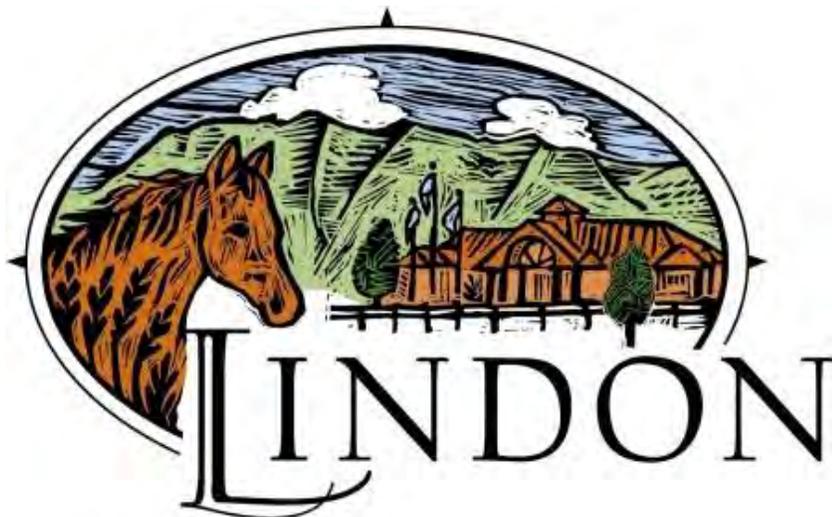
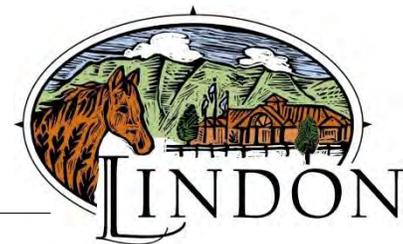


# Lindon City Council Staff Report



Prepared by Lindon City  
Administration

September 16, 2014



# Notice of Meeting of the Lindon City Council

The Lindon City Council will hold a regularly scheduled meeting beginning at **7:00 p.m.** on **Tuesday, September 16, 2014** 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: Carolyn Lundberg

*(Review times are estimates only)*

- 1. Call to Order / Roll Call** *(5 minutes)*
- 2. Presentations and Announcements** *(10 minutes)*
  - a) Comments / Announcements from Mayor and Council members.
- 3. Approval of minutes from September 2, 2014** *(5 minutes)*
- 4. Consent Agenda – No Items**
- 5. Open Session for Public Comment** *(For items not on the agenda)* *(10 minutes)*

## **6. Discussion Item — Speed Limits on 200 South (2000 N., Orem)** *(45 minutes)*

The City Council and City Engineers from Lindon and Orem will discuss the speed limit along 200 South (2000 N., Orem). The roadway is shared along the border of the two cities. Some interest for increasing the speed limit from 25 mph to 35 mph has been expressed. Engineers will discuss options regarding the speed limit change and review outcomes of past speed limit changes which have occurred in other areas. As this is a discussion item only, no motions will be made and no public comment is expected to be taken.

## **7. Public Hearing — Ordinance Amendment, LCC 17.44.140 Accessory Buildings (Ord #2014-16-O)** *(15 minutes)*

Lindon City requests an amendment to Lindon City Code 17.44.140, Accessory Buildings, to allow reduced setbacks for certain accessory structures on corner lots in residential zones by approval of Ordinance #2014-16-O. The Planning Commission recommends approval.

## **8. Review & Action — Disposal of Surplus Equipment** *(10 minutes)*

The Council will review and declare surplus city equipment to be auctioned off to the highest bidder through the website [www.publicsurplus.com](http://www.publicsurplus.com). Items not sold within a specified time period will be disposed of at the discretion of the city administration.

## **9. Review & Action — Charitable and Volunteer Donation Recognition (Res #2014-12-R)** *(10 minutes)*

The Council will review and consider approval of Resolution #2014-12-R outlining various city services that could be gifted by the City Council in recognition of significant volunteer efforts or other donated time and/or items of value which have been provided to the City by private parties.

## **10. Council Reports:** *(20 minutes)*

- A) MAG, COG, UIA, Utah Lake, ULCT, Budget Committee - Jeff Acerson
- B) Public Works, Irrigation/water, City Buildings - Van Broderick
- C) Planning, BD of Adjustments, General Plan, Budget Committee - Matt Bean
- D) Parks & Recreation, Trails, Tree Board, Cemetery - Carolyn Lundberg
- E) Administration, Com Center Board, Lindon Days, Chamber of Commerce - Randi Powell
- F) Public Safety, Court, Animal Control, Historic Commission, Budget Committee - Jacob Hoyt

## **11. Administrator’s Report** *(15 minutes)*

### **Adjourn**

This meeting may be held electronically to allow a council member to participate by video conference or teleconference.

Staff Reports and application materials for the agenda items above are available for review at the Lindon City Offices, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our staff may be contacted directly at (801)785-5043.

City Codes and ordinances are available on the City web site found at [www.lindoncity.org](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.

**Posted By:** Kathy Moosman

**Date:** September 12, 2014

**Time:** ~11:00 a.m.

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

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

Pledge of Allegiance: By Invitation

Invocation: Carolyn Lundberg

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

September 16, 2014 Lindon City Council meeting.

