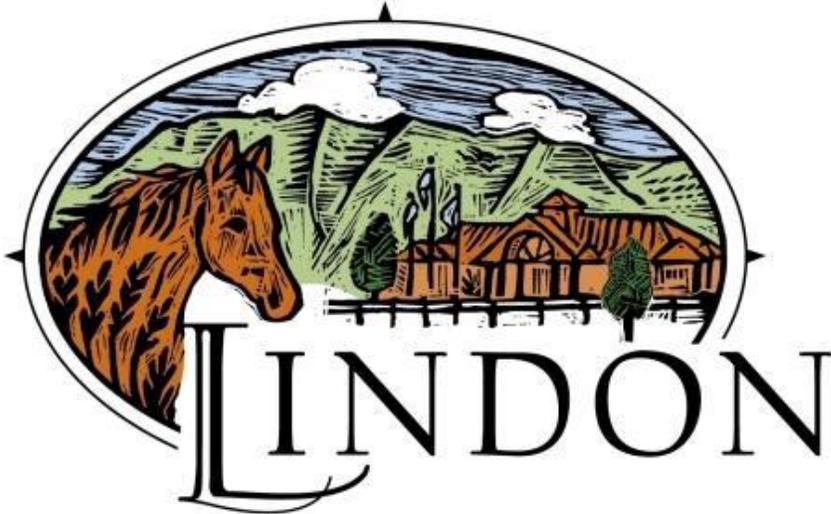
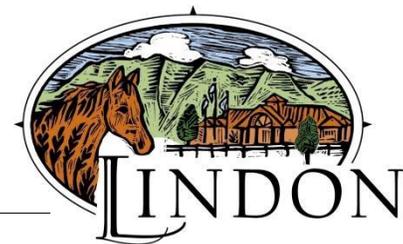


Lindon City Council Staff Report



Prepared by Lindon City
Administration

November 1, 2016



Notice of Meeting of the Lindon City Council

The Lindon City Council will hold a regularly scheduled meeting beginning at **6:00 p.m.** on **Tuesday, November 1, 2016** in the Lindon City Center council chambers, 100 North State Street, Lindon, Utah. The agenda will consist of the following:

Scan or click here for link to download agenda & staff report materials:



WORK SESSION – 6:00 P.M. - Conducting: Mayor Jeff Acerson

1. Discussion of Sign Ordinance with Lindon Planning Commission (60 minutes)

Lindon City Council will meet with the Lindon City Planning Commission to discuss possible amendments to the sign ordinance (LCC Title 18). No motions will be made.

REGULAR SESSION – 7:00 P.M. - Conducting: Jeff Acerson, Mayor

Pledge of Allegiance: By Invitation

Invocation: Van Broderick

(Review times are estimates only)

1. Call to Order / Roll Call

(2 minutes)

2. Presentations and Announcements

(5 minutes)

- a) Comments / Announcements from Mayor and Council members
- b) 2016 Utah Governor’s Business Friendly Community Award – Presented by the Governor’s Office, Salt Lake Chamber, and Utah League of Cities and Towns.
- c) Arbor Day Proclamation for 2017

3. Approval of minutes: October 18, 2016

(5 minutes)

4. Consent Agenda – No Items

5. Open Session for Public Comment (For items not on the agenda)

(10 minutes)

6. Review & Action — Fee Waiver Request

(15 minutes)

Aspire Scholar Academy requests consideration of a partial fee waiver for weekly use of the Veterans Hall in Lindon City Center Park for homeschool co-op classes of children 11-18 years old.

7. Review & Action — Support for Protection of American Fork Canyon (Resolution #2016-20-R)

(10 minutes)

Councilmember Dustin Sweeten requests the Lindon City Council’s review and consideration of Resolution #2016-20-R outlining support for protecting public uses, water quality, and public access in American Fork Canyon.

8. Review & Action – UTV Purchase Request

(25 minutes)

Councilmember Dustin Sweeten requests the Lindon City Council’s review and consideration to authorize purchase of a \$13,500 UTV (Utility Task Vehicle) from Powerhouse Motor Sports for the Lindon City Police Department. The City has not previously budgeted for this item. Councilmember Sweeten proposes that the City utilize approximately \$5,000 from General Fund Reserves, approximately \$6,000 from Lindon Days Car Show donations/revenues and has secured an additional \$1,500 contribution from KYMCO USA and \$1,000 contribution from Powerhouse Motorsports. Per the City’s Purchasing Policies the City will be required to obtain bids from at least three vendors prior to a purchase if the Council votes to approve the expenditure.

9. Council Reports:

(20 minutes)

- A) MAG, COG, UIA, Utah Lake Commission, ULCT, NUVAS, IHC Outreach, Budget Committee - Jeff Acerson
- B) Public Works, Irrigation/water, City Buildings - Van Broderick
- C) Planning, BD of Adjustments, General Plan, Budget Committee - Matt Bean
- D) Parks & Recreation, Trails, Tree Board, Cemetery - Carolyn Lundberg
- E) Public Safety, Court, Lindon Days, Transfer Station/Solid Waste - Dustin Sweeten
- F) Admin., Community Center, Historic Comm., UV Chamber, Budget Committee - Jacob Hoyt

10. Administrator’s Report

(10 minutes)

Adjourn

This meeting may be held electronically to allow a council member to participate by video conference or teleconference. Staff Reports and application materials for the agenda items above are available for review at the Lindon City Offices, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our staff may be contacted directly at (801)785-5043. City

Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for city-sponsored public meetings, services programs or events should call Kathy Moosman at 801-785-5043, giving at least 24 hours notice.

CERTIFICATE OF POSTING:

I certify that the above notice and agenda was posted in three public places within the Lindon City limits and on the State (<http://pmn.utah.gov>) and City (www.lindoncity.org) websites.

Posted by: /s/ Kathy A. Moosman, City Recorder

Date: October 28, 2016

Time: 2:00 p.m.

Place: Lindon City Center, Lindon Police Dept., Lindon Community Center

WORK SESSION – 6:00 P.M. - Conducting: Mayor Jeff Acerson

I. Discussion of Sign Ordinance with Lindon Planning Commission

(60 minutes)

Lindon City Council will meet with the Lindon City Planning Commission to discuss possible amendments to the sign ordinance (LCC Title 18). No motions will be made.

Information on possible sign ordinance updates will be provided by the Planning Department and discussed between Council and Planning Commission members to ensure clear direction on desired changes is established.

