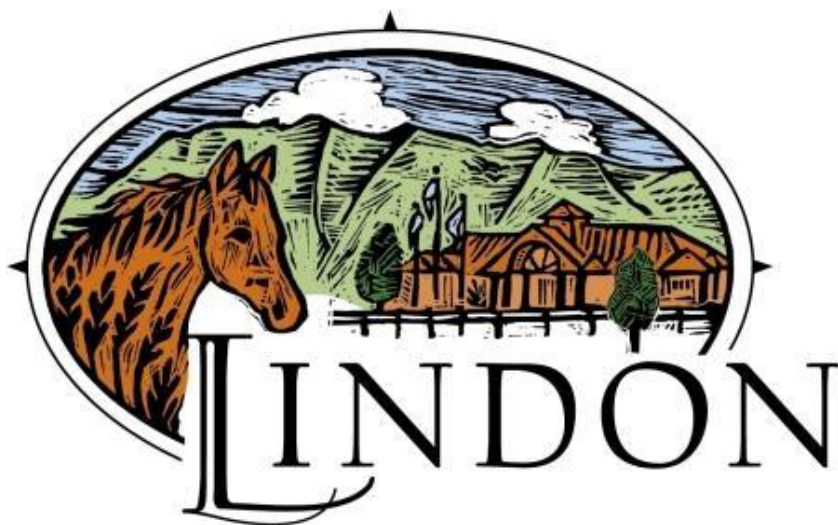


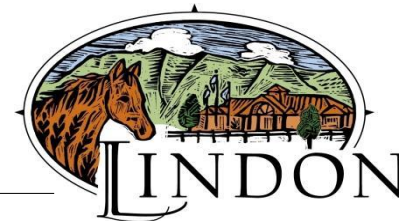
# Lindon City Council Staff Report



Prepared by Lindon City  
Administration

July 16, 2019

# Notice of Meeting of the Lindon City Council



The Lindon City Council will hold a meeting at **7:00 p.m.** on **Tuesday, July 16, 2019** 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:



**REGULAR SESSION – 7:00 P.M.** - Conducting: Jeff Acerson, Mayor  
Pledge of Allegiance: By Invitation  
Invocation: Jeff Acerson

(Review times are estimates only)  
(2 minutes)

## 1. Call to Order / Roll Call

## 2. Presentations and Announcements

a) Comments / Announcements from Mayor and Council members.

(5 minutes)

## 3. Approval of minutes: June 18, 2019

(5 minutes)

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

(10 minutes)

## 5. Consent Agenda – (Items do not require public comment or discussion and can all be approved by a single motion.) (5 minutes)

a) 'Declarations of Restrictions' for wetland mitigation site.

## 6. Public Hearing — Urban Deer Removal Program; Resolution #2019-17-R (20 minutes)

The City Council will review and consider Resolution #2019-17-R and accept public comment on a proposed urban deer removal program.

## 7. Public Hearing — Fee Schedule Change; Resolution #2019-18-R (20 minutes)

The City Council will review and consider Resolution #2019-18-R and accept public comment to adopt proposed fees for an Urban Deer Removal Permit.

## Council Reports:

(20 minutes)

- A) MAG, COG, UIA, Utah Lake Commission, ULCT, NUVAS, IHC Outreach, Budget Committee
- B) Public Works, Irrigation water/canal company boards, City Buildings
- C) Planning Commission, Board of Adjustments, General Plan, Budget Committee
- D) Public Safety, Emergency Management, Economic Development, Tree Board
- E) Parks & Recreation, Lindon Days, Transfer Station/Solid Waste, Cemetery
- F) Admin., Historic Commission, PG/Lindon Chamber, Budget Committee

- Jeff Acerson  
- Van Broderick  
- Matt Bean  
- Carolyn Lundberg  
- Mike Vanchiere  
- Jake Hoyt

## 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 available for review at the Lindon City Offices, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our staff may be contacted directly at (801)785-5043. City Codes and ordinances are available on the City web site found at [www.lindoncity.org](http://www.lindoncity.org). The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for city-sponsored public meetings, services programs or events should call Kathy Moosman at 801-785-5043, giving at least 24 hours-notice.

## CERTIFICATE OF POSTING:

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

Posted by: /s/ **Kathryn A. Moosman, City Recorder**

**Date:** July 12, 2019; **Time:** 2:30 p.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: Jeff Acerson

### **Item 1 – Call to Order / Roll Call**

July 16, 2019 Lindon City Council meeting.

Jeff Acerson

Van Broderick

Jake Hoyt

Carolyn Lundberg

Mike Vanchiere

Staff present: \_\_\_\_\_

### **Item 2 – Presentations and Announcements**

- a) Comments / Announcements from Mayor and Council members.

### **Item 3 – Approval of Minutes**

- Review and approval of City Council minutes: **June 18, 2019**

The Lindon City Council held a regularly scheduled meeting on **Tuesday, June 18, 2019, beginning at 7:00 pm** in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

**REGULAR SESSION** – 7:00 P.M.

Conducting: Jeff Acerson, Mayor  
 Pledge of Allegiance: Kristen Colson  
 Invocation: Van Broderick

**PRESENT**

**EXCUSED**

Jeff Acerson, Mayor  
 Matt Bean, Councilmember  
 Carolyn Lundberg, Councilmember  
 Van Broderick, Councilmember  
 Jacob Hoyt, Councilmember  
 Mike Vanchiere, Councilmember  
 Adam Cowie, City Administrator  
 Brian Haws, City Attorney  
 Kathryn Moosman, City Recorder

**1. Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.

**2. Presentations/Announcements** –

- a) **Comments/Announcements from Mayor and Council** – There were no announcements at this time.
- a) **Presentation:** Councilmember Matt Bean was recognized with a plaque for his service on the City Council from January 2012 to June 2019. Mr. Cowie noted this is effectively a leave of absence until November 2019.

**3. Approval of Minutes** – The minutes of the regular meeting of the City Council meeting of June 4, 2019 were reviewed.

COUNCILMEMBER VANCHIERE MOVED TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JUNE 4, 2019 AS AMENDED. COUNCILMEMBER HOYT SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN	AYE
COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER HOYT	AYE
COUNCILMEMBER VANCHIERE	AYE

THE MOTION CARRIED UNANIMOUSLY.

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

**Aryan Kocherans:** Ms. Kocherans spoke on the proposed Wild Oak Reception Center off of Gillman Land. She stated she understands the city does not want to be sued, but she feels like something may happen if something is not done in regards to this site and the potential safety issues. This needs to be taken seriously with either speed bumps or a change on State Street. She further stated with an event center there will be more people and traffic generated and it will certainly impose more safety concerns. This needs to be addressed so this type of thing doesn't happen in the future. She believes the code needs to be amended to protect the city legally so they would be covered and also have the ability to say *no* to a similar proposed development. She is here tonight to express her opinion so at least she knows she did everything possible to ensure the safety of her neighbors.

Councilmember Lundberg stated the Planning Director is already looking at the underlying use being removed from the code and may be a city-initiated action. She pointed out that typically road improvements are triggered by development and not by the city, but she would like to have discussion as an agenda item at the nexus that there be some city investments that can happen at that portion of the road.

Ms. Kocherans stated there are illegal left turns all the time at the intersection at State Street and it is a danger all the way around. Mayor Acerson stated this is a very focused issue and the city is aware and looking at ways to mitigate the impacts of this issue.

**Greg Lewis:** Mr. Lewis stated he has lived in Lindon for 39 years and it is a special place in Utah County to live. He explained he has been working with the city administrator on an issue in his neighborhood. He noted there are a lot of residents in his neighborhood who take pride in their properties, but unfortunately there are others who don't and it poses health or fire hazards and is an eyesore and/or a financial loss to others through devaluation of their properties. He noted he lives below Spring Meadows which is west of Walmart. This is an aggravating issue as he has tried the nice approach and retribution may be coming his way as he has tried to fix the problem.

Adam Cowie, City Administrator, stated Mr. Lewis has been patient over the past couple of years on this issue. He noted the Planning Director spoke with the property owner and it has come to the point to where they need to get serious to clean up the property. There is junk, debris and the animals are a definite nuisance under the ordinance. They have made some recent progress but they will keep working to mitigate the issue.

Mr. Lewis stated most of the neighbors take care of their street but those that don't devalue property values for everyone. He questioned if the city could adopt stricter standards for issues like this as it is very frustrating. Brian Haws, City Attorney, stated they are looking at nuisance ordinance amendments that may have more impact and be more expedited and efficient.

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

- a) Reappointment of Steve Johnson to another 3-year term on the Lindon City Planning Commission.
- b) Appointment of Renee Tribe as a new member of the Lindon City

2 Planning Commission.

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

6  
8 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE CONSENT  
AGENDA ITEMS AS PRESENTED. COUNCILMEMBER LUNDBERG SECONDED  
THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

10 COUNCILMEMBER BEAN AYE  
COUNCILMEMBER LUNDBERG AYE  
12 COUNCILMEMBER BRODERICK AYE  
COUNCILMEMBER HOYT AYE  
14 COUNCILMEMBER VANCHIERE AYE  
THE MOTION CARRIED UNANIMOUSLY.

16  
**CURRENT BUSINESS**

18  
20 **6. Public Hearing — FY 2020 Transfer of Enterprise Funds to General**  
**Fund.** The City Council will accept public comment as it reviews and  
22 considers proposed transfer of enterprise funds to the general fund as part of  
the fiscal year (FY) 2020 budget. The proposed transfers are as follows: Water  
24 Fund \$207,856 (6.6% of fund expenditures); Sewer Fund \$131,789 (5.7% of  
fund expenditures); Solid Waste Collection Fund \$20,400 (4.0% of fund  
26 expenditures); and Storm Water Drainage Fund \$82,400 (7.3% of fund  
expenditures); and Telecommunications Fund \$2,700 (5.0% of fund  
28 expenditures). These transfers are primarily intended to cover administrative  
costs and overhead of operating the enterprise funds but will also be used in  
30 supplementing such city services as fire, police, street maintenance, parks &  
recreation, and other city functions. Similar transfers have been made annually  
32 from the enterprise funds to the General Fund in order to help maintain low  
property taxes in Lindon. No motions will be made as this hearing is to only  
34 receive and consider public comment on the proposed enterprise fund  
transfers.

36 COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC  
HEARING. COUNCILMEMBER VANCHIERE SECONDED THE MOTION. ALL  
38 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

40 Kristen Colson, Lindon City Finance Director, was in attendance to explain this is  
a public hearing for the transfer of Enterprise Funds to General Fund. Mr. Cowie noted  
42 this a common action and done yearly. He noted enterprise activities contract essentially  
with Lindon city for services such as, accounting, finance, management, and billing etc.  
44 and the enterprise funds benefit from those activities. He pointed out the State requires  
we advertise through a public hearing; this year there is an 8% administrative charge.

46 Councilmember Hoyt stated he appreciates the graph from Ms. Colson that  
indicates we are using these enterprise funds wisely.

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

4  
6 COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC  
HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

8  
10 Mayor Acerson called for any further comments or discussion from the Council.  
Hearing none he moved on to the next agenda item.

- 12 7. **Public Hearing — Budget Adoption for FY2020 Amend FY2019 Budget;**  
14 **(Ordinance 2019-11-O)** Kristen Colson, Lindon City Finance Director, will  
present the final Lindon City Budget documents for fiscal year 2019-2020  
16 (FY2020) beginning July 1, 2019. The tentative budget for FY2020 was  
approved in a public hearing on April 2, 2019. The City Council also held a  
18 public meeting on the proposed budget on May 7, 2019 and a public hearing  
on May 21, 2019 where the proposed budget was adopted and budget issues  
were discussed in detail. The City Council will review and adopt the amended  
20 budget for FY2019, will review and adopt the final budget for FY2020, will  
review and adopt the agreement for services between the City and the Lindon  
22 City RDA, will set the Certified Tax Rate, and review and adopt the city-wide  
fee schedule and compensation programs.