Jeff Acerson

Matt Bean

Van Broderick

Jake Hoyt

Carolyn Lundberg

Randi Powell

*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 from **September 2, 2014.**

(See attached draft minutes)

The Lindon City Council held a regularly scheduled meeting on **Tuesday, September 2, 2014 at 7:00 p.m.** 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: Hugh Van Wagenen, Planning Director  
Invocation: Jake Hoyt, Councilmember

**PRESENT**

**ABSENT**

Jeff Acerson, Mayor  
Randi Powell, Councilmember  
Van Broderick, Councilmember  
Jacob Hoyt, Councilmember  
Carolyn Lundberg, Councilmember  
Adam Cowie, City Administrator  
Hugh Van Wagenen, Planning Director  
Cody Cullimore, Chief of Police  
Kathryn Moosman, City Recorder

Matt Bean, Councilmember

1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.
2. **Presentations/Announcements** –
  - a) **Mayor/Council Comments** – There were no comments at this time.
3. **Approval of Minutes** – The minutes of the regular meeting of the City Council of August 19, 2014 were reviewed.

COUNCILMEMBER HOYT MOVED TO APPROVE THE MINUTES OF THE MEETINGS OF AUGUST 19, 2014 AS WRITTEN. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER POWELL	AYE
COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER HOYT	AYE

THE MOTION CARRIED UNANIMOUSLY.

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

**CURRENT BUSINESS**

2           6. **Review and Action**– *Storm Water Discharge Agreement*. MS Properties, who  
 4           owns an industrial development at approximately 1400 W. 300 S., requires  
 6           approval of an agreement for discharge of on-site storm water without detention  
 8           into Lindon Hollow Creek in conjunction with installing and maintaining  
 10          landscaping in perpetuity along a portion of the Lindon Heritage Trail.

12          Hugh Van Wagenen, Planning Director, gave a brief summary stating the city was  
 14          approached by MS Properties (owned by Martin Snow) to see if discharge of storm water  
 16          without detention was feasible to decrease their site improvement costs. He explained the  
 18          applicants have offered to landscape and maintain an area between their property and a  
 20          portion of the Lindon Heritage Trail as a trade-off for not detaining the storm water. Mr.  
 22          Van Wagenen stated that Mr. Rob Tubman, representative of MS Properties is in  
 24          attendance.

26          Mr. Van Wagenen further explained that as the site is at the end of the drainage  
 28          system, city engineers feel the storm water from this site will move through the drainage  
 30          system quickly before other storm water from a site further east of this location enters the  
 32          system. He noted that staff attorneys and engineers, and also Orem City (who has partial  
 34          ownership rights on the wetland basin) have all reviewed the proposal and have no  
 36          additional concerns because the discharge would go to an existing pipe and then  
 38          discharged to the wetlands area for retention.

40          Mayor Acerson inquired if permission has been granted from the federal  
 42          government to utilize the wetlands for detention. Mr. Van Wagenen confirmed that issue  
 44          was looked into and there are no foreseeable problems. Councilmember Lundberg asked  
 46          Mr. Tubman what is the nature of his business and will there be any outside storage that  
 48          will affect the quality of the water. Mr. Tubman stated that it is a plastic bottling  
 50          business and there will be nothing (outside storage or otherwise) to affect the water which  
 52          is noted in the draft agreement. She also inquired if they anticipate not having a dividing  
 54          fence. Mr. Tubman confirmed they will not need the fence because the grade will be  
 56          even (equal) between the parking lot and the grass area.

58          Mr. Van Wagenen noted this item has been previously reviewed and approved by  
 60          the Planning Commission and this is the final detail for the site itself. Councilmember  
 62          Hoyt inquired why they decided to stay in Lindon and was there any consideration of  
 64          locating to another city. Mr. Tubman stated the current location has a better commercial  
 66          store front on Geneva Road and is currently occupying a better building they will be  
 68          leasing; Martin Snow made the decision to stay in Lindon. At this time, Councilmember  
 70          Hoyt conveyed his appreciation for Martin Snow and what he brings to the community.  
 72          Mr. Van Wagenen then referenced the agreement with exhibits and details of the  
 74          agreement. He also referenced the map depicting the area in question. Following  
 76          discussion Mayor Acerson called for a motion.

78                   COUNCILMEMBER POWELL MOVED TO APPROVE THE  
 80                   DEVELOPMENT AGREEMENT BETWEEN MS PROPERTIES AND LINDON CITY  
 82                   WITH NO CONDITIONS. COUNCILMEMBER LUNDBERG SECONDED THE  
 84                   MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

86                   COUNCILMEMBER POWELL                    AYE  
 88                   COUNCILMEMBER BRODERICK                AYE

COUNCILMEMBER HOYT AYE  
2 COUNCILMEMBER LUNDBERG AYE  
THE MOTION CARRIED UNANIMOUSLY.

4  
7. **Review and Action** – *Police Department Vehicle Lease (Resolution #2014-9-R).*

6 Chief Cody Cullimore requests City Council approval of Resolution #2014-9-R  
8 allowing the Mayor and Staff to execute a future lease agreement for replacement  
10 of 13 existing leased police vehicles, Zions Bank requires a resolution prior to  
12 preparing final lease documents. Annual estimated cost of the lease for all 13  
vehicles is \$89,440.13 per year. Funds for the leased vehicles were included and  
approved as part of the 2014-15 budget.

14 Chief Cullimore addressed the Council at this time explaining the Police  
Department has leased vehicles since its creation in 2007 so that the city did not have  
16 such a large up-front capital expense in out-right purchases of vehicles. He noted leasing  
of vehicles also has kept new, high quality vehicles available for Police officers with very  
18 little vehicle down-time for repairs. Chief Cullimore further explained that all vehicles  
stay under warranty so maintenance costs are nearly eliminated. He noted the funds for  
20 the leased vehicle expenses for this fiscal year have been budgeted. He mentioned due to  
the recent accounting changes, the full value of the leased vehicles is required to be  
22 accounted for in our financial statements, but only the cost of this year’s lease will be  
spent.

