

2 The Lindon City Council held a regularly scheduled *electronic meeting* on **Monday,**
4 **May 18, 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: Randi Powell

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
meeting of May 4, 2020 were reviewed.

26
COUNCILMEMBER LUNDBERG MOVED TO APPROVE THE MINUTES
28 OF THE REGULAR CITY COUNCIL MEETING OF MAY 4, 2020 AS AMENDED.
COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS
30 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 he had the opportunity to talk to
42 Heath Bateman about going from orange to the yellow phase with Covid19. Mr. Bateman
indicated the one key piece is that we don't have the manpower to disinfect all the play
44 grounds on a daily basis. He noted Mr. Bateman is also working to get the pool ready for
a June opening. Councilmember Hoyt also reported a resident approached him about an
46 article regarding antibody testing that was for Vineyard City only and he was wondering
if that is something we would want to provide to our residents. Councilmember Hoyt
said he will forward the article to Mr. Cowie.

2 **Councilmember Vanchiere** – Councilmember Vanchiere reported he visited the transfer
4 station today and it is still very busy. He noted the green waste operation is doing very
6 well and Tucker Landscaping makes the mulch and hauls it off. He pointed out since we
8 are still on level 2 precautions with Covid19 they are only taking credit cards (no cash)
10 but that may change next week. He also reported he attended a meeting with the IDI
12 Consulting Group last Tuesday noting it was a good and open discussion with a lot of
great ideas. Suggestions were made that in four weeks they will create a draft and by end
of August they will have the Master Plan available for final review. He noted there is
another meeting scheduled for the May 21st with property owners, developers, real estate
brokers etc. He also mentioned a citizen approached him about irrigation water and when
it is turned on and he explained that the city does not have control over that.

14 **Mayor Acerson** – Mayor Acerson gave an update on the economy in regards to Covid19.
16 He noted there is a vaccine that is showing promise that will help move the economy in
18 moving forward and the market has reacted positively and there will be more details
coming. A vaccine will be the most stabilizing factor for revitalizing the economy.

20 **Councilmember Broderick** – Councilmember Broderick reported the water outlook is
22 not as good as it was hoped, but Deer Creek and Jordanelle are looking good so the
secondary water for Lindon should be ok, but he does have concerns for the whole state.
24 He also mentioned the guidelines are the same for watering noting this is a process we
26 need to continue to educate residents on that it is based on the ability to fill the reservoirs.
Mr. Haws stated they will be putting flyers on resident’s doors informing them of the
watering times. Technically speaking, residents will get a letter if they ignore the
procedures, so be aware there may be some calls from citizens.

28 **Councilmember Lundberg** – Councilmember Lundberg reported she attended the
30 Master Plan committee meeting with the IBI Consulting Group noting it was a good
32 meeting and they hope to get some things going there; identifying a vision and a plan is
critical. She also reported there was some legislation put forward to amend the federal
34 cares act as to be able to access coronavirus aid money. She noted Lindon may not be hit
as hard as other places, but the car lots and other sales tax contributors will help us
36 weather the pandemic. Also, the low risk will help other businesses that are impacted.
She also reported the PG/Lindon Chamber of Commerce is still moving forward with
38 some events in the fall. She noted that any businesses that would like some exposure the
Chamber website has a place to post things and to highlight a business to help them
40 connect. The Daily Herald also has a periodical coupon book that the Chamber will put
together where businesses can advertise and they are trying to keep the costs low.

42 **Councilmember Powell** – Councilmember Powell reported she also attended the Master
44 Plan meeting hosted by the IBI Consulting Group. She noted they are bright and sharp
individuals and she is looking forward to the next meeting. She also reported she attended
the employee interviews for the Public Works Director. She noted there were some fine
46 candidates and a great individual has accepted the offer.

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

2 discussion.

4 **Misc. Updates:**

- 6 • COVID-19
 - o State of Utah Phase Health Guidelines. See Moderate (orange) risk level:
 - o City buildings will open Monday, May 18th with suggested mask wearing by patrons, twice daily sanitizing of high touch surfaces, groups limited to 20 or less, etc.
- 10 • Park & Rec Department released anticipated openings guide on 5/13/2020.
- 12 • Memorial Day - no ceremony; perimeter flags will be placed
- 14 • Continued electronic meetings likely through May and maybe June, or until State moves to 'low' risk category. (difficult to know if we'll hit 20-person cap and have to keep people out)
- 16 • Public Works Director update – Made an offer to Juan Garrido
- 18 • Secondary Water ponds are being drained very quickly. Lots of day-time watering occurring. PW staff will be using door hangers to notify violators. Please spread to support watering only between 6pm and 10am.
- 20 • Misc. Items

22 **5. Presentations and Announcements:**

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

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

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

- 30 a) **Resolution #2020-10-R;** Declaring certain items as surplus.
- 32 b) **2020 PARC Tax Mini-Grant Funding Recommendation.** The City Council allocated a portion of 2020 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 3 applications. For the 2020 funding cycle it is recommended that the Council approve the grant application requests in the total amount of \$11,820.
- 38 c) **2020 Street Maintenance projects bid award.** Staff recommends awarding the 2020 Street Maintenance projects to Geneva Rock in the amount of \$1,756,013.46.

