

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, August 20,**
4 **2019, beginning at 7:00 pm** 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: Coleman Omdahl
10 Invocation: Jeff Acerson

12 **PRESENT**

Jeff Acerson, Mayor
14 Carolyn Lundberg, Councilmember
Van Broderick, Councilmember
16 Jacob Hoyt, Councilmember
Adam Cowie, City Administrator
18 Brian Haws, City Attorney
Mike Florence, Planning Director
20 Kathryn Moosman, City Recorder

EXCUSED

Mike Vanchiere, Councilmember

- 22 1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.
- 24 2. **Presentations/Announcements** –
- 26 a) **Comments/Announcements from Mayor and Council** – There were no
announcements at this time.
- 28 b) **Ceremonial Oath of Office** - New Police Officer, Jacob Honeycutt was given
the oath of office by the City Recorder. The Mayor and Council congratulated
and welcomed Officer Honeycutt to the city and thanked him for his service.
- 30 c) **Employee Recognition Award; 2019 2nd Quarter** - Spencer Foster, Lindon
City Court Clerk, was chosen for the quarterly Employee Recognition Award.
32 Adam Cowie, City Administrator, read comments submitted by employees
nominating Mr. Foster for this award. He then presented him with a plaque
34 and gift card in appreciation for his service. The Mayor and Council also
congratulated and thanked Mr. Foster for his exemplary example, service and
36 good works for the city.
- 38 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council
meeting of July 16, 2019 and the joint sessions minutes from May 18, 2019 and
40 July 16, 2019 were reviewed.

42 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES
OF THE REGULAR CITY COUNCIL MEETING OF JULY 16, 2019, AND THE
44 JOINT SESSIONS MINUTES FROM MAY 18, 2019 AND JULY 16, 2019 AS
PRESENTED. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE
46 VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER LUNDBERG AYE

2 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
4 THE MOTION CARRIED UNANIMOUSLY.

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

8

10 **5. Consent Agenda Items** – The following consent agenda items were presented for
approval.

12 a) Resolution #2019-20-R, appointing temporary justice court judges for the
Lindon City Justice Court.

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

16

18 COUNCILMEMBER HOYT MOVED TO APPROVE THE CONSENT
AGENDA ITEM AS PRESENTED. COUNCILMEMBER BRODERICK SECONDED
THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

20 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BRODERICK AYE
22 COUNCILMEMBER HOYT AYE
THE MOTION CARRIED UNANIMOUSLY.

24

CURRENT BUSINESS

26

28 **6. Presentation and Discussion Item; Moderate Income Housing Plan.** Planning
Director, Mike Florence, will present an overview of the draft General Plan
update for Moderate Income Housing and seek direction and feedback from the
30 Council prior to taking the plan before the Planning Commission in a public
hearing.

32

34 Mike Florence, Planning Director was in attendance to present an overview of the
draft General Plan update for Moderate Income Housing. Mr. Florence explained the
Lindon City Moderate Income Housing Plan provides a look into the current
36 demographic trends and also provides estimates into future housing needs.

38 Mr. Florence stated in 2019, the Utah Legislature passed Senate Bill 34 which
made changes to Utah Code 10-9a. These changes required municipalities of the first,
second, third and fourth classes to develop a “plan for moderate-income housing” to be
40 adopted by December 1, 2019 as part of a general plan amendment. Beginning December
1, 2020 and annually thereafter, the City shall complete an annual moderate-income
42 housing report form and submit it to the State.

44 Mr. Florence went on to say the State will then monitor the ongoing yearly
progress of meeting affordable housing goals within the municipality. Housing progress
will be evaluated by the State and tied to future State Road capacity projects with State
46 Transportation Funding (TF) and State Transportation Investment Funds (TIF) through
the Utah Department of Transportation.

- 2 Mr. Florence then presented information on the following bullet points:
- 4 • Utah Code Requirements – Planning for Moderate Income Housing
 - 6 • SB 34 – Affordable Housing Strategies
 - 8 • Utah County is Where Growth is Happening
 - 10 • Lindon’s Housing Stock
 - 12 • Support for Moderate-income Housing
 - 14 • Income Distribution
 - Land Use
 - Lindon Housing Cost Burdens
 - Utah Dept. of Workforce Services Gap Analysis and Housing Forecast
 - Regulatory Review
 - Moderate Income Strategies – SB 34
 - Lindon City Moderate Income Goals

16 Mr. Florence noted the State is asking cities to look at six criteria items in the plan as follows:

- 18 1. Plan for moderate income housing which means a written document adopted by the municipality legislative body that includes:
- 20 2. An estimate of the existing supply of moderate-income housing located within the municipality.
- 22 3. An estimate of the need for moderate income housing in the municipality for the next five years.
- 24 4. A survey of total residential land use.
- 26 5. And evaluation of how existing land uses and zones affect opportunities for moderate income housing and
- 28 6. A description of the municipality program to encourage an adequate e supply of moderate-income housing.