24 Mr. Cowie stated staff recommends approval of the resolution, which will allow  
the final lease documents to be prepared and signed by Mayor Acerson. Councilmember  
Hoyt inquired if a 3 year lease has ever been considered. Chief Cullimore replied that  
26 these leases can extend to 3 or 4 years with the same lease and go up an average of  
\$7,000-\$8,000 for the third year and another \$4,000 - \$5,000 for the fourth year. He  
28 noted it is actually about \$5,000 cheaper to have brand new vehicles than to keep them  
for that third year and it doesn’t seem to be worth it and to not have brand new vehicles.  
30 Councilmember Hoyt also asked for an explanation on the methodology of using all 4-  
wheel drive vehicles. Chief Cullimore stated that we are a small city with less area to  
32 cover and 4 wheel drive vehicles are more effective because of how the city is built and  
the terrain of the city (foothills, snow etc.).

34 Councilmember Broderick inquired about maintenance (oil changes, windshields,  
etc.) on the vehicles. Chief Cullimore stated that the city pays for the maintenance on the  
36 vehicles which is minimal. He noted they are anticipating going completely with F150  
trucks rather than the Explorers because the Explorers are wearing out tires faster than the  
38 trucks, and the trucks are all wheel drive, and getting better gas mileage. The noted the  
lease is exactly the same for the trucks and the explorers; which is a better alternative.

40 Councilmember Powell mentioned that Ford Leasing only works with small  
municipalities for this type of police program, for instance Orem City would not qualify,  
42 and this is very cost effective. Chief Cullimore explained that is because Ford likes to be  
able to turn around and sell the vehicles quickly. There was then some additional general  
44 discussion regarding this issue.

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

COUNCILMEMBER BRODERICK MOVED TO APPROVE RESOLUTION # 2014-9-R ALLOWING MAYOR ACERSON TO EXECUTE THE FINAL LEASE AGREEMENT FOR 13 POLICE VEHICLES WITH NO CONDITIONS.

COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

- COUNCILMEMBER POWELL AYE
- COUNCILMEMBER BRODERICK AYE
- COUNCILMEMBER HOYT AYE
- COUNCILMEMBER LUNDBERG AYE

THE MOTION CARRIED UNANIMOUSLY.

8. **Review and Action:** *Employee Reclassification in Police Dept. (Resolution #2014-10-R).* Chief Cody Cullimore request City Council approval to reclassify the Police Department Records Clerk positions. The changes will entail converting the two current ¾ time positions (30 hrs. /week) into one full-time position (40 hrs. /week) and one part time position (20 hrs. /week). A recent vacancy in one of the positions will enable an easy transition. The change is estimated to save \$16,282 to \$18,341 annually.

Chief Cullimore led this discussion by stating staff is requesting approval of the change in staffing to reclassify the Police Department Records Clerk positions. He then referenced a memo from Finance Director, Kristen Colson. He explained that these changes will include converting the two current ¾ time positions (30 hrs. /week) into one full-time position (40 hrs. /week) and one part time position (20 hrs. /week). Chief Cullimore noted that a recent vacancy (Mindi Zobell) in one of the positions will enable an easy transition. He is recommending Julie Sutch be moved into the full time position. He noted that Ms. Sutch also works as the Police Department Victims Advocate and is a very valued employee because of her knowledge and experience. He explained this change is estimated to save \$16,282 to \$18,341 annually and will keep the same number of work hours in the office and increase productivity. There was then some general discussion by the Council regarding this request.

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

COUNCILMEMBER HOYT MOVED TO APPROVE RESOLUTION #2014-10-R AMENDING THE STAFFING PLAN IN THE POLICE DEPARTMENT AS PRESENTED. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

- COUNCILMEMBER POWELL AYE
- COUNCILMEMBER BRODERICK AYE
- COUNCILMEMBER HOYT AYE
- COUNCILMEMBER LUNDBERG AYE

THE MOTION CARRIED UNANIMOUSLY.

9. **Discussion Item:** *Future Fire Station/Public Safety Building.* The City Council and Staff will have a discussion on issues related to building a new fire

2 station/public safety building and will review options for development, funding  
time lines for construction and public involvement. The City anticipates needing  
4 a new building completed by July 1, 2018. As this is a discussion item only no  
motions will be made and no public comment will be taken.

6 Mr. Cowie and Chief Cullimore opened the discussion by explaining they will be  
discussing various items tonight with the Council regarding Lindon's future fire station /  
8 public safety building. Mr. Cowie noted that he and Chief Cullimore had the opportunity  
to meet with Scott Darrington, Pleasant Grove City Administrator to have discussion  
10 about their public safety building and what they would do differently and what has gone  
right. Mr. Darrington made two suggestions 1. More public involvement early in the  
12 process and 2. Try to avoid the issue during an election year for council members (which  
became THE issue). Mr. Darrington also thought the steps Lindon is taking right now are  
14 ahead of where they started on their first go around.

16 Mr. Cowie noted that Lindon City's current fire department facilities are  
temporary facilities contemplated for use only until a permanent fire station was able to  
be constructed. He explained that Lindon's contract for fire and EMS services provided  
18 by the City of Orem required that a new fire station facility be ready for operation by July  
1, 2013. He noted that due to the financial constraints on the City during the recession, a  
20 time extension was granted by the City of Orem for an additional 5-year period so the  
facility would not need to be finished until July 1, 2018.

22 Mr. Cowie stated that the Police Department facilities within the current City  
Center are inadequate for long-term use with evidence storage space, office facilities, and  
24 safety deficiencies that need to be addressed. Therefore, a combined Fire/Police Public  
Safety Building has been contemplated. He explained the City has explored a standalone  
26 fire station in addition to a significant remodel of the existing City Center in order to  
accommodate Police Department needs and also resolve other needs at the City Center  
28 building. He further explained the City realizes that the current facilities for both fire and  
police are inadequate long-term solutions that will need to be upgraded to accommodate  
30 current and future growth in the City. He went on to say that in the summer of 2013 the  
City hired JRCA Architects to prepare a Public Safety Facilities Master Plan and assess  
32 the space needs of Lindon's fire and police departments with one opportunity to ask the  
public for funds.

