

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, July 18, 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: Adam Cowie
10 Invocation: Jeff Acerson

12 **PRESENT**

Jeff Acerson, Mayor
14 Carolyn Lundberg, Councilmember
Jacob Hoyt, Councilmember
16 Dustin Sweeten, Councilmember
Adam Cowie, City Administrator
18 Hugh Van Wagenen, Planning Director
Kathryn Moosman, City Recorder

EXCUSED

Van Broderick, Councilmember
Matt Bean, Councilmember

- 20
- 22 1. **Call to Order/Roll Call**– The meeting was called to order at 7:00 p.m.
 - 24 2. **Presentations/Announcements** –
 - 26 a) **Mayor/Council Comments** – There were no announcements at this time.
 - 28 b) **Lindon City Employee Recognition Award** – Adam Cowie, City
30 Administrator, recognized Dennis Kendall noting he was chosen by his
32 peers as outstanding employee for this quarter. Mr. Cowie then read the
34 comments submitted by employees stating reasons Mr. Kendall was
chosen for this award. He then presented Mr. Kendall with a gift card and
a plaque in recognition of his service.
 - 36 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council
meeting of June 20, 2017 were reviewed.

36 COUNCILMEMBER HOYT MOVED TO APPROVE THE MINUTES OF THE
38 REGULAR CITY COUNCIL MEETING OF JUNE 20, 2017 AS AMENDED OR
CORRECTED. COUNCILMEMBER SWEETEN SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

40 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
42 COUNCILMEMBER SWEETEN AYE
THE MOTION CARRIED UNANIMOUSLY.

- 44
- 46 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. Several in attendance addressed the
 Council at this time as follows:

6 **Rick Priddis & Cameron Burnside (Realtor):** Mr. Priddis stated he owns property on
7 the end of 200 East (the old Tomlinson orchard warehouse). He noted he purchased it
8 when it was a real eye sore and he spent a lot of money fixing it up. He also bought the
9 Valley Center Playhouse property next door and now regrets it as it is making it more
10 difficult to sell. He has been trying to sell the property and it is zoned residential and
11 since he has been there the restrictions are tighter and prospective buyers can't get around
12 the regulations.

 Mr. Priddis explained they have a parking lot and a tiny house that was built in
13 1945 (600 ft. footprint) with a big warehouse behind it; the value is \$755,000
14 dollars (per county records). The only buyers who will consider purchasing it will need it
15 for commercial as the house is so small. He is feeling frustrated and he hasn't been given
16 much hope on how to move things along. He explained a Chiropractor came along
17 several months ago and tried to buy it and now he is backing out because it is taking so
18 long and the Planning Commission is dragging their feet and he is just looking for a
19 solution. He has worked hard to fix it up and he can't go month after month with buyers
20 trying to get to the city and in the meantime he needs to sell the place.

 Mr. Van Wagenen stated he is familiar with this situation explaining it was
21 operated under a conditional use permit and it was always zoned residential with
22 professional office use in a residential zone (music specifically) and now it has been
23 taken off the books. Mr. Priddis stated he has had 20 employees for years and now it is
24 just a recording studio and the city seemed thrilled to have him fix it up and he has never
25 had a complaint. No one will buy it for residential only and he has to be able to do
26 something with it. It is on a corner lot on the border of Lindon and Pleasant Grove with a
27 cemetery on one side and an orchard on the other and the water system. He is just trying
28 to sell the place and both prospective buyers have walked away discouraged. Mayor
29 Acerson asked what the options are in this situation.
30

31 Mr. Van Wagenen stated there are two options identified by staff as follows:

- 32 1. An Ordinance amendment to allow professional office use in a residential zone
- 33 2. An Alteration of a non conforming use which is done by an application process
34 and taken before the Planning Commission.

35 He noted that staff can't turnaround next day and there is a time frame and the
36 application would be done use by use (the buyer or owner). Mr. Priddis stated the
37 Chiropractor backed out because it took so long and any potential buyers don't want to
38 wait 2 or 3 months and he doesn't want to have to wait either to sell.
39

 Mr. Van Wagenen stated the fastest way to proceed would be to have someone
40 apply for the non conforming use. He noted after speaking with the city attorney this may
41 be a viable option. He pointed out the Planning Commission seemed to be favorable at
42 permitting another use but the use has to be identified and they would need to anticipate
43 how the business is going to operate.
44

2 Mayor Acerson would suggest that Mr. Priddis apply for this and to suggest some
uses that could be there. Mayor Acerson would also encourage him to try to
4 conceptualize what use it could be and what would be compatible with the area.

