 7pm – Arbor Day celebration at Community Center
- Mid-to-Late April – Pressure Irrigation System will be turned on (depending on when water is in the North Union Canal)

Mayor Pro tem Lundberg called for any further comments or discussion from the Council. Hearing none she called for a motion to adjourn.

Adjourn –

COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING AT 8:41 PM. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – May 1, 2018

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Kathryn Moosman, City Recorder

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Carolyn Lundberg, Mayor Pro tem