34 Mr. Cowie explained that various building locations and options for development  
of public safety facilities were evaluated and presented to the City Council in October  
36 2013. JRCA did this study which has provided a basis for estimated costs of various  
options for future public safety facilities needed by the City. He noted no final building  
38 or development decisions have been made. Mr. Cowie stated a draft timeline for  
construction and potential capital expenditure for the two most cost-efficient options  
40 revealed by the Public Safety Facilities Master Plan study is included in the staff report.  
He pointed out that many decisions are yet to be made on this issue. Mr. Cowie stated  
42 that staff would like feedback regarding options for development, funding, time lines for  
construction, and level of public involvement desired by the Mayor and Council as this  
44 process moves forward. He noted that no motions or final decisions will be made tonight  
as this is a discussion item only and no public comment will be taken unless permitted by  
46 the Mayor and Council.

2 Mr. Cowie stated that multiple properties have been looked at with a committee  
 4 that was formed to review all the criteria. Mr. Cowie then presented photos of the  
 6 proposed sites. He explained the costs are estimated at around 7 million for a combined  
 8 facility and approximately 6.7 million if separate (see below). He noted that property  
 10 acquisitions will also have to be looked at. Mr. Cowie stated there is condemnation laws  
 12 available if the Council chooses to use it. He noted that properties closer to the city center  
 14 are preferential as to have a campus feel. Councilmember Broderick asked what the  
 16 future projections are to meet the city's needs. Chief Cullimore stated this will last until  
 build out and beyond (50 year usage). Councilmember Broderick also asked when  
 looking into the cost for the buildings has the ongoing operating costs been looked at  
 also. Mr. Cowie stated he will check into that issue. Councilmember Broderick also  
 pointed out that the date has been moved once and he would like to know if there is a  
 possibility of extending the date again as to have more time to prioritize and budget  
 during that time to save money for the project. Councilmember Lundberg stated that we  
 have this commitment to Orem City but what is the feeling, if we were doing a 2 phase  
 plan between fire and police, which one has the highest priority to serve our citizens.

18 Chief Cullimore mentioned the proposed Ivory Development plays a big role as it  
 20 will add 4,000-5,000 people to the community that impacts the Police Department  
 22 immediately. Mayor Acerson asked if there would ever be the possibility of unified  
 fire/police. Chief Cullimore stated that is typically part of a special service district and  
 there has not been any discussion in Utah County and he does see that happening. He  
 feels this has a lot to do with control and the Mayor's and Council's wanting to be in  
 charge of their own cities.

24 Mr. Cowie also mentioned the other option being a remodel of the community  
 26 center and the costs involved (approx. 5 million). He noted this may be comparable in  
 28 costs but the community center (or recreation facility) would also have to be replaced.  
 Mr. Cowie also mentioned the PARC tax would generate approximately 400,000 a year,  
 which would have to be re-approved in 10 years, and is based on sales tax so there is  
 volatility. Mr. Cowie feels this option involves more risk and more money and would  
 make him nervous that we are overbuilding and depending on a volatile source and  
 spread very thin. Councilmember Powell commented that the reason she will continue to  
 push consideration of this as an additional option is so the citizenry knows that we are  
 very broad based and looking at all assets and using them in the best way possible,  
 including the possible viable option of demolition and rebuilding at that location.

36 Councilmember Hoyt brought up Councilmember Lundberg's point of priority  
 38 assessment; he also inquired about needs assessment and what is needed more, a police  
 department retrofit or a fire department. Chief Cullimore stated that the facts are that they  
 40 have outgrown their current facility, but on the other hand the current fire department  
 facility was inadequate the day they moved in which is not a good situation. Mr. Cowie  
 made mention, (no formal approval needed at this time), of a public safety impact fee  
 study completed in 2009 that was based on building the fire/police station which may be  
 42 something to benefit from (particularly with the proposed Ivory Development) if the city  
 were able to collect around \$1,500 - \$2,000 on each home. He noted this is a very  
 44 detailed study based on the level of cash outlay with each service call. Mr. Cowie  
 inquired if the Council would be in agreement in bringing this public safety impact fee  
 46 study back for consideration. The Council was in agreement to start exploring these

options and to consider looking at a public safety utility fee also that would end when the bond was paid off. There was then some additional lengthy discussion regarding the options, funding (including RDA funds and bonding) and timelines, and as listed below.

**Public Safety Building**

**Most preferred options w/estimated cost:**

A. Combined Fire/Police Public Safety Building *Total: \$7,002,000*

B. Separate Fire/Police buildings

a. Standalone Fire Station \$4,250,000

b. Remodel - Expand Police Dept. / City Center \$2,547,000

*Total: \$6,797,000*

**Available Funding:**

- \$360,000. Reserve retired Hogan bond (Flow Rider) amounts for (FY2016, FY2017) future Public Safety Building. (Approx. \$180,000/yr.)
- \$1.5 Million. State Street RDA (restricted funds for non-building costs) (FY2017)
- **Estimated 20-yr bond:** amount needed to cover remaining costs = \$5.5 Million. (approx. \$390,000 / year)
- **Possible funding sources:** property taxes, sales taxes, Public Safety Impact Fee, other fees/taxes.

