

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, June 6, 2017,**  
4 **beginning with a work session at 6:00 p.m.** in the Lindon City Center, City Council  
Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:00 P.M.

8 Conducting: Jeff Acerson, Mayor

10 **COUNCILMEMBERS PRESENT**

**ABSENT**

Jeff Acerson, Mayor

12 Matt Bean, Councilmember

Carolyn Lundberg, Councilmember

14 Van Broderick, Councilmember

Jacob Hoyt, Councilmember

16 Dustin Sweeten, Councilmember

18 **STAFF PRESENT**

Adam Cowie, City Administrator

20 Hugh Van Wagenen, Planning Director

Kathryn Moosman, City Recorder

22

1. **Pleasant Grove/Lindon Chamber of Commerce** – Josh Walker, President of the  
24 PG-Lindon Chamber, was in attendance and presented an overview of past  
activities and membership growth in the Chamber. Mr. Walker noted Lindon has  
26 been a partner with the Chamber since Lindon City joined the Chamber in  
October 2016. Mr. Walker then presented to the Council the original proposal for  
28 comparison purposes as to what the chamber committed to. He then went over the  
Chamber Board member’s duties and organizational chart and the Lindon  
30 business board representation. Regarding Board representation, he noted they  
need to bring in one more person in order to fulfill the commitment of having five  
32 Lindon members on the Board. He also presented a handout presenting the  
numbers and percentages from inception to date (90 members) including  
34 membership fees. He then went over the Lindon City financial participation and  
returns and financial history and projections. He stated the Lindon contribution  
36 includes naming rights and rebranding, the chamber hosting numerous events  
including golf tournament (Fox Hollow) including a corporate golf pass,  
38 strawberry days, awards banquet, monthly chamber luncheons etc. Mr. Walker  
also covered the benchmarks, goals and projections noting there are 1,387  
40 Pleasant Grove business licenses (65%) and 739 Lindon business licenses (35%)  
and currently 7 Lindon businesses are members. In conclusion Mr. Walker stated  
42 he feels they are moving in a good direction with a good energy and momentum  
and believe they will continue to provide a greater ability to support the continued  
44 growth and success of businesses in both cities. There was then some general  
discussion regarding this issue.

46

2. **Discussion Item: Lindon Days Grand Marshal-** The Council discussed possible

2 Grand Marshals to be recognized during the 2017 Lindon Days. Mr. Cowie noted  
4 there is not a set criteria for selecting the Grand Marshal but it has traditionally  
6 been single individuals, couples, or multiple individuals in the past. Typically, the  
8 Council has discussed and selected a Grand Marshal and then the Mayor contacts  
10 the recommended individual(s) about the recognition. Mr. Cowie then presented a  
12 list of former Grand Marshals. Following some general discussion on possible  
14 selections the Council was in agreement to have the Mayor contact Scott and  
16 Brenda Cullimore to be the 2017 Lindon Days Grand Marshalls.

- 10 3. **Presentation:** The Miss Pleasant Grove Strawberry Days Royalty & Rodeo  
12 Royalty were in attendance to present information on upcoming Strawberry Days  
14 events. Lindsey Savage, 2017 Miss Pleasant Grove, presented general information  
16 about the upcoming Strawberry Days festival and introduced her attendants:  
18 Ansley Funes, Courtney Ricks and Sami Jo Carson who each mentioned an  
20 individual event including some of the following: Huck Finn Days, Concert in the  
22 Park, Baby Contest, Princess Party and the Grand Parade. Ms. Savage then turned  
24 the time over to the Rodeo Royalty to present details of the Strawberry Days  
26 Rodeo. Shawnee Harward, 2017 Strawberry Days Rodeo Queen, introduced her  
28 attendants, Mckell Wall and Sydney McManus. They presented information about  
30 the Strawberry Days Rodeo noting the Rodeo starts at 7:00 pm (pre-show) and is  
held Wednesday through Saturday with many fun events including mutton bustin,  
bull riding, cow milking, and a great fireworks show. They invited the Mayor and  
Council out to the Rodeo noting it is a very fun event for the entire family. Ms.  
Savage then thanked the Council for all the support Lindon shows to the pageant  
and to the program. They also presented the Mayor and Council with a strawberry  
cheesecake and invited them to come out and enjoy the week long Strawberry  
Days events and festivities. Mayor Acerson thanked the Royalty for the invitation  
and the cheesecake noting the Council always looks forward to the Strawberry  
Days Celebration.

32 4. **COUNCIL REPORTS:**

34 **Councilmember Broderick** – Councilmember Broderick reported that he spoke with  
36 Brad Jorgensen, Public Works Director and everything is going well with the department.  
38 He mentioned that Mr. Jorgensen wrote a good newspaper article that emphasized water  
conservation. Councilmember Broderick asked for an update on the spray coating on the  
canal. Mr. Cowie stated he hasn't had any reports or calls and it appears to be going  
well.