6 Mr. Priddis stated he will make a list and go over it with staff. Mr. Van Wagenen
stated the next Planning Commission meeting is August 22nd .

8 **Maxine Smith:** Maxine Smith addressed the Commission at this time. Ms. Smith gave a
brief history of the property in question (including issues with ingress, easements and
10 boundaries). She explained there have been issues with the 16 ft. right of way and a lot of
concerns with the home that has been repossessed and sold many times and she has spent
12 a lot on lawyer fees over the years. She noted this is a dirt right of way that they have
maintained for over 45 years and the city says this is a civil matter. Ms. Smith stated they
14 have a problem with ordinances that haven't been addressed. No one has ever changed
whose name should be on it and the County has said it is landlocked. There are concerns
16 with how many use the lane. How long is the city going to allow people to use a 16 ft.
right of way for backing up etc. This is an issue of too much traffic and all the dust that
18 they have no control over. She has talked to Mr. Van Wagenen and Mr. Cowie after the
home came under foreclosure and she asked about the accessory apartment issue. She
20 spoke with a lawyer who indicated this does not meet the state requirements. She pointed
out that over the years with the problems of maintenance it does not meet city ordinances.
22 She concluded by asking the Council to revoke the accessory apartment permit as it does
not meet the requirements and she doesn't want to deal with the dust and bad feelings.
24 This should have been a public road and this should be a single family R1-20 home.

26 Mr. Van Wagenen clarified that approval of the accessory apartment met all of the
requirements. Mr. Cowie pointed out this is a private property matter between the two
28 parties. He added that the city attorney has reviewed this issue and associated appeal
documents and has determined that there was no reason to not issue the accessory
30 apartment permit. Mayor Acerson directed Mr. Cowie to check with legal counsel to see
if there is any way to mitigate a solution for the dust issue.

32 **Boyd Walker:** Mr. Walker mentioned some issues and concerns with a swimming lesson
34 business across the street from his property. He stated the patrons are parking in his
driveway and in front of their mailbox and its becoming a safety hazard. There are
36 concerns with traffic jams and safety issues. Mr. Walker would suggest that the Udall's
use their pasture in the back of their home for parking which would alleviate the
38 associated problems on 400 East. Mayor Acerson stated staff is aware of this issue and
they will address the short term and long term solutions.

40 **Amanda:** She is here in support of the Udall's. She pointed out that they are teaching
42 kids from our community to swim which is a vital skill to learn. She stated the other half
of the road where people are parking is still a public road and she doesn't understand how
44 the city can stop people from parking on the public street.

2 Mr. Van Wagenen explained it is a public street but the city ordinance is clear if
4 the home business is generating that traffic the permit can be revoked. He also gave a
6 brief history of this issue noting it came up three years ago through a complaint. The
8 Planning Commission reviewed it and gave permission for additional cars to park on the
10 property. This has been an ongoing conversation for the past several years. He met with
Mr. Udall yesterday and a long term solution may take some time to work out. It is pretty
clear they are not able to operate the way they would like under the current code. Mayor
Acerson asked if the pasture parking is an option. Mr. Van Wagenen confirmed it is an
option.

12 **Emily Milner:** She has been going to the Udall's for 13 years and Sarah Udall is an
14 amazing teacher; she has years of experience and is phenomenal.

16 Mayor Acerson directed Mr. Van Wagenen to work with the parties involved to
come up with a viable solution to this issue.

18 **CURRENT BUSINESS**

- 20 6. **Concept Review — Mecca Holdings.** Willie Blocker, with Mecca Holdings
22 LLC, requests concept review of a proposed multi-family housing development
(and any associated rezoning or code amendments), to be located at ~400 S.
24 Lindon Park Drive (identified by Utah County Parcel ID's #17:015:0121 (6.8
acres) and 40:283:0007 (2.8 acres)), currently in the Research and Business
(R&B) and Planned Commercial (PC-1) Zones.