**Draft Timeline:**

Public involvement: inform/gather feedback 6 Months (Winter 2015 to Spring 2016)

Architect Selection 1½ Months (May 2016)

Additional Public involvement 1 Month (July 2016)

- Inform / educate on final decisions

Design & Securing of Finances (bond) 5 Months (August 2016)

Possible Property Acquisition / Council action 4 Months (January 2017)

Contractor Selection & Bid Award 1½ Months (April 2017)

Construction 10 Months (June 2017)

Contingency & Move-in 2 Months (May 2018)

**Total Estimated Development Schedule: 31 Months (July 2018)**

Following discussion Mr. Cowie referenced the main direction points from the Council to move forward as follows:

- Put information on the website and send it out with the utility bill, flyers, open houses, facebook, twitter, group email, etc. to communicate to the residents that due diligence is being done by the Council to come to a good decision
- Bring the issue back to the Council every month as an agenda item
- Work with Orem City about a general obligation bond ballot question and if it is on a bond ballot question can it be done at the same time in two phases

- Look at ongoing operation costs and consider the PARC Tax and an option of Demolition of the Community Center
- Prepare an action plan
- Look at policy to siphon surplus property if necessary
- List reasons why the current facilities are inadequate for fire and police
- Set up a tour of the fire and police station

Mr. Cowie concluded by stating the bottom line is that we will eventually be to the point of needing a new facility whether we have a contract or not. Mayor Acerson called for any further comments or questions from the Council. Hearing none he moved on to the next agenda item.

**10. Public Hearing:** *Ordinance Change, LCC 8.32 Cemeteries & Burials.* (Ordinance #2014-15-O). The Council will review and consider approval of Ordinance #2014-15-O, outlining city initiated changed to LCC 8.32 Cemeteries and Burials, amending the ordinance to accommodate smaller cemetery lots for infants and urns and amending various other provisions to conform to current practices and State code.

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

Mr. Cowie opened the discussion by stating this is a city initiated item directed from the City Council. He noted staff has prepared changes to the City's cemetery ordinance to accommodate smaller cemetery lots for burials of infant and urns and amending other sections as needed. He noted the fee schedule updates for the updated ordinance is presented in the next agenda item at this meeting. He then referenced the amended ordinance for details. Mr. Cowie noted there was a legislative bill this year requiring all city cemetery operations to maintain specific records and record all cemetery plots at the county every 6 months. He stated that the language added to the ordinance was right out of state statute. He mentioned the infant and urn half plot was talked about and the Public Works Director feels this can be worked out to where they can be buried anywhere rather than a designated area.

Councilmember Powell questioned some of the language in the amended code, page 41 line 187 regarding damaged markers. Mr. Cowie stated that he would rather say the city will not be responsible, unless it is the city's fault and it will be rectified; if there is damage the person may file a claim rather than include it in the ordinance language; he would be hesitant to do that. She also referenced on page 41, line 219, regarding grave markers (30 days) she feels like this time frame should be extended. Mr. Cowie stated the city is obligated to mark the grave, but the city has been flexible on that requirement depending on circumstances. Following discussion it was agreed to extend the time frame to 90 days. She also referenced page 43, line 303, regarding burial rights. Mr. Cowie stated this section is for legal protection and obligations only. She also referenced page 43, line 312, regarding care of lots. Mr. Cowie noted this language is stating that the city is in charge and responsible for the water and has the right to make the decision

of watering the cemetery property. There was then some additional discussion by the Council regarding this ordinance change.

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

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

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

COUNCILMEMBER LUNDBERG MOVED TO APPROVE THE CHANGES TO LCC 8.32 CEMETERIES AND BURIALS, AND RECOMMEND APPROVAL OF ORDINANCE #2014-15-O, WITH THE FOLLOWING CONDITION: THAT LINE ITEM 222 BE AMENDED TO EXTEND THE TIME FRAME OF PLACEMENT OF GRAVE MARKERS BE CHANGED FROM 30 TO 90 DAYS FOLLOWING INTERMENT. COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER POWELL	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER HOYT	AYE
COUNCILMEMBER LUNDBERG	AYE

THE MOTION CARRIED UNANIMOUSLY.

- 11. **Public Hearing:** *Fee Schedule Amendment (Resolution #2014-11-R).* The Council will review and consider approval of Resolution #2014-11-R, outlining city initiated changes to the 2014-2015 Lindon City Fee Schedule, specifically amending fees for cemetery services.

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

Mr. Cowie explained this is a city initiated item per direction from the City Council. He noted that staff has prepared changes to the City’s Fee Schedule to update fees associated with the changes in the cemetery ordinance based on the ordinance amendment that was just approved. He noted these changes will more reasonably accommodate cemetery patrons. He then referenced the fee schedule changes (included in staff report). Councilmember Powell asked why the option to waive the interment fee for children is being removed. Mr. Cowie stated the reason is more for opening and closing issues. Mr. Cowie noted that he would rather the waiver decision be that of the City Council rather than administrative. He also noted the city has already tried to accommodate this by the reduced lot size and burial fees and questioned how far to take the waiver of fees and how to accommodate some and not others. Councilmember

Powell commented that she feels the determination would be the financial need. Mr. Cowie questioned how the criteria would be determined.

Councilmember Powell suggested possibly changing the requirement to pay before burial in order to give staff the time to make the recommendation (seeing a need) to bring it to the Council. Councilmember Broderick stated that he would like to see the fee waived for infants (18"- 36" casket). Mr. Cowie stated if this waiver is adopted the ordinance would need to be changed. Councilmember Powell agreed this waiver is something to consider as this thoughtfulness is a kind gesture in a grieving moment and to help ease the burden. Mayor Acerson inquired if the waiver would be for residents only or for non-residents as well. Mr. Cowie pointed out that the current fees do not begin to cover the city's costs as is, so this would be entirely subsidized. Councilmember Powell stated that infant burials do not happen often and she feels this would be a goodwill gesture on the part of the city. Councilmember Lundberg mentioned that this will be happening more often now that the city is offering half size lots and noted that people do shop for the cheapest rates. Mayor Acerson commented that he feels comfortable offering the waiver to residents and then see how it goes. Councilmember Hoyt and Councilmember Broderick and Councilmember Powell agreed with the Mayor's comment to waive the fee for residents.

