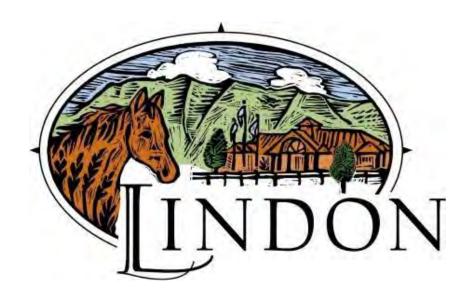
# Lindon City Council Staff Report



Prepared by Lindon City Administration

March 21, 2017

# Notice of Meeting of the Lindon City Council



The Lindon City Council will hold a regularly scheduled meeting beginning at **7:00 p.m.** on **Tuesday**, **March 21, 2017** 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:



(Review times are estimates only)

(2 minutes)

(10 minutes)

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

Pledge of Allegiance: By Invitation

Invocation: Matt Bean

I. Call to Order / Roll Call

2. Presentations and Announcements

a) Comments / Announcements from Mayor and Council members

3. Approval of minutes: March 7, 2017

4. Consent Agenda - No Items

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

(5 minutes)

(10 minutes)

6. Review & Action — 2017 Street Maintenance Projects - Bid Award

(15 minutes)

The City advertised for competitive bidding on multiple street improvement projects. After receiving bids and evaluating both base-bid and additive project costs it is recommended that the City Council award the bid to Staker & Parson Companies at \$770,337.14, with the plan that additional work will be added to the project per available funding. The City has budgeted \$880,000 in combined funding for street maintenance projects. The City Engineer, Mark Christensen, will be available to answer questions.

7. Review & Action — UDOT / Lindon Reimbursement Agreement. Geneva Rd & 500 N (10 minutes) Lindon City has been working with JUB Engineers and UDOT to design a new traffic signal at the intersection of Geneva Road and 500 North. As part of this potential signal the City is desirous to adjust the 500 North legs of the intersection and eliminate a potential skew. This signal and the alignment change will also impact a railroad crossing immediately west of the intersection. As the impact to the railroad crossing is partially due to the future traffic signal, which is not within UDOT right-of-way, UDOT has agreed to pay half (50%) of the preliminary design fee that is required by Union Pacific Railroad to accommodate the future signal and road alignment. This agreement formalizes a reimbursement by UDOT to Lindon City once the design costs are completed and finalized. Repayment of UDOT's portion is estimated at \$7,500.

## 8. Review & Action — Vote By Mail; Resolution #2017-8-R

(15 minutes)

The City Council will consider Resolution #2017-8-R which, if approved, indicates the City's desire to proceed with vote by mail and contract with Utah County for election services for the 2017 primary and general elections. City Recorder, Kathy Moosman, will review options available to the City for 2017 voting.

9. Closed Session (60 minutes)

The Mayor and City Council pursuant to Utah Code 52-4-205 may vote to go into a closed session for the purpose of discussion of the character, professional competence, or physical or mental health of an individual. This session is closed to the public.

## 10. Council Reports:

(20 minutes)

A) MAG, COG, UIA, Utah Lake Commission, ULCT, NUVAS, IHC Outreach, Budget Committee

B) Public Works, Irrigation/water, City Buildings

C) Planning, BD of Adjustments, General Plan, Budget Committee

D) Parks & Recreation, Trails, Tree Board, Cemetery

E) Public Safety, Court, Lindon Days, Transfer Station/Solid Waste

F) Admin., Community Center, Historic Comm., PG/Lindon Chamber, Budget Committee

Matt BeanCarolyn LundbergDustin Sweeten

Van Broderick

- Jeff Acerson

- Jacob Hoyt

### II. Administrator's Report

(10 minutes)

**Adjourn** 

All or a portion of 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

Lindon City Council Agenda - March 21, 2017 (Amended 3/20/2017 at 11:00am).

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 <a href="https://www.lindoncity.org">www.lindoncity.org</a>. 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.

### Amended Agenda - 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 (<a href="http://pmn.utah.gov">http://pmn.utah.gov</a>) and City (<a href="http://pmn.utah.gov">www.lindoncity.org</a>) websites.

Posted by: /s/ Adam M. Cowie

Date: March 20, 2017 Time: 11:00 a.m.

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

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

Pledge of Allegiance: By Invitation Invocation: Matt Bean

# Item I - Call to Order / Roll Call

March 21, 2017 Lindon City Council meeting.

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

# <u>Item 2</u> – Presentations and Announcements

a) Comments / Announcements from Mayor and Council members.

# <u>Item 3</u> – Approval of Minutes

• Review and approval of City Council minutes: March 7, 2017

- The Lindon City Council held a regularly scheduled meeting on **Tuesday, March 7**, **2017**, **beginning at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100
- 4 North State Street, Lindon, Utah.
- 6 **REGULAR SESSION** -7:00 P.M.
- 8 Conducting: Jeff Acerson, Mayor Pledge of Allegiance: Ty Lillywhite, Boy Scout
- 10 Invocation: Carolyn Lundberg, Councilmember

# 12 PRESENT EXCUSED

Jeff Acerson, Mayor Jacob Hoyt, Councilmember – Via Phone at 7:12pm

- 14 Van Broderick, Councilmember Matt Bean, Councilmember
- 16 Carolyn Lundberg, Councilmember Dustin Sweeten, Councilmember
- 18 Adam Cowie, City Administrator Hugh Van Wagenen, Planning Director
- 20 Kathryn Moosman, City Recorder

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- 1. Call to Order/Roll Call—The meeting was called to order at 7:00 p.m.
- 24 2. Presentations/Announcements
  - a) Mayor/Council Comments There were no announcements at this time.
  - b) Presentation The 2016 Little Miss Lindon Royalty: Queen, Sabrina Romero with attendants Shara Bartholomew, Adelaide Hawkins, Brientz Fuller and Sienna Tomlinson introduced to the Mayor and Council the newly crowned 2017 Little Miss Lindon Royalty: Queen, Laynie Allred and Attendants Drew Clark, Bailey Tucker, Cortlyn Bunker and Winnter Nichols. They also thanked the Council for their support this past year and showed their appreciation by presenting the Mayor and Council with a gift. She also thanked the Mayor and Council for their support of this wonderful program that inspires and helps girls in the community to do service projects and to help out the community. Mayor Acerson and the Council thanked all the participants for their good works and for being dedicated representatives of the city.
  - 3. <u>Approval of Minutes</u> The minutes of the regular meeting of the City Council meeting of February 7, 2017 were reviewed.
- 42 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 7, 2017 AS
- 44 PRESENTED. COUNCILMEMBER SWEETEN SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
- 46 COUNCILMEMBER BEAN AYE COUNCILMEMBER LUNDBERG AYE

Lindon City Council March 7, 2017

- 2 COUNCILMEMBER BRODERICK AYE COUNCILMEMBER SWEETEN AYE
- 4 THE MOTION CARRIED UNANIMOUSLY.
- 6 4. **Consent Agenda** No items.
- 5. Open Session for Public Comment Mayor Acerson called for any public comment not listed as an agenda item. Brenda Upright with Waste Management addressed the Council at this time. She mentioned the upcoming spring clean up noting she is the resource contact and if they have any questions to please contact her. Ms. Upright also presented the Council with a gift in appreciation for their support and partnership. The Mayor and Council thanked Ms. Upright for coming and expressed their appreciation for the updated information and the gift.

### **CURRENT BUSINESS**

- 18 6. **Public Hearing — General Plan Amendment, MS Properties.** The applicant is requesting a General Plan Land Use Map Amendment from Mixed Commercial to 20 Industrial or Commercial to Industrial on subject properties located in various locations and identified by Utah County Parcel IDs #s 140620027, 140620051, 140630031, 140630067, 140640131, 140640139, 140640143, 140640144, 22 140650024, 140650051, 140650167, 170210059, 451110002, 451110003, 24 451110004, 451110005, 451110006, 451110007, 451110008, 451110009, 451110010, 451110011, 451110012, 451110013, 451110014, 451110015, 451110016, 451110018, 451110025, 457440026, 454740027, 454750027, 26 454940028, 140630053, 140630039, 140630037, 140630055, 140640145, 451110001, 450630052, 465180001, 465180002, 465180003, 465180004, 28 465180005, 465180006, 465180007, 465180008, 465180009, 465180010, 30 451110008. The Planning Commission recommends approval of the changes.
- 32 COUNCILMEMBER SWEETEN MOVED TO OPEN THE PUBLIC HEARING. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.
- 36 Councilmember Hoyt joined the meeting electronically (via phone) at 7:12 pm.
- Hugh Van Wagenen, Associate Planner, began by giving an introduction explaining this item was originally considered by the Planning Commission on January 28, 2016 and at that time it was continued pending the regular review of the General Plan slated for fall of 2016. That regular review is behind schedule. Therefore, this application
- 42 is being considered so as not delay the applicant's request any further. On January 28, 2016, many public comments were taken. Minutes from that Planning Commission
- 44 meeting are included in the staff report (attachment #8). On February 28, 2017, the Planning Commission recommended approval of the request to the City Council
- unanimously. The request is to match what the current code is on the books. He noted the General Plan is a visionary document that not only helps Lindon City but helps all cities

- along the Wasatch Front looking out 5 to 20 years or more. They typically update the General Plan every 5 years with the last review being in 2011. As far as materials
- 4 provided by the applicant (represented by Mr. Sean Monsen) he has provided a letter dated February 23, 2017 regarding the request (included in the staff report). Mr. Van
- Wagenen stated the applicant would like the General Plan Land Use Map to reflect the current Zoning Map (parcels identified). He noted as shown above, many additional
- 8 property owners are in support of this application. Currently, all the parcels requesting the change are zoned either Light Industrial or Heavy Industrial. The current status of
- these parcels on the General Plan Land Use Map ranges from Mixed Commercial to Research & Development to Commercial to Parks Public Facilities.
- Mr. Van Wagenen stated the current General Plan Land Use Map does not have a Heavy Industrial area identified on the Map. However, Heavy Industrial is referred to in
- the General Plan under the Industrial Land Uses section. The General Plan is a living document and not static and can change at anytime. He noted the first public hearing was
- held in August of 2010 and adopted in November of 2011 so over the year thirteen (13) public hearings in total were held between the City Council and Planning Commission to
- look at the plan as a whole. For clarifications sake, the minutes from a work session of the Planning Commission indicate that notices about the open house for the General Plan
- 20 (November 2010) were sent to every owner of record between Geneva Road and I-15 in the fall of 2010.
- Mr. Van Wagenen then referenced the map noting the pink areas are designated mixed commercial areas and the orange color is referred to as research and development,
- the green areas are parks and public facilities and General Plan designations into the future, and the light pink areas are designated as commercial for the long range plan. He
- 26 explained the distinction between the General Plan land use map as a visioning document whereas the zoning map reflects what is administered today on the ground. The General
- Plan is guiding document or vision that guides policy and decisions. The applicant request is to have the General Plan land use map reflect the current zoning map. As we
- entertain the discussion tonight it is good to know that this application was submitted over a year ago to the Planning Commission. At that time staff anticipated undertaking on
- the 5 year overall of the General Plan in the fall of 2016. Unfortunately that has not happened as yet and they feel it is prudent the applicant be heard now instead of with the overall General Plan review.
- Mr. Van Wagenen further explained in the General Plan maps there is language associated with them and how they are designated and it is prudent to read the language to know what the intent was at that time. He went on to explain specific uses for the
- various zones and what would happen to new uses if re-zoned and the language included. He also mentioned at the last Planning Commission meeting a lot of residents were in
- 40 attendance from the Pheasant Brook area to voice their concerns of living next to nonresidential uses but they did not oppose the Planning Commission recommendation. He
- informed the Council that there has been some progress made between the businesses and homeowners and he expressed his thanks to the businesses (Martin Snow) and residents
- for taking some steps to mitigate some of these concerns. Mr. Van Wagenen then invited Mr. Sean Monsen representing UIS forward to speak to the application.
  - Mr. Monsen commented that Mr. Van Wagenen has done a great job of providing a good overview. Mr. Monsen began by stating they are not asking for a rezone or change

- of use of their property, they are just asking for an indication or signal from the city that the manufacturing industry is a part of the long term vision for Lindon. He noted the
- 4 General Plan gives all residents and businesses a vision for various land uses. Essentially they are here to express their concerns as they want an indication from the city as to what
- 6 the future vision/goals are for their activities for industrial manufacturing in the city. Mr. Monsen stated the General Plan is a vision document that helps inform subsequent zoning
- 8 requests for particular uses. Mr. Monsen then read part of a letter from earlier interactions (2016) that the Lindon City Attorney sent to them in response to their
- 10 concerns including a statement indicating the city clearly has a desire that their operations continue to have a place in Lindon and be a part of their long term vision as they provide good paying jobs and contribute to the overall economy.