24  
26 COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC  
HEARING. COUNCILMEMBER VANCHIERE SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

28  
30 Ms. Colson stated tonight the City Council will review and adopt the final budget  
for FY2020, the amended budget for FY2019, adopt the agreement for services between  
the City and the Lindon City RDA, will set the Certified Tax Rate, and review and adopt  
32 the city-wide fee schedule and compensation programs. Ms. Colson stated she will be  
reviewing the budget issues as have been discussed in previous public hearings as  
34 follows:

36 **Budget Issue #1: Should Lindon City provide employees with a 2.0% Cost of Living**  
38 **Allowance (COLA) increase and provide for a merit increase of 3.0% in January?**

40 Ms. Colson explained the City Council directed staff to proceed with a 1.5% cost  
of living (COLA) allowance and a 2.5% merit increase in January.

42 **Budget Issue #2: Should Lindon City increase Water, Sewer, Storm Water, Garbage**  
44 **and Recycling utility rates?**

46 Ms. Colson explained recommendations on utility rates were given to the Council  
from JUB Engineers after the utility study. Garbage and recycling utility rates are  
increasing 3% to cover the contractors cost increase.



**Budget Issue # 3: Should Lindon City charge a service fee when customers pay with a credit card?**

Ms. Colson explained they will start charging a 3% service fee on all credit card usage and will also be opening it up for building permits. This will take effect when it gets set up through the credit card company and is all in place; it may take up to 60 days (this process has been started).

Ms. Colson went over the fee schedule changes added since May 21<sup>st</sup> as follows:

<b>Home Occupation Application Fee</b>	\$25.00
One-time fee with Business License, <u>if required (see business license application)</u>	
<b>Credit Card Payment Convenience Service Fees</b>	
• Court online payments, per transaction	\$2.00
• Court telephone payments, per transaction	\$1.50
• <u>Other applicable transactions</u>	<u>3.0%</u>
<b>Document Scanning and CD Creation</b>	\$10 per CD + \$1/page after 10 pages
<b>Property Tax Certified Tax Rate (CTR)</b>	0.1392% <u>0.1241%</u>

Ms. Colson also stated the following changes need to be made to the Lindon City Position Schedule which is part of the “Compensation Programs” Section of the Budget:

- Municipal Judge should be classified as Exempt and the Range changed from 26 to \*
- Aquatics Center Manager should be changed to Aquatics Coordinator, Exempt, Range 13, Full-Time
- The Full-Time Program Coordinator should be changed to Recreation Supervisor, Range 15
- The Police Lieutenant should be changed from Non-Exempt to Exempt
- The Staff Engineer should be changed from Non-Exempt to Exempt

**Ms. Colson referenced the Comparison of 2019FY Amended Budget as follow:**

- Increased Licenses & Permits revenue of \$107,650
- Increased General Fund Transfer to Road Fund by \$200,000
- Payment to Ivory for Sewer Lift Station #7 carried forward to 2019-2020 budget
  - However, this payment is for costs which have occurred and will be accrued into 2018-2019 so the Budgets need to change to the following:

<b>Sewer Fund Account</b>	<b>2019FY</b>	<b>2020FY</b>
Special Projects	\$0 <u>\$480,000</u>	\$480,000 <u>\$0</u>
Use of Fund Balance	\$57,606 <u>\$537,606</u>	\$501,966 <u>\$21,966</u>

**Ms. Colson then went over the Proposed Budget vs. Final Budget as follow:**

- Increased transfer from General Fund to Debt Service for Public Safety Building debt service by \$316,000 making total principal payment \$657,000 which is:
 

\$161,000	Normal	2020 payment
\$163,000	Early	2021 payment
\$165,000	Early	2022 payment

- 2                   \$168,000       Early           2023 payment
- 4       • Added \$150,000 transfer from RDA State Street to Recreation Fund for new slide at Aquatics Center

6   **Ms. Colson then referenced the Public Safety Building Debt Service as follows:**

- 8       • Paid off last 5 years of Lindon Public Safety Building (LPSB) Bond in 2019FY with proceeds from the sale of property, saving \$147,297
- 10      • 2020FY Budget includes 3 extra principal payments
- 12          ○ Regular Principal payments are in March. We can evaluate revenues and the economy at that time to determine if we want to make the payments as budgeted or adjust the payment
- 14      • This would leave 3 principal payments remaining, totaling \$525,000 which we could budget to pay off in the 2021FY
- 16      • If we proceed with this payoff plan,
- Lindon City would save 10 years and about \$233,350 in interest

18           The Mayor and Council thanked Ms. Colson and Mr. Cowie for their hard work on the budget and for all of the time and effort put into the budget. He then called for any public

20   comments. Hearing none he called for a motion to close the public hearing.

22           COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC

24   HEARING. COUNCILMEMBER BEAN SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

26           Mayor Acerson called for any further comments or discussion from the Council.

28   Hearing none he called for a motion.

30           COUNCILMEMBER BEAN MOVED TO APPROVE ORDINANCE 2019-11-O

32   ADOPTING THE FY2020 LINDON CITY BUDGET AND AMENDING THE FY2019 LINDON CITY BUDGET AS PRESENTED WITH CHANGES AS DISCUSSED.

34   COUNCILMEMBER HOYT SECONDED THE MOTION. THE VOTE WAS

36   RECORDED AS FOLLOWS:

38   COUNCILMEMBER BEAN                    AYE

40   COUNCILMEMBER LUNDBERG            AYE

42   COUNCILMEMBER BRODERICK           AYE

44   COUNCILMEMBER HOYT                 AYE

46   COUNCILMEMBER VANCHIERE           AYE

48   THE MOTION CARRIED UNANIMOUSLY.

8. **Recess to Lindon City Redevelopment Agency Meeting (RDA)**

42           COUNCILMEMBER HOYT MOVED TO RECESS THE LINDON

44   CITY COUNCIL MEETING AT 7:42 PM AND CONVENE AS THE LINDON CITY

46   REDEVELOPMENT AGENCY. COUNCILMEMBER BRODERICK SECONDED

48   THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

50   COUNCILMEMBER BEAN                    AYE

52   COUNCILMEMBER LUNDBERG            AYE

54   COUNCILMEMBER BRODERICK           AYE

COUNCILMEMBER HOYT AYE  
 COUNCILMEMBER VANCHIERE AYE  
 THE MOTION CARRIED UNANIMOUSLY.

9. **Discussion Item — DRAFT Urban Deer Removal Program.** The City Council will review and discuss draft proposals for an urban deer removal program and provide feedback for staff's direction.

Chief of Police, Josh Adams, was in attendance to present information on the urban deer removal program. Chief Adams identified the plan and draft of what the actual removal plan will be. Chief Adams then referenced the 5-Year deer activity overlay map identifying where deer have been located and also the trap and kill method. He then went over the 5-year deer activity overlay report including carcasses, deer hit by cars on the state street corridor, and deer that are causing significant damage or threatening public safety.

Chief Adams then explained the Urban Deer Management Plan (UDMP) as follows:

1. Lindon will apply to DWR for a Certificate of Registration (COR) of an Urban Deer Management Plan. As part of this application, Lindon will develop a control plan, gathering input from DWR, the public, interested businesses and organizations, and other applicable local, state, and federal government agencies. Lindon will contract with Humphries Archery and Brian Cook to implement the UDMP. The terms of this contract will be for one calendar year, and can be renewed on an annual basis.
2. Lindon's UDMP goal is to reduce the population of urban deer inside Lindon. The current estimated deep population is 500. The reduction goal will be 50 animals per year.
3. The UDMP will provide that trap and kill will be the only allowed lethal method of reduction the population of urban deer. Humphries will be the sole agent of Lindon authorized to trap and kill urban deer.
4. Locations within the boundaries of Lindon City where deer are harvested will be specified in the control plan and any adjustments will be agreed upon by both parties.
5. Lindon will appoint an agent to oversee the UDMP. Humphries will update the agent on harvest activity and current locations of traps if/when they are moved. The agent will issue Humphries contractors Lindon UDMP permits for each to-be-harvested deer.
6. Lindon will pay Humphries \$2,500 per trap per year. This price will include provision and maintenance of a trap unit, all associated trail cameras, bait, tie downs, etc. There is no additional cost to move a trap from one location to another.
7. Lindon will pay Humphries \$\_\_\_\_\_ per deer trapped and killed. This fee covers the killing, removal, butchering, distribution, and CWD sampling.
8. For harvest year 2019, all trap locations will be on public property and agreed upon by the agent of Lindon and Humphries.

9. At the end of the 2019 harvest season, Lindon will present to the City Council and official report on the implementation and success rate of the UDMP in 2019.

### **State Statute and DWR Administrative Rules – Urban Deer Removal**

#### **Municipality must:**

- Demonstrate deer are causing significant damage or threatening public safety.
- Pass an ordinance prohibiting deer, elk and moose feeding.
- Provide proof of \$1,000,000 general liability insurance
- Agree to provisions of the Utah Governmental Immunity Act
- Provide estimate of population of resident deer, and target number of deer after removal efforts.
- Municipality will hold a public meeting to take and consider input on the draft plan before implementation.

#### **Urban deer control plan must address at a minimum:**

- Lethal methods of take that may be used to remove deer and conditions under which each may be employed.
- Conditions and restrictions of baiting and spotlighting.
- Persons eligible to perform deer removal activities and requirements imposed on them.
- Locations and time periods of deer removal activities.
- Tagging requirements.
- Protocols for carcass removal and disposal.
- Procedures for returning antlers to Division of Wildlife.
- Seek Division authorization on any live capture and relocation component of the plan.
- Estimate of current population and target population objective.

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

**Kim Bonnett:** Mr. Bonnett commented this seems to be a good starting point to see what the success and effectiveness of the program is. He noted it will be important where the traps are located and he would agree to contract with Humphries as they are the experts.

**Greg Lupus:** Mr. Lupus pointed out the taxpayers will be paying for this. He also questioned if the city has the funds to pay for a fence on the bench. He indicated he is not an advocate of this action. Mr. Lupus stated he understands that harvesting animals and traps may help some people, but questioned if this is throwing good money out the window? He also understands and appreciates the traffic accidents and safety issues, but he also feels like these animals are part of our community as Lindon is a little bit of country and part of our element. Mr. Lupus expressed that he also understands the problems and the damage to property that deer can do.

2 **Janeal Kallas:** Ms. Kallas stated she is a proponent on doing something to control the  
 4 deer as they are not very healthy and bring a lot of problems. There are concerns with  
 safety because of the ticks they bring to her property and the concerns and safety issues  
 in regards to the roads. This is certainly an annoyance but more of a safety issue and  
 6 they are getting out of control. She believes this is a good proposal and it is great that the  
 city council is looking at this issue.

8  
 10 **Aryan Kocherhans:** Ms. Kocherhans agrees there is definitely a safety issue and she  
 could get on board with this proposal.

12 **Lynn Sorensen:** Ms. Sorensen stated this looks to be the best course of action as the  
 deer are a nuisance. She noted the food is abundant and will increase the deer  
 14 population.

16 **Melanie:** She has done some research and the deer can carry E. Coli which can  
 contaminate vegetable gardens. She appreciates that the council is being responsible and  
 18 any effort to solve the problem is appreciated. She understands it will be a process, and  
 will not be easy, but to not do anything is not right either.

20  
 22 **Charlotte Iglesias:** Ms. Iglesias mentioned her concerns with the trapping and the safety  
 around children. She does appreciate all the comments heard tonight.

24 **Gayla Wilhelmsen:** Ms. Wilhelmsen stated she has seen the deer change over the years  
 and they are more aggressive.

26  
 28 **Joe Martel:** Mr. Martel stated he commends the city council for addressing this  
 problem. He has lived in Lindon since 1993 and used to see transitory deer but this  
 spring they have been really bad on their farm with up to eight deer at a time; there are at  
 30 least 2 to 4 deer multiple times a day on his property. He feels the trapping idea is  
 interesting but he likes the idea of removing the urban deer back to the hills.

32  
 34 Mr. Cowie stated staff is needing direction at this time. He pointed out that using  
 the meat is required by the state and part of the fee is the requirement to have the glands  
 tested and the meat distributed to those in need.

36 Councilmember Hoyt commented there are problem areas and we need to take  
 an approach on these areas. He is in favor of private areas and to keep it as discreet as  
 38 possible; there needs to be a balance. He added a caveat that he is concerned that we are  
 the first to implement this program.