40 **Councilmember Hoyt** – Councilmember Hoyt reported there was a good turnout with  
42 the PG/Lindon Chamber of Commerce luncheon hosted at the Lindon Public Safety  
44 Building with some really good interaction and comments from Chief Adams and Chief  
Gurney. He noted he appreciates the presentation by Josh Walker and the good work he is  
46 doing with the Chamber. He reported the Tri-Chamber networking luncheon will be held  
at Los Hermanos on the third Thursday of the month. There was a big turnout at the last  
Tri-Chamber meeting and they are expecting as many or more to this next meeting.

2 **Councilmember Bean** – Councilmember Bean expressed his appreciation to Josh  
Walker for his good efforts with the PG/Lindon Chamber of Commerce.

4

6 **Councilmember Lundberg** – Councilmember Lundberg reported she attended the recent  
Tree Board meeting. She mentioned there are a couple of residents who have concerns  
8 about the excessive weeds on the horse trail on the east side (going east and west) and if  
they can they be cut down and maintained. Mr. Cowie stated they will look into the issue.

10 **Councilmember Sweeten**– Councilmember Sweeten reported he has had some recent  
talks from concerned citizens about the fluorination in the water and if it can be reduced.  
12 Mr. Cowie stated he will check into it with the Public Works Director. Councilmember  
Sweeten also spoke with Roger Harper at the (NPSWD) North Point Solid Waste District  
14 about the top of the landfill. Mr. Harper indicated they used a liner and dirt and sod when  
they capped the landfill. He also indicated that it may be able to be used long term for  
16 recreational purposes (ball fields etc.,) and they would be open to that for only the cost of  
the improvement and perhaps this may be an option.

18

20 **Mayor Acerson** – Mayor Acerson mentioned, on a personal note, that his dad broke his  
hip and had surgery and is now in a care center. He reported he attended the recent UTA  
meetings where they made their latest appointee. Mayor Acerson commented that we  
22 have a great city and council and great things are happening here and he truly appreciates  
the council’s dedication and service to the city. He also reported that Eric Ellis, Director  
24 of the Utah Lake Commission, is coming tonight to share some insights for the possible  
sale of the property.

26

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

30

**Misc Updates:**

- 32 • May newsletter
- July newsletter article: Van Broderick - Article due to Kathy last week in  
June.
- 34 • Water billing errors discovered on about 85 water services with larger  
meter sizes (1.5” to 8” meters).
- 36 • Utah County Fair, August 16th-19th – Decorated Bull cut-outs
- Misc. Items:

38

**Upcoming Meetings & Events:**

- July 4th – No Council meeting
- 40 • August 7th-12th – Lindon Days
- August 15th – Primary Election (No Council meeting)
- 42 • November 7th – General Election

44

**REGULAR SESSION** –7:25 P.M.

46

Conducting: Jeff Acerson, Mayor  
Pledge of Allegiance: Larry Ellertson

2 Invocation: Matt Bean, Councilmember

4 **PRESENT** **EXCUSED**

Jeff Acerson, Mayor  
6 Matt Bean, Councilmember  
Carolyn Lundberg, Councilmember  
8 Van Broderick, Councilmember  
Jacob Hoyt, Councilmember  
10 Dustin Sweeten, Councilmember  
Adam Cowie, City Administrator  
12 Hugh Van Wagenen, Planning Director  
Brian Haws, City Attorney  
14 Kathryn Moosman, City Recorder

- 16 1. **Call to Order/Roll Call**– The meeting was called to order at 7:00 p.m.
- 18 2. **Presentations/Announcements** –  
20 **Mayor/Council Comments** – There were no announcements at this time.
- 22 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council meeting of May 16, 2017 were reviewed.

24 COUNCILMEMBER HOYT MOVED TO APPROVE THE MINUTES OF THE  
REGULAR CITY COUNCIL MEETING OF MAY 16, 2017 AS PRESENTED.  
26 COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS  
RECORDED AS FOLLOWS:

28 COUNCILMEMBER BEAN	AYE
COUNCILMEMBER LUNDBERG	AYE
30 COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER HOYT	AYE
32 COUNCILMEMBER SWEETEN	AYE

THE MOTION CARRIED UNANIMOUSLY.

- 34 4. **Consent Agenda** – No items.
- 36 5. **Open Session for Public Comment**– Mayor Acerson called for any public  
38 comment not listed as an agenda item. There were no public comments.

40 **CURRENT BUSINESS**

- 42 6. **Review & Action — Sewer Revenue Bond Parameters Resolution #2017-16-**  
44 **R.** Consideration of a resolution authorizing the issuance and sale of not more  
46 than \$1,600,000 aggregate principal amount of sewer revenue bonds; fixing the  
maximum aggregate principal amount of the bonds, the maximum number of  
years over which the bonds may mature, the maximum interest rate which the  
bonds may bear, and the maximum discount from par at which the bonds may be

2 sold; providing for the publication of a notice of public hearing and bonds to be  
4 issued; providing for the running of a contest period and setting a public hearing  
6 date; authorizing the execution by the City of a general indenture, supplemental  
8 indenture (or a master resolution in similar form), bond purchase agreement, and  
other documents required in connection therewith; authorizing the taking of all  
other actions necessary to the consummation of the transactions contemplated by  
the resolution; and related matters.