26 Hugh Van Wagenen, Planning Director, opened the discussion by explaining
28 Willie Blocker, with Mecca Holdings, is in attendance to receive City Council feedback
and comment on his proposed project. The Planning Commission reviewed the proposal
30 on June 27, 2017. The applicant requests feedback on a proposed multi-family housing
development (and any associated rezoning or code amendments), to be located at 400 S.
32 Lindon Park Dr. (6.8 acres) and (2.8 acres), and currently in the Planned Commercial
(PC-1) and Research and Business (R&B) Zones. The General Plan Land Use Map
34 identifies this area as Commercial and Research & Development.

36 He noted the applicant is looking for approximately 270 units on the combined
9.6 acres. He has discussed a parking ratio of 1.7 per dwelling unit. Amenities proposed
38 would possibly include: clubhouse, pool, gym, and onsite office. The Planning
Commission as a whole was generally opposed to the idea. A main concern was
40 potentially giving up on office, commercial and retail opportunities. A few commented
that it is appropriate to provide housing options with some questioning if this is the right
location for this proposal. He then turned the time over to the applicant for comment.

42 Mr. Willie Blocker and Mr. Bob Heywood and Mr. Jayson Hewitt addressed the
44 Council at this time. Mr. Blocker distributed a spreadsheet showing the estimated numbers
from market studies on revenue generating; commercial vs. residential and lower vacancy
and operating cost and also the Utah County property tax estimates.

2 Mr. Blocker then referenced the site plan (9 3/4 acres) noting the zoning of the
property in question. He explained he came before the Planning Commission several
4 years ago with a concept plan of an 180,000 sq. ft. commercial office building (6+
stories). He further explained since that time some dynamics and economics have
6 changed in the marketplace that don't lend itself well to that project. So now they are
contemplating the best use of the property and have come to the conclusion that
8 multifamily housing would be a good use and they are exploring that opportunity. He
then referenced the Standard Land Use Table and the uses in the zones that are permitted
10 and conditional uses noting there are only two (on the table) that would fit in this space
and are viable, retail space (which is not viable) and professional office use. Mr.
12 Heywood made note there is not enough space to warrant a retail box and that option is
not proportionally viable.

14 Mr. Blocker stated they also looked at different types of developments (hotels)
and that is also not a promising option. The other opportunity to look at was the
16 multifamily housing option as they are sitting on 20 acres of undeveloped ground and it
seems to pencil out quite well. He mentioned that they had an appraisal market study and
18 feasibility study done that carried a lot of weight. He then read the conclusion from the
study that takes in the population growth and the need for housing which is strong. They
20 are now faced with two pieces of ground that are zoned for something they cannot
develop on.

22 Mr. Blocker stated he started looking at different options and they feel strongly
there is a strong market for multifamily use as there is not much in the city. They feel
24 this is a good idea for the city to consider a zone change for this location and a great fit
for the property. It would also be an asset to the existing businesses in the area. He
26 pointed out they feel they can create some housing opportunities for young people
wanting to establish their home in Lindon without having a 1/2 acre lot. He noted the
28 average home price in Lindon is \$400,000 and this would be affordable housing for those
wanting to live in Lindon.

30 He noted this acreage is situated where it is conducive to their development but
would also have direct access to the I-15 corridor with easy access; this would be a nice
32 amenity to the city. Mr. Heywood then showed the different models, images and styles
they are looking at noting they would use a lot of amenities and qualify the renters and it
34 would be mutually aligned. There was then some general discussion by the Council
regarding this concept, including amount of units (270), management of the projects,
36 amenities (clubhouse, pool, fitness center etc.) and parking ratios (1.7). Mr. Hewitt spoke
on the projects they produce and they feel they can provide Class A community in
38 Lindon. He noted they do a market rate apartment that is nice (Mid-Town Village in
Orem). They feel they can present a product that is in line with Lindon values.

40 Mr. Blocker stated they have looked at the highest and best use for the land and as
the owner he feels he would have to sell his rights to his property as opposed to
42 generating income from it. He would just get a one-time bonus on the property whereas if
he puts in commercial he is looking at decades before getting a significant return on his
44 investment and with multifamily he could turn his return rather quickly, or he would have
to sell it; and he doesn't want to sell.