40 Councilmember Broderick expressed that this is a complicated issue and there  
 are many factors to meet to be in compliance with the state. The council chose in the  
 42 past not to do anything because of the ineffectiveness and there is the fact of killing the  
 deer. He did a survey in his neighborhood and of seven neighbors all seven are  
 44 completely opposed to this proposed action, but there are opinions on all ends of the  
 spectrum. The urban deer are not healthy, and there are more deer than ever and that can  
 46 be an impact. He would be more inclined to do this on private property for those who

want to opt in as he is not comfortable putting in on public property right now. He also questioned if there should be a buffer for those who are sensitive and opposed to it. He will not vote for it on public property.

Councilmember Vanchiere commented this has been an ongoing concern and the council recognizes this is an issue and they are trying everything to make it right. He agrees this is a difficult issue as one side is philosophical and the other issue is that the residents like the deer; everyone is going to be partially satisfied. He is prepared to say he would go either way and go both public and private; to do nothing is irresponsible.

Councilmember Lundberg stated she has had numerous discussions with neighbors and residents and they feel both ways. There are certain areas of the city with properties that habitat deer throughout the city and the sheer population of the deer is a concern. She believes we should take a targeted approach as it makes sense to do a test pilot in areas with a buffer. She would like to follow the parameters from the DWR with a test pilot, as she does not want to get others cities or states creating a negative public-relations for Lindon City. She feels if there are residents who are willing to be part of the pilot program that would be a good place to start.

Councilmember Bean stated he is open to either option noting he has also been approached by residents due to safety issues and concern.

Mayor Acerson commented the council is addressing the concerns of the citizens and doing their due diligence to address the issue.

Mr. Cowie stated he is hearing the Council is recommending the private placement of the cage option with an owner signing a waiver of liability with a \$50 application fee (2 cages) and they will readdress it each year. Mr. Cowie then took a straw poll vote and asked the Council if they support this proposal. The straw poll vote was recorded as follows:

Councilmember Hoyt	Aye
Councilmember Broderick	Aye
Councilmember Lundberg	Aye
Councilmember Bean	Aye
Councilmember Vanchiere	Aye

Mr. Cowie stated he will bring this back as an advertised public hearing of the plan in July. He noted the program has to be in place by August so there is only a month to have the DWR review it before holding the public hearing.

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

#### **10. Public Hearing — Ordinance #2019-12-O; Prohibit Feeding of Wild**

**Animals.** The City Council will review and consider approval of Ordinance #2019-12-O prohibiting the feeding of wild deer, elk, and moose within the Lindon City limits.

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

Adam Cowie, City Administrator, led this discussion by explaining approval of Ordinance 2019-12-O will prohibit the feeding of wild deer, elk, and moose within the Lindon City limits.

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

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

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

COUNCILMEMBER VANCHIERE MOVED TO APPROVE ORDINANCE 2019-12-O PROHIBITING THE FEEDING OF WILD DEER, ELK, AND MOOSE WITHIN THE LINDON CITY LIMITS AS PRESENTED. COUNCILMEMBER BEAN SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN	AYE
COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER HOYT	AYE
COUNCILMEMBER VANCHIERE	AYE

THE MOTION CARRIED UNANIMOUSLY.

**11. Public Hearing – Ordinance Amendment to LCC 17.32.120; Ordinance 2019-10-O.** Recommendation to the Lindon City Council to amend Lindon City Code Chapter 17.32.120 regarding subdivisions conforming to the City's General Plan and Lindon City Street Master Plan Map. Application is made by Lindon City.

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

Brian Haws, City Attorney, led this discussion by giving a summary noting they are trying to adjust the city code regarding subdivisions conforming to the City's General Plan and Lindon City Street Master Plan Map.

Mr. Haws further explained in dealing with Mr. Weldon specifically, they recognize that sometimes master planned roads are already adequately serviced by existing roads so the city can't require the developer to put in the whole road. The city is asking for this amendment to allow the land use authority to approve the subdivision without requiring an amendment to the master plan so the road stays on the master plan as designed.

He pointed out in this case UDOT has the Vineyard Collector going through this piece of property and they need to modify that piece of road to accommodate the Vineyard Collector; UDOT will be paying for this not the city. Mr. Haws stated this is

drafted with language that states there must be a compelling public purpose to allow the developed road to differ from the master planned road. He noted there will not be a lot of instances for locations where this would come into play and if we don't change the master plan, we would have to purchase Mr. Weldon's property. UDOT has expressed it is beneficial for them to keep the master planned road where it is at. He noted Mr. Weldon understands what we are doing and does not have a problem with this action. He added this is in the best interest of all parties.

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

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

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

COUNCILMEMBER BRODERICK MOVED TO APPROVE ORDINANCE AMENDMENT 2019-10-O AS PRESENTED. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN	AYE
COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER HOYT	AYE
COUNCILMEMBER VANCHIERE	AYE

THE MOTION CARRIED UNANIMOUSLY.

**12. Discussion Item — Process for filling Council Vacancy.** The City Council will receive information and provide feedback to Staff on how to proceed in filling the Council vacancy due to Matt Bean's resignation from the City Council.

Mr. Cowie explained the process for filling a council vacancy left open by Councilmember Bean's modified resignation effective November 1<sup>st</sup>. He stated November 5<sup>th</sup> is the general election and we are required to advertise the vacancy within 30 days with the assumption that one of the three candidates would take Councilmember Bean's vacancy; he is assuming they would appoint one of the candidates that ran for office. Mayor Acerson pointed out that this will protect the candidates that are running for office and offer an even playing field.

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

#### **COUNCIL REPORTS:**

**Councilmember Hoyt** – Councilmember Hoyt reported the Pleasant Grove/Lindon Chamber of Commerce held a breakfast where they taught them to day trade. All



proceeds went to the Pleasant Grove Deca Club that made \$2,500 dollars. He noted it was a good event held by the Chamber and he appreciates them thinking out of the box.

**Councilmember Broderick** – Councilmember Broderick reported he attended the Engineering bi-monthly meeting where they discussed various city projects. He noted he is very appreciative of the Lindon City staff and their expertise as these are complex issues and they are on top of things. He is pleased with what they do to move projects forward in the city.

**Councilmember Bean** – Councilmember Bean reported the Planning Commission will be back to a full commission with the appointment of Renee Tribe. He also thanked the Mayor, Council and Staff for the friendships made and appreciates the opportunity to serve. He noted the city has accomplished a lot of good things and he was honored to be a part of it and he will miss working with everyone.

**Councilmember Lundberg** – Councilmember Lundberg reported the PG/Lindon Chamber of Commerce pool party last week was a nice evening and a fun event. She noted the weather with the pool has been a record cold year and hopefully the weather will improve so the admissions will increase. She reported the Chamber of Commerce is moving into the basement of the former Pleasant Grove City police building. She also attended the Police Officer candidate interviews noting there were a lot of great talent and great applicants and they narrowed it down to four candidates. Councilmember Lundberg also suggested bringing back the noise ordinance for review and further discussion.

**Councilmember Vanchiere** – Councilmember Vanchiere reported the Parks and Recreation Department is still getting ready for the parks and trails master plan committee to be implemented. He noted Lindon Days is moving along and the float is beautiful and very professional and the Little Miss Lindon girls did a great job on it. He reported the Lindon Days Committee is looking at some new events and it will be a good time for all who attend. The North Pointe Solid Waste Transfer Station looked at the submitted bids and they will be negotiating for green waste disposal and will award a contract. He mentioned he has gone to the city cemetery numerous times noting it is a wonderful cemetery and all is going well there with no issues.

**Mayor Acerson** – Mayor Acerson reported he heard the Council did a great job in his absence and thanked Councilmember Bean for acting as Mayor pro tem in his absence. He reported the Utah League of Cities and Towns meetings are coming up in September and they are asking for committee members to serve (contact Cameron Diehl the league president if you are interested). He also reported he will be addressing the transportation committee tomorrow on legislative issues. They are also choosing a UTA Director and are negotiating a contract. He also reported he chairs the Advisory Council with other mayors that sit on that council noting they do their due diligence. He also mentioned UTA approved cities that are opting to come under the umbrella and do their own financing noting the revenue sharing is good for the entity as a whole.

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

**Misc. Updates:**

- June City newsletter
- July newsletter article: Van Broderick - Article due to Kathy by end of June
- Lindon Days Grand Marshal discussion
- Combined Council/Board lunch meeting with Alpine School District Board. Thursday, August 29<sup>th</sup>
- Next meeting July 19<sup>th</sup> with a work session at 6pm
- Lindon Days is August 5<sup>th</sup> through August 10<sup>th</sup>
- Misc. Items

**Upcoming Meetings & Events:**

- No Primary Election is needed. General Election November 5, 2019
- Employee Summer Party – Wednesday, July 17th at 6:30 pm at the Aquatics Center

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

**Adjourn –**

COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING AT 10:00 PM. COUNCILMEMBER BEAN SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – July 16, 2019

\_\_\_\_\_  
Kathryn Moosman, City Recorder

\_\_\_\_\_  
Jeff Acerson, Mayor

**Item 4 – Open Session for Public Comment** *(For items not on the agenda - 10 minutes)*

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**Item 5 – Consent Agenda** – *Consent agenda may contain items which have been discussed beforehand and/or do not require significant discussion, or are administrative in nature, or do not require public comment. The Council may approve all Consent Agenda items in one motion, or may discuss individual items as needed and act on them separately.*

- a) “Declarations of Restrictions” for wetland mitigation site.

***Sample Motion:*** *I move to approve the Consent Agenda item (as presented, with changes).*

WHEN RECORDED RETURN TO:

\_\_\_\_\_  
 Attention: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

THIS SPACE FOR RECORDER'S USE ONLY

### DECLARATION OF RESTRICTIONS

THIS DECLARATION OF RESTRICTIONS is made as of **December 7, 2017**, by **City of Orem, Lindon City, and Pleasant Grove City** ("Declarant").

WHEREAS, Declarant is the owner of certain real property located in the Town of **Vineyard**, County of **Utah**, Utah, described in Exhibit "A" attached hereto and incorporated hereby by this reference (hereinafter "Mitigation Site"); and

WHEREAS, Declarant intends to develop the above described property as wildlife habitat and a wetland Mitigation Site, to be so held in perpetuity subject to restrictions in accordance with the provisions of the Section 404 Permit #**SPK-2009-00702-UO** (Exhibit C) (hereinafter "Permit") issued to Declarant by the U.S. Army Corps of Engineers (hereinafter "Corps") and the Deed of Conservation Easement (Exhibit D) (hereinafter "Deed");

WHEREAS, this Declaration of Restrictions is intended to implement the provisions of the Permit requiring a binding covenant running with the land, but shall not be construed to impose restrictions in addition to those provided for in the Permit; and

WHEREAS, the Mitigation Site consists of both jurisdictional wetland features and associated natural upland areas;

WHEREAS, the Declaration will benefit all parties to the Declaration in that it will assist in preserving and maintaining the drainage and wildlife habitat in the Mitigation Site;

NOW THEREFORE, Declarant declares as follows:

1. Covenant Running with Land. In consideration of the foregoing benefits flowing to all parties; in consideration of the benefits obtained by the Declarant from the Permit, and other valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Declarant does hereby covenant and agree to restrict, and does by this instrument intend to restrict, the future use of the Mitigation Site as set forth below, by the establishment of this Covenant running with the land.