10 Adam Cowie, City Administrator, opened the discussion by referencing the  
12 resolution noting the City has worked with Ivory Homes in designing and constructing a  
14 new sewer lift station at approximately 150 North 1500 West. The sewer lift station will  
16 be serving the Ivory Homes development, but is also combining three existing sewer lift  
18 stations into one new facility. The work being done will consist of construction on the lift  
20 station, off-site sewer piping and upsizing of sewer infrastructure. By consolidating  
several lift stations into one facility it will save the City multiple millions of dollars over  
the life of its sewer system with work expected to be completed by late June. All costs are  
being covered by Ivory Homes with the City having already entered into a contract to pay  
Ivory Homes back for the City's agreed upon share of the project costs and upsizing. Mr.  
Cowie also presented for discussion recent photos of the lift station.

22 Mr. Cowie explained the City has previously discussed the need to bond for this  
24 project and will use sewer fee revenues to cover the cost of annual bond payments.  
Repayment to Ivory is due in August 2017 (depending on completion date of the project).  
This Super Parameters Resolution sets the limits of potential borrowing and terms of the  
bond to be secured at a future date. He pointed out this does not bind the Council to a  
certain bond or interest rate it just sets the 'not-to-exceed boundaries' for borrowing and  
interest rates. It also provides direction for processing of the future transaction and sets  
dates for receiving public input on issuance of the bonds (public hearing planned for July  
18th). He pointed out the City's financial consultants (LYRB) have been directed to price  
both 10 and 15 year bond options with potential buyers, with the stipulation that the  
bonds should not have prepayment penalties.

32 Mr. Cowie further explained that it is anticipated that the City's proposed sewer  
34 rates (including planned future increases per previous rate studies) will adequately cover  
the cost of the sewer revenue bond. See attached resolution and draft bond documents for  
details. Engineers estimate the final costs of the lift station and off-site utilities will be  
36 approximately \$1.2 to \$1.3 million. However, as Ivory Homes has not yet finalized  
completion of the lift station or off-site work, and as final costs are not absolutely certain,  
38 it is recommended that the parameters resolution amount be \$1.6 million. It does not  
mean the City will have to borrow this much unless necessary. The higher amount in the  
40 resolution gives plenty of head-room should some unknown costs come up before the  
project is finalized and then the City won't have to repeat the public hearing processes for  
42 the bonds. He then turned the time over to Jason Burningham with LYRB, Financial  
Consultants, for comment.

44 Mr. Burningham, LYRB Financial Consultant, commented that Mr. Cowie did a  
46 good job describing the intent and nature of the parameters resolution. He noted they  
have been watching the long term interest rates for a number of years and have some  
movement. They feel the timing is good to be in the market and they are hoping to get

2 some good offers back. They did a financial model on the current rate structure and cash  
4 flow with a 10, 15, and 20 year bond options with potential buyers and he feels the city  
6 has the flexibility to look at both a ten (10) or fifteen (15) year model. He noted the city  
8 has good cover ratios and good liquidity and is also able to maintain some reserves which  
10 are important to those looking at the credit aspect. He noted the sewer system looks very  
12 healthy based on some of the rate increases over the past few years. The proposed debt  
14 service coverage ratio at both the 10 and 15 year options is well above the ratio threshold  
16 they like to see (1.3 times coverage). They plan to solicit a 10 and 15 year option to see  
18 what those interest rates look like and also what the call provisions would be on this  
20 particular transaction.

22 Mr. Burningham noted in the past this Council has liked the idea of being able to  
24 prepay bonds which is a great fiscal approach, so they have steered away from the public  
26 market because there is generally a 10 year no call provision that locks out the pre pay  
28 option. He stated nothing is committed at this time in terms of dollar amounts, interest  
30 rates or terms. What this does is sets up the maximum things and as they fine tune it they  
32 will bring back what is ultimately the terms they believe are the best terms that are the  
34 most beneficial to the city. There was then some general discussion by the Council  
36 including discussion on prepayment options, interest rates, contingency and the refunding  
38 of bonds. Mr. Burningham explained the benefit of prepayment is to retire it early and it  
40 also provides the opportunity in the future to refund the bonds so they have that call  
42 flexibility and they may be at a different point in the yield curve. It also provides the  
44 opportunity to refund the bonds and to possibly save more interest cost.

46 Councilmember Hoyt mentioned with the Public Safety Building they had a  
pricing committee that had the authority to give the final approval. He questioned if they  
can have councilmember's included on the committee. Mr. Cowie stated they can  
certainly choose to do duplicate it this time. Mr. Burningham stated the resolution can be  
modified to include two councilmember's along with the Mayor. Following some  
discussion the Council was in agreement to amend the resolution. Mr. Burningham  
stated they will check to other documents for the language relative to the pricing  
committee be the same as they were in the sales tax bonds and amend this resolution.

Mr. Burningham pointed out the city has used debt fairly prudently and when  
looking at per capita debt Lindon has one of the premier credit ratings in the State of  
Utah because the debt load is very low and the median adjustable household income is  
high. The city hasn't needed to use debt, but when it has been used it has been for  
projects that it makes a lot of sense to use it for. Mr. Burningham noted he is very  
comfortable with the timing and they are hoping to get some really good offers back. He  
also pointed out that June and July are both good times for the market because a lot of  
redemptions come due and mature and they need to put the cash back somewhere and  
there is more demand to match the supply; he feels good about the timing.