Lindon City Joint Work Session — Signs

Recently, the Planning Commission has been reviewing an ordinance amendment to allow electronic message centers (EMCs) in all non-residential zones in Lindon. Currently, EMCs are only allowed in the T-zone along Interstate 15.

In the course of the review, several Commissioners and Councilmember Bean thought it would be worthwhile to have a joint session to discuss signage generally in addition to EMCs. One topic that came up specifically several times was that of allowing pole signs in all non-residential zones rather than just the T-zone. The discussion will focus primarily on the desirability of pole signs and EMCs in the City.

Attached are size examples of monument signs that are currently allowed in all non-residential zones. Also attached are size examples of currently permitted EMCs in the T-zone and a map of the T-zone. Staff has several examples of EMCs that will be available at the meeting.

Direction to staff is encouraged but no motions will be made.

Monument sign examples

Monument Sign Table
Street Frontage/Acreage (in feet)

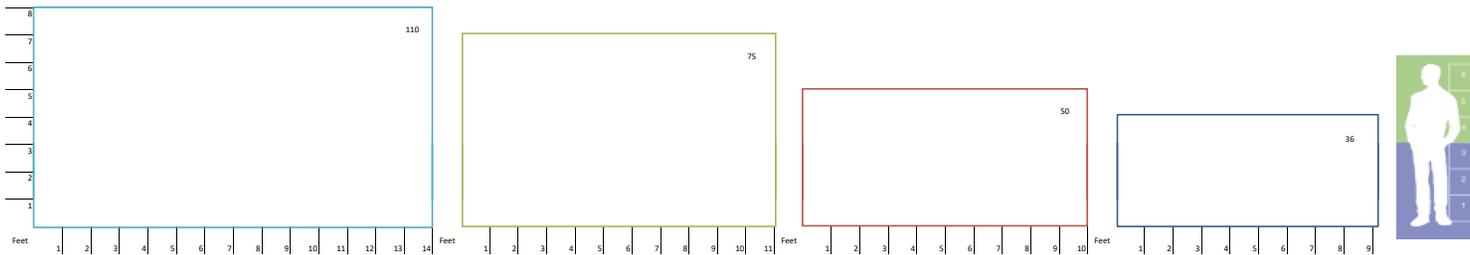
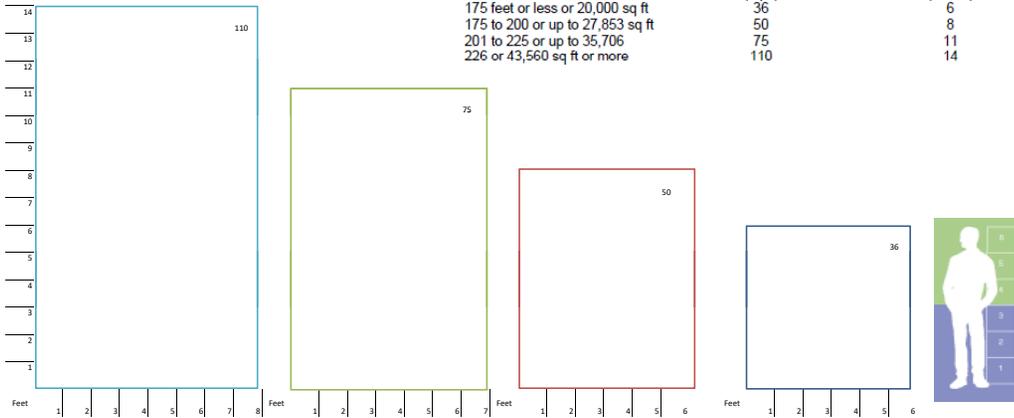
175 feet or less or 20,000 sq ft
175 to 200 or up to 27,853 sq ft
201 to 225 or up to 35,706
226 or 43,560 sq ft or more

Max Sign Area (sq ft)

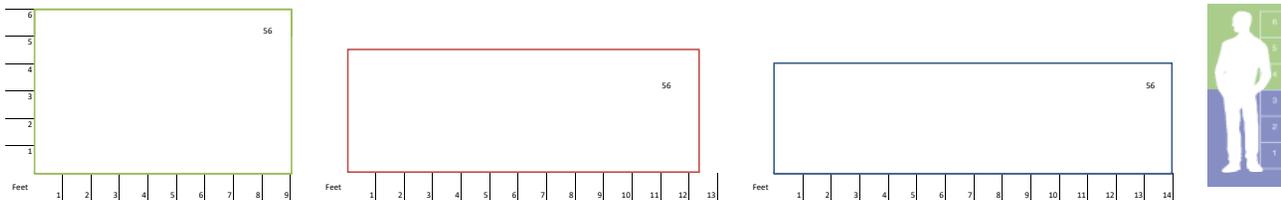
36
50
75
110

Max Height (in feet)

6
8
11
14



Electronic sign size limit examples in T-zone



1. Electronic Changeable Copy signs (such as LED's or flat-panel digital technologies) and mechanically changeable copy signs are only permitted in the T-zone along the I-15 freeway corridor.
2. On-premise Electronic Changeable Copy signs shall not exceed fifty six (56) square feet in display area and shall be no larger than four and one-half feet (4.5') tall or wider than fourteen feet (14') long. On-premise Electronic Changeable Copy signs may be utilized as a wall sign, pole sign, or monument sign only. The coverage and size limitations for wall, pole or monument signs shall also apply to any proposed on-premise Electronic Changeable Copy sign.

REGULAR SESSION – 7:00 P.M. - Conducting: Jeff Acerson, Mayor

Pledge of Allegiance: By Invitation
Invocation: Van Broderick

Item 1 – Call to Order / Roll Call

November 1, 2016 Lindon City Council meeting.

Jeff Acerson
Matt Bean
Van Broderick
Jake Hoyt
Carolyn Lundberg
Dustin Sweeten

Staff present: _____

Item 2 – Presentations and Announcements

- a) Comments / Announcements from Mayor and Council members.
- b) **2016 Utah Governor’s Business Friendly Community Award** – Presented by the Governor’s Office, Salt Lake Chamber, and Utah League of Cities and Towns.
(See attached materials on following pages.)
- c) **Arbor Day Proclamation for 2017**
(See attached materials on following pages.)