2. Restrictions Concerning the Mitigation Site. The wetland areas created, restored, enhanced or preserved as compensatory mitigation, including any required upland buffer areas, for work authorized by Department of the Army Permit No. **SPK-2009-00702-UO** shall not be made the subject of a future application for a Department of the Army General or Individual permit for fill or other development except for the purpose of enhancing or restoring the mitigation associated with this project. No person shall engage in any of the following restricted activities in the Mitigation Site except for those actions necessary to accomplish preservation, maintenance, repair, fire prevention, or enhancement as has been, or in the future is, authorized by the Corps consistent with the Permit and the Deed:

(a) No discharge of any dredged or fill material shall be done or permitted within the Mitigation Site or any portion of such area except as consistent with the terms and conditions of the Permit;

(b) No materials or debris shall be stored or placed (whether temporarily or permanently) within the Mitigation Site or any portion of such area without prior written approval by the Corps;

(c) No plowing or cultivation of the Mitigation Site or any portion of such area and no destruction or removal of any natural tree, shrub or other vegetation that exists upon the Mitigation Site shall be done or permitted by the Declarant or its successors and assigns to the Mitigation Site, except as necessary to maintain the Mitigation Site, for the purpose of thatch management or the removal/management of newly introduced noxious or dangerous plants as necessary to maintain the Mitigation Site;

(d) No discharge, dumping, disposal, storage or placement of any trash, refuse, rubbish, grass clippings, cuttings or other waste materials within the Mitigation Site or any portion of such area shall be done or permitted;

(e) No leveling, grading or landscaping within the Mitigation Site or any portion of such area shall be done or permitted without prior Corps written approval;

(f) No destruction or removal of any natural tree, shrub or other vegetation that exists upon the Mitigation Site shall be done or permitted except by the Declarant or its successors and assigns to the Mitigation Site for the purposes of thatch management or the removal of noxious or dangerous plants as necessary to maintain the Mitigation Site;

(g) No motorized vehicles shall be ridden, brought, used or permitted on any portion of the Mitigation Site, except as provided for in (a), (c), (e) and (f) above or with prior written approval by the Corps;

(h) No roads, utility lines, trails, benches, equipment storage, or other structures or activities shall occur within the Mitigation Site without prior written approval by the Corps.

(i) No grazing of animals is allowed.

(j) No surface runoff (other than naturally occurring surface runoff) from any surrounding development shall be allowed to flow onto the protected area under normal conditions.

(k) No storm water shall be allowed to discharge within the protected area other than naturally occurring storm water discharge.

3. Not An Offer to Dedicate: No Rights of Public Use. The provisions of this Declaration of Restrictions do not constitute an offer for public use. This instrument does not constitute an irrevocable offer to dedicate.

4. Successors and Assign Bound. Declarant hereby agrees and acknowledges that the Mitigation Site shall be held, sold, conveyed, owned and used subject to the applicable terms, conditions and obligations imposed by this Agreement relating to the use, repair, maintenance and/or improvement of the Mitigation Site, and matters incidental thereto. Such terms, conditions and obligations are a burden and restriction on the use of the Mitigation Site, as applicable.

The provisions of this Agreement shall (subject to the limitations contained in this Agreement and without modifying the provisions of this Agreement) be enforceable as equitable servitudes and conditions, restrictions and covenants running with the land, and shall be binding on the Declarant and upon each and all of its respective heirs, devisees, successors, and assigns, officers, directors, employees, agents, representatives, executors, trustees, successor trustees, beneficiaries and administrators, and upon future owners of the Mitigation Site and each of them.

5. Severability. The provisions of the Declaration are severable and the violation of any of the provisions of this Declaration by a Court shall not affect any of the other provisions which shall remain in full force and effect.

DECLARANT

\_\_\_\_\_  
**City of Orem**

Date: \_\_\_\_\_

By: \_\_\_\_\_

STATE OF UTAH

County of \_\_\_\_\_

On \_\_\_\_\_, before me, \_\_\_\_\_,  
 Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

Personally appeared \_\_\_\_\_,  
 Name(s) of Signer(s)

- \_\_\_\_\_ personally known to me
- \_\_\_\_\_ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal Above

\_\_\_\_\_  
 Signature of Notary Public

DECLARANT

\_\_\_\_\_  
**Lindon City**

Date: \_\_\_\_\_

By: \_\_\_\_\_

STATE OF UTAH

County of \_\_\_\_\_

On \_\_\_\_\_, before me, \_\_\_\_\_,  
 Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

Personally appeared \_\_\_\_\_,  
 Name(s) of Signer(s)

- \_\_\_\_\_ personally known to me
- \_\_\_\_\_ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal Above

\_\_\_\_\_  
 Signature of Notary Public



DECLARANT

\_\_\_\_\_  
**Pleasant Grove City**

Date: \_\_\_\_\_

By: \_\_\_\_\_

STATE OF UTAH

County of \_\_\_\_\_

On \_\_\_\_\_, before me, \_\_\_\_\_,  
 Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

Personally appeared \_\_\_\_\_,  
 Name(s) of Signer(s)

- \_\_\_\_\_ personally known to me
- \_\_\_\_\_ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal Above

\_\_\_\_\_  
 Signature of Notary Public

**EXHIBIT A – LEGAL DESCRIPTION OF “MITIGATION SITE”**

**EXHIBIT B – MAP OF “MITIGATION SITE”**

**EXHIBIT C – SECTION 404 PERMIT NO. \_\_\_\_\_**

**EXHIBIT D -- \_\_\_\_\_ OPEN SPACE OPERATIONS AND  
MANAGEMENT PLAN FOR “MITIGATION SITE”**

**6. Public Hearing — Urban Deer Removal Program; Resolution#2019-17-R** (20 minutes)

The City Council will review and consider Resolution #2019-17-R and accept public comment on a proposed urban deer removal program.

**Sample Motion:** *I move to (approve, deny, continue) Resolution #2019-17-R adopting the Lindon City Urban Deer Removal Program (or as presented, with changes).*

**RESOLUTION 2019-17-R**

**A RESOLUTION OF THE LINDON CITY COUNCIL APPROVING AN URBAN DEER MANAGEMENT PLAN FOR LETHAL REMOVAL OF DEER WITHIN LINDON CITY AND SETTING AN EFFECTIVE DATE.**

WHEREAS, the Lindon City Council finds that within its city limits there exists urban deer in such numbers and/or concentrations within the City that they may pose a threat to the safety of people and property, and constitute a public nuisance; and

WHEREAS, Utah Code Annotated Section 10-8-60 provides that a municipality may declare what shall be a nuisance and abate that nuisance; and

WHEREAS, on May 7, 2019 the Lindon City Council passed Resolution #2019-12-R finding that it is appropriate to abate the nuisance of deer within the City by beginning processes established in Utah Administrative Rule R657-65 to create an urban deer control plan within the city limits as is deemed appropriate by the Mayor and City Council, and as approved the State of Utah Division of Wildlife Resources (DWR); and

WHEREAS, on June 18, 2019 the Lindon City Council passed Ordinance #2019-12-O prohibiting deliberate feeding and/or baiting of wild animals including deer, elk, and moose within the city limits, which is a requirement of Utah Administrative Rule R657-65 before the DWR will approve an urban deer control plan; and

WHEREAS, a duly noticed public hearing was held on July 16, 2019 to receive public comment on the proposed Urban Deer Management Plan; and

WHEREAS, by removing deer through this urban deer removal program it will provide for the public safety, promote the peace, order, comfort and convenience of the city and its inhabitants and further promote the protection of property within the City.

NOW, THEREFORE, be it resolved by the Lindon City Council as follows:

**SECTION 1.** The Urban Deer Management Plan for lethal removal of deer within the city limits is approved and, having met the requirements within Utah Administrative Rule R657-65, the plan and associated documents shall be submitted to the DWR requesting a Certificate of Registration (COR) to allow the Urban Deer Management Plan to begin in August 2019.

**SECTION 2.** This resolution shall take effect immediately upon passage.

Adopted and approved this 16<sup>th</sup> day of July, 2019.

By \_\_\_\_\_  
Jeff Acerson, Mayor

Attest:

By \_\_\_\_\_  
Kathryn A. Moosman, City Recorder

SEAL:

# APPLICATION

## for Certificate of Registration (COR) FOR URBAN DEER CONTROL PLAN (R657-65)

Initial Application

FILL OUT COMPLETELY AND LEGIBLY

<p><b>1. APPLICANT</b> (name and complete address of city for which COR is requested):          Lindon City          100 N. State Street          Lindon, UT 84042</p> <p><b>CITY REPRESENTATIVE:</b> Josh Adams</p> <p><b>TITLE:</b> Chief of Police</p>	<p><b>2. COMPLETE THE FOLLOWING FOR CITY REPRESENTATIVE:</b></p> <p><b>Work Phone:</b> 801-769-8600</p> <p><b>Email address:</b> jadams@lindoncity.org</p>
<p><b>3. PURPOSE:</b> Design, create, and administer an urban deer control plan. City must meet the following eligibility requirements to apply:</p> <p><input checked="" type="checkbox"/> Resident deer are collectively causing significant damage to private property or threatening public safety within the city's incorporated boundaries.</p> <p><input checked="" type="checkbox"/> City has passed an ordinance prohibiting the feeding of deer, elk, and moose.</p> <p><input checked="" type="checkbox"/> City has general liability insurance in the amount of \$1,000,000 or more.</p> <p><input checked="" type="checkbox"/> City will hold harmless and indemnify the Division against all claims or damages arising from its deer removal activities.</p>	
<p><b>4. URBAN DEER CONTROL PLAN WILL CONSIDER THE FOLLOWING TYPES OF REMOVAL:</b></p> <p><input checked="" type="checkbox"/> Lethal</p> <p><input type="checkbox"/> Non-lethal</p>	<p><b>5. DEER POPULATION:</b></p> <p>Current population estimate: 500</p> <p>Target number for managed resident population: 350</p>
<p><b>6. REQUESTED BEGINNING AND ENDING DATES FOR COR:</b></p> <p style="text-align: center;">Beginning: Aug 1, 2019    Ending: Dec 31, 2021</p> <p>The Division of Wildlife Resources maintains authority to set dates, number and sex of deer to be removed for all urban deer management plans and will be directly involved with any non-lethal removal.</p>	
<p><b>7. Submit application to:</b></p> <p style="text-align: center;"><b>WILDLIFE REGISTRATION OFFICE</b>  <b>1594 WEST NORTH TEMPLE, SUITE 2110</b>  <b>BOX 146301</b>  <b>SALT LAKE CITY, UT 84114-6301</b></p>	
<p>I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH ADMINISTRATIVE RULE R657-65 AND THAT I ACCEPT ANY AND ALL LIABILITY RESULTING FROM THE ISSUANCE OF A CERTIFICATE OF REGISTRATION. I FURTHER CERTIFY THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A COR IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND ANY FALSE STATEMENT HEREIN MAY RESULT IN THE APPLICATION BEING DENIED.</p>	
<p>_____ Applicant signature</p> <p>_____ Date</p>	<p style="text-align: center;">Lindon City Chief of Police</p> <p>_____ Title</p>

## LINDON CITY URBAN DEER MANAGEMENT PLAN

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### **Summary of Justification for Action:**

The presence of deer within Lindon City has increased significantly in recent years. While the deer are a beautiful presence of nature, they have also become a danger to human safety, as well as their own, when entering roads, public property and private property. Likewise, the feeding habits of the deer population have become a destructive nuisance on private and public property, creating a problem for landscaping, gardening, and recreational space within our community.

Over the last year the City has received and collected public comment via email, in person comments, as well as written complaints. A public hearing in the July 16<sup>th</sup>, 2019 City Council Meeting as well as previous City Council Meetings each invited additional public comment. Areas of concern with urban deer problems have been identified and marked on a city map that is also available for public review. Additionally, a review of all deer issues reported to Lindon Police Department in the past 5 years has been conducted and mapped.

The estimated urban deer population size before action: 500

Population objective after action: remove 50 deer annually

### **Management Actions**

#### **Persons Eligible to Take Deer:**

Lindon City has selected and will be contracting with Humphries Archery in American Fork to carry out the UDMP. Brian Cook with Humphries serves as Program Contractor. Mr. Cook will select a small group of experienced sportsmen to participate in the program as technicians. Prior to being authorized to participate, each technician selected by Mr. Cook must demonstrate that they understand the applicable rules and pass a background check. Once that is completed, the Program Manager will certify the technician, who will be authorized to act on behalf of Mr. Cook. All technicians will be issued a credential from Lindon City identifying their position and will wear the credential while participating in the UDMP.

#### **Locations and Time Periods of Deer Removal Activities:**

Locations must be approved by the Lindon Police Department and the Contractor based on applications made to the Lindon Police Department. Property Owners must submit to the city an application including a hold harmless agreement prior to any action of deer management. Locations that optimize the removal of urban deer and minimize the removal of mountain deer will be given preference.

If approved in July 2019, this plan may begin implementation in August 2019 and continue the last day of 2019. This plan would then expire, and a review would take place prior to further implementation.

