

2 The Lindon City Council held a regularly schedule meeting on **Tuesday, July 16, 2013**
at **7:00 p.m.** in the Lindon City Center, City Council Chambers, 100 North State Street,
Lindon, Utah.

4 **REGULAR SESSION** – 7:00 P.M. – Conducting: James A. Dain, Mayor

6 Pledge of Allegiance: Cameron Pitcher, Scout Troop #260

8 Invocation: Jeff Acerson, Councilmember

10 **PRESENT**

ABSENT

James A. Dain, Mayor

12 Mark L. Walker, Councilmember

Bret Frampton, Councilmember

14 Randi Powell, Councilmember

Matt Bean, Councilmember

16 Jeff Acerson, Councilmember

Adam Cowie, City Administrator

18 Cody Cullimore, Chief of Police

Hugh Van Wagenen, Planning Director

20 Kathryn Moosman, City Recorder

22 1. **Call to Order/Roll Call** – The meeting was called to order at 7:03 p.m.

24 2. **Presentations/Announcements** –

26 a) **Mayor/Council Comments** – Councilmember Powell mentioned the
28 Lindon Days celebration will be held from August 2nd through August 10th
and the booklets will be coming in the mail next week. Mayor Dain
30 encouraged everyone to get out and participate in the Lindon Days events
and activities.

32 b) **Presentation** – *Reverse 911 Calls*. Robyn Clark, Administrative
34 Professional with the Lindon City Police Department, was in attendance to
present information regarding the Reverse 911 Call System. She noted that
36 the program is funded through a County grant through the “City
Watch,” program which will be funded for another year, after which a fee
38 may be involved. Ms. Clark stated the boil water situation a couple of
weeks ago brought up a good time to address this issue and to explain
40 how to sign up for the Reverse 911 Call from start to finish. She noted
that the initial application is run through Orem City dispatch, who will
42 then enter the information and initiate it. Ms. Clark then reviewed the sign
up process for reverse 911 calls through City Watch followed by some
44 general discussion. Mayor Dain then thanked Ms. Clark for the
presentation and the valuable information.

3. **Approval of Minutes** – The minutes of the regular meeting of the City Council of July 2, 2013 were reviewed.

COUNCILMEMBER ACERSON MOVED TO APPROVE THE MINUTES OF THE MEETING OF JULY 2, 2013 AS AMENDED. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE

COUNCILMEMBER FRAMPTON AYE

COUNCILMEMBER POWELL AYE

COUNCILMEMBER BEAN AYE

COUNCILMEMBER ACERSON AYE

THE MOTION CARRIED UNANIMOUSLY.

4. **Consent Agenda** – No items.

5. **Open Session for Public Comment** – Mayor Dain called for any public comment not listed as an agenda item.

Mayor Dain called for any public comments. Angie Hendrickson, Lindon Days Chairman, was in attendance to address the Council regarding the upcoming Lindon Days celebration. Ms. Hendrickson mentioned that she has been contacted by Fox 13 News and they would like to do some segments about Lindon Days on Monday, August 5th. She noted that they would like to start the segments at Lindon Park and she would like Mayor Dain to be there to talk to “Big Buddha”. Mayor Dain confirmed that he will be in attendance. Ms. Hendrickson noted that the booths and food vendors will be highlighted that will be at the carnival. She noted that she also talked to the Tomlinson’s and they will have some local cars available for a preview of the car show.

Ms. Hendrickson went on to say the second segment will be at the arena for the Lawnmower racing. They plan on another segment with “Big Buddha” racing on a lawnmower followed by a horse segment. They will conclude by showcasing the Aquatics Center where they will have “Big Buddha” on the flow rider, with a short segment at the lazy river race and the dime dive. Ms. Hendrickson commented that they need as many people there as possible so they need to get the word out. She also mentioned that the fireman’s foam spray event has been cancelled. Ms. Hendrickson also reviewed an updated schedule of Lindon Days events with the Council.

CURRENT BUSINESS

6. **Continued Public Hearing** – *Ordinance #2013-5-O, LCC 17.75 - Senior Housing Facility Overlay*. This item was continued from the July 2, 2013 City Council meeting. It is a request by Matt Gneiting for approval of a new city ordinance, Lindon City Code 17.75 ‘Senior Housing Facility Overlay’, creating development standards and approval criteria for high density senior housing complexes. The Planning Commission recommended approval of the ordinance.