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

COUNCILMEMBER BRODERICK MOVED TO APPROVE RESOLUTION  
#2017-16-R AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN  
\$1,600,000 AGGREGATE PRINCIPAL AMOUNT OF SEWER REVENUE BONDS  
AND THE PRICING COMMITTEE WILL CONSIST OF MAYOR JEFF ACERSON,

2 COUNCILMEMBER MATT BEAN, AND COUNCILMEMBER JAKE HOYT WITH  
TWO OF THE THREE COMMITTEE MEMBERS NEEDED FOR APPROVAL.

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

6 COUNCILMEMBER BEAN AYE

COUNCILMEMBER LUNDBERG AYE

8 COUNCILMEMBER BRODERICK AYE

COUNCILMEMBER HOYT AYE

10 COUNCILMEMBER SWEETEN AYE

THE MOTION CARRIED UNANIMOUSLY

- 12
- 14 7. **Concept Review — Valley Properties LLC, 2400 West 400 North.** The City  
Council will review and consider a request by Mark Ringer for review of a  
possible zone change from General Commercial (CG-A8) to Mixed Commercial  
16 on 32 acres identified by Utah County Parcel ID #14:059:0048 to accommodate  
a 300,000 square foot DoTerra distribution warehouse.

18

20 Hugh Van Wagenen, Planning Director, explained a Concept Review allows  
applicants to quickly receive Planning Commission and/or City Council feedback and  
22 comments on proposed projects. He noted no formal approvals or motions are given, but  
general suggestions or recommendations are typically provided. And although not  
mandatory, a Concept Review is recommended for all large development projects. The  
24 proposal is located at approximately 2400 West 400 North (32 acres west of I-15). In  
addition to the rezoning of the property, the proposal would also require a change to the  
26 General Plan Land Use map from Commercial to Mixed Commercial.

28 He then referenced the Lindon City Codes LCC 17.48.010 General provisions  
noting the objective in establishing commercial zones is to provide areas within the City  
where commercial and service uses may be located. These zones include the General  
30 Commercial Zones (CG, CG-A, CG-A8, CG-S), Lindon Village Commercial Zone and  
the Planned Commercial (PC-1 and PC-2) Zones. Mr. Van Wagenen also referenced LCC  
32 17.50.010 General provisions that indicates the objective in establishing the Mixed  
Commercial (MC) zone is to provide areas within the City where low intensity light  
34 industrial, research and development, professional and business services, retail and other  
commercial related uses may be located. Mr. Van Wagenen then turned the time over to  
36 the applicants for comment.

38 Mark Ringger, Phil Haderlie, Dave Doxey, Rob Carly and Jerod Hunt were in  
attendance representing this agenda item. Mr. Ringger began by stating they are grateful  
to be here tonight to talk about their proposed project. They hope to give enough  
40 information so the Council can understand what this project and concept is about. They  
are currently in the due diligence process of purchasing the land and they are hopeful to  
42 get some good reaction and information from the City Council in order to help them  
make a decision. He then mentioned a few things about DoTerra. On their campus they  
44 have 1,900 employees some of whom are Lindon residents and many top executives are  
also Lindon residents. They are a direct selling company and their growth speaks to their  
46 stability. He noted one concern mentioned by a member of the Planning Commission is if  
after 10 years there is a large empty warehouse (Fulfillment Center) there. He pointed out

2 they are unique as they promote their products over the business probability which is key  
4 to their growth. He indicated their company is 9 years old and very successful and debt  
6 free and they are currently engaging in expansion (2 projects) of their present campus in  
Pleasant Grove (35 million dollar fulfillment warehouse project). They wouldn't be doing  
these expansions if they were worried about their future viability.

8 Mr. Ringger mentioned one other concern of the Planning Commission was about  
the hope for retail development and tax revenue in the area. Mr. Ringger also spoke to the  
10 economic benefits to Lindon as the current tax structure allows point of sale transactions  
and a large number is sold in Utah. They originally estimated \$75,000 in sales tax  
12 revenue in Lindon per year but when they reviewed the numbers again they are now  
estimating it at \$125,000 of revenue to Lindon City per year based on present sales in  
14 Utah. The Capital investment of property tax revenue will also generate an additional  
\$45,000 a year for the city. Mr. Ringger stated he feels this is an opportunity for Lindon.  
16 The project will take 18 months to complete and they would plan to begin construction  
this summer and would then be able to generate the revenue for the city. They are a  
18 stable, successful company and they want to be a long term community partner for the  
people of Lindon.

20 Mr. Phil Haderlie, architect for DoTerra, spoke at this time on the project and  
presented the concept and proposed site plan. He noted DoTerra wants to do things right  
for the city. They want to be good neighbors as they are in Pleasant Grove. They re-  
22 designated a zone overly in Pleasant Grove that you see in Pleasant Grove which was an  
upgrade for PG City in terms of their code and it is not being duplicated. He also spoke  
24 on the architectural elements and elevations noting it will be a very nice (tilt up) building  
and up to DoTerra standards (all indoor storage). There was then some general discussion  
26 including parking, architectural elements, elevations and landscaping, amount of  
employees and hours of operation.