42 COUNCILMEMBER POWELL MOVED TO APPROVE THE CONSENT
44 AGENDA ITEMS AS PRESENTED. COUNCILMEMBER BRODERICK
46 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE

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

6
8 **CURRENT BUSINESS**

10 **8. Review & Action — North Union Canal Property Restoration.** The Council
will review and consider options for construction restoration work along the rear
12 property of Mr. Ross Wright located at, 115 South 630 East, to determine whether
or not to participate financially in the restoration options presented.

14 Mayor Acerson stated he met with property owner, Mr. Ross Wright along with
Adam Cowie and Noah Gordon to gather more information to bring to the council for a
16 good discussion on this property restoration issue. Mr. Cowie then presented some
photos for discussion noting Mr. Wright is in attendance. He then gave a brief
18 background on the property in question. He spoke on the photo of the retaining wall
constructed by Mr. Wright. He then presented the bids for the retaining wall noting from
20 a city standpoint he feels the representations of the project from the city were met. Mr.
Gordon agreed with that statement adding it is pretty clear. He added they met on-site
22 with Mr. Wright prior to putting in the slope and conveyed it may affect a couple of
bushes or trees. He understands he is not contesting what we conveyed, but after the fact,
24 it wasn't really what he wanted and it would have been easier had they known before the
fence was put in. He noted the ground is very hard but it was his understanding that Mr.
26 Wright is not planning to plant anything in that location.

28 Mr. Wright then spoke on the photos showing the property line. He indicated he
was under the impression the toe mark would have ended where the property line is and
then come back to the south. He emphasized that he just wants to be made whole. The
30 ground is like concrete now and added he in fact does want to plant back there. He
expressed that this is not even close to what he expected and he wishes his cylinders
32 would have been left in place. He admitted that he should have gotten a contract with the
city for this to be done as what he has now is not even close to what he expected. Again,
34 he doesn't feel like what has happened has made him whole.

36 Mr. Gordon pointed out the cylinders were half on his property and half on the
canal side and in places they were starting to tip. They discussed the option of where to
put the fence with or without the cylinders and the city paid the contractor \$800 to haul
38 the cylinders away to be able to put the fence line where it currently is. Mr. Wright stated
he didn't agree on 3 ft. of dirt that he can't even till and it is unacceptable.

40 Mr. Gordon argued that Mr. Wright said he was ok to go with the gradual slope
but the soil type was not discussed. Mr. Wright commented, in hindsight, this is not
42 acceptable as they have eliminated 3 ft. of usable property on his side of the fence.

44 Mayor Acerson pointed out to Mr. Wright that he already had 6 inches that was
not being used because of the cylinders, adding they are just trying to see the impact; half
was on his property and half was on the Alpine School District property.

46 Mr. Wright stated inferring that he wouldn't use that property is far from the truth.
He is the only one that has done anything with the canal or the property line. Mayor

2 Acerson asked Mr. Wright what he desires to see done to make him whole. Mr. Wright
stated he has considered a concrete retaining wall with rebar etc. on his side of the fence
4 so he wouldn't have to worry about it again; what is there now is not acceptable.

Councilmember Hoyt asked if the slope that came on the property was discussed
6 originally, and if that is the issue or the quality of the dirt. Mr. Wright confirmed it is a
combination of the two. He may have said that it was ok but there wasn't anything
8 written or drawn out on a plan, it was just trust between him and the city; but he is not
saying either party was 100 percent right or wrong.

10 Mr. Wright stated the bottom of the chain link fence is 18 to 20 inches to his side
of the fence. He noted he has a bid that is less than what was shown earlier. Mr. Wright
12 said he is proposing a concrete wall the length of the property because the way it is right
now one heavy rainstorm and it will all come down into his yard.

14 Councilmember Vanchiere agreed what Mr. Wright has done with the excavation
has created a bigger challenge. Mr. Wright stated he talked to Mr. Gordon and the Public
16 Works Director and then there was no further communication after that and he had to do
something; he is not laying blame, but this is the evolution of what took place. He knows
18 the fence is compromised, but he wants it fixed and also to look nice as it will impact the
value of his property.

20 Mayor Acerson commented, based on everything that has happened with
miscommunication between the parties, that Mr. Wright has a proposal to put in a
22 retaining wall. He questioned if the city should bear the full responsibility or should Mr.
Wright bear part of the burden because of the fence. Mr. Wright stated he believes the
24 city is responsible and he shouldn't have to pay a penny.

Councilmember Lundberg asked for clarification from Mr. Wright on how old the
26 cylinders were and if he would agree they had some wear and tear. Mr. Wright confirmed
the cylinders were 15 years old but stated they were still in good shape. Councilmember
28 Broderick pointed out if the cylinders had been put entirely on his property it would have
been less impactful.