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

6 Mr. Wagenen opened the discussion by giving a brief summary and explaining
7 this is a continued item for a request by Matt Gneiting for approval of a land use
8 ordinance amendment to allow for a Senior Housing Facility Overlay Zone. The
9 ordinance will govern high density, senior housing for individuals aged 55 and older. Mr.
10 Gneiting presented a concept review for this type of facility on 65 South Main Street
11 before the City Council at a meeting earlier this year.

12 Mr. Van Wagenen then referenced the changes on the draft ordinance that were
13 made since the last Council meeting including the direct text changes to Setbacks,
14 Landscaping and Open Space. He added that the parking ratio has not changed in this
15 draft but will be discussed further tonight. Mr. Van Wagenen the referenced two attached
16 letters that staff received from citizens regarding this ordinance.

17 Mr. Van Wagenen also mentioned that he looked into the parking section of the
18 draft as directed from the Council. He noted that staff (as directed by Council) contacted
19 facilities in other cities to see how their parking requirements are working for them. He
20 noted the facilities that were contacted are as follows:

- 21 ● Silver Pines Senior Community – .93 stalls per unit. 1/3 of residents use
22 their cars. There is plenty of parking and no parking concerns.
- 23 ● Country Coves Senior Apartments – 1.6 stalls per unit. No problems with
24 plenty of extra parking.
- 25 ● The Seville –.54 stalls per unit. No designated parking or covered parking.
26 One open parking lot. No parking problems and no complaints.
- 27 ● Lakeside Village Retirement Community – 1.39 stalls per unit. No
28 problems or concerns. A lot of extra stalls and plenty of open spaces.

30 Additionally, Mr. Van Wagenen also mentioned Mr. Gneiting submitted a parking
31 study performed by a traffic engineer prior to this meeting for review.

32 Councilmember Powell commented that assigned parking is not as important as
33 covered parking in her opinion. She noted that she would like to see one covered parking
34 stall per unit as there are a lot of different demographics using the parking than just the
35 general population.

36 Mayor Dain commented that he feels that 1.1 stalls per unit are sufficient. The
37 majority of the Council was in agreement that 1.1 stalls per unit would be sufficient.
38 Councilmember Powell reiterated that she would like to see one covered parking stall per
39 unit. After some discussion it was determined, by the majority of the Council, that
40 covered parking would not be required in the ordinance and to leave the option open to
41 the developer.

42 Mayor Dain brought up the issue of density and if the Council wanted 27 or 30
43 units per acre. After some discussion the Council was in agreement to allow 30 units but
44 to also require onsite management of some type.

45 Mayor Dain also mentioned the 3,000 ft. buffer between facilities: Mr. Van
46 Wagenen stated that there are two (2) letters from citizens included in the Council

2 packets with comments regarding the buffer. There was then some general discussion
3 regarding the buffer zone. Mr. Cowie commented that with this being a zone change the
4 Council has broad legislative authority to make the call. After some discussion the
5 Council was in agreement to strike the 3,000 ft. buffer.

6 The applicant, Mr. Gneiting, approached the Council at this time. He commented
7 that the discussion with the Planning Commission and the Council has been great
8 regarding the proposed ordinance and he appreciates that they have focused in on the core
9 elements to create a responsible, multi-family ordinance for senior housing. He went on
10 to say, with city staff assistance, to focus on parking and the parking study, that they
11 commissioned, further validates a lot of the discussion and points that have been made
12 throughout the process and the different dynamic in a senior community vs. traditional
13 apartments.

14 Mr. Gneiting further noted that in an effort to reach out, in a broad base, he went
15 to a handful of pockets within the community to get a feel of their impressions and
16 feelings on the project. He spoke with several Lindon residents as follows:

- 17 1. **John Fugal:** Mr. Fugal commented that he thinks this facility will be a
18 great project in the community.
- 19 2. **Amy Rohm:** Ms. Rohm commented that this facility sounds great and
20 added that Lindon City needs different housing options.
- 21 3. **Chris College:** Ms. College commented that the proposed facility sounds
22 great and she supports it.
- 23 4. **Chelsea Butler:** Ms. Butler is a young mother who thinks the facility
24 sounds like a terrific solution for the growing senior population.
- 25 5. **Amy Hart:** Ms. Hart is a realtor who feels this is a great idea and is
26 something that is needed in the community and she hopes it works out.
- 27 6. **Lance Gillman:** Mr. Gillman is the manager of Magleby's Fresh. He feels
28 like the project will be a great addition to Lindon City and would help
29 their business out.
- 30 7. **Jeff:** Manager at Wallaby's is also in support of the facility.
- 31 8. **Henry:** Owner of the China Village is also supportive of the Senior
32 Housing Facility.

33 In conclusion, Mr. Gneiting stated that he feels this is a great project that will
34 benefit the City of Lindon and will create a public good and will fill a definite need.