Mr. Monsen pointed out their business provides hundreds of jobs and pays millions of dollars in taxes. He understands, and is sympathetic, with citizen concerns with the expansion of industrial, but the situation is that the houses were not in place

- before these businesses but these businesses have been here for well over 30 years. They have invested millions of dollars in tax revenue and provide hundreds of jobs and they
- did it with the intention that there would not be houses there. He noted the people buying these houses knew the industrial was there and they had a choice to move there knowing
- the industrial was already there. Mr. Monsen stated they realize there will be some conflict and they are trying to balance and alleviate some of that conflict. He reiterated
- these businesses pay millions in taxes and provide many jobs and provide higher services from other businesses and boost other businesses that impact the economy and
- community. They are here to essentially see these words translate into action so they are part of the cities long term vision.

Mr. Monsen stated the city acknowledges that there will be that conflict and they have indicated they will not shut the businesses out and they are looking for direction as to what the long term vision is. Mr. Monsen commented he feels this is a perfect time

- to what the long term vision is. Mr. Monsen commented he feels this is a perfect time and opportunity for the city to decide what their long term vision and commitment plan is
- for the industrial and manufacturing facilities for the future; that is what they want to know. He added that he would also like to address any questions during the public
- hearing portion of the meeting. Mr. Monsen also noted there were some concerns with a potential conflict with the new Ivory Development and that is why they were here before and the city was good to mitigate some of those concerns.

Mr. Monsen mentioned that there were residents at the Planning Commission meeting that expressed concerns with conflict between residents and businesses; the residents want the current codes enforced. Some businesses were grandfathered in so

- there is no way to enforce current codes but Martin Snow contacted those residents who had concerns and he volunteered to build an 8 ft. wall as a barrier to alleviate their
- 40 concerns because he wants to be a good neighbor and citizen of Lindon and it shows his commitment to the city. This is indicative of the businesses to mitigate and alleviate the
- conflict that is inevitable. Mr. Monsen also made part of the record an email exchange between Mr. Snow's assistant Robert Tubman that indicated he is trying his best to be a good neighbor to the residents and a good citizen of Lindon.

Councilmember Lundberg commented, in looking at the proposal, she asked if the General Plan matches the underlying zoning map could there not be an argument for undeveloped land with one potential thought being that they have the uses allowed

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- already but the general vision plan potentially opens up a wider variety of uses to another applicant; there may be some advantages to this. Mr. Monsen stated if the property
- 4 changes ownership or if they want to engage in another use can they ask for a rezone and an amendment to the General Plan. That option is certainly available and open to
- 6 property owners in the future and it is not restricting for someone who wants to expand or change the use on their property and they can ask the city for a re-zone.

8 Councilmember Sweeten mentioned the list of property owners in this proposed change and questioned if there are any property owners that are opposed to this change.

10 Mr. Van Wagenen explained that any property included tonight, the property owner had

to sign on to the application with written verification.

Councilmember Bean asked how common is it in Lindon City to change a General Plan after we have gone through the process and moved forward on the newest version of the General Plan vs. going the other direction. Mr. Van Wagenen explained the overhaul was adopted in 2011 and since that time there have been 13 requests made for General Plan changes. Of which, typically those requests are on individual pieces of property and not over 211 acres. The Ivory Homes Development request came in and the majority of the acreage there was already designated in the General Plan as higher density residential. But there were some additional properties that were expanded upon there so it is not uncommon. Councilmember Bean asked if most of those cases have come with a zone change for a specific reason. Mr. Van Wagenen confirmed that statement adding most are because it is development driven. Mr. Van Wagenen added not only is the vision

most are because it is development driven. Mr. Van Wagenen added not only is the vision document for land use going forward but it also informs/changes the capital facilities
 plans.
 Councilmember Sweeten stated in anticipation of this issue coming up he has had

discussions with a number of business owners in the area to get their opinion (regarding the General Plan) as he was uncomfortable with the idea that the city had told any businesses (or implied) that we did not want them here. He stated that most spoke to the fact that they felt the city does not want them here. Councilmember Sweeten stated he feels we need to cater to the businesses so they don't leave as they are what generates the capital that the city operates under. This concerns him and he feels the General Plan

should match and can be changed on a case by case basis. He does not want to send the message that the city does not want the businesses here because we do.

Mayor Acerson made it clear that the city has never sent a message that they want the businesses to leave. It may have been interpreted that way from the actions of past councils but we want the businesses here and that was never the intent and it is not a feeling that has been expressed.

Mr. Van Wagenen reiterated what is on the books now with zoning and codes are what governs and he gave an example (Intermountain Casting) where there was a snafu on their end with the architect and a misunderstanding. At that time they came to the city to solve that concern and the city changed the ordinance on their behalf on that specific project. He feels the practical service businesses received from the city has been good service.

Mr. Van Wagenen reminded the Council to keep in mind that anytime a zone change occurs, land use permissions are both lost and gained, so there is not necessarily a net loss of permissions from one zoning designation to another.

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Mr. Van Wagenen also mentioned that Mr. Mike Christensen submitted a letter dated February 24, 2017 that stated opposition to the request. He noted that many neighbors from the Pheasant Brook neighborhood were in attendance at the last Planning Commission meeting where there were many comments regarding the tenants of the industrial park on 880 West that border the neighborhood. Most concerns were with operating hours, code enforcement, and buffering between residential and industrial uses.

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

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Clark Olsen: Mr. Clark stated he is the owner of Utah Pacific Bridge and Steel (West of Geneva road). They became aware of the General Plan update a year ago when the Ivory home plan came about with the buffer being reduced. It comes down to this, does Lindon City want the businesses here (some for 42 years) to prosper and grow in the city or not. When employees and investors see this they think the same thing and he is here to decide

if Lindon wants them here or not in the future. He doesn't understand why the vision statement doesn't reflect more of where we are at. He questioned many on the City

18 Council were part of the process in 2011. In 10 or 20 years down the road the city may change their minds again but this is important to them right now as they make business

decisions. Mr. Clark stated when the General Plan changes it's a good time to revisit these issues because it affects his decision as a business owner whether to stay here and

expand, pay taxes, employ people and be more prosperous or not. He is hesitant to build more and expand when he has a city that doesn't want him here and that is reflected in

the General Plan. They love Lindon City but frankly he is offended that he wasn't notified of the meetings in 2011 to have these discussions before it went on the books.

Mr. Olsen stated if a letter would have been sent to the address of record he would have gotten it because that is his home address. Mr. Clark further stated it is important to

address this issue now, as it devalues their businesses because if a future developer/buyer looks at the General Plan they may not buy or come here. None of their businesses can

operate in these new zones and it is not conducive to what they are doing at all.

Melvin Radmall: Mr. Radmall stated he is an industrial property owner and he wants it to go back to the way it was. He also pointed out that the future planning map shows his property will be made into a park and because it shows it as a park he won't be able to sell it and he doesn't plan on having his property being excluded as a park someday down the road; the way it looks now his property will be a park in the future. They fabricate the steel that builds infrastructure and the city needs the industrial fabrication and it is a great

place for them to be.

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Councilmember Bean had a question regarding the city survey and what may be done again in the future. Mr. Van Wagenen stated the last overhaul that was adopted in 2011 and began in 2010 with the General Plan Committee where they put together a list of questions based on citizen feedback. The survey was open for 6 months with 730 responses to that survey which was a great response rate for the size of the city. Based on those survey responses they helped to craft what became the final document. A question was asked about land uses on the west side of Lindon between Geneva Road and I-15 where

2 35% (highest response) said they would like to see commercial retail service based businesses with industrial land use at 16%.

Councilmember Bean pointed out we are back in the cycle now of looking at the General Plan revision and another survey may be needed since it has been 6 years out from the last survey. He expressed that he appreciates the comments here tonight and also the Planning Commission comments as well. He noted the current zoning governs what you can do on your property so a General Plan change may provide some comfort. A General Plan is something most cities in the United States craft so that as time goes by and things evolve and the economy and conditions change where city leaders and citizens can put together a vision and ideas of how they would like the city to grow in the future. A General Plan needs to be representative of how the citizens and business owners feel and things may be done differently since the last update as the city responds to the feelings of the citizens.

Councilmember Bean went on to say in the Wasatch Front there are a little over 50 cities along the I-15 corridor (between Nephi and Tremonton) and he particularly looked at 11 cities (between Lehi to Payson) and their General Plans and compared it to their zoning maps. He explained what he found in 6 of those cities (in comparison) along with Lindon City that the zoning allows more uses for manufacturing and industrial, than the General Plan map does. Lindon City is evolving and there are different ways that cities look at the General Plan and that is why the business owners have concerns. He noted he is sensitive to the concerns of property owners regarding the General Plan and it is disconcerting to hear that any business owner would feel they are not welcome here. He believes nothing the city has done overtly or in an implied way that has ever sent that message. He indicated there has not been one situation for a non conforming use where the city has not been accommodating. He personally feels the United States is way behind in manufacturing capabilities in every way and he would like to encourage more manufacturing here.

He also appreciated the letter from Mr. Monsen provided to the Planning Commission dated February 23<sup>rd</sup> that spoke on his comments. Councilmember Bean then read his comments from the Planning Commission meeting based on the audio noting that it has never been implied that the industrial/manufacturing businesses are not wanted in Lindon. In conclusion he sympathizes with the business owners who feel the city does not want them here, but he has yet to see a compelling reason for a change especially with another reiteration of another General Plan land use plan coming up.

Councilmember Sweeten respectfully disagreed with those statements as the compelling reasons are that 100% of the land owners of the parcels in question want to see the change to match what is currently zoned and the Planning Commission unanimously recommended approval of the change.

Councilmember Bean asked what is behind the thought that it is a compelling issue that all the land owners want it as this was a vision document and does not affect anything that would impede their operations. Councilmember Sweeten feels we are doing a disservice to these business owners who want to see this change happen. There was then some exchange between Councilmember Bean and Councilmember Sweeten regarding this issue. Mayor Acerson stated the only "disservice" right now is the fact that the master plan does not match the zoning. There is a process by which we can bring that more in line with the appropriate direction of which timing is an issue. Mayor Acerson stated there are two

options to consider: 1) rule on the application now or 2) to do it through the timely process to review the General Plan with input and discussion.

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- Martin Snow: Mr. Snow stated Councilmember Bean made the comment that there is less
- 6 manufacturing along 1-15 than what was there 10 years ago. When we look at property owners there are 211 acres and 51 parcels and every one of them came to Lindon and
- 8 bought because it was industrial property and at the time the General Plan showed it as industrial property. We bought that property because of what it was and the General Plan
- 10 has changed it to something they don't want.
- Mr. Olsen: Mr. Olsen stated they had this conversation a year ago. He objects strongly that the city has not inferred that they don't want them here. There is a strong inference that
- they don't want them long term. He doesn't think that any of the property owners were part of the committee back then. He feels the committee was the wrong committee for what is
- going on. He just wants to know how long they have to wait for it to happen. He is concerned that no one in this room was involved in this vision plan and that they want to
- hold onto this plan having not developed the plan, and he has concerns of future councils.
- Wayne DeVincent: Mr. DeVincent stated he takes exception to the method and procedure of the survey as a guide stick and feels they need to operate more as a republic. He
- commented to look at what industrial businesses pay their employees compared to other commercial operations. He feels we have jewel here that is not duplicated elsewhere. With
- 24 the rail spur here we can do things that other cities just cannot. He thinks relying on citizen input is good in a way but it needs to be extenuated with the businesses. He is a 40 year
- resident of Lindon and this area needs to be protected and encouraged and the city needs to stand behind it.

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Mayor Acerson stated these are all valid points and clarified that the city does not want these businesses to leave. He explained we are debating a process and whether it was done right or effectively years ago, but the point is the process needs to be defined. Mayor Acerson stated we are bringing the focus and options to the council to act on it.