Business Friendly Cities Starter Kit

Governor Herbert, leadership of the Utah League of Cities and Towns and the Salt Lake Chamber, are excited to partner together to promote streamlined regulations at the local level and provide a new framework to achieve the Utah Governor's Business Friendly Community in the "Utah Business Friendly Cities Regulation Review Starter Kit." It gives local elected officials a starting point to improve their municipalities regulatory climate.

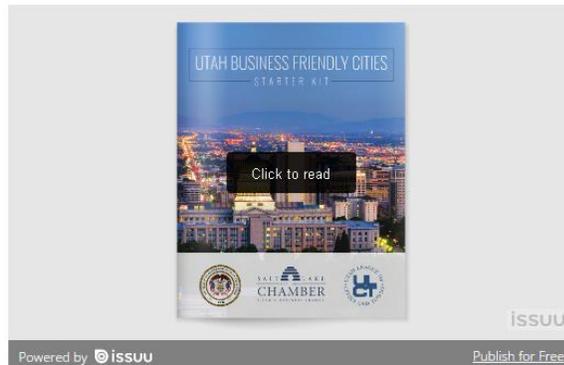
To download guide: [Click Here](#)



2016 Utah Governor's Business Friendly Community Award Recipients:

**Click on the city name to view their report.*

- [Clearfield](#)
- [Cottonwood Heights - Part 1 & Part 2](#)
- [Lindon](#)
- [South Jordan](#)
- [Park City](#)



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Included in this Guide:

- Revised recommended process, which every city can benefit from undertaking
- Best practices used in cities/towns to modernize and optimize ordinances
- Key questions to ask during the organization and origination of regulation

The Process

- Reach out to and survey local business leaders to identify business regulations and processes that can be improved. We encourage you to include your local chamber in your outreach
- Work as a city team to review all of your regulations to understand why the regulations exist and determine if they unduly impact businesses
- Collaborate with your city council to revise or repeal any unnecessary ordinances, regulations and procedures
- Report the results of the business regulation preview to: localregulation@slchamber.com

For a best practice example from the previous effort: [Click Here](#)



Lindon, UT - 2016 Business Friendly City

The following business regulation reviews/actions have been undertaken:

- Impact Fee review resulting in a decrease in Sewer Impact Fees (July 2016)
- Business Survey distributed via Facebook, City Website, and 196 randomly selected businesses via direct mail; feedback ongoing; survey: [Found Here](#)
- Review of Solicitors' Licensing requirements resulting in possible new reduced group licensing fee to streamline process (August 2016)
- Review of sign ordinance to possibly allow electronic message signs (August 2016)
- Approved zoning changes to allow additional used vehicle sales lots (Ordinances 2015-04-0; 2016-05-0; and 2016-06-0)
- Reduced street side yard setback in Industrial zones to allow for larger building footprints (Ordinance 2015-18-0)
- Overlaid streets with new asphalt in Gateway Redevelopment Area (June 2016)



Proclamation

Lindon City Arbor Day

5-19-2017

WHEREAS, the City of Lindon values its diversity and abundance of trees; and

WHEREAS, trees are givers of life and create a healthy environment for people and wildlife by cleaning the air, producing oxygen, and providing food and habitat; and

WHEREAS, trees are environmental workers, moderating temperatures and the extremes of weather, keeping our soils from eroding away, reducing air and water pollution; and

WHEREAS, trees are our comforters, shading and cooling us on hot summer days, reducing the chill of winter nights, lessening glare and noise, giving beauty to the places in which we live, work and play; and

WHEREAS, trees beautify our community, increase property values, and enhance the economic vitality of commercial areas; and

WHEREAS, planting trees benefits generations present and future; and

NOW, THEREFORE, I Jeff Acerson, Mayor of Lindon City, do hereby proclaim the 19th day of May 2017 as "Arbor Day" in Lindon City, and in doing so encourage all citizens of Lindon City to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Jeff Acerson, Mayor

Attest:

Kathy Moosman, City Recorder

Item 3 – Approval of Minutes

- Review and approval of City Council minutes: **October 18, 2016**

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, October 18,**
 4 **2016, beginning with a work session at 6:00 p.m.** in the Lindon City Center, City
 Council Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:00 P.M.

8 Conducting: Jeff Acerson, Mayor

10 **PRESENT** **ABSENT**

Jeff Acerson, Mayor

12 Matt Bean, Councilmember

Carolyn Lundberg, Councilmember - arrived 6:12

14 Van Broderick, Councilmember

Jacob Hoyt, Councilmember

16 Dustin Sweeten, Councilmember

Adam Cowie, City Administrator

18 Cody Cullimore, Chief of Police

Kathryn Moosman, City Recorder

20

DISCUSSION: The Lindon City Council met with State Legislators including Senator
 22 Dayton, Senator Hemmert, Representative Stratton and Representative Peterson to
 discuss matters of common interest. No motions were made as this item was for
 24 discussion only.

26 Mayor Acerson opened the discussion by welcoming the Legislators to the
 meeting and thanking them for taking the time to meet with the Council. Following
 28 introductions the Council discussed the following bullet point issues with the Legislators:

- Increased Road Funding.
 - Interested in their opinion on potential updates on Gas Tax distribution
 since HB 362 funneled more of the allocation to rural counties.

32

*There was an update on road funding. Representative Peterson noted that more
 34 funding allocation went to the rural counties but he doesn't expect an issue in this
 passing. There was also discussion on the gas tax distribution, road funding and the
 36 transit option. Senator Dayton stated the league of cities and towns has taken a position
 but is not the city's position and cities should be allowed to have a say. Representative
 38 Peterson stated our county has voted several times not to vote on the transit side.
 Senator Dayton stated it would be helpful to be able to define those cities that don't align
 40 themselves with the league. She added the league is very influential and do a lot of good
 things but the cities should voice their opinion and be transparent. Representative
 42 Stratton stated they could make an amendment in the session to break it out as there are
 not enough votes to separate the two issues (road funding and transit option). There was
 44 then some lengthy discussion on road funding including the utility fee option and sales
 tax revenue.*

46

*Mr. Cowie pointed out that last year we finished the road improvement
 infrastructure maintenance plan that indicated to keep Lindon roads in a 70% good to*

2 fair condition would take about 1.2 million per year and we are currently funding
 4 between 3 and 5 hundred thousand so we are far short of what is needed. Mayor Acerson
 stated we are trying to plan for the future. Senator Dayton expressed they are very
 supportive of what our focus is.

