

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, June 20, 2017,**
4 **beginning at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100 North
State Street, Lindon, Utah.

6 **REGULAR SESSION** –7:00 P.M.

8 Conducting: Jeff Acerson, Mayor
Pledge of Allegiance: Doug Eastman
10 Invocation: Dustin Sweeten

12 <u>PRESENT</u>	<u>EXCUSED</u>
Jeff Acerson, Mayor	Van Broderick, Councilmember
14 Matt Bean, Councilmember	
Carolyn Lundberg, Councilmember	
16 Jacob Hoyt, Councilmember	
Dustin Sweeten, Councilmember	
18 Adam Cowie, City Administrator	
Hugh Van Wagenen, Planning Director	
20 Kristen Colson, Finance Director	
Kathryn Moosman, City Recorder	

- 22
- 24 1. **Call to Order/Roll Call**– The meeting was called to order at 7:00 p.m.
 - 26 2. **Presentations/Announcements** –
a) **Mayor/Council Comments** – There were no announcements at this time.
 - 28 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council
30 meeting of June 6, 2017 and special meeting minutes of May 23, 2017 and the
mobile tour minutes of June 13, 2017 were reviewed.

32 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES
34 OF THE REGULAR CITY COUNCIL MEETING OF JUNE 6, 2017 AND THE
SPECIAL MEETING MINUTES OF MAY 23, 2017 AND THE MOBILE TOUR
36 MINUTES OF JUNE 13, 2017 AS AMENDED. COUNCILMEMBER SWEETEN
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER BEAN AYE
38 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
40 COUNCILMEMBER SWEETEN AYE
THE MOTION CARRIED UNANIMOUSLY.

- 42
- 44 4. **Consent Agenda** – No items.

2 5. **Open Session for Public Comment**– Mayor Acerson called for any public
4 comment not listed as an agenda item. There was a resident in attendance who
 addressed the Council at this time as follows:

6 **Verl Cook:** Mr. Cook stated he is the Lindon Hollow Water President. Mr. Cook voiced
8 his concerns with the Lindon water system. He noted the recently passed water legislative
10 bills indicate that the Lindon canal should be piped as there is a concern with safety
12 issues and possible lawsuits. Mayor Acerson stated as a city our desire is to pipe the
14 canal but it takes money that needs to be appropriated and we are pursuing some grants
16 and funding mechanisms. Mr. Cowie stated the grants awarded were for the North Union
18 Canal and this is the main ditch Mr. Cook is referring to. Mr. Cowie stated the city has
20 looked at options in the past and it would be in the millions to pipe the ditch. Mr. Cowie
 then showed the map showing the sections of ditch that are currently piped. Mr. Cook
 pointed out the problems are from the Lindon Nursery on down. Mr. Cook stated there
 are issues of possible flooding and the question is who owns the pipe and who is
 responsible. Mr. Cook added the State may offer a long term loan to help facilitate the
 funds. Mr. Cowie stated they will continue to have discussion on ways to facilitate the
 piping of the ditch but it does take time and money; the long term goal of the city is to
 pipe the ditch. Mayor Acerson directed Mr. Cowie to follow up with this issue and to
 keep Mr. Cook apprised of the situation.

22

CURRENT BUSINESS

24

6. **Public Hearing — FY 2018 Transfer of Enterprise Funds to General Fund.**

26 The City Council will accept public comment as it reviews and considers
28 proposed transfer of enterprise funds to the general fund as part of the fiscal year
30 (FY) 2018 budget. The proposed transfers are as follows: Water Fund \$266,787
32 (11.2% of fund expenditures); Sewer Fund \$223,768 (7.0% of fund
34 expenditures); Solid Waste Collection Fund \$16,240 (3.7% of fund
36 expenditures); and Storm Water Drainage Fund \$108,528 (12.5% of fund
 expenditures). The City has annually transferred some of the enterprise funds to
 the general fund for use in supplementing such city services as fire, police, street
 maintenance, administration, parks & recreation, and other city functions. No
 motions will be made as this hearing is to only receive and consider public
 comment on the proposed enterprise fund transfers.

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

42 Adam Cowie, City Administrator, opened the discussion by explaining the City is
44 required by new State legislation to hold a public hearing separate from any other budget
46 hearings to receive comment on any proposed transfer of money from the enterprise
 funds (water, sewer, storm water, garbage). He pointed out the City is also required to
 notice utility customers of the transfer by mail, email, website, and social media. He

2 noted post cards with the estimated and proposed transfer information were mailed to
Lindon utility customers on May 31, 2017. The new legislation also requires that a
4 follow-up notices be sent and posted by the same methods to utility customers informing
them of any transfers that were approved as part of the budget adoption and this will be
6 done in July. After mailing and posting the notices, staff has had one resident mention
that the transfers to keep property taxes low is a good idea, and one other resident sent an
8 email asking several questions about the transfers.

10 Mr. Cowie further explained that transferring of funds from enterprise accounts to
the general fund is legal and permitted by Utah State Code 10-6-135.5. It has been a
common practice by Lindon and most other cities in Utah for many years. The enterprise
12 funds (utility services) are created and accounted for like individually run business
accounts. They are revenue generating enterprises facilitated and managed by and
14 through Lindon City. Revenues are generated from these business accounts from the
payment of the services they provide (delivery of water, sewage disposal, garbage
16 disposal, removal/treatment of storm water). There are a great many administrative,
overhead, and support services that are funded by the Lindon City general fund that also
18 support and provide services to the enterprise fund business activities (finance, HR,
police/fire, etc). The City assesses a percentage to each enterprise fund to cover the costs
20 of these administrative and support services. These assessments/fees for services
provided to the enterprise funds are collected (transferred) by Lindon City and put into
22 the general fund – which is used to pay for many other needs and services the city
provides.