30 Mr. Gordon stated in order to get the fence line where the property line is you
could not have done it with the cylinders and the cylinder wall was leaning. So, if they
32 put the fence entirely on the property line it would have fallen over. He reiterated that the
city paid to move the cylinders.

34 Councilmember Powell expressed that she appreciates the opinions shared thus
far. She commented as far as the grass or hydroseed goes she feels that does not have a
36 bearing on the Wright property. In regards to a 50/50 split, because we did not initiate a
written contract of some type, she feels the city should bear the additional responsibility
38 and go with a $\frac{3}{4}$ and $\frac{1}{4}$ split with the city taking the higher portion.

Councilmember Lundberg pointed out the cylinder wall was aged and in danger
40 of tipping over and a brand-new fence has been installed. She added that the city had thus
far taken all of the burden. She expressed that Mr. Wright is a great community member
42 who has been looking after the area and going above and beyond. She understands Mr.
Wright's desire of being made whole but also that he would like to see some give and
44 take financially with some sort of a split. There are some benefits here with the property
beautified and a brand-new fence. There should be some contribution on his part and we
46 should get a more reasonable bid for the type of retainer.

2 Councilmember Broderick commented whatever retaining wall is decided upon it
should be engineered so whatever goes in remedies the problem and it is done in a
4 manner that holds up. We always have to consider that the residents are the city and so
all residents would be contributing the money to fix it. He understands all that's been said
6 and that the misunderstandings were not intentional. He would like to know more about
Mr. Wrights proposal and the cost. He would be inclined to a 50/50 split as Mr. Wright's
8 excavation made the problem worse so there is responsibility on both sides.

10 Mr. Cowie commented if we are looking to resolve this matter, and if Mr. Wright
has a contractor with a bid, it may be beneficial to give him a specific amount of money
to use as he sees fit and have it in a written contract. Because if the city is designing,
12 engineering etc. Mr. Wrights expectations may not be met.

14 Councilmember Vanchiere asked about going into the 3 ft stretch and breaking it
up and mixing in some good quality soil and reinforcing the fence and make it level so
Mr. Wright can use the property. Mr. Gordon pointed out that we already offered topsoil
16 but with the fence being undermined at this point the fence would need to be lowered and
the soil revamped in some fashion. Mr. Wright stated he has already taken the soil down
18 to where it was before.

20 Mayor Acerson asked Mr. Wright what he believes the city can do to make him
whole. Hearing what has been said tonight, is there a point where you can suggest, in
moving this forward with the contractor, if he feels he is capable to solidify the fence to
22 protect his property and at what level would you be open to based on what the council
has said here tonight.

24 Mr. Wright stated \$5,075 was the low bid. He would be willing to pay a ¼ of that
and get someone to do it; \$4,500 he will take care of it.

26 Mayor Acerson proposed the city pay 2/3 of the \$4,500 and Mr. Wright would
take the other 1/3 as it would be close. He pointed out the city would be shouldering the
28 majority of the responsibility and this would get him the appropriate retaining wall. Mr.
Wright suggested making it \$5,000 and he would pay 1/3. Mayor Acerson stated we
30 need to verify the bid and make sure that the engineering will meet the standard and we
should get to that point pretty quickly.

32 Mayor Acerson expressed that at the end of the day we need to make sure that Mr.
Wright ends up with a secure wall and he believes the contractor, Mike Peterson will
34 ensure that. He added that Mr. Wright needs to get it in writing and bring it to the city;
with the city paying 2/3 and Mr. Wright paying 1/3 of the costs. Mayor Acerson
36 reiterated the bid would need to be verified.

38 Councilmember Powell stated she agrees Mike Peterson knows what he is doing.
She agrees the bid needs to be firmed up, but she also wants to make sure Mr. Wright
feels he is being heard and also that his expectations will be to the contractor, Mike
40 Peterson and not to the city.

42 Mr. Gordon stated there are some concerns on the timing as the Contractor on this
job needs to move on and if it is continued more than a few days will pose a problem
because the sprinklers and hydroseed needs to get in.

44 Mr. Cowie suggested to the council, if acceptable, that the total would be \$3,333
for the city. Adding if they are comfortable with that to give staff the direction to draft an
46 agreement for that amount and move this forward.

2 Councilmember Vanchiere suggested setting a top number of \$5,000 and let staff
handle this. Mr. Wright stated he would be good with that.

4 Councilmember Hoyt commented that we need to move forward on this. He is
frustrated that we are having to pay anything more and that there was nothing in writing.
6 He does see both sides and frankly he feels it's too high of a number for the city, but he
wants to compromise but feels that is not an ideal number and the city's culpability is far
8 less. He suggested getting the bid and moving forward and let this be a lesson learned;
this is a frustrating situation all the way around.