Councilmember Lundberg voiced her opinion that this is an emotional issue but on the other hand the Council has had many discussions on the financial situation and possible cuts, so she questioned if a full waiver is needed; would it not be prudent to recover some of the staff costs associated with the burial. She further questioned if a partial waiver wouldn't be just as heartfelt and would also show a good gesture on the part of the city. She noted that she will agree with what the Council decides to do. Councilmember Hoyt suggested moving forward and have Mr. Cowie report back to the Council around budget time. Councilmember Lundberg commented that she has had many discussions with Don Peterson, City Sexton, how cemetery operations work and noted they do get "shopping calls" from people looking to find the cheapest rates and there is not always a sentimental attachment to Lindon. Councilmember Hoyt inquired if this item should be continued as to have time to invite Don Peterson to attend and address the issue. Councilmember Lundberg stated she would like to get feedback from Mr. Peterson regarding percentages and to obtain more information and feels we need to be careful because of future expectations. Mr. Cowie stated that infant burials are a small percentage of the yearly burials. Mayor Acerson suggested implementing waiving the fee for residents only initially and revisit it in a year and to get more feedback from Don Peterson to obtain his opinions on the issue. Following additional discussion the Council was in agreement to waive the infant fee for residents only and revisit in it a year.

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

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

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

COUNCILMEMBER POWELL MOVED TO APPROVE RESOLUTION #2014-11-R, UPDATING THE CEMETERY FEES AS NECESSARY TO ACCOMMODATE NEW ORDINANCE PROVISIONS WITHIN LCC 8.32 WITH THE FOLLOWING CONDITIONS: 1. REGARDING THE TRANSFER OF BURIAL RIGHTS TO ALSO STATE “THE ADMINISTRATIVE FEE TO SELL BURIAL RIGHTS BACK TO THE CITY INCLUDING TRANSFERS OR RE-ISSUES” AND 2. AS A MATTER OF CONDOLENCE THE CITY WILL WAIVE THE RESIDENT INFANT BURIAL FEE OF \$100. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

- 10 COUNCILMEMBER POWELL AYE
- COUNCILMEMBER BRODERICK AYE
- 12 COUNCILMEMBER HOYT AYE
- COUNCILMEMBER LUNDBERG AYE
- 14 THE MOTION CARRIED UNANIMOUSLY.

16 12. **COUNCIL REPORTS:**

18 **Councilmember Powell** – Councilmember Powell reported that she attend the wrap-up meeting for Lindon Days which was a good meeting and the committee is already looking forward to next year and they will be making some good changes. She also reported she will be attending the Community Center Advisory Board meeting on September 3<sup>rd</sup>. Councilmember Powell reported the Economic Development Corporation of Utah (EDCU) meeting was held this past Wednesday and she spoke with Ralph Yarrow which was very informative.

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

28 **Chief Cullimore** – Chief Cullimore mentioned that a date is needed for the “Drill Down for Safety” training. Following discussion the Council was in agreement to hold the training on September 10<sup>th</sup> at 1:30 pm. Chief Cullimore reported there was an attempted robbery at 7-Eleven on Saturday night. He also reported there was an accident last night on 700 north and Geneva road involving 6 people with several being ejected. Apparently an elderly couple ran the light and t-boned the vehicle with a family of six.

34 **Councilmember Hoyt** – Councilmember Hoyt reported that he had the opportunity to have a conversation with Dianna Anderson concerning the possibility of Lindon rejoining the Pleasant Grove Chamber of Commerce. If the city chooses to re-join it would be renamed the Lindon /Pleasant Grove Chamber of Commerce. He would like to set up a meeting this Thursday with Pleasant Grove to discuss coming back to chamber. Councilmember Hoyt stated that he is in favor of re-joining the Chamber. The Council was in favor of a meeting. Councilmember Hoyt also reported that he attended the NUVAS meeting and noted there are a lot of great pets for adoption.

44 **Councilmember Broderick** – Councilmember Broderick reported that he negotiated with the Dain’s regarding finishing the plans on the cemetery building for a night at the pool including use of the flow rider. Mr. Cowie said this will have to be brought to the

council as a resolution for approval. Councilmember Broderick mentioned the list of items the Council can review and approve. Mr. Cowie stated he will bring the list back to the Council.

**Councilmember Lundberg** – Councilmember Lundberg reported she attended a Tree Board meeting and the Arbor Day Celebration will be held on Saturday, September 20<sup>th</sup>. She and Mayor Acerson will speak. There will also be a “Run for the Trees” and a “Fun Run”. They will also be planting 4 new trees at the Aquatics Center for shade purposes. Councilmember Lundberg mentioned she made a call to her city block captain who had moved away and no one at the city had any contact information or access to a list of block captains. Chief Cullimore stated that it is virtually impossible to keep track of the block captains through a list. Councilmember Lundberg commented on the option of looking at the Pleasant Grove Chamber of Commerce that Councilmember Hoyt brought up. She noted she had a conversation with a Pleasant Grove Councilmember too and they had a discussion about reestablishing the relationship. They also spoke about the things that are happening on 700 north etc. to help reach out and build a bridge of comradery. Councilmember Lundberg also suggested a work session between the two councils to discuss economic development would be beneficial.

**Mayor Acerson** – Mayor Acerson reported that Utah Lake is low (3.5 ft. deep) and well below the compromise level. He noted that Search and Rescue crews are concerned because they don’t have deep enough water to run the boats and the county is purchasing a hovercraft for that reason. They are also creating beaches down there and they may be allocating some funds in Provo for a beach like setting. He noted there are a lot of good things happening there. Mayor Acerson also reported that he attended a meeting with the Utah County Realtors Association. He mentioned there is a write in candidate for the County Commissioner seat (Bill Frees) and he will be meeting with Mayor Eyre.