35 Mayor Dain called for further public comment at this time. There were several
36 residents in attendance to address the Council as follows:

37 **Val Killian:** Mr. Killian referenced his letter that was sent to the Council with
38 suggestions for the Council to consider as follows:

- 39 1. Consider changing the density to 30 units per acre and the minimum developed
40 lot size to 3 acres instead of 2.5 to be assured, as neighbors that it will be a well
41 managed project.
- 42 2. Consider changing all of the minimum setbacks for the main building to 40 ft.
43 with accessory building setbacks to be approved by the planning commission.
44

- 2 Also consider inserting language that is currently being used for residential
3 projects in the city including the flag pole exempt clause.
- 4 3. Consider adding a requirement that open space be a minimum of 30%.
 - 6 4. Consider changing the parking ration to 1.25 parking stalls per unit and that the
7 stalls shall be covered to entice the right people to rent here and be part of the
8 community. He stated that it is inherent that the City Council make it part of the
9 requirement to cover at least one stall per unit, as it only makes sense, because if
10 it is not required, the developer will not cover the parking. Mr. Killian noted, as
11 neighbors, they want a professional ordinance, so whoever builds here
12 understands the tenor and mood of Lindon.
 - 13 5. Consider adding some architectural verbiage that suggests a residential feel rather
14 than a commercial feel, i.e., stepped façades, balconies, pitched roofs, varied roof
15 heights, residential materials and details.
 - 16 6. Consider increasing the distance between structures from 10 to 20 ft.
 - 17 7. Consider requiring that the developer needs to provide proof of land ownership of
18 property and that he has the capacity to fund the project.

19 Mr. Killian noted that he is in favor of eliminating the 3,000 ft. buffer. He also
20 expressed his appreciation for the effort and time the Council has contributed to this
21 ordinance.

22 **Jared Osmond:** Mr. Osmond commented that he likes the input so far on the ordinance.
23 He added that he feels covered parking is an amenity and noted that as a developer he
24 would put the covered parking in as well as RV parking. Mr. Osmond indicated that he
25 does not have a problem designing a project that the city would be proud of. He noted
26 that the idea is to take care of the seniors and to design with their needs in mind. Mr.
27 Osmond noted that there will be integration at some point that will take on a function of
28 independent living. The demographics prove and the market will prove, and the time is
29 coming and we will know when it is saturated. Mr. Osmond stated that people want to
30 live in Lindon and he is excited to do the project. He noted that he is in support of Mr.
31 Gneiting's project and a great development.

32 **Jeff Southard:** Mr. Southard commented that he agrees that the buffer is not a good
33 idea. He also stated that it would be best to cluster this type of housing in an area and not
34 force it to be separate, as to have more control on how many projects come in. He also
35 mentioned the parking ratio at 1.1 stalls per unit. He noted that he would rather see more
36 green space than asphalt and would encourage the Council to consider requiring 1 stall
37 per unit. In regards to covered parking, he feels that it is a market driven decision, and a
38 developer would be a fool to not cover some of the parking. Mr. Southard concluded that
39 he is in favor of the project.

40 Mayor Dain called for any further public comments. Hearing none he called for a
41 motion to close the public hearing.

42
43
44

2 COUNCILMEMBER ACERSON MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER WALKER SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

4
6 Mayor Dain commented that the items discussed with changes are as follows:
density, parking and the buffer. There was then some general discussion regarding these
8 items. Mayor Dain noted that he feels the Council is in agreement of leaving the density
at 30 units per acre and the 2.5 minimum project size and leave the discussion in about
the possibility of going to a smaller project with smaller density.

10 Following discussion Mayor Dain directed Mr. Van Wagenen to specifically
emphasize the changes as discussed. Mr. Van Wagenen then referenced the proposed
12 changes as follows:

- 14 1. **Page 25, paragraph 3, buffer:** ~~Minimum distance between Senior
Housing Facilities shall be 3,000 ft as measured from the parcel lines as a
16 buffer.~~ Buffer line stricken from the ordinance.
- 18 2. **Page 26, paragraph 6, parking:** Add line (letter c) to encourage
projects to add covered parking and adequate ADA stalls. Leave at 1.1
20 stalls per unit.
- 22 3. **Page 26, paragraph 7, density:** Change from 27 units per acre to 30 units
per acre with language remaining the same otherwise.
- 24 4. **Page 27, paragraph 14, architectural design:** Include a line that states
the architectural design should reflect the residential character for the
building.