Councilmember Lundberg stated she toured some of the facilities and knows these businesses are invested in the city. She recognizes they have a lot invested financially and a lifetime of building and employees and truly more and more we need a healthy ecosystem of business. When looking at the General Plan let's make sure we have a good diversity of mixed uses in the city for a healthy balance. She likes the allocation of the parcels and wants to encourage a healthy job and tax base.

Councilmember Broderick stated he appreciates the comments made and articulated on both sides. He also likes the idea of a vision document for planning. He also respects the decisions of past councils and the use of a survey. He is impressed by Mr. Snow and UIS for their willingness to go above and beyond. He will be voting for the amendment change.

Councilmember Hoyt stated he attended the Planning Commission meeting last week and appreciated the land owners and businesses coming to a consensus and resolution. As he researched this he appreciates past councils for their work put into the vision document and understands where they were coming from and he also understands where the industrial businesses are coming from. When this vision was put together 6 years

- ago it was not from a place of dislike for the businesses in the industrial zone and was not their intent. He talked to most of the property owners on the list and unfortunately they felt
- 4 as if the city was being unwelcoming or telling them to leave. He feels very strongly about business friendly practices and relationships as they are making large investments in
- 6 Lindon. The Industrial zone is set up well geographically and it is well-defined by large traffic arteries. His vision of Lindon includes industrial and when the day comes and they
- want to sell he hopes they will come to the city council. He understands both sides and we will look at this, but he believes in strengthening the bond between the city and businesses
   and because of that he is favor of what is being proposed today.

Mayor Acerson stated this is a timing and clarity issue of making sure the businesses feel welcome and this is a step in making that happen, or it could happen through the natural process which would allow things to be vetted for a better result.

Mayor Acerson called for any further public comments at this time. Hearing none he called for a motion to close the public hearing.

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

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Councilmember Lundberg stated she wants to understand if there is any reason why we went down the road and however long it takes to do the whole General Plan would there be a different choice down the road vs. doing this now. It essentially would be in piece mill and there are other factors to consider.

Councilmember Bean believes there are other factors to consider. It is important to remember that the General Plan overview has more elements than just land use. When this was done 6 years ago the entire city was reviewed but the emphasis was on the west side so now there would be different kinds of input.

Councilmember Lundberg commented if this change is made tonight it will not necessarily cement the future discussion of the overall General Plan land use map. The timing is what she is trying to understand. Mr. Van Wagenen stated the General Plan review will be done this year.

Councilmember Bean stated he will not vote in favor as he sees no detriment to the property owners right now and no imminent concerns or financial detriment and if that comes up they could come before the council to address that. With no request for a zoning change and no imminent development this is a process approach that he is not comfortable with as we are circumventing the process and procedure the city should take.

Mayor Acerson wants to make sure that when the General Plan discussion takes place that the business owners are in attendance. He stated as a council we do our best and we have learned from the past processes that maybe we could have done a better job.

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

COUNCILMEMBER SWEETEN MOVED TO APPROVE ORDINANCE #2017-2-O THE APPLICANT'S REQUEST TO CHANGE THE GENERAL PLAN DESIGNATION OF THE LOTS IDENTIFIED IN THE STAFF REPORT TO LIGHT AND HEAVY INDUSTRIAL, RESPECTIVELY WITH NO CONDITIONS.

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

- 4 COUNCILMEMBER BEAN NAY COUNCILMEMBER LUNDBERG AYE
- 6 COUNCILMEMBER BRODERICK AYE COUNCILMEMBER HOYT AYE
- 8 COUNCILMEMBER SWEETEN AYE THE MOTION CARRIED FOUR TO ONE.

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Councilmember Lundberg explained her aye vote. She stated at the time that this concern became apparent (because of the Ivory Development) she felt she promised, in essence, to these business owners, to be a good neighbor and to make it a win win for all of the development that occurs in the city and that the city is moving forward in good faith.

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Councilmember Hoyt left the meeting (via phone) at 7:42 pm.

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7. **Discussion Item** — **Residency Requirement for Police Chief.** Councilmember Lundberg requested a discussion item on a possible residency requirement for the vacant Police Chief position. Lindon City does not currently impose a residency requirement for employees. This is a discussion item only. No formal action will be taken at this time.

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Adam Cowie, City Administrator, gave some background of this agenda item explaining Lindon City does not have a residency requirement for any employee position. Residency has not been required as a condition of employment at Lindon City in the last 23 years. Currently there are 16 employees that live in Lindon City out of about 60 permanent full & part-time positions. Numerous other seasonal and temporary positions are typically filled by residents (life guards, parks & public works seasonal help, coaches, etc.). Staff gathered some general input from other Utah County cities and comments/thoughts from other City Managers on the topic of requiring residency for

comments/thoughts from other City Managers on the topic of requiring residency for employees. Several of the comments are insightful and may provide good food for thought. He noted this item is for discussion only and no motion is needed.

Mr. Cowie further explained there are a handful of responding cities that do require residency for limited executive staff but the majority of cities along the Wasatch Front do not appear to require residency as a condition of employment. Some cities do

- have limited response times required for public safety and on-call employees (mile radius or drive time limitation to get to work). Consideration for requiring residency should
- include Lindon's higher cost of housing. In a search of real estate listings on March 3, 2017 there were only 15 single-family homes listed in Lindon of which two homes were
- in the \$300k range and the remaining 13 homes were listed at \$542k or higher. Limited housing choices and high home & property values are problematic to requiring employee
- residency in Lindon. In other communities across the nation there are several instances where residency for employment is required.
- Mr. Cowie pointed out that many of these communities face issues of racial dissimilarity between law enforcement officers and those they police in their communities. Lindon,

- and most of the Wasatch Front, is very homogenous in its demographics and does not routinely face this issue. Employees who live in Orem, Pleasant Grove, Draper, or
- 4 Springville are very able to feel empathy for and can relate to most situations that arise within Lindon City. Of the executive staff in Lindon (City Administrator and Department
- 6 Heads) one out of seven lives in Lindon City. However, all have and continue to serve Lindon City diligently and with utmost concern and care for the City and its citizens.
- 8 Employees of the City are almost entirely administrative in their duties. He also referenced the city code related to this issue 2.03.03. Residence.
- Mr. Cowie stated while they can certainly be influential with elected officials on policy making, employees of the City ultimately cannot approve codes, laws, or ordinances. Employees cannot approve budgets and capital improvement projects. Employees cannot change utility rates, fees or taxes. Employees cannot approve compensation and benefit packages. All of these decisions can only be made by elected officials. Employees, including the Police Chief, implement laws and directives
- Mr. Cowie gave his opinion, aside from racial inequality issues; residency requirements for employees may be most impactful on implementation of laws and policies as imposed by elected officials. While I understand the desire for employees to feel vested in a community through a residency requirement, I firmly believe that care for a community, implementation of duties, and job performance does not require residency for success. Should changes to employee performance and/or duty implementation be necessary it can be managed through other appropriate guidance and leadership methods?

established by elected officials and in most cases have limited discretionary authority.

- Mr. Cowie stated he emailed city managers in all Utah County cities and a few other cities that collaborate often with us. He asked if their city has residency requirements for employees, particularly for executive staff, and if they were willing to share any pros/cons on this topic. Following are some of those responses:
  - **Eagle Mountain:** Eagle Mountain does not have a residency requirement for staff at all.
- **Orem:** Orem does not have a residency requirement for our executive staff. In fact, only three of my 9 key leaders in the organization that live in Orem. Both my Fire and Police Chiefs live in Lindon! Personally, I have a clause in my employment contract that notes that I do not have to live in Orem. From a recruiting perspective, your pool will be much broader in recruiting from outside the city. Your council needs to ask the question, do you want to hire the best candidate or do you want to hire someone from Lindon? Invariably, your best candidates may come from outside the city. Moreover, I have lived in the same city I managed and it was a real challenge. There was never any down time. I would get work questions at church, on the soccer field, at the movies, restaurants, etc. I actually had to travel outside of the city to get some peace! In addition, I also believe that living outside the community also provides some impartiality when it comes to city issues. I can make decisions based on what is best, rather than what my neighbor may be pressuring me to do. Just a few thoughts. In 2012, Provo actually eliminated their residency clause for department directors.
  - **Highland:** We do not. It would be problematic financially if we did.
  - **Santaquin:** No residency requirement.

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- 2 **Provo:** (Response from Council Administrator). I can't speak for the City Administrator position but Provo no longer requires senior staffers to live in the city. I used to live in remote areas where relocation was simply a necessity of 4 taking a job. In an urban or suburban setting, it seems less a necessity than a preference to live in the city in which one works, unless it's required. I think 6 several factors could be considered (in addition to those previously mentioned by others). I would guess that most cities do not provide relocation allowances if you 8 live a short distance outside the city and what relocation allowances are provided 10 typically cover only the move and not come close to the transactional costs of selling/buying a home. We also live in a day and age when many (most?) 12 households are dual income households. Does a city council want to impose a residency requirement that would impose undue burdens on a spouse to either move or take on a long commute? In my case, when I took my current job, the 14 impact was to turn a 35-minute northbound commute to a 40-minute southbound 16 commute. My wife gets to keep her current 10-minute commute, my kids stay in their current schools, and the only I am impacted by my job change. (response from CAO). Excellent policy considerations. In Provo, there is no formal 18 residency requirement by ordinance for executive staff. We do have some limitations for first responders. However, the CAO's job description indicates that 20 he or she will live in the city limits. That is the only position where that provision is specified in the job description. 22
  - **Payson:** Payson does not have a residency requirement.
  - **Heber City:** No residency requirement in Heber City.
  - **Springville:** We removed the ordinance requiring residency about a decade ago. For some positions, we require a response time (we have both a ten mile policy for some positions and a 20 minute response for others.) We strongly encourage living close by, but do not mandate it. We have encouraged this on some new hires by offering a move incentive if they live close to town.
- **Mapleton:** Mapleton does not have a residency requirement.
  - Park City: In Park City there is a residency requirement in Section 2-4-1 of the Municipal Code it says, in reference to the City Manager's residential location states: "At the time of his or her appointment, he or she need not be a resident of the City or state, but during tenure of office he or she shall reside within the City except at the discretion of the City Council." The City Council used their discretion when I became City Manager, and I did not have to move into the City.
    - Spanish Fork: I don't always agree with Mark Christensen, but I am finding that we agree more and more as time goes on. Is that a function of the Utah County rubbing off on both of us? I think his points are well articulated and I agree with them ALL! In Spanish Fork, the only residency requirement is placed on the City Manager. We had a requirement for many other positions in the past, but that has gone away. Currently, of the 10 executive Staff members, 3 do not live in SF, but their advocacy for their city and what they believe is best for the community is the same as any other team member. When I was hired as the Assistant City Manager, I was not required to live in SF, however, after 4 years, I chose to move here. I am grateful for that change now 8 years ago, but I am most grateful that I could make that move on my family's own terms. That has made all the difference for my

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2 family. Best of luck with this discussion with your council.

Councilmember Lundberg clarified her intent for this discussion was only for the vacant Police Chief position and not for the Department Heads or Administrator. She personally likes the idea of having the police live within a certain radius (at least the Chief of Police right now). She feels there could be some positives. There are many good arguments brought up from the comments listed and she would just like to see how the council feels about this issue.

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Councilmember Broderick: Stated he would vote no on a residency requirement Councilmember Bean: Stated he would vote no on a residency requirement Councilmember Sweeten: Stated he likes the idea of a radius because of the reasonable

14 response time.

Councilmember Lundberg: Clarified she is not looking to make it a requirement, but is there a value to encourage it or maybe have a radius or to make use of an incentive Councilmember Broderick: Stated he would vote yes only if necessary but he does not want to use an incentive.

Mayor Acerson suggested looking at our procedures and to see if there are any guidelines to move forward. Mr. Cowie stated there would have to be a new policy written. Mayor Acerson stated he is hearing further discussion is needed on this issue and to consider that it be a requirement or recommendation or use a defined broader radius.

Councilmember Bean stated if it came out in a policy discussion and became a policy of the police department he would maybe consider it, but he doesn't know what the inputs are. He noted the interview committee will make their decision based on ordinance and criteria and we need to be careful with personal preferences. Although we may feel we are not being coercive it can feel that way depending on how you do it. Councilmember Broderick agreed with Councilmember Bean's statement.