- 6 • Vineyard Connector (future state highway through west Lindon)
 - 8 ○ Prioritize funding of the highway to improve transportation and promote
 economic development.

10
 12 *Mr. Cowie gave an update on the Vineyard Connector funding followed by
 discussion.*

- 14 • Selective RDA / CDA participation by School Districts.
 - 16 ○ Interested in possible legislation to standardize participation criteria for all
 school districts and create equal playing field between cities and school
 districts that participate (or choose not to participate) in RDA's/CDA's.

18
 20 *The CDA/RDA participation by School Districts was also brought up at the last
 work session. It was pointed out if the Alpine School District can make decisions for a
 CDA (community development area), (i.e., refurbishment of the Orem Mall). They can
 22 choose to not participate based on their own vote as one of the taxing entities involved,
 but the criteria has never been clear nor uniformly applied when those decisions are
 24 made of who they are going to fund. It would be nice if that kind of a body, considering
 the amount of influence and authority they have, that when a city comes forward with a
 26 request for a project (i.e., 700 North Corridor) that they would uniformly apply those
 standards to the decisions made. The District has not participated at all or given the city
 28 an opportunity to meet with them; we could not even get an audience with the Board.
 There was then some general discussion with the representatives regarding this topic.*

- 30 • Mountain Accord (AF Canyon). Interested in the legislator's thoughts and
 32 feelings on the Accord and future development of AF canyon.

34 *Senator Dayton expressed her thanks to the Mayor and Council for serving the
 city and for wanting to interface tonight to discuss concerns of their shared constituency.
 36 She mentioned how this issue, with the state auditor, feels they have violated the open
 public meetings law and there are questions of whether or not there is violation of the
 38 state procurement act and the amount of money that has been spent; there is a lot
 confusion in the way it is currently written. There is confusion over the Mountain Accord
 40 as it seems it is doing the opposite thing and violating the laws we are trying to
 participate in; she congratulated Lindon City for not being part of that. She noted the
 42 Attorney General's office has a complaint filed that they have violated the public
 meetings act there has to be a lot of sorting out and she is trying to help with some of the
 44 back pedaling; Utah County has well informed citizens on every level of government.*

46 *Representative Peterson commented that they are all in support of state control.
 Representative Stratton stated there are going to be passionate arguments on both sides
 and through litigation we have a very strong good faith argument to solve this problem*

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

8 4. **Consent Agenda** – No items.

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

12 **CURRENT BUSINESS**

14 6. **Concept Review – Norton Assembly; DR Horton, 570 N. State.** Krisel Travis,
 16 with DR Horton Homes, requests feedback on a concept plan for higher density
 residential development at approximately 570 N. State Street. Feedback is
 18 requested but nor formal action will be taken.

20 Brandon Snyder, Associate Planner, led this agenda item by explaining this Krisel
 Travis, with DR Horton Homes, is in attendance and requesting feedback on a concept
 22 plan for higher density residential development at approximately 570 N. State Street. He
 noted that no approvals or motions are needed as this item is for discussion only and for
 24 general suggestions or recommendations. He stated the property in question is located at
 approximately 570 N. State Street and is currently in the General Commercial (CG) zone,
 26 of which the General Plan Land Use Map identifies this area as Commercial.

28 Mr. Snyder explained the property is currently used for agricultural purposes and
 the keeping of animals and livestock. Currently 570 North dead ends into the east side of
 the property included in this concept review. According to the Lindon City Street Master
 30 Plan Map, 570 North is master planned to continue out to State Street. This proposal
 would reroute 570 North to connect into 500 North instead of continuing on through to
 32 State Street.

34 Mr. Snyder went on to say the applicant is requesting feedback on a proposal to
 rezone a portion of the property for residential use. The submitted concept plan is for 45
 36 dwelling units (21-single family and 24 twin home) to be built on 7.9 acres. The total
 project area is 12.1 acres. The area adjacent to State Street would remain in the
 commercial zone and would be approximately 4.2 acres. The nature of this request is to
 38 discuss the proposed site layout and density for a residential project that would transition
 from future commercial uses to the existing larger lot subdivision.

40 Mr. Snyder stated Public Works has indicated that there is currently a temporary
 storm water basin at the end of 570 North (street).

42 He then referenced the possible concerns/options with this issue as follows:

- 44 • Use of double frontage lots is limited to reasons of topography per Lindon City
 Code 17.32.110.
- 46 • Is the proposed density for transition purposes appropriate at this scale?
 - Possibility to utilize (existing codes) R1-20, R1-12 and the PRD
 ordinance (found in Lindon City Code 17.76) to transition to

2 commercial? Staff recognizes that there are acreage and unit
3 limitations to the use of the PRD ordinance.

- 4 • Verify remaining parcels along State Street (west of the LDS Chapel) will comply
5 with the minimum acreage requirements of the CG zone.

6

7 Mr. Snyder then turned the time over to Ms. Travis for her presentation. Ms. Travis
8 gave a brief background of D.R. Horton noting they are the second largest builder in the
9 state. She explained they are proposing a concept plan that would rezone the back 7 acres
10 to a 55 and older community with 45 homes (combination of twin homes and family
11 homes) and they will target “empty nesters” and also incorporate CC&R’s. They would
12 propose re-routing 570 North to connect into 500 North instead of continuing on through
13 to State Street. She also showed photos of the product they are proposing (including floor
14 plans) and referenced other similar projects and invited the Council to visit them
15 (Highland). Ms. Travis stated they would buffer the commercial use and would transition
16 back to the larger lots; this development would be a 100 % maintained community.

17 The Council brought up setbacks, road width, lot size, utilities and tax revenue
18 followed by discussion. The Council also brought up the fact that commercial development
19 is vital as there is not a lot of commercial ground left in the city. They also discussed the
20 depth of the commercial piece and the issues it poses with re-zoning as it is an odd shaped
21 piece of property. The Council asked if there is a market for ½ acre lots. Ms. Travis agreed
22 that Lindon is a desirable place to live but to build a \$500,000 house on a ½ acre lot next to
23 a commercial area is not viable option as they do not know what commercial development
24 will be there in the future. The Council also asked how the existing neighbors would feel
25 with this type of density. At this time Ms. Travis asked the Council what density the
26 Council would feel comfortable with.