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

12
14 COUNCILMEMBER POWELL MOVED TO APPROVE TO HAVE STAFF
TAKE REVIEW THE PROPOSAL FROM MIKE PETERSON, THE CONTRACTOR,
WITH THE RESPONSIBILITY BEING 2/3 OF THE COSTS FOR THE CITY AND 1/3
16 OF THE COSTS FOR MR. WRIGHT WITH \$5,000.00 BEING THE TOP BID AND
TO HAVE A WRITTEN CONTRACT. COUNCILMEMBER LUNDBERG
18 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE
20 COUNCILMEMBER HOYT AYE
COUNCILMEMBER BRODERICK AYE
22 COUNCILMEMBER VANCHIERE AYE
COUNCILMEMBER POWELL AYE

24 THE MOTION CARRIED UNANIMOUSLY.

26 **9. Review & Action — DoTerra Reimbursement Agreement.** The Council will
review and consider an application for reimbursement agreement by DoTerra
28 pursuant to Lindon City Code 17.68.020. This item has been requested to be
continued to June 15, 2020. The Lindon City Attorney will explain the item and
30 the basis for the request for continuance.

32 Mike Florence, Planning Director, stated the applicants, Mr. Mark Weldon and
DoTerra asked that this item be continued as to be able to have an in-person meeting
34 rather than through electronic means. He then directed the council to make a motion to
continue the item to the June 15, 2020 City Council Meeting.

36 Brian Haws, City Attorney agreed that given the nature of Covid19 we need to
move this item to June 15th. He added that Mr. Doxey was gracious and understands the
38 issue and did not object to one continuance because it needs to be presented to the council
within 90 days and we will address the merits of the agreement, for and against, at the
40 June 15th meeting.

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

44 COUNCILMEMBER POWELL MOVED TO CONTINUE THE
REIMBURSEMENT AGREEMENT WITH DOTERRA TO THE JUNE 15TH CITY
46 COUNCIL MEETING. COUNCILMEMBER HOYT SECONDED THE MOTION.
THE VOTE WAS RECORDED AS FOLLOWS:

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

8

10 **10. Public Hearing — Ordinance # 2020-10-O;** Amendment to the Lindon City
Appendix A Standard Land Use Table to allow Medical, Dental, & Health Clinic
Services/small, outpatient type services as a permitted use in the Light Industrial
12 zone. Application is made by ALX Family Health. Following review, the
planning commission recommended approval.

14

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

18

20 Anders Bake, Associate Planner, led this agenda item by giving an overview
stating the applicant Blake Rapiere on behalf of ALX Family Health, and who is in
attendance, is proposing an amendment to Appendix A of the Standard Land Use Table
22 to make “Medical, Dental, & Health Clinic Services / small outpatient type services” a
permitted use in the Light Industrial zone. Mr. Bake noted “Medical, Dental, & Health
24 Clinic Services / small outpatient type services” are currently permitted in the Mixed
Commercial, Research and Business, and General Commercial Zones. They are not
26 permitted in the Residential, Recreational Mixed Use, Planned Commercial, and
Industrial Zones.

28

Mr. Bake indicated the applicant is proposing this amendment in order to receive
a business license to operate his Family Health business located at 245 South 1060 West
30 in Lindon’s Light Industrial zone. After reviewing the Standard Land Use Table, city
staff has found that there are uses similar in impact to a medical, dental, or health clinic
32 and permitted in the Light Industrial zone. These include professional office uses,
massage therapy and personal care health spas, and veterinarian services.

34

Mr. Bake stated Staff feels that a medical, dental, or health clinic will not cause a
negative impact on the surrounding light industrial properties and that the uses permitted
36 in the light industrial zone will not cause a negative impact to a clinics business or its
customers. Mr. Bake indicated Staff recommends approving the proposed change to the
38 Standard Land Use Table.

40

Mr. Bake then presented the ALX Family Health Business Description, Map of
ALX Family Health location and the Lindon City Zoning Map followed by some general
discussion. He then turned the time over to the applicant for comment.

42

Mr. Rapiere explained they are a small family owned clinic with just 2-3 medical
providers and will not be growing any larger. He has been practicing Family Medicine
44 since 2006 and the other provider has been practicing since 1998. They focus on taking
care of the medical and health needs of families.

46

Mr. Rapiere stated he has had multiple practices and he has learned how to
streamline the business side of medicine instead of lining a CEO's pockets and these

2 savings they pass on to the patient. They take Medicare and Medicaid and they also have
4 the lowest cash pay price in the area for those families with no insurance or with high
6 deductible insurance plans. They also understand the current times and offer
telemedicine for a lower price than what insurance companies charge for telemedicine
services.

8 Mr. Rapier pointed out that it is easy to lose sight of why anyone would get into
10 medicine therefore they see many roadblocks for patients in health care. He noted they
12 always remember that they got into medicine for the patients and they are removing the
14 roadblocks to ensure families get the care they need. They can take care of patients from
16 pediatrics to geriatrics with all being on an outpatient basis. They will also be on call but
office visits will be between 9am-5pm Monday through Friday with only minor
procedures taking place at the office. They do not deliver babies, but they will do all
other general medical practices. They will not store any pharmaceuticals onsite. All
laboratory specimens will be run through LabCorp and there will be no onsite laboratory
work. He concluded by stating they feel they will be a great benefit to the Lindon area
and the community.