- Councilmember Sweeten stated he would like to see the police chief live within a 15 mile radius. Councilmember Lundberg stated she would like to see at least the police chief
- live in the city or to have a radius as there are some benefits to having this and she would encourage it. She would also suggest to maybe incentivizing it. She also said she appreciates the department heads and city employees and is not in any way saying they
  - appreciates the department heads and city employees and is not in any way saying they are not totally dedicated to their positions and the city.

Mayor Acerson observed that it sounds like we may want to have more discussion on this issue when Councilmember Hoyt is in attendance. He noted we are somewhat on the same page to have it not be a requirement but to perhaps have a radius. He would suggest making a firm commitment to try and get the best applicant for the position that wants to be a part of the community and what is best for them.

Councilmember Sweeten clarified to the Department Heads in attendance that there is no intent on asking any of them to move to Lindon and they do a great job for the city. Mr. Cowie stated he will bring this back as a future agenda item for further discussion.

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

8. Review and Action — PG/Lindon Utility Services Interlocal Agreement;
Resolution #2017-6-R. Lindon City and Pleasant Grove have several properties
that are served by utilities from both cities. An older utility sharing agreement
from 1978 has been in effect but needed updating to reflect current issues along
our common border. This new Interlocal Agreement continues the cooperative
nature of our past utility service sharing with updated guidance and direction for
future utility sharing along the PG/Lindon border. Staff recommends approval of
the agreement.

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Mr. Cowie explained this is a resolution approving an interlocal agreement between Lindon City and Pleasant Grove for shared utility services along common boundaries as they have common boundaries and share utilities across those boundaries.

He noted the cities had a prior utility sharing agreement (1978) that needs to be updated.

The cities have worked together to draft and update the policies and processes for sharing
of utilities across those common boundaries and doing this is in the best long-term
interest of the public and prevents duplication of public services and decreases overall

maintenance costs to both cities.

Mr. Cowie stated this interlocal agreement for utility services between the cities of Pleasant Grove and Lindon has been drafted by both cities and staff recommends adoption of this agreement is in the best interest of Lindon City.

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

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COUNCILMEMBER BRODERICK MOVED TO APPROVE RESOLUTION 26 #2017-6-R PG/LINDON WITH THE ADDITION OF ADDING THE GARBAGE BOUNDARIES. COUNCILMEMBER SWEETEN SECONDED THE MOTION. THE

28 VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN AYE
30 COUNCILMEMBER LUNDBERG AYE

COUNCILMEMBER BRODERICK AYE

32 COUNCILMEMBER SWEETEN AYE THE MOTION CARRIED UNANIMOUSLY.

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9. **Review and Action** — **T-Mobile (Crown Castle) Agreement Amendment; Resolution #2017-7-R.** The City Council will review and consider an amendment to the tenant & lease agreement for the cell tower located at the back of the Public Works property at 946 W. Center Street. This amendment provides for an updated legal description of the property and grants a non-exclusive access easement across the property to the cell tower location. Staff recommends approval of the agreement.

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Mr. Cowie stated this resolution of the city council of Lindon City approving an interlocal agreement between Lindon City and T-Mobile West Tower LLC. He noted that Lindon City's Public Works property located at 946 West Center Street has a cell tower on its northeast corner with T-Mobile West Tower LLC (T-Mobile) as its tenant. The City has previously entered into a tenant lease agreement with T-Mobile and

2 managers of the tower (Crown Castle) and this Crown Castle request is that the City provide an access easement to the tower and an updated legal description of the property in order to attract and retain co-locators on the tower.

Mr. Cowie explained that this agreement between T-Mobile and Lindon City has been drafted and reviewed by the City Attorney and City Engineer. He added that the easement location has not been found to be detrimental to the Public Works facility and can be relocated at the request of the City. Staff feels approval of this agreement is in the best interest of the public in order to maintain and attract additional tenants and/or carriers to the tower for which the City receives lease revenue and is able to use the funds for general obligations and public purposes.

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

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COUNCILMEMBER LUNDBERG MOVED TO APPROVE RESOLUTION #2017-7-R THE AGREEMENT BETWEEN T-MOBILE AND LINDON CITY. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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COUNCILMEMBER BEAN

20 COUNCILMEMBER LUNDBERG AYE COUNCILMEMBER BRODERICK AYE

22 COUNCILMEMBER SWEETEN AYE THE MOTION CARRIED UNANIMOUSLY.

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### **COUNCIL REPORTS:**

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<u>Councilmember Hoyt</u> – Councilmember Hoyt was absent from this portion of the meeting.

- 30 <u>Councilmember Broderick</u> Councilmember Broderick reported he attended the monthly engineering meeting on February 2<sup>nd</sup> along with JUB. They had a presentation
- on road maintenance projects which was very informative. He also attended the Provo Bench Canal meeting on February 18<sup>th</sup> including the adjudication process regarding the
- impact of Russ Brown and Jack Jones. He noted the overall water content is in record type years regarding the current snowpack. He also mentioned the Provo River Water
- Users Association (PRWUA) balloon payment for improvement on the canal. Mr. Cowie stated we agreed that our portion is \$23,000.00. Councilmember Broderick also reported
- he attended the reservoir company meeting and this is the 5<sup>th</sup> highest water year so there is a lot of water content which is great. He noted there were also compliments to the
- 40 hiring of Brad Jorgensen as our Public Works Director. He added that Mr. Jorgensen showed him around the wells and the chlorination process which was very informative.
- He also asked suggested the Pickle Ball nets up be put up as soon as possible.
- 44 <u>Councilmember Bean</u> Councilmember Bean reported that there is a full seven member on the Planning Commission with Commissioner Mike Vanchiere now on board.

- 2 <u>Councilmember Lundberg</u> Councilmember Lundberg reported that the Little Miss Lindon pageant was a great success. She noted that Traci Stone mentioned Alpine School
- 4 District has increased the rental for the school to \$900, so they may come to the council to ask for a little more money. She pointed out the LML donate hundreds of hours to the
- 6 city and that costs go up everywhere. Councilmember Lundberg also asked if we have ever recognized businesses in the city for a beautification award. She suggested that we
- 8 encourage or bring positive recognition to these businesses. Councilmember Broderick suggested it could be facilitated through the Chamber of Commerce. Councilmember
- Lundberg reported that she also attended the CDC Advisors symposium last week and things are going well and it is very positive.

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- <u>Councilmember Sweeten</u> Councilmember Sweeten reported that the Chamber of
- 14 Commerce meetings are going well. He also mentioned that he was sorry to have missed the Public Safety Building Ribbon Cutting and Chief Cullimore's retirement as it looked
- like it all went very well.
- 18 <u>Mayor Acerson</u> Mayor Acerson reported NUVASS is active and well and they are making headway there and they will continue to see where it goes. He also reported there
- is a potential assessment for power of "Wildland Protection" for approval that was sent from the state. They want to collectively get cities statewide to participate. He also gave
- an update on the Legislature report. Mayor Acerson also reported that the Utah Lake Commission will make an appointment for the technical committee and they need to
- 24 make it official by reaffirmation.

# 26 **Administrator's Report:**

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

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#### Misc. Updates:

- March newsletter
- Newsletter articles Continue bi-monthly message from Police Chief?
- May Newsletter: Dustin Sweeten. Article due to Kathy Moosman by last week of April.
- City Center Elevator remodel. Architectural plans in progress. Also evaluating carpet replacement in upstairs areas.
- Public Safety Building Amazing turnout. Thank you for support and attendance.
  - Budget Committee meeting: March 28th at Noon at City Center conference room. Lunch provided.
- Lindon's K9 Police Dog (Capone) and Officer Eric Whitehead have completed 8
   weeks of full-time training and have received Utah POST certification as official narcotics dog & handler.
- Police Chief Job: 21 applications received. Interview committee members will evaluate applications and pick their top 8 applicants this week. Hopefully we'll all pick the same 5 or 6 top candidates to interview the week of March 13th-17th.
  - Availability for interview dates? (anytime on 14th, afternoon of 15th)
  - Legislative Updates
    - Should we hold Council meeting on April 4th? This is the week of Spring Break

Lindon City Council March 7, 2017

2	and the night before most of us leave for St. George ULCT conference. Will we have a quorum or should we cancel?
4	• Well #2 casing & motor being repaired. Two other wells have chlorination
6	systems nearly complete. Additional well chlorination to be done by June (has more extensive electrical work needed to accommodate chlorination room addition).
8	• 800 West tanks – trenching has occurred around tank and fencing options being evaluated.
10	• Fire/EMS call report is attached.
12	Misc. Items
12	Upcoming Meetings & Events:
14	• Little Miss Lindon pageant on Saturday, March 4 <sup>th</sup> at 6 pm at Oak Canyon Jr. High.
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18	Mayor Acerson called for any further comments or discussion from the Council. Hearing none he called for a motion to adjourn.
20	Adjourn –
22	COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING AT 10:30 PM. COUNCILMEMBER SWEETEN SECONDED THE MOTION. ALL
24	PRESENT VOTED IN FAVOR. THE MOTION CARRIED.
26	Approved – March 21, 2017
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30	Kathryn Moosman, City Recorder
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34	Jeff Acerson, Mayor

<u>Item 4</u> - Consent Agenda -	- (Consent agenda items are only those which have been dis	cussed
beforehand and do not require further discussion,	n)	

• No Items.

<u>Item 5</u> – Open Session for Public Comment	(For items not on the agenda - 10 minutes)

## 6. Review & Action — 2017 Street Maintenance Projects - Bid Award

(15 minutes)

The City advertised for competitive bidding on multiple street improvement projects. After receiving bids and evaluating both base-bid and additive project costs it is recommended that the City Council award the bid to Staker & Parson Companies at \$770,337.14, with the plan that additional work will be added to the project per available funding. The City has budgeted \$880,000 in combined funding for street maintenance projects. The City Engineer, Mark Christensen, will be available to answer questions.

See attached information from JUB Engineers. On the map of the city, please ignore the black squares drawn around potential project locations.

**Sample Motion:** I move to (approve, deny, continue) the 2017 Street Maintenance Projects and award the bid to Staker & Parson Companies at \$770,337.14 with the approval that additional work will be added to the project per available funding.



J-U-B COMPANIES





March 17, 2017

Adam Cowie, City Administrator Lindon City Corporation 100 North State Street Lindon, UT 84042

RE: Lindon City 2017 Street Maintenance Projects

Dear Adam:

We have tabulated the bids opened Tuesday, March 14, 2017 at 9:00 a.m. for the above project. Five bidders submitted bids, with one bidder withdrawing their bid because of a substantial error in the bid. The bid tabulation is attached.

The bids on this project include certain work in the State Street RDA on 400 North, 200 North, and in the City Center parking lot. The base bid also includes a waterline replacement on 140 North and crack sealing and seal coats in other locations in the City. Additionally, we provided the bidders a map as part of the plans locating additional areas in which we planned to perform work and the type of work we intended to perform at each location. This additional work was dependent upon the bids received and available remaining City funding.

The bid form contains the following statement in bold typeface:

"It is the City's intent to perform additional pavement maintenance work to the extent that funding allows under this contract. Bidder agrees to honor the unit prices for additional work that may be added by Change Order or overrunning items."

By adding this statement to the contract documents we were stating our intent to use as much funding as was available to perform additional work under this contract, either by overrunning items or by change order. By signing the bid form bidders agreed to hold the prices bid for the additional work.

The bids we received were low enough that we have the opportunity to do some of the additional work that we hoped to be able to do. The funding available for construction is about \$880,000 plus the cost of the water line work on 140 North. By applying the unit prices the quantities of work on the additional areas of work, we can see how much we can get done with the available funding, and see how much it would cost using each bidder's unit prices.

As you can observe from the attached bid tabulation with the additional notation, "WITH ADDITIONAL WORK INCLUDED" in the title, spending the available funding with Staker & Parson Companies bid prices would result in more completed roadway maintenance. We therefore consider awarding the contract to Staker-Parson Companies to be in the best interests of the project.

Staker & Parson Companies has successfully completed projects for Lindon City in the past. We recommend awarding the project to Staker & Parson Companies at \$770,337.14, with the plan that work as will be added to the project per available funding. Our Opinion of Probable Construction Cost for the bid portion of the project was \$817,780.49. Their bid is \$47,443.35 (5.8%) lower than the Opinion.

We have prepared the Notice of Award and attached it to this letter. If the City Council awards the Contract on Tuesday, March 21, please sign and return it to us.