27 The Council mentioned they are hesitant on high density in this specific area of
28 Lindon as they just approved a large scale project on the west side (Ivory Development)
29 that includes high density. They would feel more comfortable with R1-20 in this specific
30 area with perhaps twin homes on the end and may be more open to a standard subdivision.
31 Ms. Travis mentioned the market is demanding smaller lots and they are seeing a tendency
32 for less maintenance and more flexible lot sizes. She added what she is hearing tonight is
33 there are concerns that the residential take is a little large and they be comfortable with
34 something not quite as dense. The Council agreed if the right commercial comes in it
35 would make it less restrictive and they may be open to some residential.

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

38

- 39 **7. Public Hearing – FY2016 Budget Amendments & Fee Schedule updates**
40 **(Resolution #2016-18-R).** The City Council will review and consider Resolution
41 #2016-18-R outlining the proposed FY2017 budget amendments and fee schedule
42 updates.

43 COUNCILMEMBER HOYT MOVED TO OPEN THE PUBLIC HEARING.
44 COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
45 VOTED IN FAVOR. THE MOTION CARRIED.
46

2 Kristen Colson, Finance Director, was in attendance and began by referencing the
budget amendment notes and line items followed by discussion. She noted that some
4 items are carried forward that didn't get done last year that were in the budget.

- 6 1. The City Council approved participating with Pleasant Grove Chamber of
Commerce instead of Utah Valley Chamber of Commerce. The Pleasant Grove
8 Chamber of Commerce required a \$10,000 set up fee.
2. The Court Clerk received an increase in wages.
- 10 3. UDOT installed an opticom system on the traffic signal on Center and State
Streets as requested by the Fire Department. This was done last fiscal year, but
12 was not billed to Lindon City in a timely manner.
4. The Streets department needed six (6) new tires for the bobtail.
- 14 5. The City Council approved hiring another Public Works Inspector, Water
Technician and Sewer Technician. These new employees would start working
16 with 7 months remaining in the fiscal year.
6. Utah County notified Lindon City that they are requiring our participation in
18 resealing the Murdock Canal Trail. Our portion is estimated to be \$5,000.
7. The Parks department is upgrading the electrical component of the Cemetery's
20 sprinkler system. The initial upgrade work is estimated to be \$3,000. The
monthly air card costs for the remainder of the year is estimated to be \$1,000.
- 22 8. The General Fund budgeted to transfer \$367,010 to the Public Safety Building
Capital Improvement Project (CIP) Fund this fiscal year. However, there were
24 excess funds in the 2015- 2016 fiscal year (FY) so \$350,000 of the transfer was
recorded in the 2016FY. More of the construction costs were paid in the 2016FY
26 year, so the construction costs are decreasing in the 2017FY. There have been
some change orders and an increase the cost of the furnishings. So instead of the
28 transfer from the General Fund being the remaining \$17,010, it has increased
about \$6,000 to \$23,000. There is still some contingency built into the FFE
30 budget. Staff anticipates that at the end of the project there will be some excess
funds which will be transferred back to the General Fund in order to close out the
32 CIP Fund.
9. The City is installing additional fencing behind the old Fire Station in order to
34 provide a secure storage area for the Park Department. The additional fencing
will cost \$4,100 and will be paid with RDA State Street District funds.
- 36 10. RDA District 3 funds were budgeted to be used in the 2016 FY for streets
projects. These projects were not completed and the remaining work costing
38 \$285,000 will be completed in the 2017FY.
11. Many Community Center tables are in poor condition and will be replaced. The
40 estimated cost is \$7,300.
12. PARC Tax funds were budgeted to be used in the 2016 FY to reseal a section of
42 Heritage Trail. The \$40,000 project was not done until the 2016FY.
13. PARC Tax funds were budgeted to be used in the 2016FY to contribute \$5,000
44 toward the construction of a tennis and pickleball court. This project was not
done in the 2016FY, but will be completed in the 2017FY.
- 46 14. Park impact fees were budgeted to be used in the 2016FY to construct a pavilion
at Meadow Park, construct a tennis/pickleball court in Hollow Park, and finish

2 the path lighting at Fryer Park. These projects were not completed in the 2016FY,
but will be completed in the 2017FY.

4 15. The Water Fund budgeted in the 2016FY to improve the 200 South waterline.
This project was not completed in the 2016FY, but will be completed in the
6 2017FY.

8 16. The Sewer Fund budgeted in the 2016FY to get power to Lift Station #5 on the
west side. This project was not completed in the 2016FY, but is anticipated to be
10 done in the 2017FY for approximately \$30,000. The Sewer Fund has also had
some unanticipated expenses in the special projects line item. The increase in
12 expenses of about \$25,400 are due to sewer line breaks and repairs, an increase in
the telemetry system upgrade and Union Pacific Railroad's crossing agreement
fee.

14 17. The Community Center recreation class revenue and expense lines are increasing
\$1,000 to reflect the addition of the Nayborhood Youth Riding Club.

16 18. The Community Center needed to purchase an additional 2 computers for \$1,600.

18 19. The Community Center needed to purchase a new copier/printer machine for
\$7,805.

20 20. The changes in revenues and expenses are balanced and offset by changes in the
use of, or appropriation to, fund balances.

22 Ms. Colson also went over the updated fee schedule followed by discussion. Ms.
Colson also referenced the additional upcoming items than may impact the budget as
24 follows:

- 26 • Utilities and easements for the Ivory Development are still being determined.
- 28 • Engineers are evaluating the cost and benefit of expanding Well #3 to increase
redundancy in the City's culinary water system.
- 30 • Engineers are designing the necessary enhancements to the well houses in order to
accommodate adding a chlorination system in each well house.

32 Ms. Colson invited the Council to contact her with any questions regarding the
budget amendments and fee schedule updates. Following some additional discussion Mr.
Cowie stated we will look this quarterly as changes happen and things come up that are
34 not anticipated but thankfully we have healthy fund balances. Ms. Colson also discussed
the callable bonds noting she and Mr. Cowie have been in contact with Jason
36 Burningham regarding the bonds (700 North and Public Safety Building). She noted she
will provide the Council with the bond information spreadsheet including the pay downs.
38 Mr. Cowie noted we will look at another budget amendment in January and late spring
but directed the Council to adopt this amended budget tonight. Mayor Acerson called for
40 any further discussion or comments. Hearing none he called for a motion to close the
public hearing.