**Administrator’s Report:**

Mr. Cowie reported on the following items:

**Misc. Updates:**

- August City newsletter
- Project Tracking List
- Legislative report from State elected representatives (October 21<sup>st</sup> Council meeting work session at 6:00 pm)
- Locust Ave – road reconstruction options / estimates:
- Center lanes reconstructed with full slurry seal overlay – \$154,301
- Total reconstruction replacing current asphalt (no widening) – \$204,074
- Total reconstruction with widening of shoulders – (pending)
- Emergency Drill training w/Provo City Emergency Manager:
- Misc. Items

**Upcoming Meetings & Events:**

- Newsletter Assignment: Councilmember Powell - September newsletter article.  
*Due by last week in August.*

- September 5<sup>th</sup> at Dusk – Movies in the Park. Citizenship Park (500 N 800 E)
- September 10<sup>th</sup> – 12<sup>th</sup> – Utah League of Cities & Towns fall conference in SLC
- September 9<sup>th</sup> – Bike tour of Boulder, CO: Mayor Acerson and Councilmember Lundberg will attend
- September 15<sup>th</sup> - “Drill Down for Safety”, 6:00 pm Monday evening Community Emergency Preparedness exercise. All Council members should report to block captains, then come to City Center.
- September 23<sup>rd</sup> , 1:00 pm to 3:00 pm – Utah Co. Health Department, Vaccination Clinic at Lindon City Offices (available to all public)
- October 7<sup>th</sup> – 6:00 work session. Annual Department reviews with the Police Department and Community Development.
- October 14<sup>th</sup> at Noon – Engineering Coordination at Public Works. Mayor Acerson, Councilmember Broderick will attend.
- November 18<sup>th</sup> – 6:00 work session. Annual Department reviews with Public Works and Parks Departments.

**Future items:**

- Employee Policy Manual updates
- Performance evaluations, compensation, and benefit studies
- Impact Fee and Utilities rate studies
- Economic Development plan/policies

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 11:15 PM COUNCILMEMBER POWELL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – September 16, 2014

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

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

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

- No Items.

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

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## 6. Discussion Item — Speed Limits on 200 South (2000 N., Orem)

(45 minutes)

The City Council and City Engineers from Lindon and Orem will discuss the speed limit along 200 South (2000 N., Orem). The roadway is shared along the border of the two cities. Some interest for increasing the speed limit from 25 mph to 35 mph has been expressed. Engineers will discuss options regarding the speed limit change and review outcomes of past speed limit changes which have occurred in other areas. As this is a discussion item only, no motions will be made and no public comment is expected to be taken.

The City Council has expressed interest in exploring an increase to the speed limit along 200 South (2000 North, Orem). The current speeds and Orem’s master plan designation appear to warrant the speed limit increase to 35mph from the current 25mph. This would not change the reduced speed zones near the Jr High or Elementary schools. City Engineers from Lindon and Orem will be available to discuss the issue with the Council. I’ve attached some email comments between our staff and the city engineers to give some background on this issue. Speed study results from Orem that document changes in speeds relative to roadways where speed limits were increased are also attached.

**Sample Motion:** No motion is required as this is a discussion item only. Staff is seeking direction from the Council on how they would like to proceed with this issue.

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### *Excerpts from Email from Paul Goodrich, Orem Transportation Engineer:*

You had some questions - my answers follow in "green".

Is Orem looking to increase the speed to 30 or 35 mph?

We think the speed limit needs to be raised to either 30 or 35 mph. Our 2000 North is classified as an Urban Collector street. Our Street Classification Guidelines indicate that Urban Collectors should be posted somewhere in the range between 25 to 35 mph. If I remember correctly the 85th percentile speed on 2000 North supports setting the speed limit at 35 mph; however, we can consider 30 mph if there are design reasons for doing that. In other words, more than 85% of the traffic is driving the street near 35 mph. We will get some speed data and share with you.

Will the increase stretch all the way to the freeway or just to State Street?

We can consider also raising the speed limit west of State Street if there is support for that section.

Are there any streets in Orem that are 35 mph with residences on both sides? Lindon doesn't have any.

1600 North and 800 East have long sections where there are residences only on each side of the street and they are posted for 35 mph. Years ago those streets were posted at 25 mph. Before/after speed studies show that there was very little change in speeds on these streets.

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### *Excerpts from Email from Mark Christensen, JUB Engineers (Lindon City Engineer):*

Orem has measured the 85<sup>th</sup> percentile speed on Orem 2000 N/Lindon 200 S. According to the MUTCD, “[w]hen a speed limit within a speed zone is posted, it should be within 5 mph of the 85<sup>th</sup> percentile speed of free-flowing traffic”. Note that this is found under the heading of “Guidance” in the MUTCD, which means that it is a “statement of recommended, but not mandatory, practice in typical situations, with deviations allowed if engineering judgment or engineering study indicates the deviation to be appropriate.”

Unless there are some extenuating circumstances, this would mean that the speeds should be at either 35 or 40 mph. I’m sure that 35 would be more prudent.

Related to public input, the real question before the Council is whether or not to create a speed zone (an area with anything other than the statutory 25 mph speed limit) – this is a legislative function for which they may or

may not want public input.

If they do want to create a speed zone, in the absence of any further engineering information, they would only be in compliance with the MUTCD if it is set at 35 or 40 mph, not 30 mph.

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See City of Orem Speed Study Results on next page.