2 Mr. Blocker then mentioned the upcoming lift station project in the city and
4 questioned if they could front the money to Lindon through impact/permit fees. He noted
6 he presented the idea to Mr. Cowie and legal counsel feels that this may be a viable
8 proposal. They are attempting to provide approximately 1.4 million dollars of fees that
10 would go to the city in lieu of the impact fees. If this were to happen it would save the city
12 about \$561,000 in interest expense over the term of the bond. In addition to that they would
14 have the benefit of using the bond revenue collected to pay down the bond and use for
16 other purposes. As such, this would have to come together in something that would be
18 agreeable for both the city and to them as the developer in some type of development
agreement to work out the details. Mr. Blocker stated in return they are asking the city to
the change the 10 acres in question from a Research and Development (R&D) zone to
Multifamily. They have done a feasibility study and have the best appraiser for this type of
work and he feels the market is strong and can support it and is a superb location that is
isolated by commercial development with a minimal impact to the overall residential
community. They have a vested interest as they have been in the area for 18 years and this
will either be office commercial or residential and as a developer that is what they are
looking to do.

20 Mayor Acerson stated the Council is not opposed to looking at options. He did
22 mention the approved Ivory Development which is a huge step for Lindon and time will tell
24 how it will play out as it seems multi housing developments are the trend. Councilmember
26 Lundberg stated she is very uneasy with this concept and for her to be motivated she would
28 like to see a tradeoff of a mixed use. There was then some general discussion by the
30 Council including the issue of giving up valuable commercial areas that may be revenue
generating for the city. This type of product has been approved through the Ivory
Development (300 + units) so they are hesitant to do anything else until they see how this
comes forward and how it will be received by the community. The Council stated they are
very interested in this area and they want to continue to be good partners but they are
uneasy with these types of high density projects in the city; they have declined other
proposals.

32 Mr. Blocker stated without the vitalization of new affordable housing Lindon may
34 be faced with an aging population without the tax base required to maintain the city; this
36 will come with density and rooftops. Unless it is a destination location you won't get a
38 restaurant or movie theater at this location; the demographics don't support it there and is
does not have the synergy like Thanksgiving Point. At this time Mr. Blocker thanked the
Council for their time and feedback in this matter and would encourage the Council to
consider the proposed concept presented tonight.

40 Mayor Acerson then called for any further comment at this time. Hearing none he
moved on to the next agenda item.

- 42 **7. Public Hearing — Ordinance Amendment, Lindon City Standard Land Use**
44 **Table** Lindon City requests approval of an amendment to the Lindon City
Standard Land Use Table to remove Packing and Crating Services as an allowed
46 use in the General Commercial (CG) zones. The Planning Commission
recommends approval (Ordinance #2017-10-O).

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

6 Mr. Van Wagenen led this discussion by referencing the Ordinance and the
7 Standard Land Use Table for discussion. He noted a recent review of a potential
8 development initiated a closer look at Packing & Crating Services as a line item in the
9 Standard Land Use Table. The Occupational Safety and Health Administration defines
10 Packing & Crating as “Establishments primarily engaged in packing, crating, and
11 otherwise preparing goods for shipping.” The Standard Land Use Table places Packing &
12 Crating Services under the Transportation, Communications, & Utilities section and is a
13 conditionally permitted use in the CG, CG-A, CGA8, CG-S, and MC zones. He noted it
14 is a permitted use in the Heavy and Light Industrial zones.

15 Mr. Van Wagenen went on to say that Section 17.48.010 of the Lindon City Code
16 states, “The Commercial Ordinance is established to promote commercial and service
17 uses for general community shopping. The objective in establishing commercial zones is
18 to provide areas within the City where commercial and service uses may be located.”
19 Based on the above purpose of the General Commercial zones staff suggests that Packing
20 & Crating Services become a non-permitted use in the CG, CG-A, CG-A8, and CG-S
21 zones as shown below. He pointed out it would remain conditionally permitted in the MC
22 zone and permitted in the Heavy Industrial and Light Industrial zones. He then referenced
23 the ordinance for discussion. Staff is recommending that this Standard Land Use Table
24 change be approved (primary use).

25 He noted that the Planning Commission unanimously approved this ordinance
26 amendment. Following some general discussion by the Council was in agreement that this
27 ordinance amendment is warranted due to how retail is changing and will bring business in.

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

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

34
35 Mayor Acerson then called for any further comments or discussion from the
36 Council. Hearing none he called for a motion.