42

44 **COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.**

46

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

4
6 COUNCILMEMBER HOYT MOVED TO APPROVE RESOLUTION #2016-
18-R FOR THE PROPOSED FY2017 BUDGET AND FEE SCHEDULE
AMENDMENTS. COUNCILMEMBER LUNDBERG SECONDED THE MOTION.
8 THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER BEAN AYE
10 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BRODERICK AYE
12 COUNCILMEMBER HOYT AYE
COUNCILMEMBER SWEETEN AYE
14 THE MOTION CARRIED UNANIMOUSLY.

16 8. **Recess to Lindon City Redevelopment Agency Meeting (RDA).** The City
Council will recess their meeting and convene as the Lindon City RDA. After the
18 RDA meeting, the Council will then reconvene for review of the remainder of
their agenda items.

20
22 COUNCILMEMBER HOYT MOVED TO RECESS THE LINDON CITY
COUNCIL MEETING AT 8:35 PM AND CONVENE AS THE LINDON CITY
REDEVELOPMENT AGENCY BOARD. COUNCILMEMBER BRODERICK
24 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
CARRIED.

26
28 BOARDMEMBER SWEETEN MADE A MOTION TO ADJOURN THE
LINDON CITY RDA MEETING AT 8:40 PM AND RECONVENE THE LINDON
CITY COUNCIL MEETING. BOARDMEMBER BEAN SECONDED THE MOTION.
30 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

32 9. **Review and Action – Disposal of Surplus Equipment; Resolution #2016-19-R.**
The City Council will review and consider Resolution #2016-19-R or declare
34 surplus city equipment to be auctioned off to the highest bidder through the
website www.publicsurplus.com. Items not sold within a specified time period
36 will be disposed of at the discretion of the city administration.

38 Mr. Cowie explained this item is for approval from the City Council to declare
surplus city equipment to be auctioned off to the highest bidder through the public
40 surplus website. He noted that items not sold within a specified time period will be
disposed of at the discretion of the city administration. There was then some general
42 discussion regarding the surplus items.

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

2 COUNCILMEMBER BEAN MOVED TO APPROVE RESOLUTION #2016-19-
 4 R FOR DISPOSAL OF SURPLUS CITY EQUIPMENT. COUNCILMEMBER HOYT
 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN AYE
 6 COUNCILMEMBER LUNDBERG AYE
 COUNCILMEMBER BRODERICK AYE
 8 COUNCILMEMBER HOYT AYE
 COUNCILMEMBER SWEETEN AYE

10 THE MOTION CARRIED UNANIMOUSLY.

12 **10. Review and Action – Appointment to Canal & Water Company Boards.** The
 City Council will review and consider appointment of Brad Jorgensen, Lindon
 14 City Public Works Director, as a voting representative for the City on the North
 Union Irrigation Company board of directors, South Field Spring Ditch Irrigation
 16 Company board, Hollow Water Irrigation Company board, and the Provo River
 Water Users Association board. Mr. Jorgenson may act as an alternate voting
 18 member in the absence of other appointed members representing Lindon City.

20 Mr. Cowie explained this item is for the Council’s approval and appointment to
 Brad Jorgensen, Lindon City Public Works Director, as a voting representative for the
 22 City on the North Union Irrigation Company board of directors, South Field Spring Ditch
 Irrigation Company board, Hollow Water Irrigation Company board, and the Provo River
 24 Water Users Association board. He noted that Mr. Jorgenson may act as an alternate
 voting member in the absence of other appointed members representing Lindon City.
 26 There was then some general discussion regarding the appointments.

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

30 COUNCILMEMBER LUNDBERG MOVED TO APPROVE THE
 APPOINTMENT OF BRAD JORGENSEN, LINDON CITY PUBLIC WORKS
 32 DIRECTOR, TO THE VARIOUS CANAL AND WATER COMPANY BOARDS AS
 PRESENTED IN THE ATTACHED LETTERS. COUNCILMEMBER BEAN
 34 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

40 THE MOTION CARRIED UNANIMOUSLY.

42 COUNCIL REPORTS:

44 **Chief Cullimore** – Chief Cullimore reported the police department is taking part with a
 46 Trunk or Treat for Autism on Thursday night. He also gave an update on some recent car
 burglaries in the area.

2 **Councilmember Hoyt** – Councilmember Hoyt reported that he and Councilmember
 4 Sweeten attended the Pleasant Grove City work session discussion about the Pleasant
 6 Grove Chamber of Commerce noting they all seemed to be on board. He also mentioned
 that Brian Fruit with Timpanogos Cyclery has offered to give a tour of the bike trail to
 the Council. The Council agreed a bike tour would be beneficial.

8 **Councilmember Broderick** – Councilmember Broderick reported that he attended the
 10 recent engineering meeting and they approved the budget amendment. He noted they are
 still adjusting plans for the sewer lift station. Mr. Cowie also gave an update on the new
 sewer lift station.

12 **Councilmember Bean** – Councilmember Bean reported the Planning Commission has
 14 been reviewing electronic message signs because of a city initiated ordinance
 amendment. He has recommended a joint session to discuss this issue. He also asked for
 16 an update on Shadow Mountain. Mr. Cowie then gave an update on this issue.

18 **Councilmember Lundberg** – Councilmember Lundberg reported she attended the
 20 planner’s conference at Station Park along with Hugh Van Wagenen and Sharon Call.
 She noted there were some good breakout meetings on economic development. She also
 22 attended the women’s leadership conference last week which is a coalition to create a
 nationwide women’s organization. She also attended the legislative policy meeting today
 24 where there was discussion on the topic of how to encourage positive police relations and
 build a better police perception/interaction. She noted they are implementing a new
 awareness organization called “Operation Blue Shield” where the city or a resident could
 26 open a chapter.

28 **Councilmember Sweeten** – Councilmember Sweeten mentioned there has been some
 30 complaints about a new home business “Island Style Dance Studio” because of traffic
 and other issues. He questioned if this type of home business is even permitted in the area
 by city code. Mayor Acerson commented that he and the planning director will be
 32 meeting on Monday with the owner to discuss the associated issues with this home
 business.

34 **Mayor Acerson** – Mayor Acerson touched base on UIA, UTA and the League noting
 36 they all have their challenges but are moving forward. He reported he will be attending a
 meeting with IHC Outreach on Thursday. He also gave an update on the animal shelter
 38 noting they feel they’ve come to a consensus with some recent negative activism at the
 shelter. Mayor Acerson stated the Thanksgiving Dinner will be happening again this year
 40 and he has talked to several organizations to see if they want to help spearhead the
 operation.