30 Mr. Florence then referenced the 23 Affordable Housing Strategies of which he picked five points as follows:

- 32 1. Create or allow for; and reduce regulations related to, accessory dwelling units residential zones.
- 34 2. Reduce impact fees related to low-and moderate-income housing.
- 36 3. Preserve existing moderate-income housing.
- 38 4. Utilize strategies that preserve subsidized low to moderate income units on a long-term basis.
- 40 5. Allow for higher density or moderate-income residential development in commercial and mixed-use zones, commercial centers, or employment centers.

42 Mr. Florence then went over the moderate-income goals as follows:

- 44 • Evaluate the effectiveness of the R2 zone and if any regulations should be modified.
- 46 • Evaluate whether the City will allow moderately higher density developments as part of a mixed commercial development that will be located in strategic commercial areas or centers to help with development potential.

- 2 • Discuss if impact fees reductions should apply to all affordable housing options, not
4 just accessory apartments, as an incentive to help reduce housing barriers and
6 promote affordable housing.
- 8 • Review the Standard Land Use Table to evaluate currently allowed housing options
10 if there are additional opportunities for housing within each land use district.
- 12 • Meet with the Housing Authority of Utah County and discuss housing needs and
14 partnership opportunities at an upcoming City Council work meeting. Also discuss
16 with the housing authority future opportunities for new affordable housing units.
- 18 • Further evaluate the inclusion of moderate-income housing as part of new
20 development for municipal employees or other qualifying individuals.
- 22 • Discuss opportunities in working with developers to provide mortgage assistance
24 programs for city employees and other qualifying individuals.
- 26 • Discuss opportunities to work with nonprofit housing groups to purchase homes as
28 they become available on the market for affordable housing.

30 Following the presentation there was some general discussion regarding the five
32 housing strategies, the listed bullet points, medium incomes, percent AMI breakdowns,
34 average housing cost burden, multi-family housing, transit, density, zoning, overlays,
36 accessory apartments, in-fill, land use, deed restrictions, and data and numbers points
38 included in the presentation.

40 Mayor Acerson commented if we get more data driven privacy may be invaded.
42 He also thanked Mr. Florence for his good work and in getting the city in compliance with
44 state regulations and for the good information provided. Councilmember Lundberg stated
46 she feels we strategically need to have mixed use throughout the city; she also thanked Mr.
48 Florence for his thorough job on the report and she would like this to be the “ammunition”
50 for the next report to show our progress. Mr. Florence stated there will be further
52 discussion regarding this issue. Councilmember Hoyt stated the he feels the council is open
54 and reasonable to new options and ideas and thanked him for highlighting them.
56 Councilmember Broderick asked as cities come up with other ideas can we monitor what
58 they are doing as far as suggestions and best practices. Mr. Florence stated he will monitor
60 other cities goals and ideas.

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

66 **7. Public Hearing — Noise Ordinance Amendment; Ordinance #2019-13-O.**

68 The City Council will review and consider Ordinance #2019-13-O and accept
70 public comment to consider approval of the recommended changes to Lindon City
72 Code Chapter 8.20.030.

74 COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC
76 HEARING. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL
78 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

80 Mr. Florence led this discussion by giving a brief background stating over the
82 summer and fall of 2018, the city worked to update the city noise ordinance found in
84 LCC Chapter 8.20.030. He noted the planning commission recommended an ordinance

2 that established allowable day and night decibel levels for each zoning district. The city
council reviewed the proposed ordinance at the September 18, 2018 meeting and
4 continued the item.

Mr. Florence stated Staff has made additional changes to the proposed ordinance
6 and is recommending an ordinance that modifies the existing code and removes decibel
levels requirements. The item was re-noticed as a public hearing since sufficient time has
8 passed from the last public hearing in September.