24 Mr. Cowie further explained in regards to increasing utility rates and having
'surplus' enterprise funds. The enterprise funds may collect revenue and build reserves
26 beyond typical operations and maintenance costs in order to fund future replacement and
growth related projects. He noted our engineers evaluate future operations and
28 replacement costs for the utility infrastructure and then provide utility rate
recommendations on those calculated and documented needs. During the recession the
30 enterprise funds were being depleted and were not trending to remain self-sufficient.
Therefore, after detailed engineering studies, utility rates have increased annually over
32 several years in order to build the reserves in the utility funds needed to cover the costs of
operations and replacement of the utility systems.

34 There was then some general discussion regarding the funds transfer including the
process of evaluating and assessing the percentage amounts that is not unique of what has
36 been done in the past. Mayor Acerson mentioned it is important to comply with state
requirements and legislative mandates. Mr. Cowie clarified we are assessing these
38 enterprise funds (business accounts) and taking the rate out for administrative costs and
the percentage is what is left. He added after looking at other cities staff feels these rates
40 are reasonable transfer amounts; there is a rationale that is followed from years past and it
is looked at with an evaluation every year.

42 Mr. Cowie noted this is for discussion only with no motion needed and this
hearing is only for accepting public comment on the intended transfers from the
44 enterprise funds. Mayor Acerson then called for any public comment at this time.
Hearing none he called for a motion to close the public hearing.

2 COUNCILMEMBER LUNDBERG MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER BEAN SECONDED THE MOTION. ALL PRESENT
4 VOTED IN FAVOR. THE MOTION CARRIED.

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

- 8
7. **Public Hearing — Budget Adoption for FY 2018; Amend FY 2017 Budget (Resolution #2017-17-R).** Kristen Colson, Lindon City Finance Director, will present the final Lindon City Budget documents for FY2018 beginning July 1, 2017. The tentative budget for FY2018 was approved in a public hearing on April 18, 2017. The City Council also held a public meeting on the proposed budget on May 2, 2017 and a public hearing on May 16, 2017 where budget issues were discussed in detail. The City Council will review the final budget for FY 2018, review the amended budget for FY 2017, review the agreement for services between the RDA and the City, will set the Certified Tax Rate, and review the city-wide fee schedule and compensation programs.

20 COUNCILMEMBER HOYT MOVED TO OPEN THE PUBLIC HEARING.
COUNCILMEMBER SWEETEN SECONDED THE MOTION. ALL PRESENT
22 VOTED IN FAVOR. THE MOTION CARRIED.

24 Kristen Colson, Lindon City Finance Director, opened the discussion by
referencing the resolution and budget documents previously discussed and also the
26 changes since the proposed budget as follows:

- FY 2017: Transferring \$61k from Public Safety Building Capital Improvement Fund back to General Fund
- FY 2017: Increased transfer from General Fund to Road Fund \$100,000
- FY 2017: Took out \$2.5 million revenue for the sale of park property, as well as the expenditure of those proceeds in debt service payments
- FY 2018: Various changes in the General Fund resulting in an increased appropriation to the fund balance of \$167k
- FY 2018: Added debt service payments for the 2005 bond which had been proposed to be paid off

36 Ms. Colson then presented the FY2018 Budget Issues as follows:

38

Budget Issue #1
40 **Should Lindon City provide employees with a 1.5% Cost Of Living Allowance (COLA) increase and provide for a merit step or 3.0% increase in January?**
42

44 Ms. Colson explained the Consumer Price Index (CPI) had an average annual
increase of 1.5% from March 2016 to February 2017 according to US Department of
Labor. Performance evaluations are performed annually in January at which time merit
46 increases would be available to those who meet a predetermined criteria. Historically,

2 COLA and merit increases have provided somewhat consistent buying power for the
employees and have kept salaries competitive and employee morale high. She stated the
4 Fiscal impact for both is \$124,000 (broken out by fund). The merit increase is budgeted
based on the unreserved General Fund balance as a percentage of revenue. A 3.0% Merit
6 Increase is budgeted for 2016FY, effective Jan. 1, 2017. The Merit Increase is awarded
based on employee evaluation scores. She noted that both the COLA and Merit increases
8 are reflected in the Final Budget. Ms. Colson asked if there were any questions or
concerns at this time.

10 Mayor Acerson called for any public comment at this time. A resident in
attendance questioned if all employees will receive a 3% merit increase. Ms. Colson
12 explained the merit varies by employee and is based on evaluation performance.

14 Following some general discussion the Council took a vote regarding Budget
Issue #1 was recorded as follows:

16 THE COUNCIL VOTE FOR BUDGET ISSUE #1 WAS RECORDED AS FOLLOWS:

18 COUNCILMEMBER BEAN	AYE
18 COUNCILMEMBER LUNDBERG	AYE
18 COUNCILMEMBER HOYT	AYE
20 COUNCILMEMBER SWEETEN	AYE

22 THE VOTE WAS UNANIMOUS

Budget Issue #2

Should Lindon City hire a full-time Public Works Engineer and a full-time Facilities Manager?

26 Ms. Colson explained the following full time Public Works Engineer and
28 Facilities Manager positions for consideration as has been previously discussed:

Public Works Engineer:

- Engineering costs increasing as Lindon City grows
- JUB has 10 engineers that provide service to Lindon City, with 3 of them almost exclusively working on Lindon projects
- PW Engineer could reduce workload at JUB by one engineer, approximately \$188,000 per year
- The cost of PW Engineer would be \$136,000 so an annual savings of about \$52,000
- Duties would include site plan reviews, attend DRC Meetings, attend governmental coordination meetings (i.e., UDOT, other cities), helping with various city projects, coordinate with JUB, assist other Lindon staff

Facilities Manager:

- Lindon City growing with most recent addition of Public Safety Building
- Lindon owns 113,000 ft² of roofed facilities (buildings, pavilions, restrooms, well houses, pump houses, etc.)