26 Mr. Van Wagenen made two points for the record regarding how this will impact
the R2 Overlay as follows:

- 28 1. Senior housing projects are NOT influenced by the R2 Overlay buffer
30 zones for those projects; however, the way the R2 Overlay ordinance is
written, once this project goes in, there would be a 750 ft. buffer around it
32 that would influence anybody requesting and R2 Overlay in a residential
zone.
- 34 2. The ratio between a care facility and senior housing facility would have to
be on separate parcels because of the language in the ordinance, they
36 cannot be conjunctive.

38 There was then some discussion on Paragraph 6: Existing Parking Code. It was
determined to keep it at 1.1 stalls per unit and if there is a justifiable case it can be
40 changed if documented by the City Engineer and the Planning Director, but it must be
reviewed by the City Council with the site plan.

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

44 COUNCILMEMBER ACERSON MOVED TO APPROVE ORDINANCE
#2013-5-O, THE LAND USE ORDINANCE AMENDMENT TITLED LCC 17.75
46 SENIOR HOUSING FACILITY OVERLAY AS PER THE CHANGES AS LISTED

2 ABOVE. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

3 COUNCILMEMBER WALKER AYE
4 COUNCILMEMBER FRAMPTON AYE
5 COUNCILMEMBER POWELL AYE
6 COUNCILMEMBER BEAN AYE
7 COUNCILMEMBER ACERSON AYE
8 THE MOTION CARRIED UNANIMOUSLY.

10 7. **Continued Public Hearing** – *Ordinance #2013-7-O, Zoning Map Amendment –*
11 *Senior Housing Facility Overlay*. This item was continued from the July 2, 2013 City
12 Council meeting. It is a request by Matt Gneiting for a zoning map amendment for
13 property generally located at 65 South Main Street. The amendment would place a
14 Senior Housing Facility Overlay Zone over the subject property which is currently
15 zoned General Commercial (CG). The Planning Commission recommended approval
16 of the zone change after review in multiple public hearings.

18 COUNCILMEMBER WALKER MOVED TO OPEN THE PUBLIC HEARING.
19 COUNCILMEMBER FRAMPTON SECONDED THE MOTION. ALL PRESENT
20 VOTED IN FAVOR. THE MOTION CARRIED.

22 Mr. Van Wagenen opened the discussion by explaining this is a request by Matt
23 Gneiting for a zoning map amendment for property generally located at 65 South Main
24 Street. The amendment would place a Senior Housing Facility Overlay Zone on the
25 subject property which is currently zoned General Commercial (CG). Mr. Gneiting
26 presented a concept review for a senior housing facility on 65 South Main Street before
27 the City Council at a meeting earlier this year. The applicant is now submitting
28 applications to move from conceptual project to actual project. A zone change will need
to occur before a project can move forward.

30 He further explained that the property under consideration, along with many
31 surrounding properties, has been zoned commercial since the 1960s. At that time, the
32 commercial zone was placed 500 feet on either side of State Street through the length of
33 Lindon. Since then, there have been several changes to the commercial zone boundaries
34 along State Street, mostly to clean up zoning lines to match lot lines. There has not been
35 any request in recent years for this property to be rezoned to residential property,
36 although there have been inquiries into the possibility of multi-family housing projects.

38 Mr. Van Wagenen noted the proposed zone is bordered to the south by a strip
39 mall and light industrial building. To the east is a charter school while the northern edge
40 borders residential property, some of which is vacant. There are existing homes to the
41 west that are zoned commercial. Across Main Street is a car dealership and gas service
42 station. Although not directly bordering the proposed zone, there is an elementary school
43 on the north side of Center Street. The Lindon City Community and Senior Center is also
44 in close proximity, and most of the surrounding land is developed.

44 He added that the Planning Commission unanimously recommended approval of
the zoning map amendment as described by the attached map. The Commission

2 continued this item until they had recommended ordinance language governing the zone
to the Council.

4 Mr. Van Wagenen noted that Mr. Bill Lewis has agreed to have his property
included in the overlay with the understanding that it doesn't change anything until he
has the option to sell and would include at that time it being a part of the overlay or not.
6 Mrs. Abbott is not interested in including her property in the overlay.

8 **Bill Lewis.** Mr. Lewis commented that he has agreed to have his property included in the
overlay with the understanding that it doesn't change his tax structure or anything until he
10 has the option to sell the property and would include at that time it being a part of the
overlay or not. Mr. Lewis further stated that his property is currently zoned commercial,
12 and with the overlay over the top of the commercial property, this doesn't diminish the
commercial value of his property and also gives him some additional options. Mr. Lewis
14 stated that this is his understanding of what he is agreeing to with the overlay.