10 Mr. Florence then referenced the proposed ordinance language as follows:

Proposed Ordinance Language

12 8.20.030(2)

cc. Inappropriate Noise. It shall be unlawful for any person or business to make, permit,
14 continue, or cause to be made, or to create any unreasonable loud and disturbing noise in
the City. Any noise which is substantially incompatible with the time and location where
16 created to the extent that it creates an actual or imminent interference with peace and
good order of persons of ordinary sensitivities sensibilities shall be prohibited. Between
18 the hours of 10:30 p.m. and 7:00 a.m. it shall be unlawful for any person or business to:

- 20 i. Operate, play, cause, allow, permit, or fail to control the operation or playing of
any noise emitting device which disturbs, injures or endangers the comfort,
repose, health, hearing, peace and safety of persons with ordinary sensitivity;
- 22 ii. Conduct construction or demolition activities within 600 feet of a residential zone
or use.
- 24 iii. Exceptions to these restrictions may be obtained upon approval from the City.

26 Mr. Florence then presented the proposed ordinance amendment, September 18,
2018 City Council staff report, and the September 18, 2018 meeting minutes followed by
28 discussion.

Mayor Acerson called for any public comments. There were several residents in
30 attendance who commented on how this will impact commercial areas, as they live
adjacent to a commercial zone and hear noise from equipment and trucks at all hours. It
32 would also be important to have it clearly stated in the code that businesses must comply
to all requirements in the ordinance.

34
36 COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

38
40 Following some additional discussion including decibel levels and time limits, the
Council was in agreement to approve Ordinance #2019-13-O with the changes as
recommended by staff and the Planning Commission. Mayor Acerson stated this will not
42 be the last time this issue is discussion and the Council is open to explore further
amendments or solutions to mitigate the issues.

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

2 COUNCILMEMBER BRODERICK MOVED TO APPROVE ORDINANCE
2019-13-O AS PRESENTED. COUNCILMEMBER HOYT SECONDED THE
4 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER LUNDBERG AYE
6 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
8 THE MOTION CARRIED UNANIMOUSLY.

10 **8. Discussion Item — Possible Meet the Candidate Night Questions.** The City
Council will discuss possible questions for the Meet the Candidate Night
12 scheduled for September 19, 2019.

14 Mr. Cowie led this discussion by indicating the questions included in the staff
report are from the 2017 election. He then went over the questions with the Council.

16 Following discussion and review of the questions the Council was in agreement to
strike questions #1 and #6 but keep questions #2, #3, #7 and #9 as they are relevant issues.
18 Councilmember Hoyt suggested working in a density specific question that may include
something about if ½ acre lots is an outdated product and also if they are in favor or not of
20 the Anderson Farms product being in Lindon. They also discussed the possibility of
including a candidate choice question. Mr. Cowie then went through the candidate format
22 at this time.

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

26 **9. Closed Session — Closed Executive Session.** The Mayor and City Council,
pursuant to Utah Code 52-4-205, may vote to go into a closed session for the
28 purpose of discussing the character, professional competence, or physical or
mental health of an individual. This session is closed to the public.

30 COUNCILMEMBER HOYT MADE A MOTION TO ENTER INTO A
32 CLOSED EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE
CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL
34 HEALTH OF AN INDIVIDUAL. THIS SESSION IS CLOSED TO THE GENERAL
PUBLIC PER UTAH CODE 52-4-205. COUNCILMEMBER LUNDBERG
36 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER LUNDBERG AYE
38 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
40 THE MOTION CARRIED UNANIMOUSLY.

42 COUNCILMEMBER BRODERICK MADE A MOTION TO CLOSE THE
EXECUTIVE SESSION AND MOVE INTO THE REGULAR CITY COUNCIL
44 SESSION. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

46 **10. Public Hearing — FY2020 Budget Amendment; Resolution #2019-19-R.** The

2 City Council will review and consider Resolution 2019-19-R, amendments for
salary range adjustment for specific positions.

4

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

8

10 Mr. Cowie stated the City Council has adopted specific wage ranges and
compensation policies for city employee positions, and because the Council passed
Resolution #2018-22-R, adopting the 2018 Benefit and Compensation Study evaluating
12 fiscal year 2017-18, employee wages and benefits which identified that the Chief of
Police position was nearing the established threshold for adjustment and should be
14 studied and reevaluated periodically.