## LINDON CITY URBAN DEER MANAGEMENT PLAN

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### **Legal Methods of Take:**

All activity applicable under the UDMP will comply with regulations as adopted by the Utah Division of Wildlife Resources and set forth in Utah Administrative Code R657-65, as amended.

The city will:

- (a) Require individuals authorized to lethally remove deer to:
  - (i) Tag the carcass consistent with Section 23-20-30; and
  - (ii) Comply with all federal, state, and local laws pertaining to the possession, use, and discharge of a dangerous weapon; and
- (b) Take measures to ensure that:
  - (i) An annual report is submitted to the Division by March 1 on lethal removal activities, including the following information for each permit issued:
    - (A) Name of technician;
    - (B) Sex of the animal;
    - (C) Date of harvest; and
    - (D) Disposition of carcass

The city will not:

- (a) Allow an employee, officer, agent, licensee, or contractor who has not been approved according to the written UDMP to take a deer.
- (b) Sell or barter a deer carcass or otherwise use it for pecuniary gain.
- (c) Collect a fee or compensation from a person or entity it authorizes to remove deer from its incorporated boundaries which has not been adopted by the City Council and published in the Lindon City Fee Schedule. Fees will not exceed the actual costs incurred by the City to operate the UDMP and compensate the Contractor.
- (d) Undertake or authorize deer removal activities outside:
  - (i) Incorporated city boundaries or any unincorporated areas approved by the Division and the county; or
  - (ii) The season time frame prescribed in the Certificate of Registration (COR);
- (e) Remove more deer, collectively or by gender, than authorized in the COR; or
- (f) Authorize the discharge of firearms or archery equipment for deer removal.

### **Methods for Lethal Removal of Urban Deer:**

Baiting, trapping and euthanizing will be the method of take for this plan. The only authorized lethal method of take is death caused by captive bolt pistol (bolt gun) to deer trapped inside a contractor-operated trap.

Each harvested deer will be tagged with a Lindon City Urban Deer Harvest Permit in the pre-approved format of the Utah Division of Wildlife Resources, and will be affixed to the harvested deer immediately upon death and removal from trap.

## LINDON CITY URBAN DEER MANAGEMENT PLAN

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### **Carcass Removal and Disposal:**

Deer carcasses are salvaged consistent with Section 23-20-8 (Waste of Wildlife):

- (a) Authorized technicians will remove the DWR-required specimen from the harvested animal and submit it to the Division in accordance with their administrative rules.
- (b) All buck deer antlers will be removed upon the death of the deer and turn in to the DWR in accordance with their administrative rules.
- (c) The Contractor will manage the butcher and dispersement of the harvested venison in accordance with the administrative rules of the DWR. Residents of Lindon City will be given priority on any list of persons accepting the harvested venison. No harvested venison is eligible for sale.

### **Date of Public Meeting Considering this Plan:**

The City Council held a public hearing on July 16, 2019 in the regular City Council Meeting and thereafter approved this Urban Deer Management Plan by passage of Resolution #2019-17-R.

Approval Signatures:

\_\_\_\_\_  
 Jeff Acerson  
 City Mayor

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
 Kathryn A. Moosman  
 City Recorder

Seal



## **Urban Deer Control Plan**

**C.O.R #:**

**City:**

**City Contact Information:**

**Main Contact:**

**Secondary Contact:**

**Address for Correspondence:**

**Summary of Justification for Action:**

**Estimated Population Size at Beginning of Action:**

**Population Objective after Action:**

## **Management Actions**

**Persons Eligible to Perform Deer Removal Activities** (List all People and Their Job Descriptions and Contact Information):

**Non-Lethal Methods** (Including Hazing, Fencing Ordinances. Does not include Live Trapping and Relocation):

**Conditions and Restrictions of Baiting and Spotlighting:**

**Locations and Time Periods of Deer Removal Activities:**

**Lethal Methods of Take** (Include conditions under which each may be employed):

**Tagging Requirements:**

**Carcass Removal and Disposal** (Include protocol for how carcasses will be handled once deer are euthanized. Address donating meat, how antlers will be returned to the Division of Wildlife Resources, biological samples collected, etc.):

**Date of Public Meeting Considering this Plan:****Approval Signatures:**

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**City Mayor**

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**City Recorder**

## Timeline:

### June 2019-

- Lindon City Council will be presented with the UDMP plan for approval.

### July 2019 –

- Lindon will hold a minimum of one public hearing for community members, businesses, and other interested parties to provide input into the UDMP.
- Lindon will complete the required application to the DWR and receive the COR.
- Lindon will contract with Humphries Archery for implementation of UDMP

### August 2019-

- UDMP trap and kill will begin in Lindon

### September 2019 –

- UDMP trap and kill will continue in Lindon.
- Lindon PD will prepare summary report for August 2019
- *DWR extended archery hunt begins*

### October 2019 –

- UDMP trap and kill will continue in Lindon.
- Lindon PD will prepare summary report for September 2019

### November 2019 –

- UDMP trap and kill will continue in Lindon.
- Lindon PD will prepare summary report for October 2019
- *DWR extended archery hunt ends*

### December 2019 –

- UDMP trap and kill will concludes in Lindon.
- Lindon PD will prepare summary report for November 2019

### January 2020 –

- Lindon PD will prepare summary report for December 2019
- Lindon PD will prepare official report and report to City Council on UDMP 2019
- City Council will assess value of and continuance of UDMP into 2020 and make any adjustments for budget, kill zones, etc.

### February 2020 –

- Lindon will negotiate new contract for UDMP 2020 for City Council approval.
- Lindon PD will submit UDMP budget to budget committee

June 2020 –

- Budget approval for UDMP 2020 to begin August 2020.



## Lindon Urban Deer Removal Residential Deer Assessment & Removal Permit Application

Name: \_\_\_\_\_ Date of Application: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

☐ Own ☐ Rent ☐ Other: \_\_\_\_\_

Estimated Number of deer on property:

\_\_\_\_\_ Daily \_\_\_\_\_ Weekly \_\_\_\_\_ Monthly

Damage caused by deer on your property: \_\_\_\_\_

Please explain the extent of deer nuisance on your property within the past year:

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See second page for Lindon City Urban Deer Management Plan for Trap and Kill Participation  
Application and Release and Waiver of Liability

I, \_\_\_\_\_, owner/agent of property located at the address indicated below, seek to participate in the Lindon City Urban Deer Management program and to have a deer trap placed upon my private property for the purpose of reducing the population of urban deer within the city limits. I agree to pay a non-refundable \$50.00 application fee and give permission to Lindon City and its contracted agents, Humphries Archery and Brian Cook (Contracted Agents) to access my property to study the feasibility of placing a deer trap upon my property, including the placement of trail cameras and related equipment. I acknowledge and agree that payment of this application fee does not assure or guarantee that my location will be found suitable or that a deer trap will be placed on my property. In the event my property is deemed suitable, I give Lindon City and the Contracted Agents permission to enter my property and set up, maintain, access and move the necessary equipment to trap, contain, and harvest urban deer, as well as permission to enter my property to take such acts as may be necessary to harvest and remove any deer that may be caught in the deer trap. This right of access shall not be limited by date or time and may be done without notice if necessary. I expressly acknowledge that due to restrictions imposed by the Utah Division of Wildlife Resources (DWR), the relocation of trapped deer is no longer permitted by the State of Utah and any deer caught or ensnared upon my property will be euthanized by Lindon City or the Contracted Agents while the deer is still on my property.

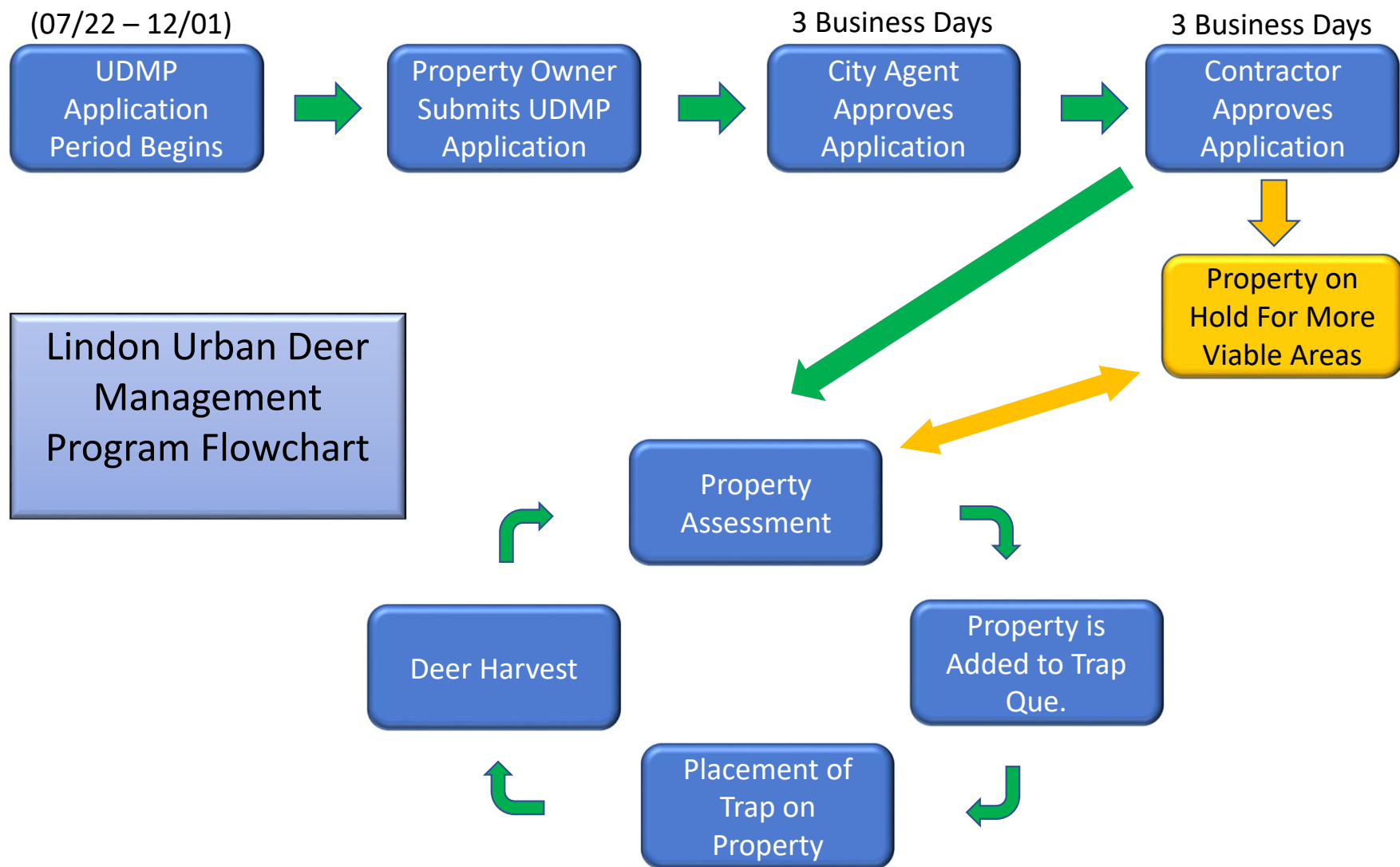
This Application and Agreement shall be valid for the \_\_\_\_\_ harvest season, which is understood to be from August 1 to December 31 of said year. The placement of a deer trap and associated equipment shall be at the sole discretion of Lindon City and/or the Contracted Agents and may be moved, altered or removed at any time, without notice. It is acknowledged that Lindon City is contractually obligated to pay the Contracted Agents \$75 for each deer harvested through Lindon City's Urban Deer Management Plan, and I agree to reimburse Lindon City such cost for each deer harvested upon my property.

I understand that there may be certain risks associated with the placement of traps and harvesting of urban deer on my property, and I agree to assume all those risks, including damage or harm to my real or personal property or to persons located thereon. I agree not to move, alter, or interfere with the deer trap and associated equipment once it has been placed on my property or to allow anyone else to do the same, and I accept responsibility for such items while they are on my property. I promise to promptly notify Lindon City and/or the Contracted Agents when I learn that a deer has become entrapped on my property and that I will not approach or interact with an animal contained in the provided deer trap and that I will not allow anyone else to do so.