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

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

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

26 Councilmember Powell referenced the overlay map and asked for confirmation of
the overlay total acreage size at 4.03 (including Mr. Lewis' property). Mr. Van Wagenen
28 confirmed the total overlay acreage size including Mr. Lewis' property approximately 4.0
acres.

30 Councilmember Powell commented that at one point she was under the
assumption that only a portion of the Roger's home (where it sits) was going to be taken
32 out and now are we looking at the whole overlay. Mr. Van Wagenen stated that with the
Roger's home, it is the same idea as what is being done with the Lewis property, in the
34 fact that if Mr. Roger's decide to move and wants to sell to the project or become a part
of the larger project, they have the option to do that. The language just approved tonight
36 talks about a minimum project size, not a minimum zone size, and this is the overlay to
go on top.

38 COUNCILMEMBER FRAMPTON MOVED TO APPROVE ORDINANCE
40 #2013-7-O, ZONING MAP AMENDMENT REQUEST FOR THE SENIOR HOUSING
FACILITY OVERLAY TO BE APPLIED ON PROPERTY GENERALLY LOCATED
42 AT 65 SOUTH MAIN STREET ACCORDING TO THE MAP. COUNCILMEMBER
WALKER SECONDED THE MOTION. THE VOTE WAS RECORDED AS
44 FOLLOWS:

46 COUNCILMEMBER WALKER AYE
COUNCILMEMBER FRAMPTON AYE

2 COUNCILMEMBER BEAN AYE
3 COUNCILMEMBER POWELL NAY
4 COUNCILMEMBER ACERSON AYE
5 THE MOTION CARRIED 4 TO 1.

6 8. **Public Hearing** – *Ordinance #2013-8-O, LCC Appendix A, Standard Land Use*
7 *Table*. This is a city initiated change to the Standard Land Use Table identifying and
8 prohibiting solid waste transfer stations within Lindon City. The existing transfer
9 station will continue as a legal non-conforming use. The Planning Commission
10 recommended approval of the ordinance change.

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

14 Mr. Van Wagenen explained that neighboring cities have recently received
15 applications for approval of Waste Transfer Station sites, and Lindon City Code does not
16 specifically address Waste Transfer Stations at this time. He further explained that
17 Lindon currently has one station that the North Pointe Solid Waste Service District
18 operates at the west end of 200 south. Mr. Van Wagenen stated this ordinance change
19 would prevent any additional Waste Transfer Stations from being built within the city.
20 However, North Pointe would still be allowed to legally operate due to its existing use
21 prior to this ordinance change. Mr. Van Wagenen added that the Planning Commission
22 unanimously recommended approval of this ordinance amendment.

23 Mayor Dain called for any public comments or discussion. Hearing none he
24 called for a motion to close the public hearing.
25

26 COUNCILMEMBER ACERSON MOVED TO CLOSE THE PUBLIC
27 HEARING. COUNCILMEMBER WALKER SECONDED THE MOTION. ALL
28 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.
29

30 Mayor Dain called for any further comments or discussion. Hearing none he
31 called for a motion.
32

33 COUNCILMEMBER POWELL MOVED TO APPROVE ORDINANCE #2013-
34 8-O, ORDINANCE AMENDMENT TITLED LCC APPENDIX A STANDARD LAND
35 USE TABLE, WASTE TRANSFER STATIONS. COUNCILMEMBER ACERSON
36 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

37 COUNCILMEMBER WALKER AYE
38 COUNCILMEMBER FRAMPTON AYE
39 COUNCILMEMBER BEAN AYE
40 COUNCILMEMBER POWELL AYE
41 COUNCILMEMBER ACERSON AYE
42 THE MOTION CARRIED UNANIMOUSLY.
43

44 9. **Review and Action** – *Agreement between MAG and Lindon City for funding of meal*
45 *programs at the Lindon City Senior Center*. This is a request by Staff for approval of

2 a contract between the City and Mountainland Association of Governments (MAG) to
provide nutrition services to individuals who are 60 years of age and older. This
4 contract allows a continued operation of the lunch time meal program at the Lindon
City Senior Center. In-kind match and costs will be detailed in the meeting.

6 City Administrator, Adam Cowie, led the discussion by stating this is a
continuation from Mountainland Association of Governments (MAG) to provide meals on
8 wheels to the Lindon City Community Center. Mr. Cowie noted there is a yearly
agreement contract for services to provide the facility, manpower and offer food to
10 seniors. Also, an “in-kind” match from the City is required in the amount of \$5,227.70,
however, this is a ‘soft match’ that is met through donations, use of the Community
12 Center Building, value of equipment, staff time, volunteer time, etc. Mr. Cowie went on
to say that MAG is not requiring any out of pocket cash for the match. Mr. Cowie noted
14 that if approved, this contract is valid from July 1, 2013 until June 30, 2014. Mayor Dain
commented that there is not a negative side to this agreement.