37
38 COUNCILMEMBER SWEETEN MOVED TO APPROVE ORDINANCE
39 AMENDMENT 2017-10-O AS PRESENTED. COUNCILMEMBER HOYT
40 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

41 COUNCILMEMBER LUNDBERG AYE
42 COUNCILMEMBER HOYT AYE
43 COUNCILMEMBER SWEETEN AYE

44 THE MOTION CARRIED UNANIMOUSLY.

45
46 **8. Discussion Item — Utah County Bookmobile.** Utah County has paid for

2 bookmobile service stops in Lindon City over the last three fiscal years with 20
current card holders within the City. The County is requesting financial
4 participation (approximately \$14,818) to continue the service in Lindon. The City
Council will discuss the Bookmobile program, its use within Lindon City, and if
6 future funding should be considered to keep the bookmobile program in Lindon.
Direction will be given but no motions made.

8

10 Adam Cowie, City Administrator, opened the discussion by explaining Utah
County has paid for bookmobile service stops in Lindon City over the last three fiscal
years with 20 current card holders within the City. The County is requesting financial
12 participation (approximately \$14,818) to continue the service in Lindon.

14 Mr. Cowie explained the County has been covering the cost of bookmobile
service in Lindon for the last three fiscal years. They started a stop in Lindon at request
from patrons (not request by the City), then added a second stop in 2015-16. There is no
16 cost for residents to get a check-out card for the bookmobile. Currently the bookmobile
stops every other Monday at the Community Center (25 N. Main) and also near Meadow
18 Park in the Fieldstone Homes development (1700 W 500 N). The program director for
the bookmobile indicated that Lindon's usage & number of card holders for the service is
20 small compared to its other stops. He then referenced the stats for the Bookmobile in
Lindon are as follows:

Fiscal Year	# of checked out items	Number of card holders
2014-15	80	9
2015-16	303	17
2016-17	630	20

22

24 Mr. Cowie stated the County is requesting that the City pay approximately
\$14,818 annually (based on population) to continue the service stops in Lindon. Other
north Utah County cities that pay for the bookmobile are Alpine and Vineyard. The
26 bookmobile provides service to mostly rural areas of the County and is based out of
Mapleton. However, anyone in the County can use the bookmobile services at any of its
28 stops. Lindon does not have a library but does have several hundreds of books available
for check-out to seniors at the Senior Center and also budgets \$16,000 annually for
30 library card reimbursements to allow decreased cost of library cards at neighboring cities.

32 He noted the City typically spends about \$14k to \$15k on library card
reimbursements (one per household per year for those that bring in a receipt). The County
Commission is going to start charging for the service stops and wants to receive general
34 feedback on whether Lindon is interested in continuing the service at the estimated cost
of \$14,818/yr. The service can start or stop any time it's requested or discontinued in the
36 future. He stated no motion is needed as this item is for discussion only.

38 Following some discussion the Council was in agreement that future funding
should not be continued to keep the bookmobile service in Lindon as it is not feasible due
to the associated costs. Mr. Cowie noted this service program can always be looked at
40 again in the future.

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

2 9. **Public Hearing — Series 2017 Sewer Revenue Bonds.** The City Council will
4 hold a public hearing to allow input regarding the issuance and sale of not more
6 than \$1,600,000 aggregate principal amount of sewer revenue bonds, Series 2017,
8 and any potential economic impact that the project to be financed with the
 proceeds of the Series 2017 bonds issued under the act may have on the private
 sector; and related matters.

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

14 Mr. Cowie led this agenda item by giving an overview stating The purpose of the
16 hearing is to receive input from the public with respect to (a) the issuance of the
18 Series 2017 Bonds and (b) any potential economic impact that the Project to be financed
20 with the proceeds of the Series 2017 Bonds may have on the private sector. The Series
22 2017 Bonds will be issued for the purpose of (a) financing the acquisition and
24 construction of improvements to the Issuer’s waste water/sewer system (specifically a
26 new sewer lift station and associated piping), (b) funding a debt service reserve fund, as
 necessary, and (c) paying costs of issuance of the Series 2017 Bonds. Per Resolution
 #2017-16-R passed by the Lindon City Council on June 6, 2017, the City (Issuer) intends
 to issue the Series 2017 Bonds in the aggregate principal amount of not more than One
 Million Six Hundred Thousand Dollars (\$1,600,000), to mature in not more than sixteen
 (16) years from their date or dates, to be sold at a price not less than ninety-seven percent
 (97%) of the total principal amount thereof, and bearing interest at a rate or rates not to
 exceed six percent (4.00%) per annum. He noted no motion is needed as this hearing is
 only for accepting public comment on the intended bond issuance.