In consideration of my application and the placement of a deer trap and associated equipment on my property, I do hereby waive, release and discharge Lindon City, its employees, officials and agents, Contracted Agents and DWR, from any and all claims of whatever kind, which may directly or indirectly arise out of or in connection with my placement and use of a deer trap on my property, including, but not limited to, any emotional harm or trauma that may arise to any individual who may witness an animal being euthanized on my property. I hereby agree to accept any and all risk of harm, personal injury, illness, death or property damage that may result, and verify this statement by placing my signature below. Furthermore, I fully understand that Lindon City, its employees, officials or agents, the Contracted Agents, and DWR shall share no responsibility (legal or otherwise), if an injury or property damage shall occur as a result of the deer trap and associated equipment being on my property or from the process of harvesting of any deer. I hereby release and hold harmless Lindon City, its employees, officials, agents, Contracted Agents, and/or DWR from any such claims or responsibility.

Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_  
Lindon, UT 84042

Date: \_\_\_\_\_ Signature: \_\_\_\_\_





**RESOLUTION 2019-12-R**

**A RESOLUTION OF THE LINDON CITY COUNCIL DECLARING DEER WITHIN THE CITY LIMITS OF LINDON CITY A NUISANCE AND INITIATING PROCESSES TO BEGIN CREATION AND IMPLEMENTATION OF AN URBAN DEER REMOVAL PROGRAM.**

WHEREAS, the Lindon City Council finds that within its city limits there exists urban deer in such numbers and/or concentrations within the City that they may pose a threat to the safety of people and property, and constitute a public nuisance; and

WHEREAS, Utah Code Annotated Section 10-8-60 provides that a municipality may declare what shall be a nuisance and abate that nuisance; and

WHEREAS, the City Council further finds that it is appropriate to abate the nuisance of deer within the City by beginning processes established in Utah Administrative Rule R657-65 to create an urban deer removal program within the city limits as is deemed appropriate by the Mayor and City Council, and as approved the State of Utah Division of Wildlife Resources (DWR); and

WHEREAS, by removing deer through this urban deer removal program it will provide for the public safety, promote the peace, order, comfort and convenience of the city and its inhabitants and further promote the protection of property within the City.

NOW, THEREFORE, be it resolved by the Lindon City Council as follows:

**SECTION 1.** Deer within Lindon City constitute a nuisance. Deer, as defined by Utah Administrative rule R657-65-2, within Lindon City limits hereby constitute a nuisance which shall be abated through allowable means provided by the State of Utah and approved by Lindon City Council.

**SECTION 2.** Create Urban Deer Control Plan. Upon execution of this Resolution, the City shall begin the process of working with the DWR to create and administer an Urban Deer Control Plan according to the requirements within Administrative Rule R657-65.

**SECTION 3.** Timing for Plan Implementation. The City shall make diligent efforts to have an approved plan in place to enable removal of deer during the fall of 2019.

**SECTION 4.** This resolution shall take effect immediately upon passage.

Adopted and approved this 7<sup>th</sup> day of May, 2019.

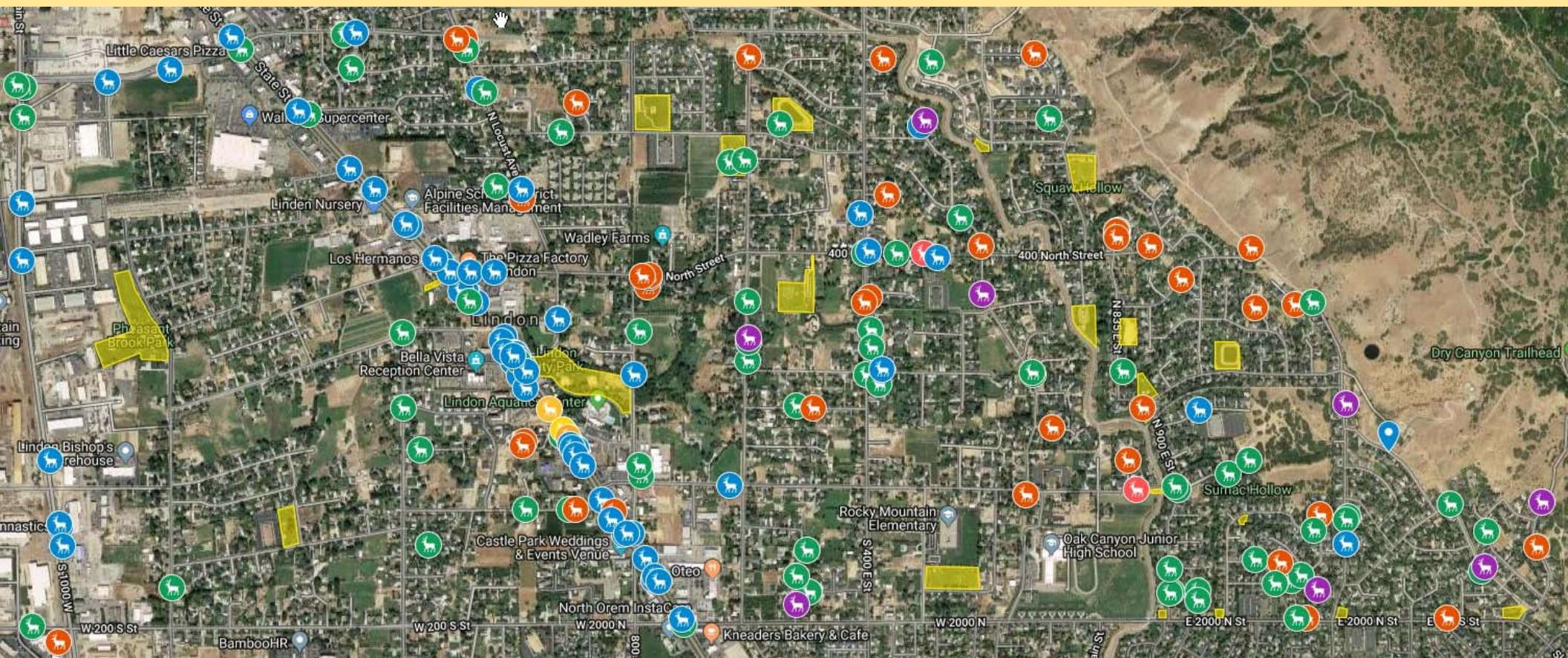
Attest:

By Kathryn A. Moosman  
Kathryn A. Moosman, City Recorder

By Jeff Aberson  
Jeff Aberson, Mayor







ORDINANCE NO. 2019-12-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, PROHIBITING FEEDING AND BAITING OF WILD ANIMALS WITHIN THE LINDON CITY LIMITS AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City finds it necessary to amend its codes and ordinances from time to time; and

WHEREAS, the Lindon City Council finds that within its city limits there exists urban deer in such numbers and/or concentrations within the City that they may pose a threat to the safety of people and property, and constitute a public nuisance; and

WHEREAS, Utah Code Annotated Section 10-8-60 provides that a municipality may declare what shall be a nuisance and abate that nuisance; and

WHEREAS, on May 7, 2019 the Lindon City Council passed Resolution #2018-12-R finding that it is appropriate to abate the nuisance of deer within the City by beginning processes established in Utah Administrative Rule R657-65 to create an urban deer control plan within the city limits as is deemed appropriate by the Mayor and City Council, and as approved the State of Utah Division of Wildlife Resources (DWR); and

WHEREAS, Lindon City is required to pass an ordinance prohibiting deliberate feeding and/or baiting of deer, elk, and moose within the city limits as a requirement of Utah Administrative Rule R657-65 before the DWR will approve an urban deer control plan; and

WHEREAS, prohibiting feeding of these wild animals will potentially reduce the number deer within Lindon City limits and therefore may help provide for the public safety, promote the peace, order, comfort and convenience of the city and its inhabitants and further promote the protection of property within the City.

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

**SECTION I:**

Lindon City Code 6.16.012 titled "Feeding of Wild Animals Prohibited" is hereby created and approved as follows:

6.16.12 Feeding of Wild Animals Prohibited

- 1) It is unlawful to feed or bait wild animals. A person shall not make food available for wild animals with the intent that it be consumed by or attract wild animals. Wild animals are defined in Section 6.04.005 "Wild Animals".
- 2) This Section does not apply to:
  - (a) Public employees or authorized agents acting within the scope of their employment for public safety or wildlife management purposes;
  - (b) Owners of wild animals that have been permitted by Lindon City and the Utah Division of Wildlife Resources (or similar State wildlife management agency) to be kept within the city limits;
  - (c) Planted vegetation or landscaping elements that are not intended for feeding wild animals;



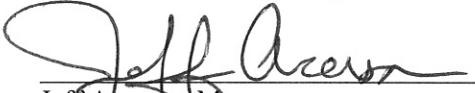
- (d) Normal agricultural or livestock operation practices; or
- (e) Recreational feeding of wild song birds, hummingbirds, or similar birds, unless a previous warning by the City to cease or modify feeding practices is disregarded and such continued practices attract wild animals in such numbers or circumstances to cause property damage, endanger any person, or create public health concerns.

**SECTION II:** The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

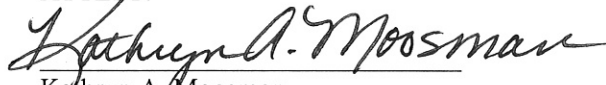
**SECTION III:** Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

**SECTION IV:** This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this  
18 day of June, 2019.

  
 Jeff Acerson, Mayor

ATTEST:

  
 Kathryn A. Moosman,  
 Lindon City Recorder



**7. Public Hearing — Fee Schedule Change; (Resolution #2019-18-R)** (20 minutes)

The City Council will review and consider Resolution #2019-18-R and accept public comment to adopt proposed fees for an Urban Deer Removal Permit.

**Sample Motion:** *I move to (approve, deny, continue) Resolution #2019-18-O adopting fees for an Urban Deer Removal Permit (as presented or with changes).*

**RESOLUTION NO. 2019-18-R**

**A RESOLUTION OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH,  
AMENDING THE LINDON CITY FEE SCHEDULE FOR FISCAL YEAR 2019-20 (FY2020)  
AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Municipal Council of Lindon City (City) has adopted an annual Fee Schedule to define and identify all fees that may be imposed by Lindon City for various public services and utilities; and

WHEREAS, the City has adopted an Urban Deer Management Plan which provides that residents may submit a Residential Deer Assessment & Removal Permit Application for the property to be evaluated and a deer trap/cage to potentially be installed on the property; and

WHEREAS, a fee for evaluating the property and for processing the Residential Deer Assessment & Removal Permit Application is found to reasonable; and

WHEREAS, on July 16, 2019 the Lindon City Council held a duly noticed public hearing to consider the fee schedule change and, after receiving public comment, has reviewed and approves the updated fee schedule finding that said fee changes are reasonable and of benefit to the general public in that the city can use the funds to help offset costs to administer the Urban Deer Management Plan.

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

SECTION I. The FY2020 Lindon City Fee Schedule is hereby amended and adopted to include the following addition under the 'Police' section of the fee schedule:

<b>Residential Deer Assessment &amp; Removal Permit</b>	<b>\$50.00</b>
<b>Deer Removal and Processing (per animal)</b>	<b>\$75.00</b>

SECTION II. This resolution shall take effect immediately upon passage.

PASSED AND ADOPTED AND MADE EFFECTIVE by the Lindon City Council on this the 16th day of July 2019.