28 Mr. Ringger pointed out they have to make their decision by Friday so they would  
appreciate some feedback one way or the other if the Council feels this proposal will be a  
30 benefit to the community; he re-iterated that they are good community neighbors.

32 Following discussion the Council was in agreement that DoTerra is a great  
company and the reputation is there and what they are proposing looks very nice and has  
more commercial aspects vs. a warehouse. They also agreed that this would affect what  
34 goes in around the building very positively. Following some general discussion by the  
Council they were in agreement they would hope this could be a win win situation for  
36 both DoTerra and Lindon City and they feel generally comfortable with the proposal as it  
may also generate a retail aspect in the area.

38 Councilmember Bean asked for clarification on the origin based sales tax in Utah  
and how it relates to out of state shipments and international shipments and if those are  
40 affected and if that would have an impact to Lindon City. Mr. Haderlie stated they are not  
affected and the origin based means, as he understands it, the products shipped within the  
42 state of Utah are taxed at the point of origin so items shipped outside of the state of Utah  
will not be affected.

44 Councilmember Lundberg stated she likes the idea of using a development  
agreement similar to what was done in Pleasant Grove and she feels what they can bring  
46 to the city is great, but she has concerns of a making a zone change but perhaps an  
overlay may be an option; she would like to have more discussion on this matter as what

2 they offering is wonderful and may set the tone for the area and they would be a strong  
partner with the city.

4 Councilmember Sweeten stated he is hearing the Council is generally interested in  
this concept with them coming to the city but they don't want to open up the whole area  
6 and what could happen around them. Mr. Haderlie would suggest creating a conditional  
use within the commercial zone for this use and give the Planning Commission the ability  
8 to review and to apply conditions to the way the city wants to do it which may be more  
consistent. Councilmember Lundberg commented they must be very careful in using a  
10 conditional use as it can become very arbitrary.

12 Eric Anthony stated he appreciates Councilmember Lundberg's comments noting  
there may be a good understanding today but in ten years they may not understand what  
the intent was. The council needs to be cautious of the types of businesses that come into  
14 this prime retail location; this is a prime piece of property. He would also suggest making  
it very clear and putting it in writing if they were to do something like this.

16 Councilmember Sweeten stated he feels this could be doable and he would like to  
see it done in the current zone. Councilmember Lundberg would like to avoid a zone  
18 change and possibly use a Development Agreement Overlay so it is contractual.

20 Councilmember Hoyt commented that DoTerra is a great opportunity and putting  
this large building there may change the feeling in the area and may set a precedent and  
we need to manage it and make sure we do it the right way, but he is excited for this  
22 opportunity but to make sure it is done right. Councilmember Broderick and  
Councilmember Bean agreed with the aforementioned comments.

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

- 26
- 28 **8. Continued Public Hearing — Disposal of Surplus Real Property; Resolution  
#2017-15-R.** This item was continued from the May 23, 2017 City Council  
meeting. The City Council will review and consider the sale and disposal of  
30 14.51 acres of surplus real property located at approximately 2100 West 600  
South, Lindon (Utah County Parcel ID #17:023:0012). The property has been  
32 listed for sale since the fall of 2015. It's anticipated that the City will retain  
approximately 2.06 acres for a future public park and to maintain the existing  
34 Lake Shore Trail along the west side of the property.

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

40 Mayor Acerson stated this public hearing was continued from the meeting of May  
23, 2017. Councilmember Broderick commented the Council continued this issue to  
42 ensure that the public had full and complete opportunity to express their ideas.

44 Mayor Acerson called for any public comment at this time. There were several in  
attendance who addressed the Council as follows:

46 **Larry Ellertson:** Mr. Ellertson stated he appreciates the opportunity to speak tonight.  
He noted when they had discussion two weeks ago they were given the opportunity to

2 gather new ideas and additional information. They have had several meetings onsite and  
there are a number of different entities that recognize the property adjacent to the lake has  
4 a lot of potential and they should be thinking broadly on the use.

6 **Eric Ellis:** Mr. Ellis stated he is the Director of the Utah Lake Commission. They have  
worked the last two years on restoration around the lake and communities with Lindon  
8 being one of those communities. There is great excitement for development and some  
great projects on the shores of Utah Lake. i.e., Saratoga Springs uses the lake for resource  
10 and so on. He noted they are cleaning up the water quality and so for them the interest in  
pursuing a “Nature Center” for research for local universities and k through 12 schools  
12 would incorporate the ecology of Utah Lake; this is an option that he believes they can  
make happen. This property would be an ideal location for the Nature Center; it is an  
14 exciting opportunity to get people on the shoreline (10-20 acres needed). This area has  
three artesian wells, existing beautiful trees, and in the north corner the lake front  
16 visibility. They have also been in discussions with a company called Renewable Energy  
Renovations that develop technologies (education center) and would bring people  
18 internationally to the region; this is an opportune time. Mayor Acerson stated the Nature  
Center is not a new concept and has been on the horizon for some time. There was then  
20 some additional discussion with Mr. Ellis presenting additional information regarding the  
possible operational uses of the property (nature center) including sites looked at and  
22 possible funding and time frames. He noted the commission has also been working on a  
wetland mitigation bank to allow for this type of development (boardwalks etc.)