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

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

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

38 10. **Action Item — City Center Elevator Remodel Bid Award.** The City Council
40 will review and consider the bid received for the City Center elevator remodel
42 project that was funded in part through a \$50,000 CDBG grant. The City
44 received one bid from Warner Construction in the amount of \$242,026.00. This
 amount exceeds the anticipated cost of the remodel. Staff recommends that all
 bids be rejected and the project re-bid at a future date.

46 Mr. Cowie stated the City has received a \$50,000 CDBG reimbursement award to
 install an elevator for ADA access improvements in the City Center. The City budgeted a

2 place-holder amount for this project of \$100,000 expecting the cost could be upwards of
3 \$120,000 to \$150,000 based on 2015 sq/ft remodel estimates we received from Curtis
4 Miner Architecture. Two contracting companies inquired of the project but the city
5 received only one bid from Warner Construction in the amount of \$242,026.00. This
6 amount equates to approximately \$225/sq ft construction price. For comparison, the new
7 Public Safety Building cost was approx. \$180/sq ft.

8 Mr. Cowie further explained the contractor's estimator indicated that they are
9 struggling to receive competitive bids from subcontractors as everyone is so busy right
10 now. It's a hot building market with heavy demand and high prices. He didn't expect that
11 costs would go down significantly even if the City re-bid the project in Dec/Jan time
12 frame (typically costs are lower if bid in the winter months). Mr. Cowie stated staff
13 recommends the bid for the project be rejected and nothing be awarded at this time. He
14 pointed out we are working with MAG to see if the grant can be extended but most likely
15 the City will have to forgo the ability to use the grant funding. Staff feels the project may
16 be able to be worked on over time and/or additional funds budgeted in order to compete
17 the project. Mr. Cowie made mention that this is still something that staff feels this is
18 needed in the future for disabled and elderly patrons. Following some general discussion
19 by the Council regarding the elevator remodel bid they were in agreement to reject the
20 bid and not award the project at this time.

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

23 COUNCILMEMBER LUNDBERG MOVED TO REJECT ALL BIDS AND
24 NOT AWARD THE BID ON THE CITY CENTER ELEVATOR REMODEL
25 PROJECT. COUNCILMEMBER SWEETEN SECONDED THE MOTION. THE
26 VOTE WAS RECORDED AS FOLLOWS:

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

31 **11. Closed Session to Discuss the Sale, Purchase, Exchange, or Lease of Real**

32 **Property.** The City Council will enter into a closed executive session to discuss
33 the sale, purchase, exchange, or lease of real property per Utah Code 52-4-205.

34 This session is closed to the general public.

35 COUNCILMEMBER LUNDBERG MADE A MOTION TO MOVE INTO A
36 CLOSED SESSION AT 9:25 PM TO DISCUSS THE SALE, PURCHASE,
37 EXCHANGE, OR LEASE OF REAL PROPERTY PURSUANT TO UTAH CODE 52-
38 4-205. COUNCILMEMBER SWEETEN SECONDED THE MOTION. THE VOTE
39 WAS RECORDED AS FOLLOWS:

40 COUNCILMEMBER LUNDBERG AYE
41 COUNCILMEMBER HOYT AYE
42 COUNCILMEMBER SWEETEN AYE
43 THE MOTION CARRIED UNANIMOUSLY.

2 COUNCILMEMBER SWEETEN MADE A MOTION TO CLOSE THE
CLOSED EXECUTIVE SESSION AND MOVE INTO A REGULAR SESSION.
4 COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

6
12. **Action Item — Cell Tower Co-Locator Agreement; Verizon Wireless.** The
8 City Council will review and consider a co-locator agreement with Verizon
Wireless LLC allowing co-location of wireless communication facilities on a cell
10 tower owned by a third party (Crown Castle) and located on property owned by
Lindon City at 946 W. Center Street (public works yard). Annual co-locator
12 lease fees will be paid to the City per the agreement.