\_\_\_\_\_  
Jeff Acerson, Mayor

ATTEST:

\_\_\_\_\_  
Kathryn A. Moosman, City Recorder

SEAL:

**Council Reports:**

- A) MAG, COG, UIA, Utah Lake Commission, ULCT, NUVAS, IHC Outreach, Budget Committee
- B) Public Works, Irrigation water/canal company boards, City Buildings
- C) Planning Commission, Board of Adjustments, General Plan, Budget Committee
- D) Public Safety, Emergency Management, Economic Development, Tree Board
- E) Parks & Recreation, Lindon Days, Transfer Station/Solid Waste, Cemetery
- F) Admin., Historic Commission, PG/Lindon Chamber, Budget Committee

*(20 minutes)*

- Jeff Acerson
- Van Broderick
- Matt Bean
- Carolyn Lundberg
- Mike Vanchiere
- Jake Hoyt

**Administrator's Report***(10 minutes)***Misc. Updates:**

- July City newsletter: <https://media.rainpos.com/442/july19final2.pdf>
- August newsletter article: **Heath Bateman** - Article due to Kathy Moosman by end of July
- Combined Council/Board lunch meeting with Alpine School District Board. Thursday, Aug. 29<sup>th</sup>, at Noon.
- Foothill geo-hazard/landslide areas: there has not been any discernible movement in the surveyed points between October 2006 and May 2019. As such, City will discontinue monitoring areas. Forest Service watering 'guzzler' has also been relocated. (see attached memo).
- Set a date for Meet the Candidates night in September or October.
- Misc. Items

**Upcoming Meetings & Events:**

- July 29<sup>th</sup> - Combined Council's social at Pleasant Grove City.
- Lindon Days – August 5<sup>th</sup>- 10<sup>th</sup>.
- Primary Election – August 13<sup>th</sup>.

**ADJOURN**





J-U-B COMPANIES

THE  
LANGDON  
GROUPGATEWAY  
MAPPING  
INC.

## MEMORANDUM

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**DATE:** June 17, 2019

**TO:** Adam Cowie, Lindon City Administrator

**CC:** Brad Jorgensen, P.E., Lindon City Public Works Director  
Noah Gordon, P.E., Lindon City Engineer

**FROM:** Mark Christensen, P.E.

**SUBJECT:** Landslide Monitoring Report

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In October 2006 J-U-B ENGINEERS, Inc. surveyed points at two areas in Lindon where possible landslide activity had been observed. The following sketch shows the areas of the survey points on an aerial photograph.

We resurveyed the areas in June 2008 in order to monitor movements of the landslide areas and found no observable movement.

As requested, we have resurveyed the areas (in June 2011, June 2013, April 2015, April 2017 and May 2019) in order to continue monitoring.

The attached sheets show the coordinates and elevations of points surveyed in 2006, 2008, 2011, 2013, 2015, 2017 and 2019 as well as the differences. While there are some minor deviations in the coordinates and elevations, they are within the expected tolerance of surveying accuracy.

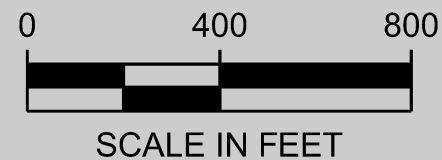
**We conclude that there has not been any discernable movement in the surveyed points between October 2006 and May 2019.**

Let us know if you have any questions.

# HILLSIDE LANDSLIDE MONITORING POINTS

NORTH SLIDE  
AREA

2000	2001
2003	2002
	2005
2004	2007
2008	2006
2010	2009
2012	2011
	2013



SOUTH SLIDE  
AREA

1004	1003
1005	1002
1006	1001
1007	1000

## LINDON SLIDE AREAS - POINT COMPARISONS

														DIFFERENCE BETWEEN SURVEYS														
	SOUTH SLIDE AREA SHOTS FROM OCTOBER 2006			SOUTH SLIDE AREA SHOTS FROM JUNE 2008			SOUTH SLIDE AREA SHOTS FROM JUNE 2011			SOUTH SLIDE AREA SHOTS FROM JUNE 2013			SOUTH SLIDE AREA SHOTS FROM APRIL 2015			SOUTH SLIDE AREA SHOTS FROM APRIL 2017			SOUTH SLIDE AREA SHOTS FROM MAY 2019			2006 TO 2008	2006 TO 2011	2006 TO 2013	2006 TO 2015	2006 TO 2017	2006 TO 2019	2017 TO 2019
POINT 1000	NORTHING	7294020.823		NORTHING	7294020.871		NORTHING	7294020.831		NORTHING	7294020.764		NORTHING	7294020.882		NORTHING	7294020.849		NORTHING	7294020.863		0.048	0.008	-0.059	0.059	0.026	0.040	0.014
	EASTING	1589236.233		EASTING	1589236.214		EASTING	1589236.185		EASTING	1589236.201		EASTING	1589236.200		EASTING	1589236.193		EASTING	1589236.184		-0.019	-0.049	-0.032	-0.033	-0.040	-0.049	-0.009
	ELEV	5393.114		ELEV	5393.079		ELEV	5393.105		ELEV	5393.064		ELEV	5393.117		ELEV	5393.135		ELEV	5393.128		-0.035	-0.009	-0.050	0.003	0.021	0.014	-0.007
POINT 1001	NORTHING	7294053.395		NORTHING	7294053.399		NORTHING	7294053.420		NORTHING	7294053.357		NORTHING	7294053.449		NORTHING	7294053.436		NORTHING	7294053.453		0.004	0.025	-0.038	0.054	0.041	0.058	0.017
	EASTING	1589252.535		EASTING	1589252.501		EASTING	1589252.490		EASTING	1589252.498		EASTING	1589252.530		EASTING	1589252.511		EASTING	1589252.494		-0.034	-0.045	-0.037	-0.005	-0.024	-0.041	-0.017
	ELEV	5400.580		ELEV	5400.611		ELEV	5400.597		ELEV	5400.597		ELEV	5400.616		ELEV	5400.617		ELEV	5400.643		0.031	0.017	0.017	0.036	0.037	0.063	0.026
POINT 1002	NORTHING	7294080.646		NORTHING	7294080.569		NORTHING	7294080.599		NORTHING	7294080.553		NORTHING	7294080.625		NORTHING	7294080.618		NORTHING	7294080.653		-0.077	-0.047	-0.093	-0.021	-0.028	0.007	0.035
	EASTING	1589265.765		EASTING	1589265.719		EASTING	1589265.683		EASTING	1589265.681		EASTING	1589265.704		EASTING	1589265.701		EASTING	1589265.668		-0.046	-0.082	-0.084	-0.061	-0.064	-0.097	-0.033
	ELEV	5409.256		ELEV	5409.346		ELEV	5409.377		ELEV	5409.368		ELEV	5409.374		ELEV	5409.377		ELEV	5409.380		0.090	0.121	0.112	0.118	0.121	0.124	0.003
POINT 1003	NORTHING	7294113.850		NORTHING	7294113.798		NORTHING	7294113.865		NORTHING	7294113.806		NORTHING	7294113.866		NORTHING	7294113.819		NORTHING	7294113.848		-0.052	0.015	-0.044	0.016	-0.031	-0.002	0.029
	EASTING	1589280.114		EASTING	1589280.053		EASTING	1589280.050		EASTING	1589280.096		EASTING	1589280.076		EASTING	1589280.058		EASTING	1589280.048		-0.061	-0.064	-0.018	-0.038	-0.056	-0.066	-0.010
	ELEV	5419.559		ELEV	5419.601		ELEV	5419.582		ELEV	5419.577		ELEV	5419.605		ELEV	5419.612		ELEV	5419.632		0.042	0.023	0.018	0.046	0.053	0.073	0.020
POINT 1004	NORTHING	7294126.115		NORTHING	7294126.087		NORTHING	7294126.143		NORTHING	7294126.084		NORTHING	7294126.157		NORTHING	7294126.148		NORTHING	7294126.157		-0.028	0.027	-0.031	0.042	0.033	0.042	0.009
	EASTING	1589245.342		EASTING	1589245.342		EASTING	1589245.300		EASTING	1589245.322		EASTING	1589245.344		EASTING	1589245.363		EASTING	1589245.301		0.000	-0.042	-0.020	0.002	0.021	-0.041	-0.062
	ELEV	5396.584		ELEV	5396.605		ELEV	5396.575		ELEV	5396.552		ELEV	5396.598		ELEV	5396.638		ELEV	5396.665		0.021	-0.009	-0.032	0.014	0.054	0.081	0.027
POINT 1005	NORTHING	7294097.642		NORTHING	7294097.633		NORTHING	7294097.721		NORTHING	7294097.652		NORTHING	7294097.709		NORTHING	7294097.645		NORTHING	7294097.659		-0.009	0.079	0.010	0.067	0.003	0.017	0.014
	EASTING	1589233.855		EASTING	1589233.801		EASTING	1589233.761		EASTING	1589233.804		EASTING	1589233.800		EASTING	1589233.724		EASTING	1589233.734		-0.054	-0.094	-0.051	-0.055	-0.131	-0.121	0.010
	ELEV	5388.786		ELEV	5388.833		ELEV	5388.734		ELEV	5388.761		ELEV	5388.802		ELEV	5388.884		ELEV	5388.881		0.047	-0.052	-0.025	0.016	0.098	0.095	-0.003
POINT 1006	NORTHING	7294066.645		NORTHING	7294066.680		NORTHING	7294066.686		NORTHING	7294066.635		NORTHING	7294066.726		NORTHING	7294066.670		NORTHING	7294066.715		0.035	0.041	-0.010	0.081	0.025	0.070	0.045
	EASTING	1589228.027		EASTING	1589227.988		EASTING	1589227.946		EASTING	1589227.967		EASTING	1589227.972		EASTING	1589227.944		EASTING	1589227.897		-0.039	-0.081	-0.060	-0.055	-0.083	-0.130	-0.047
	ELEV	5386.511		ELEV	5386.573		ELEV	5386.555		ELEV	5386.504		ELEV	5386.541		ELEV	5386.557		ELEV	5386.578		0.062	0.044	-0.007	0.030	0.046	0.067	0.021
POINT 1007	NORTHING	7294043.890		NORTHING	7294043.932		NORTHING	7294043.966		NORTHING	7294043.889		NORTHING	7294043.972		NORTHING	7294043.922		NORTHING	7294043.965		0.042	0.076	-0.001	0.082	0.032	0.075	0.043
	EASTING	1589219.527		EASTING	1589219.477		EASTING	1589219.456		EASTING	1589219.446		EASTING	1589219.470		EASTING	1589219.454		EASTING	1589219.398		-0.050	-0.071	-0.081	-0.057	-0.073	-0.129	-0.056
	ELEV	5382.035		ELEV	5382.076		ELEV	5382.022		ELEV	5382.061		ELEV	5382.064		ELEV	5382.080		ELEV	5382.109		0.041	-0.013	0.026	0.029	0.045	0.074	0.029

The values shown hereon were obtained using Trimble 5700, 5800 or R10 receivers utilizing fixed height (6.562') base and rover tripods. The same base point was occupied for each set of occupations with a single tie to each point in each set. The values were derived using RTK methods with a 3 minute observation at each point.

The published RTK accuracies for our Trimble equipment are: Horizontal = 1 cm + 1 ppm (x baseline length) Vertical = 2 cm + 2 ppm (x baseline length).

Human set-up errors such as centering and plumbing of the tripods may also have contributed to the differences in the coordinates. However, based on the delta values for each of the points, it does not appear that significant movement, if any, has occurred between October of 2006 and May of 2019.

The coordinates are NAD83, SPC, GRID, Utah Central Zone values and the elevations are NAVD88 values based on static GPS control point observations made in 2006 and processed through OPUS.