Please let us know of the Council's decision and we will proceed in accordance with the direction given. We are happy to answer any questions you may have.

Best regards,

J-U-B Engineers, Inc.

Mark L. Christensen, P.E.

**Project Manager** 

**Enclosures** 

cc Brad Jorgensen, Public Works Director Staker & Parson Companies

www.jub.com J-U-B ENGINEERS, Inc.

LINDON CITY CORPORATION 2017 STREET MAINTENANCE PROJECTS BID TABULATION 14-Mar-17 BID OPENING

14-Mar-17	BID OPENING			ENGINEERS OP	INION (	GENEVA ROCK PR	ODUCTS	STAKER PARSON	N COMPANIES	GRANITE CONSTR	UCTION	KILGORE COMI	PANIES	ADVANCED PAV	ING
Item			Estimated	Unit		Unit		Unit		Unit		Unit		Unit	
No.	Description	Unit	Quantity	Price	Amount	Price	Amount	Price	Amount	Price	Amount	Price	Amount	Price	Amount
	General Items														
					****		****		+	- 1-1	***	0.524	+	10.71	
1	Mobilization Traffic Control	% SUBTOTAL B		6%	\$44,606.21 \$29,737.47	6.46% 5.29%	\$44,154.37	8.014067%	\$53,000.00	5.4%	\$39,340.13	8.6% 3.0%	\$66,801.34	10.5%	\$77,542.50 \$73,850.00
2	Tranic Condoi	% SUBTOTAL B		4%	\$29,737.47	5.29%	\$36,157.37	8.467693%	\$56,000.00	9.7%	\$70,666.54	3.0%	\$23,302.79	10.0%	\$73,830.00
	SUBTOTAL A				\$74,343.68		\$80,311.74		\$109,000.00		\$110,006.67		\$90,104.13		\$151,392.50
					71.3,0.10100		+00,000		4-02)00000		+,		+- ·,- · ·		7-0-)07-000
3	Conduct storm water pollution prevention activities	LS	1	\$5,000.00	\$5,000.00	\$7,000.00	\$7,000.00	\$2,800.00	\$2,800.00	\$2,925.74	\$2,925.74	\$5,775.00	\$5,775.00	\$5,513.49	\$5,513.49
4	Remove and dispose of existing drop inlet	EACH	1	\$750.00	\$750.00	\$550.00	\$550.00	\$1,400.00	\$1,400.00	\$1,950.00	\$1,950.00	\$875.00	\$875.00	\$720.00	\$720.00
5	Remove and dispose of 6' combination curb, gutter and sidewalk	LF LF	191	\$25.00 \$20.00	\$4,775.00	\$14.00 \$58.00	\$2,674.00 \$522.00	\$12.00 \$50.00	\$2,292.00	\$12.50 \$52.50	\$2,387.50	\$22.25 \$27.65	\$4,249.75 \$248.85	\$14.00 \$40.00	\$2,674.00 \$360.00
6	Remove and dispose of concrete waterway  Sawcut existing asphalt	LF	3,920	\$20.00	\$180.00 \$3,136.00	\$1.25	\$4,900.00	\$1.00	\$450.00 \$3,920.00	\$0.85	\$472.50 \$3,332.00	\$27.63	\$4,312.00	\$0.90	\$3,528.00
8	Pulverize existing asphalt	SF	45,673	\$0.35	\$15,985.55	\$0.45	\$20,552.85	\$0.55	\$25,120.15	\$0.55	\$25,120.15	\$0.52	\$23,749.96	\$0.42	\$19,182.66
9	Mill 7' wide strip along asphalt edge (partial depth) and deliver		,	73325	7 - 2 , 2 - 1 - 2	701.0	7=0,00=100	7.000	+==,=====	7.000	+==,=====	7 - 7 - 7	+=+,,	700.0	+,
	milled material to Lindon City	LF	591	\$0.90	\$531.90	\$5.00	\$2,955.00	\$5.15	\$3,043.65	\$5.00	\$2,955.00	\$10.40	\$6,146.40	\$3.90	\$2,304.90
10	Roadway excavation	CY	395	\$42.00	\$16,590.00	\$29.00	\$11,455.00	\$17.50	\$6,912.50	\$63.50	\$25,082.50	\$25.70	\$10,151.50	\$35.00	\$13,825.00
11	Roadway overexcavation	CY	165	\$20.30	\$3,349.50	\$30.00	\$4,950.00	\$21.50	\$3,547.50	\$115.00	\$18,975.00	\$26.00	\$4,290.00	\$35.00	\$5,775.00
12	Remove and replace fire hydrant and assembly  Foundation material	EACH TON	10	\$5,000.00 \$20.50	\$5,000.00 \$205.00	\$6,000.00 \$35.00	\$6,000.00 \$350.00	\$7,350.00 \$25.00	\$7,350.00 \$250.00	\$6,300.00 \$55.50	\$6,300.00 \$555.00	\$6,225.00 \$54.35	\$6,225.00 \$543.50	\$8,000.00 \$30.00	\$8,000.00 \$300.00
13		TON	60	\$20.50	\$1,230.00	\$16.00	\$350.00	\$23.00	\$1,380.00	\$50.00	\$3,000.00	\$34.33 \$49.00	\$2,940.00	\$34.00	\$2,040.00
15	Backfill material	TON	470	\$20.50	\$9,635.00	\$13.00	\$6,110.00	\$20.00	\$9,400.00	\$40.35	\$18,964.50	\$39.50	\$18,565.00	\$28.00	\$13,160.00
16	Install 12" concrete storm drain pipe	LF	87	\$80.00	\$6,960.00	\$63.00	\$5,481.00	\$89.00	\$7,743.00	\$210.00	\$18,270.00	\$203.40	\$17,695.80	\$42.00	\$3,654.00
17		EACH	10	\$3,225.00	\$32,250.00	\$2,600.00	\$26,000.00	\$3,400.00	\$34,000.00	\$3,500.00	\$35,000.00	\$3,370.00	\$33,700.00	\$2,400.00	\$24,000.00
18	Furnish and install Snout	EACH	5	\$1,000.00	\$5,000.00	\$700.00	\$3,500.00	\$750.00	\$3,750.00	\$1,200.00	\$6,000.00	\$1,135.00	\$5,675.00	\$700.00	\$3,500.00
19	Install 3'x3' cast in place concrete box over existing pipe	EACH	1	\$4,500.00	\$4,500.00	\$3,000.00	\$3,000.00	\$6,250.00	\$6,250.00	\$3,500.00	\$3,500.00	\$3,345.00	\$3,345.00	\$6,900.00	\$6,900.00
20	Install 8" Ductile iron water main  Connect new water main to existing water main	LF EACH	396	\$30.00 \$1,500.00	\$11,880.00 \$3,000.00	\$40.00 \$1,000.00	\$15,840.00 \$2,000.00	\$58.00 \$1,750.00	\$22,968.00 \$3,500.00	\$105.00 \$7,245.00	\$41,580.00 \$14,490.00	\$101.65 \$7,100.00	\$40,253.40 \$14,200.00	\$52.00 \$1,050.00	\$20,592.00 \$2,100.00
22	8" Gate valve	EACH	2	\$1,500.00	\$3,000.00	\$1,800.00	\$3,600.00	\$2,200.00	\$4,400.00	\$1,470.00	\$2,940.00	\$1,440.00	\$2,880.00	\$3,030.00	\$6,060.00
23	10"x8" Reducer	EACH	1	\$600.00	\$600.00	\$650.00	\$650.00	\$900.00	\$900.00	\$420.00	\$420.00	\$410.00	\$410.00	\$700.00	\$700.00
24	8"x6" Reducer	EACH	1	\$550.00	\$550.00	\$700.00	\$700.00	\$850.00	\$850.00	\$546.00	\$546.00	\$535.00	\$535.00	\$730.00	\$730.00
25		EACH	1	\$200.00	\$200.00	\$600.00	\$600.00	\$825.00	\$825.00	\$500.00	\$500.00	\$490.00	\$490.00	\$660.00	\$660.00
26	8" Ductile iron 22.5° Bend	EACH	4	\$200.00	\$800.00	\$550.00	\$2,200.00	\$825.00	\$3,300.00	\$525.00	\$2,100.00	\$515.00	\$2,060.00	\$670.00	\$2,680.00
27	8" Ductile iron 90° Bend 1" Culinary water service line replacement	EACH EACH	Ι Q	\$200.00 \$500.00	\$200.00 \$4,000.00	\$650.00 \$1,500.00	\$650.00 \$12,000.00	\$850.00 \$2,150.00	\$850.00 \$17,200.00	\$550.00 \$2,000.00	\$550.00 \$16,000.00	\$530.00 \$1,950.00	\$530.00 \$15,600.00	\$705.00 \$2,800.00	\$705.00 \$22,400.00
28	Install 24" curb and gutter	LF	191	\$19.00	\$3,629.00	\$23.00	\$4,393.00	\$2,130.00	\$3,820.00	\$2,000.00	\$4,011.00	\$1,930.00	\$4,755.90	\$2,800.00	\$4,584.00
30	Install 30" curb and gutter	LF	70	\$23.00	\$1,610.00	\$29.00	\$2,030.00	\$25.00	\$1,750.00	\$27.00	\$1,890.00	\$28.30	\$1,981.00	\$35.00	\$2,450.00
31	Install 4' sidewalk	LF	191	\$21.60	\$4,125.60	\$18.70	\$3,571.70	\$16.00	\$3,056.00	\$17.00	\$3,247.00	\$23.80	\$4,545.80	\$24.00	\$4,584.00
32	Furnish, place, shape and compact untreated base course	TON	450	\$20.30	\$9,135.00	\$17.50	\$7,875.00	\$16.40	\$7,380.00	\$45.75	\$20,587.50	\$43.25	\$19,462.50	\$30.00	\$13,500.00
33		TON	50	\$70.00	\$3,500.00	\$80.00	\$4,000.00	\$80.00	\$4,000.00	\$160.00	\$8,000.00	\$95.05	\$4,752.50	\$95.00	\$4,750.00
34	Furnish, place and compact asphalt pavement  Furnish and place asphalt cement sealant and fabric membrane	TON SY	1,650 3,657	\$66.00 \$1.50	\$108,900.00 \$5,485.50	\$58.25 \$1.65	\$96,112.50 \$6,034.05	\$60.00 \$1.68	\$99,000.00 \$6,143.76	\$80.00 \$4.10	\$132,000.00 \$14,993.70	\$63.50 \$1.95	\$104,775.00 \$7,131.15	\$76.00 \$1.10	\$125,400.00 \$4,022.70
36	Fill and seal cracks	TON	40.00	\$3,100.00	\$124,000.00	\$3,000.00	\$120,000.00	\$1,830.00	\$73,200.00	\$25.20	\$1,008.00	\$2,250.00	\$90,000.00	\$2,400.00	\$96,000.00
37	Furnish and place Type II Micro-Surface seal	TON	790	\$200.00	\$158,000.00	\$160.00	\$126,400.00	\$160.00	\$126,400.00	\$178.50	\$141,015.00	\$163.20	\$128,928.00	\$185.00	\$146,150.00
38	Furnish and place Frictional Mastic Surface Treatment	SF	600,000	\$0.20	\$120,000.00	\$0.18	\$108,000.00	\$0.16	\$96,000.00	\$0.16	\$96,000.00	\$0.16	\$96,000.00	\$0.17	\$102,000.00
39		EACH	1	\$150.00	\$150.00	\$250.00	\$250.00	\$125.00	\$125.00	\$132.00	\$132.00	\$128.50	\$128.50	\$240.00	\$240.00
40	Adjust valve box to grade	EACH	2	\$110.00	\$220.00	\$550.00	\$1,100.00	\$50.00	\$100.00	\$210.00	\$420.00	\$231.50	\$463.00	\$550.00	\$1,100.00
41		EACH EACH	4 4	\$115.00 \$200.00	\$460.00 \$800.00	\$300.00 \$350.00	\$1,200.00 \$1,400.00	\$175.00 \$325.00	\$700.00 \$1,300.00	\$185.00 \$350.00	\$740.00 \$1,400.00	\$128.50 \$325.00	\$514.00 \$1,300.00	\$300.00 \$365.00	\$1,200.00 \$1,460.00
44		EACH	1	\$240.00	\$240.00	\$775.00	\$775.00	\$50.00	\$50.00	\$210.00	\$210.00	\$231.50	\$231.50	\$790.00	\$790.00
44		EACH	10	\$280.00	\$2,800.00	\$475.00	\$4,750.00	\$450.00	\$4,500.00	\$475.00	\$4,750.00	\$395.00	\$3,950.00	\$485.00	\$4,850.00
45	Place single 4" traffic stripe	LF	33,977	\$0.14	\$4,756.78	\$0.10	\$3,397.70	\$0.09	\$3,057.93	\$0.10	\$3,397.70	\$0.09	\$3,057.93	\$0.10	\$3,397.70
46	1	LF	15,217	\$0.28	\$4,260.76	\$0.20	\$3,043.40	\$0.18	\$2,739.06	\$0.20	\$3,043.40	\$0.18	\$2,739.06	\$0.20	\$3,043.40
47	Place single 8" traffic stripe	LF	573	\$0.14	\$80.22	\$0.20	\$114.60	\$0.18	\$103.14	\$0.20	\$114.60	\$0.18	\$103.14	\$0.20	\$114.60
48	Place 12" white stripe Place pavement marking symbol	LF EACH	358 70	\$1.50 \$22.00	\$537.00 \$1,540.00	\$1.00 \$14.00	\$358.00 \$980.00	\$0.87 \$12.00	\$311.46 \$840.00	\$1.50 \$16.80	\$537.00 \$1,176.00	\$0.90 \$12.45	\$322.20 \$871.50	\$1.00 \$14.00	\$358.00 \$980.00
50	Furnish and install traffic sign	EACH	6	\$500.00	\$3,000.00	\$180.00	\$1,080.00	\$158.00	\$948.00	\$540.00	\$3,240.00	\$161.85	\$971.10	\$190.00	\$1,140.00
51		LS	1	\$2,000.00	\$2,000.00	\$2,600.00	\$2,600.00	\$1,700.00	\$1,700.00	\$2,100.00	\$2,100.00	\$1,700.00	\$1,700.00	\$2,000.00	\$2,000.00
52	Remove and abandon PRV	LS	1	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00	\$5,600.00	\$5,600.00	\$4,600.00	\$4,600.00	\$4,475.00	\$4,475.00	\$4,250.00	\$4,250.00
53	Apply and mix cement slurry into base course, reshape, compact,	-	20.265		***	±2 ·-			****	1				<u> </u>	
5.4	and microfracture	SF SF	30,203	\$1.00	\$30,203.00	\$0.45 \$56.00	\$13,591.35	\$0.33 \$48.00	\$9,966.99	\$0.07 \$51.00	\$2,114.21 \$4,998.00	\$1.30 \$27.05	\$39,263.90 \$2,650.90	\$0.45	\$13,591.35
54 55	Remove and replace concrete Remove existing asphalt and furnish, place, and compact asphalt	SF	98	\$2.00	\$196.00	\$36.00	\$5,488.00	\$48.00	\$4,704.00	\$51.00	\$4,998.00	\$27.05	\$2,650.90	\$4.90	\$480.20
33		TON	160	\$75.00	\$12,000.00	\$111.00	\$17,760.00	\$184.00	\$29,440.00	\$118.00	\$18,880.00	\$164.00	\$26,240.00	\$150.00	\$24,000.00
	puten			7.2.00		,	,	,	,		,	, 200			. ,
	SUBTOTAL B				\$743,436.81		\$683,504.15		\$661,337.14		\$728,521.00		\$776,759.74		\$738,500.00
	OPINION OF CONSTRUCTION COST				\$817,780.49		\$763,815.89		\$770,337.14		\$838,527.67		\$866,863.87		\$889,892.50
	OF INTON OF CONSTRUCTION COST				φο17,700.49		φ/03,013.09		φ110,331.1 <b>4</b>		φυσο,527.07		φουυ,ουσ.ο/		φυσσ,σσ2.50