- 2 • Different departments managing these facilities resulting in inconsistent maintenance and extra hours
- 4 • Duties would include facilities maintenance, assist with department projects, oversee upcoming City Center elevator remodel, maintain Aquatics Center in winter months, supervise all janitorial services, manage City fleet registration and maintenance scheduling

8 Ms. Colson then explained the Fiscal Impact stating the salary and benefits for these positions is listed below without COLA and Merit increases. COLA and Merit increase costs for these positions are included with Budget Issue #1.

	<u>PW Engineer</u>	<u>Facilities Mgr</u>
12 Salary	\$90,001.60	\$43,659.20
14 Benefits	<u>\$46,077.60</u>	<u>\$32,304.63</u>
16 Total	\$136,079.20	\$75,963.83

16 She noted that both positions would be paid from the General Fund. The Public Works Engineer would have equal cost share contributions from the Water, Sewer and Storm Water Funds totaling \$102,059.40. She then referenced the total impact by fund as follows:

20 General Fund	\$109,983.63
22 Water Fund	\$34,019.80
24 Sewer Fund	\$34,019.80
Storm Water Fund	\$34,019.80

24 Ms. Colson noted these positions are reflected in the Final Budget. Ms. Colson asked if there were any questions or concerns at this time.

26 Following some general discussion by the Council the vote regarding Budget Issue #2 was recorded as follows:

30 THE COUNCIL VOTE FOR BUDGET ISSUE #2 WAS RECORDED AS FOLLOWS:
 32 COUNCILMEMBER BEAN AYE
 34 COUNCILMEMBER LUNDBERG AYE
 6COUNCILMEMBER HOYT AYE
 COUNCILMEMBER SWEETEN AYE
 THE VOTE WAS UNANIMOUS

36 **Budget Issue #3:**
 38 **Should Lindon City increase Water, Sewer and Storm Water utility rates?**

40 Ms. Colson explained utility rates should not only cover current operational expenses, but should also allow reserves to be established over time in order to fund repairing and/or replacing of aging system components. She noted the current utility rates do not meet this objective. In addition, recent legislation mandates that culinary water rates be structured in a tier format to encourage conservation. She noted the City Engineer conducted an infrastructure assessment and maintenance evaluation as well as a utility rate study to determine and recommend utility rate increases for water, sewer, and

2 storm water utilities. The recommendation was to implement an annual increase over five
4 years of 9% for water rates, 4% for sewer rates, and 13% for storm water rates. The
6 annual rate increases began July 1, 2014. She noted these rate increases do not currently
include culinary water pumping costs to upper zones, nor the tiered rate structure
changes. JUB Engineers is currently evaluating these fees.

8 Ms. Colson stated they are recommending approval of the increases in water,
sewer and storm water utility rates. These changes are reflected in the Final Budget and
10 revised Fee Schedule. Ms. Colson asked if there were any questions or concerns at this
time.

12 Ms. Colson then referenced the Differential Fiscal Impact as follows:

Water Fund	\$122,780
Sewer Fund	\$ 60,890
Storm Water Fund	\$ 81,505

14 Following some general discussion by the Council the vote regarding Budget
Issue #3 was recorded as follows:

16 THE COUNCIL VOTE FOR BUDGET ISSUE #3 WAS RECORDED AS FOLLOWS:

18 COUNCILMEMBER BEAN AYE
COUNCILMEMBER LUNDBERG AYE
20 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
22 COUNCILMEMBER SWEETEN AYE
THE VOTE WAS UNANIMOUS

24

Ms. Colson also presented the following budget items that were previously
26 discussed in prior meetings as follows:

28 **FEE SCHEDULE CHANGES**

Ms. Colson then went over the Fee Schedule Changes previously discussed
30 including rental rates and pool passes at the Aquatics Center, a candidate filing fee and
secondary water meter rates and utility rates and water shares (equivalency to North
32 Union). Ms. Colson noted the changes in existing fees including the Corporate Block
passes at Aquatic Center.

34

CHANGES IN FUND BALANCE AND CAPITAL EXPENDITURES

36 Ms. Colson went over the changes in the fund balance. She also noted additional
capital expenditure items including \$100,000 for the City Center elevator remodel,
38 \$82,000 for two (2) police vehicles, \$50,000 for two (2) trucks for the two new
employees, \$39,665 for a truck for Parks Department as well as Salter & broom for the
40 Kubota and \$20,000 for a car for Planning Department. She also mentioned the \$500,000
for major maintenance and/or reconstruction (Road Fund) and \$100,000 (Parc Tax) to fix
42 or replace Meadow Park playground, \$39,000 (Water Fund) for a truck and \$652,000 for
special projects including \$250k for preliminary work on new well, \$100k for water
44 portion of off-site improvements for SL# 7 and \$202k for projects postponed from

2 2017FY and \$1.4 Million for sewer lift station #7 (Sewer fund) and (Storm Water Fund)
4 \$35,000 for storm water portion of off-site improvements for SL# 7. Ms. Colson called
4 for any further questions at this time on the budget. There were no further questions.

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

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

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

16 COUNCILMEMBER HOYT MOVED TO APPROVE RESOLUTION #2017-
18 17-R AND THE FISCAL YEAR 2018 FINAL BUDGET, AMENDING THE
20 BUDGET FOR THE 2016-2017 FISCAL YEAR (FY2017), SETTING THE
22 CERTIFIED TAX RATE, ADOPTING A FEE SCHEDULE, ADOPTING THE
24 COMPENSATION PROGRAMS, AND ENTERING INTO THE AGREEMENT WITH
26 THE LINDON REDEVELOPMENT AGENCY. COUNCILMEMBER LUNDBERG
26 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

22 COUNCILMEMBER BEAN AYE
24 COUNCILMEMBER LUNDBERG AYE
24 COUNCILMEMBER HOYT AYE
26 COUNCILMEMBER SWEETEN AYE

26 THE MOTION CARRIED UNANIMOUSLY.

28 8. **Recess to Lindon City Redevelopment Agency Meeting (RDA).** The RDA
30 Board of Directors will review and consider the Proposed Budget for fiscal year
32 2018. The RDA will also hold a public hearing to adopt the Final Budget on June
32 20, 2017.