42

Administrator’s Report:

44 Mr. Cowie reported on the following items followed by discussion.

Misc. Updates:

- October newsletter:

- 2 • November newsletter article: Councilmember Hoyt - Article due to Kathy Moosman last week in October.
- 4 • North Union canal repair updates
- 6 • Misc. Items:

Upcoming Meetings & Events:

- 8 • November 8th – General Election

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

Adjourn –

14 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
16 AT 10:45 PM. COUNCILMEMBER SWEETEN SECONDED THE MOTION. ALL
18 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – November 1, 2016

22 _____
Kathryn Moosman, City Recorder

24 _____
26 _____
28 Jeff Acerson, Mayor

Item 4 – Consent Agenda – *(Consent agenda items are only those which have been discussed beforehand and do not require further discussion)*

- No Items.

Item 5 – Open Session for Public Comment *(For items not on the agenda - 10 minutes)*

6. Review & Action — Fee Waiver Request*(15 minutes)*

Aspire Scholar Academy requests consideration of a partial fee waiver for weekly use of the Veterans Hall in Lindon City Center Park for homeschool co-op classes of children 11-18 years old.

See attached application and associated memo provided by the Parks Department.

Community Center Rental Fee Waiver & Reduction Request Application

Name of Organization: Aspire Scholar Academy aspireasa.com

Contact Person: Myra Johnson

Mailing Address: 368 N 400 E

City Lindon State UT Zip 84042

Phone Number: 801-785-5353 Cell 801-471-8845 Email Address: myrajohnson7@gmail.com

Name of Event: weekly homeschool co-op classes

Date of Function: weekly on Thursdays w/ 1-2 Friday night activities/month
8am-6pm

Describe the event (goals, itinerary, expected attendance, etc): We have 60-65 youth, aged 11-18 who gather each week for classes such as history, speech & debate, writing, math, science, Shakespeare, etc.

Describe who will benefit from the activity or event and how they will benefit: All of our youth & families as we work together to strengthen our scholarship and character.

Describe the purpose of the waiver request: We are needing an affordable monthly rent for our homeschool families to meet, preferably \$500-\$600 mo.

Is this project: Annual Ongoing A one time event now through May

Will there be fees charged for those attending and if so what are they? N \$ semester tuition

Is your organization prepared to share its current financial statement if requested? N & family fee

Is the request for a partial or full waiver?

Is there any additional information you would like for us to consider when reviewing your application?

We have been meeting at St. Mark's Lutheran church in Provo, but they are selling their building. We have until Nov 3 to find a new location, and we've been searching diligently from south Provo to PG to find a place to

meet but have either been told no, or the rent was too high or there

was not enough space.

Thank you for your consideration.



PARKS AND RECREATION MEMO

TO: ADAM COWIE / CITY COUNCIL
FROM: HEATH BATEMAN
SUBJECT: FEE WAIVER - ASPIRE SCHOAR ACADEMY CHAPTER
DATE: OCTOBER 27, 2016

I have received a fee waiver & reduction request application from Aspire Scholar Academy this week. Aspire Scholar Academy (ASA) is a home school co-op group with 60 to 65 youth aged 11-18 years old.

According to the application delivered today by Lindon City Resident Myra Johnson (368 N 400 E) the co-op is looking for a place to hold school one time a week and an occasional Friday. They are seeking a partial fee waiver for use of the Vet's Hall.

The Lindon City Rental Rate for the Vets Hall is below:

Partial Day (10:00 AM to 3:30 PM or 4:30 PM to 10:00 PM)	
• Resident	\$100.00
• Non-Resident	\$125.00
• Commercial	\$150.00
• Non-Profit	\$80.00
Full Day	
• Resident	\$200.00
• Non-Resident	\$225.00
• Commercial	\$250.00
• Non-Profit	\$160.00

Cost per Day	Days Needed	Possible Revenue	Payment offered	Waiver Req.
\$200.00	40 (est.)	\$8,000	\$4,500	\$2,600

NOTE: There is an issue with the building being able to suit their needs as it is now. Without some construction on the building, the group is not sure the building will fit their needs. They are also requesting a way that would allow the meeting room

partitioned or separated into 4 rooms. They have spoken to me about putting accordion doors in the building. I assume they would like the City to do the construction and front the cost.

Thanks,

Heath Bateman
Parks & Recreation Director

****In additional conversation with Lindon City Building Official, there is some concern that approving a permanent school use of the facility may necessitate the building being suitable for E (Education) Occupancy in the Building Code. The Building Official did not feel the current facility meets this occupancy level and may present liability upon the City if an application for regular school use is approved without potential upgrades for the facility to meet an E occupancy level.***

7. Review & Action — Support for Protection of American Fork Canyon (Resolution #2016-20-R)
(10 minutes)

Councilmember Dustin Sweeten requests the Lindon City Council's review and consideration of Resolution #2016-20-R outlining support for protecting public uses, water quality, and public access in American Fork Canyon.

The City Council has recently discussed interest and support in the efforts to protect public access, protect drinking water resources for neighboring communities, and limit development within American Fork Canyon. Councilmember Dustin Sweeten was encouraged by Mayor Acerson to draft a resolution that may be adopted by the Council to express support of these issues. Councilmember Sweeten therefor prepared the attached resolution for consideration.

Sample Motion: I move to (approve, continue, deny) Resolution #2016-20-R expressing support for protection of American Fork Canyon.

RESOLUTION NO. 2016-20-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDON OUTLINING THEIR SUPPORT FOR PROTECTING PUBLIC USES, WATER QUALITY, AND PUBLIC ACCESS IN AMERICAN FORK CANYON, UTAH COUNTY, UTAH.

WHEREAS, the area known as American Fork Canyon provides unique recreational opportunities including, but not limited to hunting, camping, hiking, snowmobiling, four wheeling, as well as other motorized and non-motorized uses; and

WHEREAS, the citizens of Lindon City have used American Fork Canyon for these purposes for many years; and

WHEREAS, the water coming from the canyon supplements the culinary water needed by several cities in Utah County.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDON, UTAH, as follows:

1. The Lindon City Council does hereby resolve to protect those historic uses for their citizens by exhorting the Utah County Commission to pass any ordinances necessary to prevent any development in American Fork Canyon that would curtail or eliminate those historic uses thereby depriving citizens of Lindon City and Utah County their established rights of way in these areas.
2. The Lindon City Council further urges the Utah County Commission to properly recognize all Utah County roads, trails and right of ways to preserve them for future generations.
3. The Lindon City Council encourages the Utah County Commission to not allow any development in American Fork Canyon that would adversely affect the water quality of any water source originating in the canyon.