LINDON CITY CORPORATION 2017 STREET MAINTENANCE PROJECTS BID TABULATION - WITH ADDITIONAL WORK INCLUDED 14-Mar-17 BID OPENING

		T		ENGINEERS OP	INION	STAKER PARSON	COMPANIES	GENEVA ROCK	PRODUCTS	KILGORE COMI	PANIES	ADVANCED PAV	/ING
Item			Estimated	Unit									
No.	Description	Unit	Quantity	Price	Amount								
	General Items												
1	Mobilization	% SUBTOTAL B		6%	\$60,644.61	8.014067%	\$68,460.03	6.46%	\$59,639.65	8.6%	\$84,575.37	10.5%	\$101,015.80
2	Traffic Control	% SUBTOTAL B		4%	\$40,429.74	8.467693%	\$72,335.13	5.29%	\$48,838.04	3.0%	\$29,503.04	10.0%	\$96,205.53
	SUBTOTAL A				\$101,074.35		\$140,795.16		\$108,477.68		\$114,078.40		\$197,221.33
3	Conduct storm water pollution prevention activities	LS	1	\$5,000.00	\$5,000.00	\$2,800.00	\$2,800.00	\$7,000.00	\$7,000.00	\$5,775.00	\$5,775.00	\$5,513.49	\$5,513.49
	Remove and dispose of existing drop inlet	EACH	1	\$750.00	\$750.00	\$1,400.00	\$1,400.00	\$550.00	\$550.00	\$875.00	\$875.00	\$720.00	\$720.00
5	Remove and dispose of 6' combination curb, gutter and	LF	191	\$25.00	\$4,775.00	\$12.00	\$2,292.00	\$14.00	\$2,674.00	\$22.25	\$4,249.75	\$14.00	\$2,674.00
	Remove and dispose of concrete waterway	LF	9	\$20.00	\$180.00	\$50.00	\$450.00	\$58.00	\$522.00	\$27.65	\$248.85	\$40.00	\$360.00
	Sawcut existing asphalt	LF SF	3,920 45,673	\$0.80 \$0.35	\$3,136.00 \$15,985.55	\$1.00 \$0.55	\$3,920.00	\$1.25 \$0.45	\$4,900.00 \$20,552.85	\$1.10 \$0.52	\$4,312.00 \$23,749.96	\$0.90 \$0.42	\$3,528.00
	Pulverize existing asphalt Mill 7' wide strip along asphalt edge (partial depth) and deliver	SF	45,673	\$0.35	\$15,985.55	\$0.55	\$25,120.15	\$0.45	\$20,552.85	\$0.52	\$23,749.96	\$0.42	\$19,182.66
	milled material to Lindon City	LF	591	\$0.90	\$531.90	\$5.15	\$3,043.65	\$5.00	\$2,955.00	\$10.40	\$6,146.40	\$3.90	\$2,304.90
	Roadway excavation		395	\$42.00	\$16,590.00	\$17.50	\$6,912.50	\$29.00	\$11,455.00	\$25.70	\$10,151.50	\$35.00	\$13,825.00
	Roadway overexcavation		165	\$20.30	\$3,349.50	\$21.50	\$3,547.50	\$30.00	\$4,950.00	\$26.00	\$4,290.00	\$35.00	\$5,775.00
	Remove and replace fire hydrant and assembly	EACH	1	\$5,000.00	\$5,000.00	\$7,350.00	\$7,350.00	\$6,000.00	\$6,000.00	\$6,225.00	\$6,225.00	\$8,000.00	\$8,000.00
13	Foundation material	TON	10	\$20.50	\$205.00	\$25.00	\$250.00	\$35.00	\$350.00	\$54.35	\$543.50	\$30.00	\$300.00
	Bedding material Backfill material		60 470	\$20.50 \$20.50	\$1,230.00 \$9,635.00	\$23.00 \$20.00	\$1,380.00 \$9,400.00	\$16.00 \$13.00	\$960.00 \$6,110.00	\$49.00 \$39.50	\$2,940.00 \$18,565.00	\$34.00 \$28.00	\$2,040.00 \$13,160.00
13	Install 12" concrete storm drain pipe		87	\$80.00	\$6,960.00	\$89.00	\$7,743.00	\$63.00	\$5,481.00	\$203.40	\$17,695.80	\$42.00	\$3,654.00
	Place single curb face inlet box		10	\$3,225.00	\$32,250.00	\$3,400.00	\$34,000.00	\$2,600.00	\$26,000.00	\$3,370.00	\$33,700.00	\$2,400.00	\$24,000.00
18	Furnish and install Snout	EACH	5	\$1,000.00	\$5,000.00	\$750.00	\$3,750.00	\$700.00	\$3,500.00	\$1,135.00	\$5,675.00	\$700.00	\$3,500.00
19	Install 3'x3' cast in place concrete box over existing pipe	EACH	1	\$4,500.00	\$4,500.00	\$6,250.00	\$6,250.00	\$3,000.00	\$3,000.00	\$3,345.00	\$3,345.00	\$6,900.00	\$6,900.00
20	Install 8" Ductile iron water main		396	\$30.00	\$11,880.00	\$58.00	\$22,968.00	\$40.00	\$15,840.00	\$101.65	\$40,253.40	\$52.00	\$20,592.00
21	Connect new water main to existing water main 8" Gate valve	EACH EACH	2	\$1,500.00 \$1,500.00	\$3,000.00 \$3,000.00	\$1,750.00 \$2,200.00	\$3,500.00 \$4,400.00	\$1,000.00 \$1,800.00	\$2,000.00 \$3,600.00	\$7,100.00 \$1,440.00	\$14,200.00 \$2,880.00	\$1,050.00 \$3,030.00	\$2,100.00 \$6,060.00
	10"x8" Reducer	EACH	1	\$600.00	\$600.00	\$900.00	\$900.00	\$650.00	\$650.00	\$410.00	\$410.00	\$700.00	\$700.00
20	8"x6" Reducer	EACH	1	\$550.00	\$550.00	\$850.00	\$850.00	\$700.00	\$700.00	\$535.00	\$535.00	\$730.00	\$730.00
25	8" Ductile iron 11.25° Bend	EACH	1	\$200.00	\$200.00	\$825.00	\$825.00	\$600.00	\$600.00	\$490.00	\$490.00	\$660.00	\$660.00
	8" Ductile iron 22.5° Bend	EACH	4	\$200.00	\$800.00	\$825.00	\$3,300.00	\$550.00	\$2,200.00	\$515.00	\$2,060.00	\$670.00	\$2,680.00
	8" Ductile iron 90° Bend	EACH	1	\$200.00	\$200.00	\$850.00	\$850.00	\$650.00	\$650.00	\$530.00	\$530.00	\$705.00	\$705.00
	1" Culinary water service line replacement Install 24" curb and gutter	EACH LF	8	\$500.00 \$19.00	\$4,000.00 \$3,629.00	\$2,150.00 \$20.00	\$17,200.00 \$3,820.00	\$1,500.00 \$23.00	\$12,000.00 \$4,393.00	\$1,950.00 \$24.90	\$15,600.00 \$4,755.90	\$2,800.00 \$24.00	\$22,400.00 \$4,584.00
	Install 30" curb and gutter	LF	191 70	\$23.00	\$1,610.00	\$20.00	\$1,750.00	\$23.00	\$2,030.00	\$28.30	\$1,981.00	\$35.00	\$2,450.00
31	Install 4' sidewalk	LF	191	\$21.60	\$4,125.60	\$16.00	\$3,056.00	\$18.70	\$3,571.70	\$23.80	\$4,545.80	\$24.00	\$4,584.00
32	Furnish, place, shape and compact untreated base course		450	\$20.30	\$9,135.00	\$16.40	\$7,380.00	\$17.50	\$7,875.00	\$43.25	\$19,462.50	\$30.00	\$13,500.00
	Furnish, place, and compact asphalt leveling course	TON	50	\$70.00	\$3,500.00	\$80.00	\$4,000.00	\$80.00	\$4,000.00	\$95.05	\$4,752.50	\$95.00	\$4,750.00
	Furnish, place and compact asphalt pavement	TON	1,650	\$66.00	\$108,900.00	\$60.00	\$99,000.00	\$58.25	\$96,112.50	\$63.50	\$104,775.00	\$76.00	\$125,400.00
	Furnish and place asphalt cement sealant and fabric membrane	SY TON	3,657 70.50	\$1.50 \$3,100.00	\$5,485.50 \$218,550.00	\$1.68 \$1,830.00	\$6,143.76 \$129,015.00	\$1.65 \$3,000.00	\$6,034.05 \$211,500.00	\$1.95 \$2,250.00	\$7,131.15 \$158,625.00	\$1.10 \$2,400.00	\$4,022.70 \$169,200.00
	Fill and seal cracks Furnish and place Type II Micro-Surface seal		1.088	\$200.00	\$217,600.00	\$1,830.00	\$129,013.00	\$160.00	\$174,080.00	\$163.20	\$138,023.00	\$2,400.00	\$201,280.00
		SF	1,130,491	\$0.20	\$226,098.20	\$0.16	\$180,878.56	\$0.18	\$203,488.38	\$0.16	\$180,878.56	\$0.17	\$192,183.47
		EACH	1	\$150.00	\$150.00	\$125.00	\$125.00	\$250.00	\$250.00	\$128.50	\$128.50	\$240.00	\$240.00
	Adjust valve box to grade	EACH	2	\$110.00	\$220.00	\$50.00	\$100.00	\$550.00	\$1,100.00	\$231.50	\$463.00	\$550.00	\$1,100.00
	Remove concrete collar around manhole	EACH	4	\$115.00	\$460.00	\$175.00	\$700.00	\$300.00	\$1,200.00	\$128.50	\$514.00	\$300.00	\$1,200.00
	Place concrete collar around valve box Adjust manhole to grade	EACH EACH	1	\$200.00 \$240.00	\$800.00 \$240.00	\$325.00 \$50.00	\$1,300.00 \$50.00	\$350.00 \$775.00	\$1,400.00 \$775.00	\$325.00 \$231.50	\$1,300.00 \$231.50	\$365.00 \$790.00	\$1,460.00 \$790.00
	Place concrete collar around manhole	EACH	10	\$280.00	\$2,800.00	\$450.00	\$4,500.00	\$475.00	\$4,750.00	\$395.00	\$3,950.00	\$485.00	\$4,850.00
	Place single 4" traffic stripe		68,033	\$0.14	\$9,524.62	\$0.09	\$6,122.97	\$0.10	\$6,803.30	\$0.09	\$6,122.97	\$0.10	\$6,803.30
	Place double 4" traffic stripe		23,398	\$0.28	\$6,551.44	\$0.18	\$4,211.64	\$0.20	\$4,679.60	\$0.18	\$4,211.64	\$0.20	\$4,679.60
	Place single 8" traffic stripe		573	\$0.14	\$80.22	\$0.18	\$103.14	\$0.20	\$114.60	\$0.18	\$103.14	\$0.20	\$114.60
	Place 12" white stripe		358	\$1.50	\$537.00	\$0.87	\$311.46	\$1.00	\$358.00	\$0.90	\$322.20	\$1.00	\$358.00
	Place pavement marking symbol	EACH EACH	70	\$22.00 \$500.00	\$1,540.00 \$3,000.00	\$12.00 \$158.00	\$840.00 \$948.00	\$14.00 \$180.00	\$980.00 \$1,080.00	\$12.45 \$161.85	\$871.50 \$971.10	\$14.00 \$190.00	\$980.00 \$1,140.00
	Furnish and install traffic sign Community Center parking lot striping	LS	1	\$2,000.00	\$2,000.00	\$1,700.00	\$1,700.00	\$2,600.00	\$2,600.00	\$1,700.00	\$1,700.00	\$2,000.00	\$1,140.00
	Remove and abandon PRV	LS	1	\$2,500.00	\$2,500.00	\$5,600.00	\$5,600.00	\$2,000.00	\$2,000.00	\$4,475.00	\$4,475.00	\$4,250.00	\$4,250.00
	Apply and mix cement slurry into base course, reshape,			, ,,,,,,,,,,	. ,=	,	,	, ,	. ,	. ,	. ,	. , 23.30	. , 2 2 2 2
	compact, and microfracture		30,203	\$1.00	\$30,203.00	\$0.33	\$9,966.99	\$0.45	\$13,591.35	\$1.30	\$39,263.90	\$0.45	\$13,591.35
	Treme to und replace concrete	SF	98	\$2.00	\$196.00	\$48.00	\$4,704.00	\$56.00	\$5,488.00	\$27.05	\$2,650.90	\$4.90	\$480.20
	Remove existing asphalt and furnish, place, and compact	TON	160	¢75.00	¢10,000,00	¢10400	620 440 00	¢111 00	¢17.760.00	¢164.00	¢06.040.00	¢150.00	¢3.4.000.00
	asphalt patch	TON	160	\$75.00	\$12,000.00	\$184.00	\$29,440.00	\$111.00	\$17,760.00	\$164.00	\$26,240.00	\$150.00	\$24,000.00
	SUBTOTAL B				\$1,010,743.53		\$854,248.32		\$923,214.33		\$983,434.52		\$962,055.27
					. , ,		, ,		. ,				. ,
	OPINION OF CONSTRUCTION COST				\$1,111,817.88		\$995,043.48		\$1,031,692.01		\$1,097,512.92		\$1,159,276.60