18 Following some general discussion regarding location, parking, impact and use to
the zone the council was in agreement to recommend approval of this request.

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

22

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

26

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

30 COUNCILMEMBER LUNDBERG MOVED TO APPROVE ORDINANCE
AMENDMENT #2020-10-O AS PRESENTED. COUNCILMEMBER POWELL
32 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

34 COUNCILMEMBER LUNDBERG AYE

COUNCILMEMBER HOYT AYE

COUNCILMEMBER BRODERICK AYE

36 COUNCILMEMBER VANCHIERE AYE

COUNCILMEMBER POWELL AYE

38 THE MOTION CARRIED UNANIMOUSLY.

40 **11. Public Hearing — FY-2021 Proposed Budget; Resolution #2020-11-R.** The
42 City Council will accept public comment as it reviews and considers adoption of
its FY 2021 Proposed Budget. The Council will give direction on major budget
44 issues and other city-wide budgetary issues. A public hearing will be held on June
15, 2020, to amend the FY2020 budget and to adopt the FY2021 Final Budget.

2 COUNCILMEMBER HOYT MOVED TO OPEN THE PUBLIC HEARING.
3 COUNCILMEMBER VANCHIERE SECONDED THE MOTION. ALL PRESENT
4 VOTED IN FAVOR. THE MOTION CARRIED.

6 Kristen Colson, Finance Director led this discussion item by presenting the
7 proposed city budget. She noted there is only one budget issue and also the fee schedule
8 pages. She noted this is similar to the discussion with the council from two weeks ago.
9 Ms. Colson then went over the budget presentation as follows:

10 **Budget Issue #1: Should Lindon City increase Water, Sewer, Storm Water, Garbage
11 and Recycling utility rates?**

12 Ms. Colson explained JUB Engineers is doing their utility rate study for water and
13 sewer utility rates as well as analyzing water pumping costs for the zones above the
14 North Union Canal. She noted their recommendations are not yet available, however,
15 their utility rate study from last year proposed that this year's increases would be 9% for
16 culinary water rates, 4% for sewer rates and 13% for storm water rates. Lindon City
17 contracts with Republic Services for garbage and recycling collection. The current
18 contract has an annual 3% increase in their collection fees.
19

22 Ms. Colson then went over the Proposed Fee Schedule changes as follows:

23 •Culinary water rates would increase 9%

- 24 • Rates for 1" meter below N.U. per month

- Base Rate: ~~\$24.90~~ \$27.14

- Usage Rate (per kgal): ~~\$1.48~~ \$1.61(for first 6,000 gallons)

- 28 • Sewer rates would increase 4%

- 29 • Rates for Single Family Residential per month

- Base Rate: ~~\$20.22~~ \$21.03

- Usage Rate (per kgal): ~~\$2.67~~ \$2.78

32 •Garbage and recycling rates would increase 3% per month

- First garbage can: ~~\$10.30~~ \$10.61

- Each additional garbage can: ~~\$8.76~~ \$9.02

- Each recycling can: ~~\$3.74~~ \$3.82

36 •Storm Water rates will increase 13%

- Residential per month: ~~\$10.08~~ \$10.38

38 She then went over the Estimated Revenues noting total city revenues are \$19,057,914.
39

40 **General Fund**

- 42 • Sales tax is estimated to decrease 20%

- 43 • Building permits is estimated to decrease 25%

- 44 • Court revenue is estimated to decrease 33%

- 45 • Overall revenue is estimated to decrease 15.5%,

- not counting police vehicle lease revenue and the sale of current police

- 2 vehicles, which is an increase in revenue
- PARC Tax and Transit Taxes estimated to decline 25%
 - Not charged on grocery items
 - Other retail sales down
 - Road Fund Allotment estimated to decline 25%
 - Decline in amount of gas sales

8

Enterprise Funds

- 10
- Utility Rate Increases
 - Culinary water rates will increase 9%
 - Sewer rates will increase 4%
 - Garbage and recycling rates will increase 3%
 - Storm Water rates will increase 13%
 - Recreation revenue has been estimated based on resuming activities and facility rentals by July 1, which may or may not be possible

18

Budgeted Expenditures

- 20
- City Wide Expenditures
 - Total Expenditures by Object - \$20,907,803
 - Net of fund balances and transfers

24

Budgeted Expenditures-Personnel

- 26
- No cost of living allowance (COLA) increase, which is usually effective July 1
 - Implement new pay scale effective January 1, 2021
 - Employees already on steps 1-5 will move up to the next step
 - Employees currently in the mid-high range will be placed on the step higher than their current hourly wage
 - This will cost the City an additional \$86,000 and is in this budget, but staff will bring this back to the City Council in December for another review and final approval
 - Retirement costs for Tier 2 public safety employees were increased by the legislature effective July 1, 2020.
 - 2% mandatory increase to be paid by the employer will increase Lindon City costs about \$4,450 for the fiscal year
 - 2.27% mandatory increase may be paid by the employee or the employer. This budget includes Lindon City paying this cost, which is about \$5,050 for the year. This is in Resolution 2020-12-R.
 - Employees will begin participating in the payment of their medical insurance premiums by paying 3% of the premium; employees with family coverage for dental insurance will continue to pay 50% of the premium. The amounts are shown below.
 - Employee only coverage: \$18.06/month for medical insurance
 - Employee plus spouse coverage: \$37.39/month for medical insurance
 - Employee plus family coverage:

- 2 ○ \$50.57/month for medical insurance
- \$46.60/month for dental insurance (continuing, not new)
- 4 •Saves the City about \$24,760 for the year

6 •Insurance Premiums

- Medical insurance premiums will increase 7.6%
- 8 ○ Dental insurance premiums will decrease 10% by switching insurance carriers again
- 10 ○ Overall, employee benefit allowance will increase 3.9% or \$30,785

12 **Budgeted Expenditures - Operations**

- 14 • Department heads have cut operational costs while still maintaining infrastructure and current levels of service as much as possible
- 16 • Travel expenses have been cut except where training is needed to maintain required certifications
- 18 • Other items that have been cut:
 - \$5,000 for Deer management
 - \$2,500 for Police public outreach
 - 20 ○ \$45,000 for new community programs summer concerts youth theater council
 - 22 ○ rec on wheels

24 **Budgeted Expenditures - Capital**

- 26 •General Fund capital expenditures -limited as much as possible
 - \$15,000 for City Center HVAC upgrades (replacing furnaces over 20 years old)
 - 28 ○ \$650,000 for 15 police vehicles funded by lease revenue; annual lease payments are estimated to be \$90,000
 - 30 ○ \$21,000 for a new software program for inspections and community development. This was in the 2020FY budget, but staff is still researching to find the right software.
- 32 •Dedicated / restricted funds
 - \$2.1M for Road Capital Improvements
 - 34 ○ Park Impact fee expenditures\$30,000 to install picnic areas and drinking fountain at Meadow Park
 - 36 ○ \$100,000 to install second pavilion at Fryer Park

38 **Water Fund**

- \$500,000 for new well site
- 40 ○ \$50,000 for well improvements
- \$250,000 for Canal Dr pipe
- 42 ○ \$30,000 for secondary water traveling screen rebuild
- \$25,000 for culinary and secondary water master meter upgrades
- 44 ○ \$40,000 to finish PRV upgrades
- \$45,000 for 835 E booster station upgrades
- 46 ○ \$200,000 for impact fee project

2 **Sewer Fund**

- 3 ○ \$35,000 for trash pump
- 4 ○ \$29,000 to install a generator at sewer lift #4
- 5 ○ \$25,000 to upgrade hardware and software for sewer truck tv
- 6 ○ \$100,000 install sewer mainline in Treasury subdivision and rebuild sewer lift #4

8 **Storm Water Fund**

- 9 ○ \$270,000 for Upper main drain
- 10 ○ 600 E upsize
- 11 ○ Bank repair behind Scotts Miracle Grow
- 12 ○ Geneva Rd lining
- 13 ○ 200 W box culvert

14 **Recreation Fund (funded by PARC Tax transfers)**

- 15 ○ \$25,000 for Aquatics Center pump maintenance and replacement
- 16 ○ \$80,000 for Aquatics Center boiler maintenance and replacement
- 17 ○ \$20,000 for Community Center furnaces maintenance and replacement

20 There was then some general discussion by the council regarding the budget
21 information presented. Councilmember Powell expressed her appreciation to Ms. Colson
22 and staff for their hard work and flexibility on the budget. She also expressed her thanks
23 to the mayor and council for looking out for the citizens and every aspect of the city.

24 Councilmember Lundberg brought up property taxes stating she sees it is not
25 scaling downward and feels this is a real issue that she has with the state as our piece of
26 the pie continues to shrink. Homes are being assessed at higher values and paying higher
27 taxes. She can't see why our piece of the pie continues to go down and cities get less of
28 that. She feels something is wrong with the state and county calculations. Is there a
29 recourse we could take up with the League to advocate on our behalf?

30 Mr. Cowie explained over time, in general, we are seeing more property tax as a
31 trend. It is generally going up but our rate is decreasing. The reason that rate is decreasing
32 is to keep the dollar amount that we are receiving essentially the same year after year.
33 The only reason that rate would increase is if you vote it in or if inflation and property
34 values are going down then the rate is adjusted up. Unless the council increases the rate,
35 we do not receive more for the same property. So, your home value may go up over time,
36 but we are essentially receiving about the same amount from property tax.

37 Ms. Colson concluded by stating the final budget will be presented on June 15th
38 for adoption and would go into effect on July 1st. She noted the 2020-2021 FY Budget
39 will need to be flexible and we may need frequent budget amendments starting as early as
40 August 2020. We will be watching the economy and monitor revenues as they come in
41 throughout the year and we will prioritize spending and establish timing of expenditures.