34 COUNCILMEMBER SWEETEN MOVED TO ADJOURN THE MEETING OF
36 THE LINDON CITY COUNCIL AND CONVENE THE MEETING OF THE LINDON
38 CITY REDEVELOPMENT AGENCY AT 8:02 P.M. COUNCILMEMBER HOYT
38 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
38 CARRIED.

40 BOARDMEMBER LUNDBERG MOVED TO ADJOURN THE MEETING OF
42 THE LINDON CITY RDA AND RE-CONVENE THE MEETING OF THE LINDON
44 CITY COUNCIL MEETING AT 8:07 P.M. BOARDMEMBER SWEETEN
44 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
44 CARRIED.

46 9. **Major Subdivision — Parkview Towns at Anderson Farms Subdivision, 300
46 North 1610 West.** Ken Watson, on behalf of Ivory Development, LLC, seeks

2 preliminary approval of a twenty-nine (29) lot townhome subdivision, including
4 dedication of public streets, at approximately 300 North 1610 West, in the
Anderson Farms Planned Development (AFPD) zone. The Planning Commission
6 recommends approval.

8 Hugh Van Wagenen led this agenda item by explaining this is the third phase of
the Anderson Farms Planned Development which was approved by a Development
10 Agreement between Lindon City and Ivory Development in June of 2016. He noted
Parkview Towns consists of 29 townhome units in what is considered Parcel C of the
Anderson Farms concept plan (2.9 acres). The development of Anderson Farms is
12 governed by the Anderson Farms Master Development Agreement and all standards
referred to tonight are a part of that Agreement. He pointed out this application meets the
14 standards agreed to in that Development Agreement and Concept Plan (plat A has been
recorded). He noted the Planning Commission recommended approval in a 6-0 vote.

16 Mr. Van Wagenen explained the average lot size of the townhomes is 1,577 s.f.
with the largest lot being 1,691 s.f. and the smallest being 1,474 s.f. and these lots are
18 consistent with the concept plan for the townhomes. This is the first phase of the
townhomes, which will eventually consist of 125 units. The driveways have a minimum
20 20 foot depth and the new roads will be built to serve the subdivision, however they will
be private roads and or drives. He noted this plat will require a combination sewer,
22 ground water, and pressure irrigation system pump station with associated off-site lines to
be built (they were also required for Plats A and B) and once built, this infrastructure will
24 serve the remainder of the development.

26 Mr. Van Wagenen explained these systems will need to be operational before any
certificates of occupancy are approved with no park improvements being required at this
time. Mr. Van Wagenen then referenced for discussion an aerial photo of the proposed
28 subdivision, preliminary Parkview Towns at Anderson Farms Plat, Townhome
elevation/rendering example, Landscaping example, Photo of the existing site, Anderson
30 Farms overall concept plan, Overall townhome concept (Parcel C), Street cross sections
and the Off-site utility maps. Mr. Van Wagenen then turned the time over to Mr. Ken
32 Watson, representing Anderson Development to speak on the overall project and product.

34 Mr. Watson gave a quick overview of the townhome subdivision and
improvements including the landscaping. He stated the pump house is 80% complete and
is ahead of schedule and the pumps are set. The off-site improvements are well underway
36 (75%) and both should be done by mid-July with the infrastructure being put in place. He
noted the plat is recorded and they will be getting building permits into the city soon. He
38 then presented the townhome renderings and orientation for review for Plat A. He noted
the plans are into staff now for approval. He also presented the color scheme followed by
40 discussion.

42 Mr. Watson also discussed the square footage of the units noting the basements
will be unfinished and the units will have two car garages (22 ft. deep) with a lot of
landscaping on the project. Mr. Watson then presented a list of options that potential
44 home buyers can come in and buy. Mr. Watson pointed out when they reach 66 % of
single family units the threshold will be triggered to build the park. There was then some
46 additional discussion including buffering, setbacks and accesses and utilities and a sales

2 timeline. Chris Gamvroulas, Ivory Homes, addressed the Council at this time. Mr.
3 Gamvroulas stated the market will dictate sales. He pointed out between the
4 infrastructure and the sewer lift station costs they need to get some homes going but the
5 market is strong for townhomes and these will be very nice with a lot of articulation in
6 the front. He also pointed out the determination of what got developed first was related
7 to the infrastructure. He noted the wall/fencing along the freeway will be adjusted (per
8 UDOT). There was also some discussion on the possibility of a retail big box in the area
9 with Mr. Gamvroulas stating they are still cooperating with the brokers and the
10 Andersons and are hoping to set a nice tone at the front. There are reservations on the
11 single family homes and they will start taking contracts next week with the townhomes
12 contracts to follow several months later.

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

15 COUNCILMEMBER BEAN MOVED TO APPROVE THE APPLICANT'S
16 REQUEST FOR APPROVAL OF A 29 LOT RESIDENTIAL TOWNHOME
17 SUBDIVISION WITH THE FOLLOWING CONDITIONS: 1. DEVELOPER BE
18 RESPONSIBLE TO PUMP GROUNDWATER COLLECTED BY THE LAND DRAIN
19 SYSTEM UNTIL THE GROUNDWATER PUMP STATION IS OPERATIONAL. 2.
20 OFF-SITE SEWER, GROUND WATER, AND PRESSURE IRRIGATION SYSTEM
21 PUMP STATION AND OFF-SITE SEWER FORCE MAIN AND PRESSURE
22 IRRIGATION LINE SHALL BE CONSTRUCTED AND FUNCTIONAL BEFORE
23 ANY HOMES CAN BE OCCUPIED OR CULINARY WATER SERVICE IS
24 PROVIDED TO ANY HOMES. COUNCILMEMBER LUNDBERG SECONDED THE
25 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