16 Mr. Cowie explained it appears an adjustment in pay range is needed to keep the
position within reasonable pay range in order to stay competitive with comparable
positions in the job market of Utah County and the State of Utah. And because
18 adjustments in pay ranges can only be authorized by the Council and also requires the
pay ranges adopted in the Compensation section of the Lindon City Budget for Fiscal
20 Year 2019-2020 (FY2020) would need to be amended because the Council desires to
amend the Compensation section of the FY2020 Lindon City Budget for this needed
22 revision.

24 Mr. Cowie noted the Compensation section of the FY2020 Lindon City Budget
will need to be amended to adjust the pay range for the Chief of Police position from
Range 27 to Range 29 with some prior feedback and discussion the Council would like to
26 reconsider and reevaluate this item in a year for the full market study and with the pay
recommendations to be evaluated by the city administrator.

28 Following some general discussion regarding the proposed budget amendment the
Council was in agreement to approve Resolution #2019-19-R with recommended changes
30 to continue the market study to 2020 fiscal year and approve the salary adjustment as
recommended by staff effective August 26, 2019.

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

34

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

38

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

42 COUNCILMEMBER LUNDBERG MOVED TO APPROVE RESOLUTION
2019-19-R AS AMENDED TO CONTINUE THE MARKET STUDY TO 2020 FISCAL
44 YEAR AND APPROVE THE SALARY ADJUSTMENT AS RECOMMENDED BY
STAFF EFFECTIVE AUGUST 26TH AS PROPOSED IN THE RESOLUTION AND
46 GIVE STAFF DIRECTION TO MODIFY THE RESOLUTION WITH AMENDMENTS
AS DISCUSSED AND GIVE THE MAYOR THE AUTHORIZATION TO SIGN.

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

4 COUNCILMEMBER LUNDBERG AYE

COUNCILMEMBER BRODERICK AYE

6 COUNCILMEMBER HOYT AYE

THE MOTION CARRIED UNANIMOUSLY.

8

COUNCIL REPORTS:

10

Councilmember Hoyt – Councilmember Hoyt mentioned Ron Hatfield (Lithified Technologies) has developed a new process to turn dirt into asphalt (showed an example) noting it is good to look at any new technology for roads. He noted he will speak with the Public Works Director about it. He also reported that Lindon Days was great and very successful.

16

Councilmember Broderick – Councilmember Broderick reported he will be attending an irrigation board meeting on Tuesday. He also attended the Engineering meeting with Mr. Cowie and Brad Jorgensen noting all the wells are chlorinated and certified. He reported the north union canal piping plans are going to bid in September and should be in place by the next water season.

22

Councilmember Lundberg – Councilmember Lundberg reported Lindon Days went well and was an awesome week of events. She would like to circle back and have a recap. Mr. Cowie said Mr. Bateman will give a report on Lindon Days to the Council soon. She also reported the Lindon Preparedness Fair will be held this Saturday at the Community Center from 12 noon to 6pm. She also mentioned the school board lunch meeting will be held on August 29th at noon.

28

Councilmember Vanchiere – Councilmember Vanchiere was absent.

30

Mayor Acerson – Mayor Acerson reported he attended the UIA and Utopia meeting last week and things are going well and trajectory looks positive. He noted other cities are funding their own growth within their cities and expanding the network. He also reported the Larry H. Miller group is looking at a piece of property at Hyundai and will bring a proposal forward the will include an office building. He also noted to be aware that there are some opposing voices on county government.

38

Administrator's Report: Mr. Cowie reported on the following items followed by discussion.

40

Misc. Updates:

42

- August City newsletter <https://media.rainpos.com/442/august19final.pdf>
- September newsletter article: Josh Adams - Article due to Kathy Moosman by end of August
- Update on road projects
- Topics for meeting with the Alpine School District Board (700 N. CDA; School

44

46

- 2 Resource Officer financial participation; Investments in Lindon schools)
- Lindon Days Recap (good or bad)
- 4
- Misc. Items

6 **Upcoming Meetings & Events:**

- Thursday, August 29th at noon Combined Council/Board lunch meeting with Alpine School District Board.
- Thursday, September 19th Meet the Candidate Night – City Council Chambers
- 10 • ULCT – Salt Lake City; September 11-13th
- 12 • Wednesday, September 18th; Immunization Clinic – 2:30 - 5:00 pm; City Council Chambers
- September 2, 2019; Labor Day Holiday – City Offices Closed

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

18 **Adjourn** –

20 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
AT 10:35 PM. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL
22 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

24 Approved – September 3, 2019

26

28

Kathryn Moosman, City Recorder

30

Jeff Acerson, Mayor