# **Notice of Award**

Dated: 3/21/2017

Project:	Owner:	Owner's Contract No.:
Lindon City 2017 Street Maintenance Projects	Lindon City Corporation	
Contract:		Engineer's Project No.:
		50-16-061
Bidder:		
Staker & Parson Companies		
Bidder's Address: (send Certified Mail, Return Receipt Requested)		
89 W 13490 S, Ste 100, Draper, UT 84020		

You are notified that your Bid dated <u>Tuesday, March 14, 2017</u> for the above Contract has been considered. You are the Successful Bidder and are awarded a Contract for the <u>Lindon City 2017 Street Maintenance Projects</u>, as modified per Supplemental Attachment A.

Description and Scope of Work: The Project consists of street improvements in multiple locations in Lindon, and includes base bid areas and additive areas. It includes crack sealing of between 2.5 and 4.5 miles of roads; laying approximately 225,000 square feet of geotextile fabric and 2" asphalt overlay; removing approximately 25,000 square feet of asphalt and replacing with 3" of new asphalt; approximately 600,000 square feet of micro-surfacing; between 650,000 and 1,000,000 square feet of frictional mastic surface treatment; pavement markings; and some concrete work incidental to this type of project. It also includes laying approximately 600 linear feet of 8" replacement culinary water line and about 10 storm drain inlets and associated incidental work.

The work includes all items as listed and described in the Bid Form and Measurement and Payment.

The Contract Price of your Contract is \$770,337.14, Seven hundred seventy thousand, three hundred thirty seven dollars and fourteen cents.

3 copies of each of the proposed Contract Documents and Drawings accompany this Notice of Award.

You must comply with the following conditions precedent within 15 days of the date you receive this Notice of Award.

- 1. Deliver to the Owner <u>three</u> fully executed counterparts of the Contract Documents.
- 2. Deliver with the executed Contract Documents the Contract Security Bonds as specified in the Instructions to Bidders (Article 20), and General Conditions (Paragraph 5.01), and Supplementary Conditions (Paragraph SC-5.01).
- 3. Deliver with the executed Contract Documents the Insurance Certificates as specified in the Instructions to Bidders (Article 20), and General Conditions (Paragraph 5.03), and the Supplementary Conditions (Paragraph SC-5.04).
- 4. Other conditions precedent:

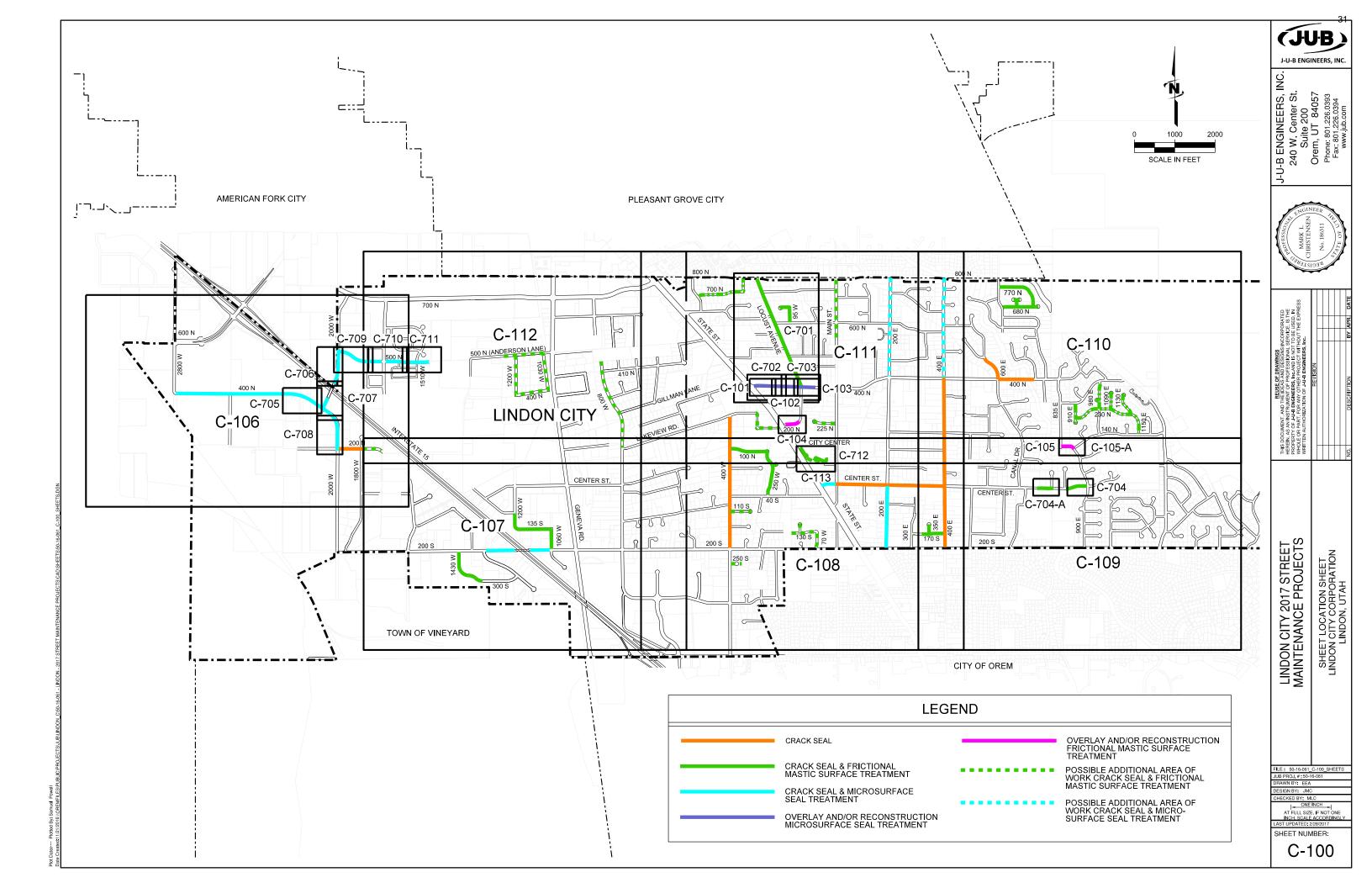
Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

	Lindon City Corporation
	Owner
Зу:	
	Jeff Acerson
	Mayor

Copy to Engineer

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# 7. Review & Action — UDOT / Lindon Reimbursement Agreement. Geneva Rd & 500 N

(10 minutes)

Lindon City has been working with JUB Engineers and UDOT to design a new traffic signal at the intersection of Geneva Road and 500 North. As part of this potential signal the City is desirous to adjust the 500 North legs of the intersection and eliminate a potential skew. This signal and the alignment change will also impact a railroad crossing immediately west of the intersection. As the impact to the railroad crossing is partially due to the future traffic signal, which is not within UDOT right-of-way, UDOT has agreed to pay half (50%) of the preliminary design fee that is required by Union Pacific Railroad to accommodate the future signal and road alignment. This agreement formalizes a reimbursement by UDOT to Lindon City once the design costs are completed and finalized. Repayment of UDOT's portion is estimated at \$7,500.

See attached agreement and location map. Staff will explain more about this agreement in the meeting.

**Sample Motion:** I move to (approved, deny, continue) the Reimbursement Agreement for Preliminary Engineering Services between Lindon City and UDOT.