## LINDON SLIDE AREAS - POINT COMPARISONS

														DIFFERENCE BETWEEN SURVEYS													
NORTH SLIDE AREA SHOTS FROM OCTOBER 2006			NORTH SLIDE AREA SHOTS FROM JUNE 2008			NORTH SLIDE AREA SHOTS FROM JUNE 2011			NORTH SLIDE AREA SHOTS FROM JUNE 2013			NORTH SLIDE AREA SHOTS FROM APRIL 2015			NORTH SLIDE AREA SHOTS FROM APRIL 2017			NORTH SLIDE AREA SHOTS FROM MAY 2019			2006 TO 2008	2006 TO 2011	2006 TO 2013	2006 TO 2015	2006 TO 2017	2006 TO 2019	2017 TO 2019
POINT 2000	NORTHING	7296060.017	NORTHING	7296059.995	NORTHING	7296060.032	NORTHING	7296059.970	NORTHING	7296059.973	NORTHING	7296059.947	NORTHING	7296059.992	-0.022	0.015	-0.047	-0.044	-0.070	-0.025	0.045						
	EASTING	1586801.844	EASTING	1586801.834	EASTING	1586801.888	EASTING	1586801.821	EASTING	1586801.872	EASTING	1586801.831	EASTING	1586801.833	-0.010	0.043	-0.023	0.028	-0.013	-0.011	0.002						
	ELEV	5336.144	ELEV	5336.080	ELEV	5336.138	ELEV	5336.070	ELEV	5336.144	ELEV	5336.170	ELEV	5336.217	-0.064	-0.006	-0.074	0.000	0.026	0.073	0.047						
POINT 2001	NORTHING	7296073.408	NORTHING	7296073.357	NORTHING	7296073.374	NORTHING	7296073.288	NORTHING	7296073.357	NORTHING	7296073.337	NORTHING	7296073.346	-0.051	-0.034	-0.120	-0.051	-0.071	-0.062	0.009						
	EASTING	1586753.228	EASTING	1586753.203	EASTING	1586753.235	EASTING	1586753.268	EASTING	1586753.209	EASTING	1586753.238	EASTING	1586753.239	-0.025	0.007	0.040	-0.019	0.010	0.011	0.001						
	ELEV	5331.726	ELEV	5331.761	ELEV	5331.784	ELEV	5331.811	ELEV	5331.775	ELEV	5331.793	ELEV	5331.750	0.035	0.058	0.085	0.049	0.067	0.024	-0.043						
POINT 2002	NORTHING	7296068.616	NORTHING	7296068.601	NORTHING	7296068.668	NORTHING	7296068.574	NORTHING	7296068.638	NORTHING	7296068.597	NORTHING	7296068.629	-0.015	0.052	-0.042	0.022	-0.019	0.013	0.032						
	EASTING	1586698.676	EASTING	1586698.660	EASTING	1586698.735	EASTING	1586698.657	EASTING	1586698.680	EASTING	1586698.648	EASTING	1586698.706	-0.016	0.059	-0.019	0.004	-0.028	0.030	0.058						
	ELEV	5320.931	ELEV	5320.918	ELEV	5320.880	ELEV	5320.907	ELEV	5320.916	ELEV	5320.901	ELEV	5320.931	-0.013	-0.051	-0.024	-0.015	-0.030	0.000	0.030						
POINT 2003	NORTHING	7296018.777	NORTHING	7296018.736	NORTHING	7296018.710	NORTHING	7296018.761	NORTHING	7296018.714	NORTHING	7296018.678	NORTHING	7296018.761	-0.041	-0.067	-0.016	-0.063	-0.099	-0.016	0.083						
	EASTING	1586679.762	EASTING	1586679.749	EASTING	1586679.749	EASTING	1586679.730	EASTING	1586679.750	EASTING	1586679.730	EASTING	1586679.752	-0.013	-0.014	-0.032	-0.012	-0.032	-0.010	0.022						
	ELEV	5294.863	ELEV	5294.898	ELEV	5294.970	ELEV	5294.816	ELEV	5294.898	ELEV	5294.964	ELEV	5294.957	0.035	0.107	-0.047	0.035	0.101	0.094	-0.007						
POINT 2004	NORTHING	7296011.363	NORTHING	7296011.311	NORTHING	7296011.367	NORTHING	7296011.249	NORTHING	7296011.309	NORTHING	7296011.279	NORTHING	7296011.321	-0.052	0.003	-0.114	-0.054	-0.084	-0.042	0.042						
	EASTING	1586742.351	EASTING	1586742.316	EASTING	1586742.346	EASTING	1586742.304	EASTING	1586742.325	EASTING	1586742.311	EASTING	1586742.325	-0.035	-0.005	-0.047	-0.026	-0.040	-0.026	0.014						
	ELEV	5293.123	ELEV	5293.108	ELEV	5293.121	ELEV	5293.131	ELEV	5293.144	ELEV	5293.145	ELEV	5293.088	-0.015	-0.002	0.008	0.021	0.022	-0.035	-0.057						
POINT 2005	NORTHING	7296001.360	NORTHING	7296001.323	NORTHING	7296001.357	NORTHING	7296001.273	NORTHING	7296001.365	NORTHING	7296001.322	NORTHING	7296001.378	-0.037	-0.004	-0.087	0.005	-0.038	0.018	0.056						
	EASTING	1586780.059	EASTING	1586780.072	EASTING	1586780.087	EASTING	1586780.091	EASTING	1586780.065	EASTING	1586780.070	EASTING	1586780.089	0.013	0.028	0.032	0.006	0.011	0.030	0.019						
	ELEV	5292.944	ELEV	5292.945	ELEV	5292.963	ELEV	5292.971	ELEV	5292.987	ELEV	5292.981	ELEV	5292.928	0.001	0.019	0.027	0.043	0.037	-0.016	-0.053						
POINT 2006	NORTHING	7295890.363	NORTHING	7295890.368	NORTHING	7295890.373	NORTHING	7295890.324	NORTHING	7295890.357	NORTHING	7295890.330	NORTHING	7295890.375	0.005	0.010	-0.039	-0.006	-0.033	0.012	0.045						
	EASTING	1586718.977	EASTING	1586719.008	EASTING	1586718.991	EASTING	1586718.966	EASTING	1586719.000	EASTING	1586718.973	EASTING	1586718.973	0.031	0.014	-0.011	0.023	-0.004	-0.004	0.000						
	ELEV	5268.090	ELEV	5268.116	ELEV	5268.091	ELEV	5268.050	ELEV	5268.099	ELEV	5268.115	ELEV	5268.089	0.026	0.001	-0.040	0.009	0.025	-0.001	-0.026						
POINT 2007	NORTHING	7295914.949	NORTHING	7295914.911	NORTHING	7295914.963	NORTHING	7295914.920	NORTHING	7295914.960	NORTHING	7295914.921	NORTHING	7295914.915	-0.038	0.014	-0.029	0.011	-0.028	-0.034	-0.006						
	EASTING	1586662.564	EASTING	1586662.591	EASTING	1586662.610	EASTING	1586662.600	EASTING	1586662.595	EASTING	1586662.572	EASTING	1586662.615	0.027	0.045	0.036	0.031	0.008	0.051	0.043						
	ELEV	5270.395	ELEV	5270.324	ELEV	5270.368	ELEV	5270.376	ELEV	5270.352	ELEV	5270.377	ELEV	5270.364	-0.071	-0.027	-0.019	-0.043	-0.018	-0.031	-0.013						
POINT 2008	NORTHING	7295871.262	NORTHING	7295871.245	NORTHING	7295871.242	NORTHING	7295871.166	NORTHING	7295871.269	NORTHING	7295871.218	NORTHING	7295871.254	-0.017	-0.021	-0.096	0.007	-0.044	-0.008	0.036						
	EASTING	1586659.450	EASTING	1586659.465	EASTING	1586659.470	EASTING	1586659.462	EASTING	1586659.447	EASTING	1586659.435	EASTING	1586659.465	0.015	0.020	0.012	-0.003	-0.015	0.015	0.030						
	ELEV	5253.025	ELEV	5253.078	ELEV	5253.029	ELEV	5252.967	ELEV	5253.042	ELEV	5253.006	ELEV	5253.024	0.053	0.004	-0.058	0.017	-0.019	-0.001	0.018						
POINT 2009	NORTHING	7295857.141	NORTHING	7295857.139	NORTHING	7295857.160	NORTHING	7295857.101	NORTHING	7295857.171	NORTHING	7295857.120	NORTHING	7295857.177	-0.002	0.019	-0.040	0.030	-0.021	0.036	0.057						
	EASTING	1586694.689	EASTING	1586694.703	EASTING	1586694.706	EASTING	1586694.724	EASTING	1586694.708	EASTING	1586694.653	EASTING	1586694.661	0.014	0.017	0.035	0.019	-0.036	-0.028	0.008						
	ELEV	5254.682	ELEV	5254.743	ELEV	5254.714	ELEV	5254.712	ELEV	5254.705	ELEV	5254.734	ELEV	5254.758	0.061	0.032	0.030	0.023	0.052	0.076	0.024						
POINT 2010	NORTHING	7295830.265	NORTHING	7295830.241	NORTHING	7295830.232	NORTHING	7295830.209	NORTHING	7295830.276	NORTHING	7295830.254	NORTHING	7295830.308	-0.024	-0.033	-0.056	0.011	-0.011	0.043	0.054						
	EASTING	1586674.702	EASTING	1586674.697	EASTING	1586674.690	EASTING	1586674.711	EASTING	1586674.700	EASTING	1586674.683	EASTING	1586674.709	-0.005	-0.013	0.009	-0.002	-0.019	0.007	0.026						
	ELEV	5241.146	ELEV	5241.179	ELEV	5241.117	ELEV	5241.184	ELEV	5241.155	ELEV	5241.165	ELEV	5241.238	0.033	-0.029	0.038	0.009	0.019	0.092	0.073						
POINT 2011	NORTHING	7295854.611	NORTHING		NORTHING		NORTHING		NORTHING		NORTHING		NORTHING		NOT LOCATED FOR CHECK SHOT												
	EASTING	1586639.191	EASTING		EASTING		EASTING		EASTING		EASTING		EASTING														
	ELEV	5240.107	ELEV		ELEV		ELEV		ELEV		ELEV		ELEV														
POINT 2012	NORTHING	7295820.543	NORTHING	7295820.511	NORTHING	7295820.487	NORTHING	7295820.468	NORTHING	7295820.523	NORTHING	7295820.520	NORTHING	7295820.533	-0.032	-0.056	-0.075	-0.020	-0.023	-0.010	0.013						
	EASTING	1586633.953	EASTING	1586633.911	EASTING	1586633.912	EASTING	1586633.890	EASTING	1586633.940	EASTING	1586633.915	EASTING	1586633.897	-0.042	-0.042	-0.063	-0.013	-0.038	-0.056	-0.018						
	ELEV	5222.025	ELEV	5222.110	ELEV	5222.014	ELEV	5222.041	ELEV	5222.019	ELEV	5222.046	ELEV	5222.113	0.085	-0.011	0.016	-0.006	0.021	0.088	0.067						
POINT 2013	NORTHING	7295803.304	NORTHING	7295803.207	NORTHING	7295803.225	NORTHING	7295803.210	NORTHING	7295803.277	NORTHING	7295803.257	NORTHING	7295803.293	-0.097	-0.079	-0.094	-0.027	-0.047	-0.011	0.036						
	EASTING	1586647.529	EASTING	1586647.484	EASTING	1586647.488	EASTING	1586647.529	EASTING	1586647.511	EASTING	1586647.497	EASTING	1586647.479	-0.045	-0.042	0.000	-0.018	-0.032	-0.050	-0.018						
	ELEV	5219.078	ELEV	5219.136	ELEV	5219.153	ELEV	5219.097	ELEV	5219.185	ELEV	5219.161	ELEV	5219.178	0.058	0.075	0.019	0.107	0.083	0.100	0.017						

							DIFFERENCE BETWEEN SURVEYS						
NORTH SLIDE AREA SHOTS FROM OCTOBER 2006	NORTH SLIDE AREA SHOTS FROM JUNE 2008	NORTH SLIDE AREA SHOTS FROM JUNE 2011	NORTH SLIDE AREA SHOTS FROM JUNE 2013	NORTH SLIDE AREA SHOTS FROM APRIL 2015	NORTH SLIDE AREA SHOTS FROM APRIL 2017	NORTH SLIDE AREA SHOTS FROM MAY 2019	2006 TO 2008	2006 TO 2011	2006 TO 2013	2006 TO 2015	2006 TO 2017	2006 TO 2019	2017 TO 2019

The values shown hereon were obtained using Trimble 5700, 5800 or R10 receivers utilizing fixed height (6.562') base and rover tripods. The same base point was occupied for each set of occupations with a single tie to each point in each set. The values were derived using RTK methods with a 3 minute observation at each point.

The published RTK accuracies for our Trimble equipment are: Horizontal = 1 cm + 1 ppm (x baseline length) Vertical = 2 cm + 2 ppm (x baseline length).

Human set-up errors such as centering and plumbing of the tripods may also have contributed to the differences in the coordinates. However, based on the delta values for each of the points, it does not appear that significant movement, if any, has occurred between October of 2006 and April of 2017.

The coordinates are NAD83, SPC, GRID, Utah Central Zone values and the elevations are NAVD88 values based on static GPS control point observations made in 2006 and processed through OPUS.