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

44
45 COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC
46 HEARING. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

4
6 COUNCILMEMBER VANCHIERE MOVED TO APPROVE RESOLUTION
#2020-11-R AS PRESENTED. COUNCILMEMBER BRODERICK SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

8 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
10 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER VANCHIERE AYE
12 COUNCILMEMBER POWELL AYE
THE MOTION CARRIED UNANIMOUSLY.

14
16 **12. Recess to Lindon City Redevelopment Agency Meeting (RDA)**

18 COUNCILMEMBER POWELL MOVED TO RECESS THE LINDON CITY
COUNCIL MEETING AT 7:55 PM AND CONVENE AS THE LINDON CITY
REDEVELOPMENT AGENCY. COUNCILMEMBER HOYT SECONDED THE
20 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER POWELL AYE
22 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BRODERICK AYE
24 COUNCILMEMBER HOYT AYE
COUNCILMEMBER VANCHIERE AYE
26 THE MOTION CARRIED UNANIMOUSLY.

28 BOARDMEMBER POWELL MOVED TO ADJOURN THE MEETING OF
THE LINDON CITY RDA AND RE-CONVENE THE MEETING OF THE LINDON
30 CITY COUNCIL MEETING AT 7:59 P.M. BOARDMEMBER BRODERICK
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

38
40 **13. Review & Action — Resolution #2020-12-R; Utah State Retirement System,
Public Safety Tier-2 pick-up.** The Council will review and consider the
42 proposed resolution declaring that the City will pick up the Tier 2 public safety
contributions per the code references in the resolution. If approved, this will be
44 implemented in payroll and IRS paperwork starting July 1, 2020 for any eligible
public safety employee.

46 Mr. Cowie opened this discussion item by explaining if approved this resolution
will declare that the City will pick up the Tier 2 public safety contributions per the code

2 references included in the resolution. This will be implemented in payroll and IRS
4 paperwork starting July 1, 2020 for any eligible public safety employee. He noted these
6 are Lindon City employees and some public safety personnel who are eligible for and
8 participate as members in the New Public Safety and Firefighter Tier II Contributory
Retirement System administered by the Utah Retirement Systems. In accordance with
federal and state law, employers may take formal action to pick up required employee
contributions, which will be paid by the employer in lieu of employee contributions.

10 Mr. Cowie further explained that beginning July 1, 2020, Lindon City will pick up
12 and pay required employee contributions for all Lindon City employees who are
14 members of the New Public Safety and Firefighter Tier II Contributory Retirement
System, subject to a maximum of 2.27% of compensation for each employee. The
picked-up contributions paid by the employer, even though designated as employee
contributions for state law purposes, are being paid by Lindon City in lieu of the required
employee contributions.

16 Mr. Cowie indicated the picked-up contributions will not be included in the gross
18 income of the employees for tax reporting purposes, that is, for federal or state income
20 tax withholding taxes, until distributed from the Utah Retirements Systems, so that the
contributions are treated as employer contributions pursuant to Section 414(h)(2) of the
Internal Revenue Code.

22 Mr. Cowie noted the picked-up contributions are a supplement and not a salary
24 reduction to the Lindon City employees who are eligible for and participating members in
the New Public Safety and Firefighter Tier II Contributory Retirement System. He added
after the date of this pick up, a Lindon City employee may not have a cash or deferred
election right with respect to the designated employee contributions, including that the
employees may not be permitted to opt out of the pick-up and may not be entitled to any
option of choosing to receive the contributed amount directly instead of having
them paid by the state on behalf of its employees to the Utah Retirement Systems.

28 Following some general discussion, the Council was in favor of supporting this
30 action and approving the Resolution as presented.

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

34 COUNCILMEMBER LUNDBERG MOVED TO APPROVE RESOLUTION
#2020-12-R AS PRESENTED. COUNCILMEMBER POWELL SECONDED THE
36 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

42 THE MOTION CARRIED UNANIMOUSLY.

44 **14. Discussion Item — Utility Assistance programs.** The Council will review and
46 discuss various utility assistance programs available to residents of Utah County
and review other municipal utility assistance programs.

2 Mr. Cowie led this discussion item by stating as directed he gathered information on utility assistance programs as follows:

Utility Assistance Programs - 2020	Utility type	Qualifiers
Mountainland Assoc of Governments (MAG): HEAT program. Utah, Wasatch, Summit counties	power/gas	Income at or below poverty
Dominion Energy	gas (assistance in addition to HEAT program)	qualified low income
Rocky Mountain Power	power (assistance in addition to HEAT program)	qualified low income
Telephone Assistance Program	telephone	qualified low income
Spanish Fork	donates to other agency; see notes	Income at or below poverty
Murray City	donates to other agency; see notes	Income at or below poverty
Eagle Mountain	all city utilities	?
Santaquin	sewer (now discontinued)	qualified low income
Hurricane	all city utilities	?
Springville	all city utilities (?)	financial hardship; committee approval
Sandy	base rate reduction (all city utilities)	qualified low income; military leave
Utah Dept of Consumer Services links to multiple assistance programs:	https://ocs.utah.gov/assistance.html	

*Some cities responded that they allow payment plans; most did not provide details on plans or qualifiers

*Some cities responded that they are waiving late fees and not doing shut-offs for a few months due to COVID-19.