24 Mr. Ellis then presented the Vineyard zoning map noting they are working with  
Vineyard on the trail system that will drop to the lake shoreline and develop beach areas  
26 and back to the existing city trails. Mr. Ellis stated he would hope that the Nature Center  
is the next step. Councilmember Lundberg asked Mr. Ellis if he will talk to an  
28 engineering consultant to see if this is something to pursue. He confirmed that statement.

30 **Larry Ellertson:** Mr. Ellertson commented they have had site visits with the DWR,  
DNR, Forestry & Fire, State Lands and Water Quality and there is varied interest on the  
32 state level and with Envision Utah as well. The issue of recreation was pointed out and  
we need some time for planning and now is a great opportunity to do something great and  
34 wonderful and it may incorporate some of the issues Mr. Ellis spoke about. We need to  
take some time to develop a plan and right now we don’t have it; we need to approach  
36 this from a use point of view. Mr. Ellertson then gave a brief history of the property  
acquisition.

38 *Mayor Acerson commented illustrated there is vision here that can come to pass  
40 as other visions; the Murdock Canal Trail for example. Sometimes good things can come  
to pass but it may take some time to come to fruition. We can at least consider the  
42 possibilities as we don’t know what the future may bring and you won’t know unless it is  
pursued.*

44 **Larry Ellertson:** Mr. Ellertson stated if there is some interest that has been stirred up  
46 then the time needs to be taken now to explore the options as we are all in this together.

2 Maybe Lindon should invest in something and create something nice to bring people  
here.

4

**Maxine Smith:** Ms. Smith commented she has good memories at the old Geneva Park  
6 Resort, but she has concerns with the industry in the area, with it not being secure, and  
with the insects etc. She hopes that the lake can be cleaned up but it has not been done in  
8 the past. If the property is sold she would like to see that money invested in a bigger park  
in the Anderson Development instead of little parks scattered throughout the city. She  
10 also pointed out if storage units go in they wouldn't be bothered by the adverse  
conditions.

12

**Randi Powell:** Ms. Powell thanked the council for listening to the ideas cultivated and  
14 the efforts made by the many individuals here tonight. She mentioned the good ideas that  
have transpired in the last 14 days with just a little bit of effort. She would ask the council  
16 to give some time. There are great people that have come together to be able to create  
some good ideas and they all want to be team players in making Lindon great. This may  
18 be about the sale of the property but she doesn't feel this is an asset to "give away". This  
is an opportunity for Lindon to have a destination park and to have something the  
20 residents can be proud of and would also help to encourage improvement at the marina.  
She would ask the council to consider the fact that they need more time. She pointed out  
22 it has been on the market for two years. She also asked the Council to consider the fact if  
there is not a player at this time then to let this percolate and have the ideas come  
24 forward.

26 **Alan Smoot:** Mr. Smoot voiced his support of better public use of the property as there is  
such limited property adjacent to the lake. He feels there has been little thought on this  
28 issue aside from the financial benefit from selling it to put in storage units. He  
appreciates the work put in by Jim Dain and Larry Ellertson feels their efforts will  
30 produce some great ideas for public use of the property. He would suggest allowing  
more time to develop ideas that will allow better opportunity for public access and use of  
32 the property.

34 *Councilmember Lundberg clarified the Council was never looking to surplus the  
shoreline but the property to the east by the landfill, sewer lift station, tracks, etc. This is  
36 a tough site and needs to be looked at in context. She likes some of the ideas heard  
tonight if they can be realized. At this time Mr. Cowie showed the map of the area to be  
38 surplus and identified the area to be retained.*

40 There was then some additional discussion by the Council regarding the sale of  
the property including parking issues, mosquitoes, railroad tracks, landfill, easement and  
42 power lines, sewer lift station etc. and other mitigating issues that would limit the uses.

44 Councilmember Sweeten commented that 80% of the Facebook responses  
received are in support of selling the property but they are open to other options.

2 **Jim Dain:** Mr. Dain stated they are just asking for options and suggested taking the  
property off the market for the time being to explore some options and ideas before  
4 seeing who the best buyer is as to not go through this whole process again.

6 **Jared Hunt:** Realtor with Coldwell Banker, clarified there are several other interested  
parties he has been contacted by and they are waiting on the outcome of this meeting  
8 tonight before taking the time to submit an offer. He suggested waiting to see which way  
the council goes. If this is tabled for a year these parties will likely look elsewhere; if you  
10 wait too long you will lose momentum but there is not a pending offer now. Some of  
these parameters are difficult to predict.

12

14 Mayor Acerson commented there are a lot of entities interested in the lake and a  
lot of different issues there. Whether the council feels they can take the time to see the  
degree of interest and what value can be brought forward may take at least six months.  
16 He asked if this is something the council would be willing to weigh on. As a city are we  
in a position where we can allow some time to pass or is there a financial obligation so  
18 strong we may miss an opportunity. Mayor Acerson called for any further comments  
from the Council at this time.