Adopted and approved this ____ day of _____, 20____.

By _____
Jeff Acerson, Mayor

Attest:

By _____
Kathryn A. Moosman, City Recorder

SEAL:

8. Review & Action – UTV Purchase Request

(25 minutes)

Councilmember Dustin Sweeten requests the Lindon City Council’s review and consideration to authorize purchase of a \$13,500 UTV (Utility Task Vehicle) from Powerhouse Motor Sports for the Lindon City Police Department. The City has not previously budgeted for this item. Councilmember Sweeten proposes that the City utilize approximately \$5,000 from General Fund Reserves, approximately \$6,000 from Lindon Days Car Show donations/revenues and has secured an additional \$1,500 contribution from KYMCO USA and \$1,000 contribution from Powerhouse Motorsports. Per the City’s Purchasing Policies the City will be required to obtain bids from at least three vendors prior to a purchase if the Council votes to approve the expenditure.

During the 2016 Lindon Days events Councilmember Sweeten, who owns Powerhouse Motor Sports in Pleasant Grove, voluntarily donated the use of a UTV to the Lindon City Police Department for use during the Lindon Days week of events. The Police Department used the UTV for various purposes throughout the week and expressed great appreciation for the donated use of the vehicle. The picture and announcement below was posted on the City’s Facebook page during Lindon Days:

Councilmember Sweeten expressed interest in being able to seek discounts from the manufacturer of the UTV and potentially assisting the City in purchasing the UTV for full-time use by the Police Department. While a UTV would be a very nice piece of equipment for the City to own, it is not anticipated to be used for more than a few events per year or during emergency rescues in the foothills. No formal request for a UTV has ever been submitted by the Police Department, therefore no funds have been budgeted for purchase of a UTV.

Councilmember Sweeten communicated to the Council in a prior meeting that he had talked to the UTV manufacturer (KYMCO) and has been able to obtain a \$1,500 contribution from them. As the owner of Powerhouse Motor Sports he is also offering an additional \$1,000 contribution. Councilmember Sweeten requested that this item be discussed by the City Council for consideration of purchasing the UTV with donated funds/revenues from the Lindon Days car show and money from the General Fund as follows:

- \$6,000 - car show donations (\$5,720 actual donated)
- \$5,000 - General Fund reserves
- \$1,500 - KYMCO contribution
- \$1,000 - Powerhouse Motor Sports contribution
- \$13,500 Total**

The car show revenue (\$5,625) and donations received (\$5,720) offset the car show expenses (\$9,077) by \$2,268. The Council should provide direction on if the donated funds for Public Safety emergency equipment should offset expenses for the car show or be used only for public safety equipment purchases.

(Continued on next page)

Lindon City added 6 new photos. Published August 1

Thank you to Dustin Sweeten of Powerhouse Motor Sports for donating a week's use of this UTV to our Police Department during Lindon Days! The fun starts TONIGHT with the annual Lindon Car Show at the Lindon City Center park (200 N. State Street). Show runs from 4pm to 9pm.




1,890 people reached [Boost Post](#)

Like Comment Share

Lindon City, Justin Niswander, Diane Nielsen and 43 others [Top Comments](#)

4 shares

If the Council decides to approve of the UTV purchase the City is obligated by its Purchasing Policies to solicit at least three bids for equipment of this value. Powerhouse Motor Sports may, or may not, be the lowest bid.

For discussion:

- 1. Should the City approve funds at this time for the purchase of a UTV for the Police Department?
- 2. Should the donated funds raised at the car show for purpose of acquiring Public Safety emergency equipment be used solely for purchase of emergency equipment – or should the donated funds be combined with other revenues and used to offset city expenses for the event?

Sample Motion: I move to (approve, continue, deny) the request by Councilmember Sweeten to appropriate \$_____ from car show donations and \$_____ from General Fund reserves for the purchase of a UTV for the Police Department, with the following conditions:

- I. In addition to the offer from Powerhouse Motor Sports, the City shall obtain at least two other bids for a similar UTV per its purchasing policies and shall purchase the UTV from the lowest cost vendor.

(Submitted by Dustin Sweeten)

PROPOSAL FOR PURCHASE OF NEW 2016 KYMCO UXV FOR LINDON POLICE DEPT.

Cost of new unit including: Street Legal Kit, Hard Doors, Hard Top, LED Light Bar, DOT Tires, Red/Blue flashing lights,	\$13,500
Contribution from KYMCO USA	-\$1,500
Contribution from Powerhouse Motorsports	-\$1,000
Contribution from Lindon Days Car Show (approx.)	<u>-\$6,000</u>
NET COST TO LINDON CITY	\$5,000

9. **Council Reports:**

(20 minutes)

- A) MAG, COG, UIA, Utah Lake, ULCT, NUVAS, IHC Outreach, Budget Committee- Jeff Acerson
- B) Public Works, Irrigation/water, City Buildings - Van Broderick
- C) Planning, BD of Adjustments, General Plan, Budget Committee - Matt Bean
- D) Parks & Recreation, Trails, Tree Board, Cemetery - Carolyn Lundberg
- E) Public Safety, Court, Lindon Days, Transfer Station/Solid Waste - Dustin Sweeten
- F) Admin., Community Center, Historic Comm., UV Chamber, Budget Committee - Jacob Hoyt

10. Administrator's Report:

(10 minutes)

Misc Updates:

- October newsletter: <https://siterepository.s3.amazonaws.com/442/october16final3.pdf>
 - November newsletter article: **Jake Hoyt** - Article due to Kathy Moosman last week in October.
- North Union canal repair options
- Dry Canyon Springs / Canberra Water Tanks – repairs to collapsed spring box in Dry Canyon made 10/27/2016 and water flows being reestablished and tested
- Claims updates
- Sewer Lift Station #7 (Ivory lift station) – Plans approved by State. Plans going before Planning Commission on November 22nd.
- Misc. Items:

Upcoming Meetings & Events:

- November 8th – General Election (No Planning Commission meeting)
- November 24th - Thanksgiving Dinner event at Community Center

Adjourn