26 COUNCILMEMBER BEAN AYE
27 COUNCILMEMBER LUNDBERG AYE
28 COUNCILMEMBER HOYT AYE
29 COUNCILMEMBER SWEETEN AYE
30 THE MOTION CARRIED UNANIMOUSLY

31

32 **10. Discussion Item — Land Uses around 700 N. Corridor and PG/Lindon**
33 **Interchange.** The City Council will review and consider various types of land
34 uses currently permitted in zones along the 700 North corridor and areas around
35 the PG/Lindon I-15 interchange. Direction may be given to staff regarding the
36 City Council's envisioned changes and/or limitations in land uses that may be
37 needed along the corridor.
38

39 Mr. Van Wagenen opened this agenda item by explaining there are several items
40 are included in the packet for referenced to the discussion around land uses in the subject
41 areas. The two zones governing are the CG-A8 zone around the Lindon/PG interchange
42 and the Lindon Village Commercial zone along 700 North. He then referenced the
43 current zoning maps noting West of I-15 UDOT has future facilities that will impact the
44 area, namely the Vineyard Connector and I-15 frontage roads. He then referenced a
45 concept plan of those facilities if approved. Around the Lindon/PG interchange there are
46

2 several developments proposed. He pointed out that both the General Commercial and
4 Lindon Village Commercial (LVC) zone have similar permission on land uses per the
standard land use table. He then referenced the CG zones that have several permitted uses
6 that are not allowed in the LVC zone. Mr. Van Wagenen turned the time over to the city
council for discussion regarding the land uses and the implementation and guiding forces
on the 700 North Corridor.

8 Councilmember Lundberg gave a brief summary of what other cities have
planned and similar to what Lindon is considering for that area. She noted they are done
10 through a consulting firm with a plan overview, summary, urban design, land use,
transportation plans, circulation, implementation, utilities, etc. She feels everyone is on
12 the same page and agrees that this is a very critical area for the future of Lindon City and
different than Lindon Village; the key is diversity in the economic mix. This is
14 potentially a definable downtown area for Lindon since there is not a historic downtown
area.

16 There was then some general discussion by the Council where they considered
various types of land uses currently permitted in zones along the 700 North corridor and
18 areas around the PG/Lindon I-15 interchange. They discussed their vision changes and/or
limitations in land uses that may be needed along the corridor. The Council also felt that
20 a joint meeting with the Planning Commission should be considered to share their ideas
and vision of the area and what they are hoping to accomplish and what types of
22 businesses constitutes revenue for the city.

24 Ben Richardson, with Coldwell Banker, pointed out that the big box days are
changing because of online buying. As retail changes the trade core is very important
where you place jobs to drive the retail as it is as important as rooftops. Retail and office
26 developers are working hand in hand and chasing each other. Lindon has the ability to
handle major traffic because of the interchange with the Vineyard Connector.

28 Following discussion Mayor Acerson asked Mr. Van Wagenen if the Council has
given him sufficient direction on how to proceed. Mr. Van Wagenen stated he is hearing
30 the Council would like to have a joint work session with the Planning Commission to
discuss the concerns about 700 North filling up with office/warehouse space and the west
32 side of I-15 and possibly capping certain types of uses. He is also hearing they would like
to look at what a new zone at the interchange may consist of and more information on a
34 small area plan for 700 North and to also look into the possibility of using professional
services for a specific area plan.

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

38
40 **11. Public Hearing — General Plan Amendment, 725 N. 2800 West. Ordinance**
#2017-3-O. Mark Weldon, WICP West Orem #3 (3/4), LLC, requests a General
42 Plan Land Use Map Amendment from Commercial to Mixed Commercial, on
property (north 5.5 acres) located at 725 North 2800 West, and identified by Utah
44 County Parcel ID #13:063:0085. The Planning Commission recommends
approval.

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

6 Mr. Van Wagenen led this agenda item by giving an overview stating this
property in question is located on the Lindon border with American Fork this property is
8 currently surrounded by General Commercial property to the south and east and Mixed
Commercial property to the north. The Mixed Commercial property to the north was
10 rezoned in 2015 from General Commercial to Mixed Commercial in order to
accommodate development of a flex office/warehouse project. He noted Mr. Scott
12 Thorsen and Mr. Ben Richardson are in attendance tonight as representatives of this
agenda item.

14 Mr. Van Wagenen stated the current development proposal would possibly
construct a flex office/warehouse as part of a corporate campus concept if the General
16 Plan and zoning designations were approved. He noted that flex office/warehouse
typically serves businesses that require space in which light assembly, packaging, and
18 shipping activities will occur. The conceptual layout shows this land as part of the larger
Mountain Tech campus. He pointed out that Building #1 is operational (office) with
20 Building #2 (office) being under construction. Building #3 would be the flex space that
this application would allow to happen while Building #4 would be an additional office
22 on the corner of 600 North (PG Boulevard) and 2800 West. A parking deck is also being
envisioned on the site if parking demands require it. The applicant's proposed use for the
24 flex building is not allowed in the CG zone, but it is in the MC zone. He added that the
applicant will request the appropriate zoning on the next agenda item.

26 Mr. Van Wagenen went on to explain that City Code requires that any zone
change must be consistent with the City's General Plan Designation. The current General
28 Plan designation is Commercial, so the General Plan map must first be modified for the
rezone request to be possible. Therefore, the applicant is requesting that the General Plan
30 designation be changed to Mixed Commercial to permit the zone change and allow the
desired uses.

32 Mr. Van Wagenen further noted that following a lot of discussion with the
applicant and among themselves, the Planning Commission recommended approval of
34 the requested General Plan change. He stated the Commission felt that the locations
proximity to the MC zone to the north, American Fork's Planned Industrial zone to the
36 west and keeping 600 North frontage as General Commercial along with the presented
concept plan were enough compelling reasons to recommend approval.