Project No. S-0114(29)10; PIN 14801 Project Name: Geneva Road (SR-114) and Lindon 500 North Intersection Improvements

# REIMBURSEMENT AGREEMENT FOR PRELIMINARY ENGINEERING SERVICES

THIS AGREEMENT, made and entered into this day of, 2017, by and between the UTAH DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "UDOT" and Lindon City, Utah, hereinafter referred to as the "City". The UNION PACIFIC RAILROAD COMPANY, a Registered Corporation in the State of Delaware, is hereinafter referred to as the "Railroad".
RECITALS:
WHEREAS, the City is preparing plans and specifications for the redesign and construction of the intersection of 500 N and Geneva Road; Project Number S-0114(29)10, in Lindon City, Utah County, Utah (the "Project"). The proposed work includes the engineering plans and specifications for the widening and realignment of the aforementioned intersection ("Work"); and
WHEREAS, UDOT is preparing plans and specifications for the installation of a new traffic signal at the aforementioned intersection, which plans and specifications require prior approval of the City's "Work" by the Railroad; and
WHEREAS, UDOT agrees to pay half of Railroad's fee for reviewing the plans associated with the "Work".
THIS AGREEMENT is made to set out the terms for which UDOT is to reimburse the City.
NOW THEREFORE, it is agreed by and between the parties hereto as follows:

## 1. <u>AUTHORIZATION AND ESTIMATE OF COST</u>

**UDOT** authorizes and agrees to reimburse **Lindon City** for half of its expenses and actual costs incurred for the Railroad's review of the Project's preliminary engineering and other related services. Lindon City estimates these preliminary engineering and other preliminary costs to be Fifteen Thousand Dollars (\$15,000.00).

# TOTAL ESTIMATED COST TO UDOT IS \$7,500.00

**NOTE:** The above is an estimate only. Total payment to **City** by **UDOT** will be based on the actual costs incurred as determined after completion.

Project No. S-0114(29)10; PIN 14801 Project Name: Geneva Road (SR-114) and Lindon 500 North Intersection Improvements

## 2. UDOT'S REIMBURSEMENT TO CITY

**UDOT** will reimburse **City** within sixty (60) days of **UDOT's** receipt and approval of billing by **City**. Such billed costs shall be in accordance with the 23 CFR §140, subpart I. Itemized bills covering said work shall refer to **UDOT**'s Project Number and be forwarded to **UDOT's** Construction Division, PO Box 148220, Salt Lake City, Utah 84114-8220, Attention: Contracts and Compliance Specialist.

### 3. AUDIT PROVISIONS

**UDOT** and/or the Federal Highway Administration shall have the right to audit all costs records and accounts of **City** pertaining to this Project at **City's** offices in Lindon, Utah for a period of three (3) years from the date of **City's** final billing to **UDOT**. Should the audit disclose that **City** has been underpaid, they will be reimbursed by **UDOT** upon submission of additional billing to cover the underpayment. Should the audit disclose that **City** has been overpaid, they will reimburse **UDOT** in the amount of overpayment. For purpose of audit, **City** shall be required to keep and maintain its records for the work covered herein for a minimum of three (3) years from the date of **City's** final billing to **UDOT**. **UDOT** shall reimburse **City** for all substantiated costs, including audit-approved standard labor additives.

## 4. FORCE ACCOUNT WORK

If the Project requires the **City** to incur costs for force account activities, **City** will prepare force account costs estimates for the work activities identified in **Exhibit A** and submit to **UDOT** for inclusion in a construction and maintenance agreement between the parties.

### 5. <u>INTENT OF AGREEMENT</u>

This Agreement is intended to define the cost sharing responsibilities between the **City** and **UDOT** for the **Railroad's** review process.

### 6. UDOT CONTACT INFORMATION

**UDOT's** contact person is Dan Avila at telephone number (801) 227-8021, email davila@utah.gov, should there be questions.

**Railroad's** contact person is Lance Kippen at telephone number (303) 405-5039, email lkippen@up.com should there be questions.

Project No. S-0114(29)10; PIN 14801 Project Name: Geneva Road (SR-114) and Lindon 500 North Intersection Improvements

**IN WITNESS WHEREOF**, the parties hereto have caused these presents to be executed by their duly authorized officers as of the day and year first above written.

RECOMMENDED FOR APPROVAL:	UTAH DEPARTMENT OF TRANSPORTATION			
	By			
Region Utility & Railroad Leader	By Region Director			
Date:	Date:			
******************	*******************			
	Lindon City			
	Ву			
	Jeff Acerson, Mayor			
	Date:			
*****************************	********************			
All paragraphs in this agreement have beer previously REVIEWED by UDOT's Statewide Utilities & Railroads Engineer	UDOT COMPTROLLERS OFFICE			
and APPROVED AS TO FORM by the Assistant Attorney General for UDOT	Contract Administrator			
	Date:			



#### 8. Review & Action — Vote By Mail; Resolution #2017-8-R

(15 minutes)

The City Council will consider Resolution #2017-8-R which, if approved, indicates the City's desire to proceed with vote by mail and contract with Utah County for election services for the 2017 primary and general elections. City Recorder, Kathy Moosman, will review options available to the City for 2017 voting.

See attached information.

Kathy will review this issue and discuss which other cities have opted to proceed with vote by mail for this year. If the Council wants to go with this option the City will need to pass this resolution before April 3<sup>rd</sup> and will then adopt a formal agreement with the County to contract for their election services.

Cities that participated in vote by mail in prior years have experienced substantially higher voter turn-out rates. The County anticipates an overall increase of 10% in voter turnout.

Lindon budgeted \$8,350 for 2016 election expenses (election judges, printing ballots, etc.). This budget number does not include regular employee time to administer the elections (City Recorder, Administration, etc.) nor expenses for opening and operating public buildings during the elections. When factoring employee costs and overhead, total expenses for administering the elections is most likely around \$11,000 to \$12,000.

The County estimated that 'vote by mail' costs to Lindon City for the Primary Election (if needed) would be approximately \$7,229 and costs for the General Election at approximately \$7,681. If no primary election is needed total vote by mail costs may be less than anticipated for traditional election voting. If a primary election is necessary then the cost will be more than budgeted in prior election years. The budget for most of the expenses 2017 election won't be approved until the FY2018 budget is finalized in June.

Additional information will be discussed in the meeting.

**Sample Motion:** I move to (approve, deny, continue) Resolution #2017-8-R indicating to Utah County that Lindon City will be participating in the vote by mail process and desires to contract with Utah County for election services.

## **RESOLUTION NO.** 2017-8-R

A RESOLUTION OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, INDICATING ITS INTENT AND DESIRE TO CONTRACT WITH UTAH COUNTY FOR VOTE BY MAIL SERVICES DURING THE 2017 ELECTIONS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Vote by Mail processes have showed a significant increase in voter turnout during past election cycles and location within the State of Utah; and

WHEREAS, Utah County has indicated willingness to administer a Vote by Mail process for the 2017 primary and general elections; and

WHEREAS, increasing voter turnout improves broader community input on election matters and is in the best interest of Lindon City; and

WHEREAS, Lindon City desires to increase its voter turnout and expresses its interest to Utah County in contracting for these election services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Lindon City, Utah County, State of Utah, as follows:

 The Lindon City Council expresses a desire to contract with Utah County to have the County administer the 2017 elections through a Vote by Mail process, according to the general terms of the Utah County Clerks Memo dated February 8, 2017, and asks that the County draft an agreement for election services for the City Council to consider and adopt.

PASSED AND ADOPTED by the Lindon Ci	ty Council on this the day of	, 2017.
ATTEST:	Jeff Acerson, Mayor	
Kathryn A. Moosman, City Recorder	SEAL:	



Bryan E. Thompson, Clerk/Auditor 100 E Center, Suite 3600 Provo, UT 84606

(801) 851-8109 (801) 851-8232 - fax Scott C. Hogensen, Chief Deputy 100 E Center, Suite 3100 Provo, UT 84606

> (801) 851-8128 (801 851-8122 - fax

# **MEMO**

February 8, 2017

RE: 2017 Municipal Election Options & Cost

In 2015 Utah County administered both vote by mail (VBM) and traditional polling place Elections for the municipalities who contracted with us. In 2017 Utah County intends to administer only one type of Election for those that choose to contract with us.

Given the interest expressed in VBM we have prepared an estimate for this type of Election. The main assumptions for this are listed below the costs quoted below.

**VBM Primary Election** 

\$1.28 per active voter as of 2/3/17

VBM General Election

\$1.36 per active voter as of 2/3/17

This is for an all by mail (VBM) Election conducted on the latest equipment provided by Dominion Voting Systems. Printing and mailing services are to be provided by K&H Integrated Printers, our long time VBM vendor. This includes both outbound and return postage.

### The assumptions are as follows:

- 1. For those who do not wish to contract with the County the traditional paper polling books will be printed, or voter registration data files created.
- 2. Cities will be responsible for all required notices and postings. Cities will take all candidate filings and send them to the County for programming.
- 3. All Municipalities will contract with us which creates a lower cost per active registered voter. We do not expect this to happen, but it is included in the costs for completeness.
- 4. All Municipalities will have both a primary and general creating a lower cost per active registered voter. We do not expect this to happen, but it is included in the costs for completeness.
- 5. Utah County will conduct a unified Canvass of all 2017 Elections and will provide final, canvassed results to the Municipalities.
- 6. An overall increase in registered voters of 10% is anticipated, this has been built into the number of ballots to be sent.
- All ballots will go out in Utah County envelopes and be returned to Utah County in our envelopes. These envelopes will use County postal permits to yield the lowest possible postal cost.
- 8. Ballots will be sent (around 90%) in the first batch for the lowest possible postal rate (\$.122 per ballot). Subsequent ballots, for things like late voter registrants or replacement ballots, will be sent via regular mail because volume will not be sufficient, and time will be too short to use the permits (\$.734 per ballot).
- 9. The costs quoted above also include the hardware and vendor support to conduct the Election by VBM. These costs do not include recounts or other special contingencies. Such items will be worked out and priced at the time after consultation with our vendors.
- 10. Utah County will provide standard reportage output from the Election Management System (EMS). Results will be displayed on our web site live on Election Night as the count progresses.
- 11. Voters will be strongly encouraged to either mail in their ballots or drop them off with the County. Depending on feedback, and a willingness to pay, the County may offer one or more drop boxes.
- 12. Inter-local agreements will be drafted for the municipalities that express a wish to contract with the County. Such intent must be expressed by Monday, April 3, 2017 at 5:00 pm. Not expressing an intent by that date will be assumed to indicate no interest in contracting.
- 13. This memo is only a cost estimate. Actual costs will be quoted in the ILAs once we know the scale and scope of the Election after the April 3, 2017 deadline.

Voter Registration - Active Only

COUNT ENTITY

5893 Alpine - All

13413 American Fork - All

197 Cedar Fort Town - All

5190 Cedar Hills - All

11293 Eagle Mountain - All

1682 Elk Ridge - All

78 Fairfield - All

664 Genola - All

344 Goshen Town

9463 Highland - All

26127 Lehi City - All

5648 Lindon City - All

5055 Mapleton - All

11502.0

41592 Orem - Municipal

7705 Payson City - All

16202 Pleasant Grove Municipa

41547 Provo City - All

3852 Salem City - All

3836 Santaquin - All

11113 Saratoga - All

15589 Spanish Fork - All

13984 Springville - All

1311 Vineyard - All

828 Woodland Hills City - All

\$7,229 - Primary \$7,681 - General 9. Closed Session (60 minutes)

The Mayor and City Council pursuant to Utah Code 52-4-205 may vote to go into a closed session for the purpose of discussion of the character, professional competence, or physical or mental health of an individual. This session is closed to the public.

A role-call vote is needed to enter into a closed session.

**Sample Motion:** I move to enter into a closed session to discuss of the character, professional competence, or physical or mental health of an individual.

#### 10. **Council Reports:**

(20 minutes)

- Matt Bean

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

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., Chamber of Com., Budget Comm. - Jacob Hoyt

# II. Administrator's Report:

(10 minutes)

#### Misc. Updates:

- March newsletter: <a href="https://siterepository.s3.amazonaws.com/442/marchfinal1.pdf">https://siterepository.s3.amazonaws.com/442/marchfinal1.pdf</a>
- May Newsletter: **Dustin Sweeten**. Article due to Kathy Moosman by last week of April.
- Budget Committee meeting: March 28<sup>th</sup> at Noon at City Center conference room. Lunch provided.
- Water tank interiors being cleaned and videotaped to document conditions.
- North Union canal work to begin week of March 20<sup>th</sup>.
- Misc. Items:

## **Upcoming Meetings & Events:**

• ULCT Spring Conference in St. George. April 5<sup>th</sup>-7th

# **Adjourn**