20 Councilmember Lundberg commented there are some extenuating circumstances  
on parts of the property with the shape and the water table which are not conducive to  
22 ball fields and will not be a draw. She is leaning to keeping the parts (all or part) they  
preserve to be more of a natural setting that is complimentary to the shoreline; this is part  
24 of the consideration. She is open to preserving more than what was considered in the  
original contract; the partnerships with other entities are really important.

26 Councilmember Broderick values the opinions, insight and experience and the  
tone of all those here tonight noting the importance of working together. He also values  
28 the history of the property and the value of land. He is intrigued in looking at the public  
use as a win win situation with public use and still helps the financial aspect to the city as  
30 we have a serious road deficit. He is compelled to look at taking some time to look at this  
and with some research there could be a win win situation.

32 Councilmember Bean stated he would like to see a serious offer on the table that  
has some creative ideas for a public use. This would be something to pursue but we are at  
34 our peak now and he wouldn't want the process to go on for a long period of time.

Councilmember Hoyt commented if time is being granted he would suggest  
36 setting up a committee to move forward or nothing will happen. He added that he agrees  
with Councilmember Broderick's comments that they are very serious about road funding  
38 and part of that is paying off debt. He does feel there may be a possibility that this can be  
a win win situation but he is not comfortable taking it off the market for a year; time is of  
40 the essence. There was then some discussion on a time frame of taking it off the market  
for 3 months and then relist it which could buy some time to find a viable solution and  
42 after 3 months that as a council they would hope for a better solution. Councilmember  
Lundberg proposed making a decision now to retain more property and to take more off  
44 the table for reasons that are valuable; perhaps they don't need to sell it all.

Councilmember Sweeten stated he would be willing to adjust the lines as to retain more  
46 of the property and put the rest on the market and wait for a viable offer; it has been on  
the market for two years with the intent to sell, but he is open to better options but time is

2 a factor. There was then some lengthy discussion regarding the proposal of taking it off  
the market and the defined amount of property to surplus.

4 Mayor Acerson pointed out this issue is all inclusive for a better solution and we  
need to move forward in concept to see if there may be a legitimate option.

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

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

14 Councilmember Bean stated he would like to have more discussion at the next  
meeting on the size they would want to retain but he would not want to take it off the  
16 market for more that 30 days and then decide whether to relist it or not. Councilmember  
Lundberg would invite those here tonight to give an update on their progress and the  
18 other entities as the Council really needs to be selective to who the property is sold to as  
to ensure it's a compatible use; there are a lot of things to weigh in on so we can still get  
20 top dollar (60 or 90 days is better). Councilmember Broderick stated he would feel  
comfortable with 45 days.

22 Following discussion Mr. Cowie suggested that a mobile work session may be  
beneficial to tour the property as a group. The Council agreed to meet for a mobile tour of  
24 the property on Tuesday June 13<sup>th</sup> at 6:00 pm. and to have further discussion at the next  
city council meeting on the amount of property to retain. He added the process stipulates  
26 that on acceptance of another offer or 14 days before the proposed disposition a public  
hearing is required to accept public comment on the disposition. Brian Haws, Legal  
28 Counsel made a recommendation to continue the item in order to bring a new resolution  
forward.

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

32 COUNCILMEMBER LUNDBERG MOVED TO CONTINUE RESOLUTION  
34 #2017-15-R DECLARING 14.51 ACRES OF LAND LOCATED AT  
APPROXIMATELY 2100 WEST 600 SOUTH AS SURPLUS REAL PROPERTY TO  
36 BE SOLD BY THE CITY TO THE NEXT MEETING ON JUNE 20, 2017 TO ALLOW  
TIME FOR THE CITY COUNCIL TO HAVE A WORK SESSION MOBILE TOUR OF  
38 THE PROPERTY AND TO ALLOW THE TIME TO ADJUST THE LANGUAGE TO  
THE RESOLUTION BEING BROUGHT FORWARD WITH THE TWO STATED  
40 CONTINGENCIES 1. SURPLUS THE ENTIRE PARCEL OR 2. DETERMINE A  
DEFINED PORTION. COUNCILMEMBER SWEETEN SECONDED THE MOTION.  
42 THE VOTE WAS RECORDED AS FOLLOWS:

44 COUNCILMEMBER BEAN	AYE
COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BRODERICK	AYE
46 COUNCILMEMBER HOYT	AYE
COUNCILMEMBER SWEETEN	AYE

2 THE MOTION CARRIED UNANIMOUSLY.

4 9. **Continued Public Hearing — General Plan Amendment, 2100 West 600**  
6 **South.** This item was continued from the May 23, 2017 City Council meeting.  
8 Lindon City Corp. requests a General Plan Land Use Map Amendment from  
Public Facilities to Light Industrial, on 14.5 acres identified by Utah County  
Parcel ID #17:023:0012. (**Ordinance #2017-5-O**).

10 Mr. Cowie recommended continuing this item. Mayor Acerson then called for  
any comments or discussion from the Council. Hearing none he called for a motion to  
12 continue the public hearing.