38 Mr. Van Wagenen stated the General Plan currently designates the property under
the category of Commercial. This category includes retail and service oriented
40 businesses, and shopping centers that serve community and regional needs. The
applicant is requesting that the General Plan designation of the property be changed to
42 Mixed Commercial, which includes the uses in the General Commercial designation, as
well as light industrial and research and business uses.

44 Mr. Van Wagenen then referenced the relevant general plan policies to consider
in determining whether the requested change will be in the public interest followed by
46 discussion. He also referenced an aerial photo of the proposed area to be re-classified,

2 the current general plan land use map, conceptual site plans, photos of the existing site,
4 the future UDOT facilities in the vicinity, the Standard Land Use Table - CG-A8 and MC
comparison (changes highlighted) and the Draft Ordinance 2017-3-O. He then turned the
time over to the representatives to comment on the proposed project.

6 Mr. Thorsen commented that they have done a lot of work on this project and the
four story tower is currently going up and the building to the south (Jive Communication)
8 is going in. He stated they have a concept of building a high bay warehouse that looks
like an office building that is for one whole campus. Mr. Thorsen stated their preference
10 would be to have office on the Mountain Tech side and move the industrial to the south
of Pleasant Grove Blvd. He noted the issue is where they have some very expensive
12 office buildings and tenants in the two buildings that border the highway, and the tenants
have asked if they can shield any future construction.

14 Mr. Thorsen stated they plan to operate a clean campus facility that will look like
an office building with a warehouse with high end industry that will bring a lot of jobs.
16 The challenge will be how to facilitate developing this if they are able to have a mixed
use for the 40 acres. Depending on what happens on Mountain Tech north he would like
18 the right to put the office warehouse at that location. They are in due diligence with the
40 acres below them and are prepared to close on the property. He also referenced the
20 renderings showing the 50 ft. concrete wing wall that will shield the dock area. Mr.
Thorsen pointed out there is some incentive as it is the same developer and Mr. Weldon
22 wants to keep his tenants happy and has a vested interest in the area and in building a top
notch product.

24 Mr. Thorsen went on to say they have a big investment in the two existing office
buildings and would like to have the option to shield from the Blind Man and don't want
26 to see the trucks and want to accommodate the existing tenants as they are both 10 year
tenants (Global Payments and Jive Communications). Mr. Thorsen commented that Mr.
28 Weldon is not asking for anything that the city has not already granted to others and is
simply asking what has already been granted to the property to the north of him. He
30 pointed out they are a long term player and have spent a lot of money and brought a lot of
jobs to Lindon.

32 There was then some general discussion by the Council regarding this issue
including concerns with the Blind Man business operations and other established
34 businesses and the use of a potential landscaping buffer. The Council was in agreement that
Mr. Weldon produces a nice product and has a vested interest and is acquiring a lot of
36 ground and making significant moves in Lindon. They do want balance and diversity and
need to look at what areas make sense.

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

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

44
46 Mayor Acerson then called for any further comments or discussion from the
Council. Hearing none he called for a motion.

2 COUNCILMEMBER HOYT MOVED TO APPROVE ORDINANCE 2017-3-O
WITH NO CONDITIONS. COUNCILMEMBER BEAN SECONDED THE MOTION.
4 THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER BEAN AYE
6 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
8 COUNCILMEMBER SWEETEN AYE
THE MOTION CARRIED UNANIMOUSLY.

10
12 **12. Public Hearing — Zone Map Amendment, 725 N. 2800 W.; Ordinance**
#2017-4-O. Mark Weldon, WICP West Orem #3 (3/4), LLC, requests approval
14 of a Zone Map Amendment from General Commercial Auto (CG-A8) to Mixed
Commercial (MC), on property (~north 5.5 acres) located at 725 North 2800
16 West, and identified by Utah County Parcel ID #13:063:0085. The Planning
Commission recommends approval.

18 COUNCILMEMBER SWEETEN MOVED TO OPEN THE PUBLIC
HEARING. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL
20 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

22 Mr. Van Wagenen stated based on the previous discussion on the General Plan
Amendment item that was just approved he doesn't have any further information to
24 provide on the zone map amendment as these items are connected.

26 Mayor Acerson then called for any public comment. Hearing none he called for a
motion to close the public hearing.

28 COUNCILMEMBER BEAN MOVED TO CLOSE THE PUBLIC HEARING.
COUNCILMEMBER SWEETEN SECONDED THE MOTION. ALL PRESENT
30 VOTED IN FAVOR. THE MOTION CARRIED.

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

34
36 COUNCILMEMBER BEAN MOVED TO APPROVE ORDINANCE 2017-4-O
REGARDING THE ZONE MAP AMENDMENT WITH NO CONDITIONS.
COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS
38 RECORDED AS FOLLOWS:
COUNCILMEMBER BEAN AYE
40 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
42 COUNCILMEMBER SWEETEN AYE
THE MOTION CARRIED UNANIMOUSLY.

44
46 **13. Continued Public Hearing — Disposal of Surplus Property; Resolution**
#2017-15-R. This item was continued from the June 6, 2017 City Council

2 meeting. The City Council will review and consider the sale and disposal of up
4 to 14.51 acres of surplus real property located at approximately 2100 West 600
6 South, Lindon (Utah County Parcel ID #17:023:0012). The property has been
8 listed for sale since the fall of 2015.