16 Mayor Dain called for any further comments or questions from the Council.
Hearing none he called for a motion.

18
20 COUNCILMEMBER ACERSON MOVED TO APPROVE THE CONTRACT
BETWEEN LINDON CITY AND MOUNTAINLAND ASSOCIATION OF
GOVERNMENTS (MAG) AGING AND FAMILY SERVICES DEPARTMENT, AND
22 AUTHORIZE THE MAYOR TO SIGN THE CONTRACT AGREEMENT.

24 COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

26 COUNCILMEMBER WALKER AYE
COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER BEAN AYE
28 COUNCILMEMBER POWELL AYE
COUNCILMEMBER ACERSON AYE

30 THE MOTION CARRIED UNANIMOUSLY.

32 10. **Review and Action** – *Agreement between JRCA Architects, Inc., and Lindon City for*
34 *facility needs assessment on future Public Safety Building.* This is a request by Staff
for the Council’s approval of a contract between the Lindon City and JRCA
36 Architects, Inc., to perform a facility needs assessment for the future Public Safety
Building which the City has committed to construct by July 2018. The assessment
will include evaluation of space needs and design, conceptual site planning, and
38 identification of total estimated development costs. The service provided by JRCA
will not exceed \$7,000 and was budgeted as an anticipated expense.

40
42 Mr. Cowie noted that our Building Official, Police Chief, and Orem’s Fire &
Battalion Chiefs have met with Jim Child, President of JRCA Architects, and
recommends approval of this contract for services to help provide estimated costs and site
44 evaluation recommendations for the future public safety building. Mr. Cowie noted that
he is confident in their ability to help with this needs assessment and noted that the study
46 is budgeted for in the final adopted budget. Mr. Cowie went on to say that completing

2 this study will provide valuable insight into potential costs and land needs that will be
critical as we prepare for the financial and practical aspects of constructing the facility.
4 He added that a copy of the contract and supplemental information about JRCA is
provided in the council packets for review including photos and letters.

6 Mr. Cowie noted JRCA Architects will make the final presentation to the Council
and noted that this assessment is not binding. Mr. Cowie stated that the assessment will
8 provide the target amount and will identify the site location. Some of the parcels for
consideration are as follows: across the street from Lindon Elementary school, location
10 behind the Community Center, corner where the current fire station is located, the old
Utah Auto Sales property, property adjacent to Lindon Park. Councilmember Acerson
12 suggested considering the property on the corner of 400 North and State Street. Mr.
Cowie commented that location would be a great possible location.

14 Councilmember Walker commented that he is in favor of the initial part of the
process because some better numbers and ideas of what there is to work with will be
16 obtained, but this has been delayed several times through Orem City, and after the
discussion a few weeks ago on budgets, and how tight the budget is, he has some real
18 concerns; but he will vote for the approval of the agreement because of fact that we will
have an idea of what we need and where we are going and this zeros in on the tougher
20 decisions. Councilmember Walker noted that he feels this will be a big issue down the
road. Councilmember Acerson stated that he feels this will show Orem City our good
22 faith effort to do our homework and move forward in a sense that we are not just verbally
committing to it. Mayor Dain pointed out that everything he has heard indicates that no
24 matter where the dust settles; there is nobody that doesn't like the relationship that Orem
City has with Lindon. He feels this is a classic win-win situation. There was then some
additional general discussion regarding the needs assessment.

26 Councilmember Bean inquired why this assessment is necessary at this point and
why it wasn't done before committing to Orem City, as it puts the cart before the horse.
28 Mr. Cowie stated that there are some options within the next 5 years that will be
available; the RDA being a big factor and the flowrider bond will be gone in 2 years, so
30 there are some options that may help out.

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

34 COUNCILMEMBER POWELL MOVED TO APPROVE THE AGREEMENT
BETWEEN JRCA ARCHITECTS, INC., AND LINDON CITY FOR FACILITY
36 NEEDS ASSESSMENT ON FUTURE PUBLIC SAFETY BULIDNG.

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

40 COUNCILMEMBER WALKER	AYE
COUNCILMEMBER FRAMPTON	AYE
COUNCILMEMBER BEAN	AYE
42 COUNCILMEMBER POWELL	AYE
COUNCILMEMBER ACERSON	AYE
44 THE MOTION CARRIED UNANIMOUSLY.	