14 Mr. Cowie led this agenda item by explaining over the last several months the
City has been working with the cell tower owner, Crown Castle, to identify and update
16 the easements to access the cell tower at Public Works. Mr. Cowie stated easements and
updated agreements with Crown Castle were finalized and approved in March 2017.

18 Mr. Cowie explained that per the terms of our agreement with Crown Castle each
future co-locator is required to enter into a separate lease agreement with the City. He
20 commented that Verizon Wireless has worked with the City and our city attorney to
finalize this co-locator agreement. He noted annual lease payments will be paid by
22 Verizon to Lindon City per the fees specified in the agreement. He stated staff
recommends the Council approve this agreement. There was then some brief discussion
24 by the Council and all were in agreement that this is prime real estate and to approve co-
locator the agreement with Verizon Wireless.

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

28
30 COUNCILMEMBER HOYT MOVED TO APPROVE THE CO-LOCATOR
AGREEMENT BETWEEN VERIZON WIRELESS LLC AND LINDON CITY AND
AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT. COUNCILMEMBER
32 LUNDBERG SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

34 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
36 COUNCILMEMBER SWEETEN AYE
THE MOTION CARRIED UNANIMOUSLY.

38
40 **13. COUNCIL REPORTS:**

42 **Councilmember Hoyt** – Councilmember Hoyt reported he attended a meeting of the
Historic Preservation Commission noting they have done some research on the Geneva
44 property and they are in favor of selling the property but are in favor of keeping a portion
of the property too. He also reported there is a new member to add to the Community
Center Advisory Board, Gordon Bonzo, who has agreed to serve. Mr. Cowie stated he
46 will put Mr. Bonzo on the next agenda for approval.

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

4 **Councilmember Bean** – Councilmember Bean was absent from the meeting.

6 **Councilmember Lundberg** – Councilmember Lundberg reported she will be attending
the Tree Board meeting tomorrow. She also mentioned that the lawn is dead and the
8 fence is broken in multiple places on the corner of 700 North and State Street and looks
very bad and is in horrible shape. She also mentioned it would be nice if trees could be
10 planted in that area. Mr. Cowie stated he will check into this issue.

12 **Councilmember Sweeten**– Councilmember Sweeten reported he attended the North
Point Solid Waste District meeting and everything is going well and revenue and is
14 running smoothly and approved the budget. He has been appointed as an Alternate on the
Board. He also reported that Lindon Days is well underway with flyers being distributed
16 and everything is moving ahead as planned.

18 **Mayor Acerson** – Mayor Acerson reported the Mercedes Dealership has a new target
date and will be moving in November. He also spoke with the Lexus Dealership Manager
20 and they are doing well and moving in a good direction. He mentioned that they asked
about the pole signage on the streets lights. Mr. Cowie will drive down and take a look at
22 the banners and get back with him. Mayor Acerson also mentioned the meeting with Val
Hale and EDCUtah that will be held on August 1st.

24

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

28 **Misc Updates:**

- 30 • July newsletter
- 32 • August newsletter article: Heath Bateman - Article due to Kathy Moosman last
week in July.
- 34 • Utah County Fair/bull promotion decorated by Little Miss Lindon – sign the bull
in the front lobby
- 36 • Primary Elections – NO primary/NO Meet the Candidates night prior to primary.
Some ballots may contain primary candidates’ names as they were printed by the
County prior to Alan Smoot withdrawing. Any primary votes cast for local offices
38 won’t be counted. Federal primary election to fill Rep. Chaffetz’s seat will still
appear on Primary ballot (being mailed to registered republicans only).
- 40 • Tentative date for General Election Meet the Candidate night: October 12th at
7pm at Community Center.
- 42 • FYI: Orem City Council would like to have a lunch meeting with Lindon
Councilmember’s as a type of coordination meeting on issues of common interest.
We’re exploring dates and potential discussion topics with Orem. Meeting will be
44 held in the Public Safety Bldg training room.
- 46 • Misc. Items

2 **Upcoming Meetings & Events:**

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

13 **Adjourn** –

14

15 COUNCILMEMBER HOYT MOVED TO ADJOURN THE MEETING AT
16 10:35 PM. COUNCILMEMBER SWEETEN SECONDED THE MOTION. ALL
17 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

18

Approved – August 1, 2017

20

22

Kathryn Moosman, City Recorder

24

26

Jeff Acerson, Mayor

28