10 *Mayor Acerson called for a five minute break at this time.*

12 COUNCILMEMBER LUNDBERG MOVED TO OPEN THE PUBLIC
14 HEARING. COUNCILMEMBER SWEETEN SECONDED THE MOTION. ALL
16 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

18 Adam Cowie, City Administrator, led this agenda item by giving a brief overview
20 of this agenda item explaining the City Council is considering the sale and disposal of the
22 majority of the property with proposed sale proceeds intended to be used to pay down
existing city debts. He stated this item was discussed and continued from the May 16,
2017 City Council meeting, then discussed and continued again at the June 6, 2017
meeting to allow an on-site visit of the property by the entire Council, which occurred on
June 13th. After the June 6th meeting the City Council directed staff that offers on the
property continue to be received but not considered for acceptance until the Utah Lake
Commission had a few weeks to come up with a concept plan for a possible Nature
Center on the property.

24 Mr. Cowie noted the Council also directed staff to prepare two different options
for a resolution/declaration of surplus property to be considered at this meeting tonight as
follows:

- 26 • Resolution Option #1: Declare all of the originally listed 14.51 acres as surplus
real property, or
- 28 • Resolution Option #2: Declare a smaller portion of the property (TBD by
Council) as surplus real property.

30 Mr. Cowie stated the approximate acreage can be determined tonight if less than
32 the full 14.5 acres is declared as surplus. He added if either resolution declaring the
property as surplus is adopted the Council will still need to accept public comment on a
34 final accepted offer. He further added that City attorney indicated that this can occur
through acceptance of written comments or through a future public meeting, at the
36 discretion of the Council. Mr. Cowie pointed out if land acreage that was not declared
surplus is later intended to be sold it will need to be declared surplus by Council action
38 with an updated resolution.

40 Mayor Acerson called for any public comment at this time. Several in attendance
addressed the Council as follows:

42 **Jim Dain:** Mr. Dain presented and explained a conceptual plan with three different
44 schemes of what may fit (a combination) at the property including soccer fields,
pavilions, education center etc. He also presented a copy of the approved Vineyard
46 zoning map. Mr. Dain indicated the Utah Lake Commission may consider a visitor's
center on the far north end of the property with a clear unobstructed view of the lake. He

2 added if former city councils had ground/property that they thought was unusable we
4 wouldn't have the Lindon City Park or even the ground where this city building sits
6 today. He feels this is a premium parcel and really believes that down the road if this is
8 sold it would be very regrettable and we should hang on to this. He would say to think of
10 the future and to find other ways to bring down debt as the city is not in financial straits
12 right now and has a flush budget. Mr. Dain also mentioned he spoke with Brandon
14 Gillins, who is the men's soccer coach at BYU and who plays a big role in youth soccer.
16 He asked Mr. Gillins if people would play and use the fields if soccer fields were put in at
18 the property. Mr. Gillins indicated he firmly believes people would play and the fields
20 would definitely be well used. Mr. Dain also read a written statement from previous
22 councilmember Richard Draper who is in support of retaining the property and to
24 preserve it for public use as was intended.

14 **Eric Ellis:** Mr. Ellis, Utah Lake Commission Director, stated he appreciated the Council
16 coming to tour the property to visualize the potential. He noted with the portion up for
18 sale there have been a lot of interesting presented options to preserve it for public use.
20 He pointed out that Lindon City did adopt a model ordinance in 2012 (through the Utah
22 Lake Commission) for lakeshore properties and each community was represented; he can
24 re-share the model ordinance for review if requested. He pointed out that there are so
many options to consider. When he spoke to Vineyard they suggested turning it into an
RV/campsite park that would be revenue generating and bring tourism. He would
encourage the Council to keep the idea open and to keep other options open because of
the Marina access and the recently adopted Vineyard zone change map.

26 **Larry Ellertson:** Mr. Ellertson mentioned one thing relative to this property different
28 from other lakeshore areas is that it has a raised shoreline and won't flood. He agreed we
30 don't know what the future will bring, but he would suggest giving some thought to these
32 concepts and future uses. Selling the property for road funding when the amount needed
34 is less than 15 % of what is needed is not a good option and does not solve the problem; a
36 solution will still be needed to fund roads; an issue all communities are facing. He
suggested that this is not that solution and would only be a small portion of what is
needed for roads. This property needs to be preserved how it was originally perceived
and if sold we are giving away a potential for future use; selling is not the right thing. He
implored the Council to consider the original concept as it is incumbent on future
Councils to honor those things.

38 **Gary Brodeur:** Mr. Brodeur, Orem resident and a realtor with Osmond Real Estate. He
40 stated he went on the recent walk-through of the property with the Council. He came
42 upon this issue but he didn't perceive an integrated concept for this and feels having
44 delayed this has been helpful to bring a vision together for the use of the property. The
46 plan they saw last week during the walk through has provided some progress because the
commercial aspect is easier to work with the agent. He noted he grew up in southern
California and saw a lot of the land go to development and he feels this property
represents a unique opportunity for the city as it sits in a transit corridor that will be
highly visible in the future and sometimes perception is reality. The Council has the

2 opportunity in the future to decide what to do with this property and he speaks in favor of
4 having this parcel as an attractive entry point for the city.

6 Councilmember Hoyt commented they have discussed Renewable Energy
8 Renovations and the possible site for a Nature Education Center and asked Mr. Ellis if
10 there has been any progress on this with the Board. Mr. Ellis stated they have not had the
12 chance to meet as a board since the last meeting but they have indicated their interest and
14 this issue is on the next agenda.

16 Councilmember Sweeten brought up the discussion when walking the property
18 the portion they proposed to keep and asked Mr. Ellis if it would be sufficient space for
20 the Education Center they are proposing. Mr. Ellis confirmed that statement if it would
22 allow for drive space/parking for both facilities.

24 Mayor Acerson then called for any further public comment. Hearing none he
26 called for a motion to close the public hearing.

28 COUNCILMEMBER SWEETEN MOVED TO CLOSE THE PUBLIC
30 HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT
32 VOTED IN FAVOR. THE MOTION CARRIED.

34 Councilmember Sweeten asked Mr. Cowie to present the slide (map) of the recent
36 tour of the property. Mr. Cowie showed the map followed by discussion on the property
38 areas and possible sectioning/line drawing of the parcel.