11. **Review and Action** – *Appointment of Election Poll Workers and approval of voting location for 2013 Municipal Election.* The City Recorder recommends the City Council appoint poll workers for the 2013 Municipal Election. Pursuant to Section 20A-5-602 of the Utah State Code, the City Council must appoint election poll workers at least fifteen days prior to election. Also, Section 20A-5-403 (1)(b) requires approval of the voting locations by the City Council. The Recorder recommends all voting occur at the Lindon City Community Center located at 25 North Main Street.

Mr. Cowie led the discussion by stating the City Recorder recommends the City Council appoint poll workers for the 2013 Municipal Elections. Pursuant to Section 20A-5-602 of the Utah State Code, the City Council must appoint election poll workers at least fifteen days prior to election. Also, Section 20A-5-403(1)(b) requires approval of the voting locations by the City Council. Mr. Cowie noted that the Recorder recommends all voting occur at the Lindon City Community Center located at 25 North Main Street. Mr. Cowie further noted the list of poll workers are proposed to be appointed by the Council and also a schedule of the election dates and poll workers assigned to each date/time is attached.

Mayor Dain called for any comments or questions from the Council. Hearing none he called for a motion.

COUNCILMEMBER FRAMPTON MOVED TO APPROVE THE APPOINTMENT OF ELECTION POLL WORKERS AND APPROVE THE VOTING LOCATION FOR THE 2013 MUNICIPAL ELECTION. COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER	AYE
COUNCILMEMBER FRAMPTON	AYE
COUNCILMEMBER BEAN	AYE
COUNCILMEMBER POWELL	AYE
COUNCILMEMBER ACERSON	AYE

THE MOTION CARRIED UNANIMOUSLY.

12. **Review and Action** – *Resolution # 2013-11-R, Aquatics Center entrance pass policy.* At the City Council’s request the following resolution has been prepared to reflect and update to the discounted rates charged for Aquatic Center passes for City employees, City Council, and Planning Commission members.

Mr. Cowie stated that the attached resolution clarifies the policy regarding pool passes for employees and elected/appointed officials and should meet the intent of the Council according to past discussion on the issue. Mr. Cowie noted this resolution is at request of the City Council to clarify and make some policy changes. Councilmember Powell suggested changing the resolution to also include a free pass for Planning Commission members. The Council was in agreement to include a free pass for Planning Commission members. There was then some additional general discussion regarding this proposed policy.

Mayor Dain called for any further comments or questions from the Council.
Hearing none he called for a motion.

COUNCILMEMBER FRAMPTON MOVED TO APPROVE RESOLUTION #2013-11-R, AQUATICS CENTER ENTRANCE PASS POLICY WITH THE CHANGE TO INCLUDE THE REVISION OF A FREE PASS FOR PLANNING COMMISSION MEMBERS. COUNCILMEMBER WALKER SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER	AYE
COUNCILMEMBER FRAMPTON	AYE
COUNCILMEMBER BEAN	AYE
COUNCILMEMBER POWELL	ABSTAIN
COUNCILMEMBER ACERSON	AYE

THE MOTION CARRIED UNANIMOUSLY.

13. COUNCIL REPORTS

Councilmember Powell – Councilmember Powell reported that the grass at Wal-Mart has been watered and it is looking better. Mayor Dain suggested that this may be an opportunity for a partnership between Wal-mart, volunteers and the City to forge an effort to enhance the corner on State Street. Councilmember Frampton noted that he will approach the tree board on this issue. Councilmember Powell also mentioned that it was a great experience at the last Mayors Open House. She noted that a good group of people attended (8-10) and there was a lot of discussion on the boil water order. Mr. Cowie mentioned that Mr. Bateman, Parks and Recreation Director, went through issues and upcoming activities at the Senior Center.

Councilmember Powell mentioned that there is a hole on 40 North and the dip is getting larger and there is also a manhole cover that wobbles. She noted that she is aware that this is not a street that the City maintains as it is a part of an HOA. Councilmember Powell reported that Orem City is doing construction on 200 South and they did not notify Lindon City of that construction, and there was not sufficient signage etc. and she is appreciative of our staff taking steps to get things done with signage etc.

Councilmember Walker – Councilmember Walker reported that he sent the animal shelter invoice to Mr. Cowie.

Chief Cullimore – Chief Cullimore reported that they will be holding officers training at Oak Canyon Jr. High School (with paint balls) tomorrow from 2-6 p.m.

Councilmember Bean – Councilmember Bean expressed his appreciation for the Council's work and efforts in looking at the Planning Commission's recommendations on the Senior Housing Facility overlay zone.