Utah rental assistance program launches for those who can't pay their rent

<https://www.ksl.com/article/46752544/utah-rental-assistance-program-launches-for-those-who-cant-pay-their-rent>

4

6 Councilmember Broderick commented he appreciates the information presented. He noted this would be to hold somebody's rate the same but wouldn't be subject to the
 8 \$7.19 per month increase that was discussed. At this point it doesn't appear through the research that any other communities do anything like for those on a fixed budget. He
 10 expressed that he just wants to be sensitive to those who are on a fixed income.

12 Mr. Cowie commented that is the case of those who responded to his email. Springville was the only city that targets specific populations. All others indicated the
 14 qualifiers were income based.

16 Mayor Acerson directed staff to keep an eye on it and to keep the information available and accessible. Councilmember Hoyt stated he appreciates the information noting it is good to have and indicated he would be open to craft something if need be down the road.

2 Mr. Cowie stated they will put out a handout with the utility bill with links to make
it available to the public. Following discussion, the Council agreed there are already a lot of
4 good opportunities out there and thanked Mr. Cowie for the information.

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

8 **15. Discussion Item — Lindon Days Events in Light of COVID-19.** The Council
will review and discuss various aspects to Lindon Days activities and events in
10 light of the coronavirus pandemic and the changes that may pose in regards to
social distancing and other recommended guidelines.

12 Mr. Heath Bateman, Parks and Recreation Director led this discussion item by first
14 talking about the pool and the status of the Aquatics Center. He explained per the Utah
County Health Department and the guidelines from the Governor, they anticipate opening
16 the first week of June but it also depends on when they are ready. He noted due to the
Covid19 situation they are working on 700 as the maximum number of patrons as they
18 were told they have to have to reduce the number of patrons in the pool at a time. He
pointed out that normally we can go to about 1,200 patrons.

20 Mr. Bateman further explained they have hired a group of cleaners to sanitize every
three hours doing the locker rooms, bathrooms and tables and chairs. The drinking
22 fountains will be closed. Swim lessons will be normal except the first session will be
cancelled and they will not accept cash. The concession workers will wear masks. The
24 entry way to pool and the line-up will be using social distancing as directed under the
yellow phase. Concessions will be open with the new shaved ice and also with prepackaged
26 items and they are getting the procedures ready to go. Mr. Bateman noted many
reservations have been cancelled and some have moved to a later date. It is their hope to
28 get to the green phase to allow for bigger gatherings. They are following the same rules as
the state; his senior staff is ready to go.

30 Mr. Bateman then spoke on Lindon Days. He stated they are getting to the point
where they need to make some decisions so they can outline confirmations. He noted a lot
32 of cities celebrations have moved to orange so we may be competing for items. They are
committed with a deposit for fireworks and also the band. They are confident they can do a
34 fireworks show and the concert with social distancing. Mr. Bateman asked the council if
we stay in the yellow phase should we shorten Lindon Days and perhaps even cancel if we
36 have to.

38 Councilmember Lundberg pointed out that some of the events won't be yellow
friendly. She also asked what events do you see that won't work at yellow.

40 Mr. Bateman said there are things that could be hard but could be done in the
yellow phase like the car show, Ice cream social and movie, but Huck Finn fishing and the
Foam party would be hard to do. The Horse Arena events may work with a few changes.

42 Mr. Bateman noted the Grand parade is doable, but the state is specific with
handing out candy and parades are being scheduled throughout the state. He would suggest
44 only have pool day be for Lindon residents only. He pointed out that the CDC has stated
that the virus can't live in the water.

46 Mr. Bateman stated he has heard and would expect that the yellow phase will
continue through August so they are committed to following the yellow phase through

2 August. He noted Orem City has moved to a 3-day format and some cities have moved or
cancelled. Mr. Cowie explained the purpose for this discussion is to see if the council is
4 comfortable in narrowing the scope of Lindon Days as staff needs to get moving as to get
the needed sponsorship.

6 Mr. Bateman stated he would propose shortening to have Thursday, Friday and
Saturday events only. There was then some discussion regarding the car show that must be
8 held on a Monday. Mr. Bateman stated Kim and Shawna Tomlinson will not be doing the
car show this year. Following discussion, the council was in agreement that the car show is
10 a great event and they would like to see it happen.

12 Following some additional discussion, the council was in favor of consolidating
events that are hard to manage but to accommodate as many events as we can but only if it
can be done in a safe manner as we need to be sensitive to everyone. Mr. Bateman said he
14 will put a plan together and send it out by email to the council for any feedback so he can
move forward.

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

18 **Adjourn** –

20 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
22 AT 7:40 PM. COUNCILMEMBER VANCHIERE SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

24 Approved – June 1, 2020

26
28 _____
Kathryn Moosman, City Recorder

30
32 _____
Jeff Acerson, Mayor