40 Councilmember Lundberg commented Mr. Ellis had also mentioned a
42 public/private partnership with perhaps an RV/Campground, boat storage etc. however,
44 she did not there are some concerns with management and safety concerns. She pointed
out these uses could enhance the harbor use as well. Her initial thought is that there are so
many beautiful Lindon parks and she is leaning towards obtaining the education center
but with a natural space in the area that would be amenable with the wildlife and artesian
wells, ponds etc. and may be a higher use and to keep it natural may be ideal.

46 Councilmember Hoyt stated there is no need to sell the property unless they can
48 completely liquidate some of the debt which would free up cash flow to facilitate roads;
the purpose is to free up cash flow to go towards roads.

50 Mayor Acerson questioned the Council at this time, based on the many options
52 presented here, are there any sitting councilmember's that feel, at this point in time, to
54 defer selling the property and keep it for some future public use or if they feel to sell the
property is imminent if the right offer comes in.

56 **Councilmember Sweeten:** He would agree sell if the right offer comes in.

2 COUNCILMEMBER LUNDBERG NAY
COUNCILMEMBER HOYT NAY
4 COUNCILMEMBER SWEETEN AYE

6 **DUE TO A TIE VOTE MAYOR ACERSON VOTED TO BREAK THE TIE WITH
A NAY VOTE. THE MOTION FAILED THREE TO TWO.**

8

10 *Following some additional discussion Mayor Acerson called for a new motion
due to the failure of the previous motion.*

12 COUNCILMEMBER HOYT MOVED TO APPROVE RESOLUTION #2017-
14 15-R OPTION NUMBER TWO DECLARING THE DISPOSAL OF A SMALLER
PORTION (ROUGHLY 9 ACRES) OF THE PROPERTY WITH THE LINE
16 DICTATED BY EXHIBIT A. COUNCILMEMBER SWEETEN SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN NAY
18 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
20 COUNCILMEMBER SWEETEN AYE
THE MOTION CARRIED THREE TO ONE.

22

24 **14. Action Item — Street Lighting Request at 290 N. 712 W.** An application for
installation of a street light has been received and public signatures for
26 endorsement of the light have been met. Total cost to install a Granville type
street light at this location is estimated at \$4,417.65.

28 Mr. Cowie led this agenda item by explaining the City received a Streetlight
Installation Application request from Mr. Jack Anderson of 290 N. 712 W. in the
30 Pheasant Brook subdivision that was signed by 19 other individuals from the
neighborhood. He noted the application meets the criteria for a new street light in a mid-
32 block location on 290 North, subject to City Council approval.

34 Mr. Cowie explained the criteria for street lights include that roads over 650 feet
long are eligible for a mid-block light. This section of roadway is over 850 feet long and
36 almost 1,000 feet between existing street lights. Total estimated cost of the new light at
this location is \$4,417.65. He pointed out the City has available budgeted funds for street
38 light installations to construct a light at this location and staff recommends approval of
this request.

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

42 COUNCILMEMBER HOYT MOVED TO APPROVE A NEW STREET LIGHT
TO BE INSTALLED AT APPROXIMATELY 290 NORTH 712 WEST.
44 COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

46 COUNCILMEMBER BEAN AYE

2 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
4 COUNCILMEMBER SWEETEN AYE
THE MOTION CARRIED UNANIMOUSLY.

6

10. COUNCIL REPORTS:

8

10 **Councilmember Hoyt** – Councilmember Hoyt reported on the recent PG/Lindon
Chamber Tri-Chamber luncheon noting it was a good meeting and well attended. He also
noted Josh Walker, Chamber President, would be more than willing to give a report when
12 requested by the council.

14 **Councilmember Broderick** – Councilmember Broderick was absent from the meeting.

16 **Councilmember Bean** – Councilmember Bean had nothing to report.

18 **Councilmember Lundberg** – Councilmember Lundberg had nothing to report.

20 **Councilmember Sweeten**– Councilmember Sweeten reported he participated in the
recent Strawberry Days celebration and he has some ideas to discuss with Heath Bateman
22 for Lindon Days. He also spoke on the interviewing process and asked the Council if they
feel a councilmember should be involved in the interview process. Following discussion
24 the Council was in agreement that the City Manager should make that determination
unless it is under their assignment and responsibility.

26

28 **Mayor Acerson** – Mayor Acerson reported he attended the recent UIA meeting along
with Mr. Cowie where they discussed the upcoming budget. He also attended the IHC
Outreach meeting where they discussed wellness programs.

30

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

34 **Misc Updates:**

- 36 • June newsletter
- July newsletter article: Van Broderick - Article due to Kathy Moosman last week
in June.
- 38 • UTOPIA/UIA – new bond proposed for continued build-out.
- Primary Elections Meet the Candidates night tentative date: July 20th at 7pm.
40 Questions/topics/format.
 - 42 ○ Tentative date for General Election Meet the Candidate night: October
12th at 7pm
- Misc. Items

44 **Upcoming Meetings & Events:**

- 46 • July 4th – City offices closed. No Council meeting. Next regularly scheduled
meeting is July 18th

- 2 • July 20th at 7pm – Tentative date for Primary Election Meet the Candidate night
3 • July 24th – City offices closed
4 • August 7th-12th – Lindon Days
5 • August 15th – Primary Election (No Council meeting)
6 • September 4th – City offices closed
7 • October 12th – Tentative date for General Election Meet the Candidate night
8 • November 7th – General Election (No Council meeting)

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

12

Adjourn –

14

15 COUNCILMEMBER HOYT MOVED TO ADJOURN THE MEETING AT
16 11:52 PM. COUNCILMEMBER SWEETEN SECONDED THE MOTION. ALL
17 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

18

Approved – July 18, 2017

20

22

Kathryn Moosman, City Recorder

24

26

Jeff Acerson, Mayor

28