Councilmember Acerson – Councilmember Acerson reported that the Utah League of Cities and Towns will be held in September in SLC. Mr. Cowie mentioned that it is budgeted for everyone to go, but he would ask that they not stay in a hotel, which would

2 be beneficial. Councilmember Acerson mentioned he was contacted by his neighbor
3 regarding a water pressure issue. Mr. Cowie stated that he will follow up with this issue
4 with Public Works. Councilmember Acerson also mentioned his concerns with the
5 orange barrels up on the State Street project and the possibility of an accident happening.
6 He suggested petitioning the State to reduce the speed on State Street during construction.
7 Mr. Cowie noted that he will check with UDOT on that issue. Councilmember Acerson
8 also inquired about an update on UIA from Mr. Cowie who attended the last meeting in
9 his absence. Mr. Cowie stated that he has not seen an updated invoice, but they are
10 looking at quarterly changes based on new deployment and new infrastructure and take
11 rates of member cities and then adjust the rates, which will be done before they send out
12 new invoices.

13
14 **Councilmember Frampton** – Councilmember Frampton mentioned that he heard of a
15 reported recent death of a Pleasant Grove man from ecoli. He stated that it is probably
16 coincidental. Chief Cullimore noted that he will check into the issue. Councilmember
17 Frampton also reported that he will be meeting with the Tree Board.

18 **Mayor Dain** – Mayor Dain reported the he spoke with Nyal Richins. Mr. Richins
19 indicated that the railroad ties are not in yet and the trees are dying in his yard. Mayor
20 Dain stated that the original contractor needs to be contacted and have them replace the
21 trees and put in the railroad ties. Mr. Cowie stated that he will check into this issue.

22 **Administrator's Report**

23 Mr. Cowie reported on the following items:

24 **Misc Updates:**

- 25 • Project Tracking List.
- 26 • UIA OpEx invoices not yet received. UIA is planning to adjust rates based on
27 recent deployment of new infrastructure and takes rates in member cities.
- 28 • Bed & Breakfast uses in residential zones: Supplemental information is attached
29 from Planning Director.
- 30 • Landfill Board meeting update letter attached from Jerald Hatch (Lindon's current
31 representative on the Board).
- 32 • Mayor's Open House at Jim & Sue Easton residence: There was a good turnout
33 and it was a positive meeting.
- 34 • Our Court Clerk, Chris Bliss, is resigning her position at of the end of the month
35 due to family/personal reasons. I have met with Judge Bullock to discuss future
36 status of justice court. We'll review issues in detail.
- 37 • Heritage trail update: Current phase is nearly complete. Portion under freeway to
38 be reconstructed.
- 39 • State Street project link:
40 http://siterepository.s3.amazonaws.com/442/statest_flier_55x85_print.pdf
- 41 • Culinary water update.
- 42 • Parade Entry Registration –Please spread word about parade. We've had limited
43 entries.
- 44
- 45
- 46

2 Upcoming Meetings & Events:

- 3 • July 18th at 6:30pm – Candidates meeting w/City Staff.
4 • July 19th @ Dusk: “Movies in the Park” – Pheasant Brook Park (400 N 800 W)
5 • July 25th – Flow Tour at Aquatics Center
6 • August 1st @7pm – Candidates Open House for Primary Election – at
7 Community Center.
8 • August 2nd – 10th – Lindon Days. *NO CITY COUNCIL THIS WEEK.*
9 • August 13th – Primary elections. Planning Commission will be cancelled.
10 • August 16th @ Dusk: “Movies in the Park” – Hollow Park (300 E 400 N)
11 • Newsletter Assignment: Councilmember Walker – September newsletter article.
12 *Due by last week in August.*
13 • October 24th @ 7pm – Meet the Candidates night at Community Center.
14 • November 5th – General Election.

15 Future items:

- 16 • Creekside Retirement Subdivision: development agreement updates.
17 • Bicycle Master Plan.
18 • Review of active service military utility waivers, utility bill formatting, and utility
19 bill rates.
20 • Lindon Pumping Co. land – 725 E. 200 S., potential land sale/use by neighbor.
21 • Discussion to defer additional land use decisions to Planning Commission.
22 • Discussion of economic development policies and programs.

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

25 Adjourn –

26
27 COUNCILMEMBER ACERSON MOVED TO ADJOURN THE MEETING AT
28 11:05 P.M. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. ALL
29 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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31 Approved – August 20, 2013

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38 _____
39 Kathryn A. Moosman, City Recorder

40
41
42 _____
43 James A. Dain, Mayor