14 COUNCILMEMBER SWEETEN MOVE TO CONTINUE ORDINANCE 2017-  
8-O. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE  
16 WAS RECORDED AS FOLLOWS:

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

22 THE MOTION CARRIED UNANIMOUSLY.

24 10. **Continued Public Hearing — Zone Map Amendment, ~2100 West 600**  
26 **South.** This item was continued from the May 23, 2017 City Council meeting.  
Lindon City Corp. requests a Zone Map Amendment from Public Facilities to  
Light Industrial, on 14.5 acres identified by Utah County Parcel ID  
28 #17:023:0012. (**Ordinance #2017-6-O**).

30 Mr. Cowie recommended continuing this item. Mayor Acerson then called for  
any comments or discussion from the Council. Hearing none he called for a motion to  
32 continue the public hearing.

34 COUNCILMEMBER SWEETEN MOVE TO CONTINUE ORDINANCE 2017-  
6-O. COUNCILMEMBER HOYT SECONDED THE MOTION. THE VOTE WAS  
36 RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN AYE  
38 COUNCILMEMBER LUNDBERG AYE  
COUNCILMEMBER BRODERICK AYE  
40 COUNCILMEMBER HOYT AYE  
COUNCILMEMBER SWEETEN AYE

42 THE MOTION CARRIED UNANIMOUSLY.

44 11. **Review & Action — Leasing Listing Agreement for City Center Basement**  
46 **Offices.** The City Council will review and consider an Exclusive Leasing Listing  
Agreement with Coldwell Banker Commercial Advisors for marketing and  
handling of lease agreement transactions for approximately 2,400sq/ft of

2 basement office space at 100 N. State Street. The office area was vacated by the  
4 Police Department when the Public Safety Building was completed. Leasing the  
6 office space will help offset other city expenses and utilize the space that is not  
anticipated to be used in the next several years.

8 Mr. Cowie led this agenda item by referencing photos of the area to be leased for  
10 the next 3 to 5 years, or until the City needs to utilize the space for its own needs. He  
noted the private office space is 2,396 sq/ft with 583 sq/ft of shared space (lobby &  
12 restrooms). After paying realtors fees, the realtors believe the space will net about \$9.00  
per sq/ft annually which is approximately \$26,811.

14 Mr. Cowie explained some minor remodeling will be required to repair where the  
prior police holding cells were located. He noted the space has a separate entrance and  
reception area and can be easily secured from the rest of the City Center building. It will  
accommodate an office type use with 10-15 people.

16 Mr. Cowie stated the City will be able to select the tenant and must approve future  
terms of any lease. This contract is just to enter into an agreement with the Realtor (CBC  
18 Advisors) to list and market the space. There was then some general discussion by the  
Council regarding this item.

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

22  
24 COUNCILMEMBER HOYT MOVED TO APPROVE THE LEASING LISTING  
AGREEMENT WITH COLDWELL BANKER COMMERCIAL ADVISORS FOR THE  
CITY CENTER BASEMENT OFFICE SPACE. COUNCILMEMBER LUNDBERG  
26 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN AYE  
28 COUNCILMEMBER LUNDBERG AYE  
COUNCILMEMBER BRODERICK AYE  
30 COUNCILMEMBER HOYT AYE  
COUNCILMEMBER SWEETEN AYE

32 THE MOTION CARRIED UNANIMOUSLY.

34 **12. Public Hearing — Ordinance Update; LCC 2.44 ‘Elections’. Ordinance**  
36 **#2017-7-O.** The City Council will review and consider city initiated updates to  
Lindon City Code Chapter 2.44 ‘Elections’ to bring the current code into  
conformance with recent changes in election laws of the State of Utah.

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

42  
44 Mr. Cowie led this agenda item by explaining the City Attorney prepared the  
attached ordinance changes and recommends approval based on needed updates for the  
City’s election ordinance to be in conformance with current State code. He then  
46 referenced the attached ordinance. He noted this is just a housekeeping action to bring the  
code into conformance and pretty straightforward.

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

4  
6 COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC  
HEARING. COUNCILMEMBER SWEETEN SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

8  
10 Mayor Acerson then called for any further comments or discussion from the  
Council. Hearing none he called for a motion.

12 COUNCILMEMBER BEAN MOVED TO APPROVE ORDINANCE #2017-7-O  
14 UPDATING THE CITY'S ELECTION ORDINANCE TO CONFORM TO STATE  
CODE. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE  
WAS RECORDED AS FOLLOWS:

16 COUNCILMEMBER BEAN AYE  
17 COUNCILMEMBER LUNDBERG AYE  
18 COUNCILMEMBER BRODERICK AYE  
19 COUNCILMEMBER HOYT AYE  
20 COUNCILMEMBER SWEETEN AYE  
THE MOTION CARRIED UNANIMOUSLY.

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

26 **Adjourn** –

28 COUNCILMEMBER SWEETEN MOVED TO ADJOURN THE MEETING AT  
30 10:55 PM. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT  
VOTED IN FAVOR. THE MOTION CARRIED.

32 Approved – June 20, 2017

34  
36 \_\_\_\_\_  
Kathryn Moosman, City Recorder

38  
40 \_\_\_\_\_  
Jeff Acerson, Mayor