# OREM - Speed Study Results

## 1200 West, 1600 North, 800 East, and 400 North

1200 West, 1600 North to 800 South			
Study Date	Posted Speed Limit (mph)	Average 50 <sup>th</sup> Percentile Speed (mph)	Average 85 <sup>th</sup> Percentile Speed (mph)
June 2003	25	33.0	39.3
October 2003	35	33.7 (+0.7)	39.7 (+0.4)
April 2004	35	33.8 (+0.8)	39.8 (+0.5)
June 2004	35	34.6 (+1.6)	40.7 (+1.4)

1600 North, Geneva Road to 800 East			
Study Date	Posted Speed Limit (mph)	Average 50 <sup>th</sup> Percentile Speed (mph)	Average 85 <sup>th</sup> Percentile Speed (mph)
June 2003	25, 30, and 40	32.9	39.7
October 2003	35	34.4 (+1.5)	41.4 (+1.7)
April 2004	35	33.7 (+0.8)	41.0 (+1.3)
June 2004	35	32.4 (-0.5)	40.5 (+0.8)

800 East, 1600 North to 800 South			
Study Date	Posted Speed Limit (mph)	Average 50 <sup>th</sup> Percentile Speed (mph)	Average 85 <sup>th</sup> Percentile Speed (mph)
June 2003	25	33.2	38.6
October 2003	35	33.5 (+0.3)	39.5 (+0.9)
April 2004	35	33.6 (+0.4)	39.6 (+1.0)
June 2004	35	35.2 (+2.0)	40.7 (+2.1)

400 North, Geneva Road to State Street			
Study Date	Posted Speed Limit (mph)	Average 50 <sup>th</sup> Percentile Speed (mph)	Average 85 <sup>th</sup> Percentile Speed (mph)
June 2003	30	35.3	41.4
October 2003	35	35.0 (-0.3)	41.2 (-0.2)
April 2004	35	35.6 (+0.3)	41.7 (+0.3)
June 2004	35	35.0 (-0.3)	41.4 (0.0)

**7. Public Hearing — Ordinance Amendment, LCC 17.44.140 Accessory Buildings**  
**(Ord #2014-16-O)** *(15 minutes)*

Lindon City requests an amendment to Lindon City Code 17.44.140, Accessory Buildings, to allow reduced setbacks for certain accessory structures on corner lots in residential zones by approval of Ordinance #2014-16-O. The Planning Commission recommends approval.

Planning Director, Hugh Van Wagenen, will review proposed changes to this ordinance with the Council. Please see attached Ordinance draft.

**Sample Motion:** I move to (approve, continue, deny) approve Ordinance #2014-16-O modifying LCC 17.44.140 Accessory Buildings, with the following conditions:

## **Public Hearing — Ordinance Amendment, LCC 17.44.140 Accessory Buildings**

**Presenting Staff:** *Jordan Cullimore*

### **SUMMARY**

Lindon City requests an amendment to Lindon City Code 17.44.140, Accessory Buildings, to allow reduced setbacks for certain accessory structures on corner lots in residential zones.

### **MOTION**

I move to (*approve, deny, continue*) the proposed ordinance amendment to 17.44.140 Accessory Buildings (*as presented, with changes*).

### **ATTACHMENTS**

1. Proposed amendment

ORDINANCE NO. 2014-18-O

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AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING SECTION 17.44.140 OF THE LINDON CITY CODE TO ALLOW EXCEPTIONS TO SETBACK REQUIREMENTS FOR CERTAIN ACCESSORY BUILDINGS ON CORNER LOTS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the vision of the Lindon City General Plan (the "General Plan") is to provide a city identity with a clean and attractive physical setting; and

WHEREAS, an objective of the General Plan is to ensure that new development reflects quality site design standards consistent with its particular use and location; and

WHEREAS, the Lindon City Council (the "Council") recognizes the value of establishing procedures by which the City may authorize desirable residential development consistent with the spirit and intent of the General Plan and the zoning ordinance without requiring numerous and difficult variance applications; and

WHEREAS, the Lindon City Planning Commission has recommended an amendment to section 17.44.140 of the Lindon City Code; and

WHEREAS, a public hearing was held on September 9, 2014, to receive public input and comment regarding the proposed amendment pertaining to accessory building setbacks on residential corner lots; and

WHEREAS, no adverse comments were received during the hearing; and

WHEREAS, the Council held a public hearing on September 16, 2014 to consider the recommendation.

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

**SECTION I:** LCC 17.44.140 of the Lindon City Code is hereby amended to read as follows:

Section 17.44.140 Accessory Buildings

1. Accessory Building within the Buildable Area. Accessory buildings meeting all setback requirements (within the buildable area) for the main dwelling are permitted when in compliance with the following requirements:
  - a. Have a building height not taller than thirty-five (35) feet. Height to be calculated as per §17.44.100.
  - b. Comply with all lot coverage requirements.
2. Accessory Building Outside the Buildable Area. Accessory buildings that do not meet the setback requirements (outside the buildable area) for the main dwelling shall comply with lot coverage requirements and meet the conditions following:
  - a. Be set back a minimum of 30 feet from the front property line and five (5) feet from any other property line.
  - b. Be set back a minimum of ten (10) feet from property line when located between the main dwelling and the side property line.
  - c. Not be located within a recorded public utility easement, unless a release can be secured from all public utilities.

- d. Have an average building height of no more than twenty (20) feet in height measured at the four corners of the structure from finished grade to the highest point of the roof structure.
- e. Comply with distance between buildings requirements.

3. Setback Exception for Accessory Buildings on Corner Lots.

- a. An accessory building, pursuant to a validly issued Setback Exception Permit, may be situated within fifteen (15) feet of a front lot line when the accessory building complies with the following dimensional and situational requirements:
  - i. The building does not exceed two hundred (200) square feet in area;
  - ii. The building does not exceed twelve (12) feet in height; and
  - iii. The building is situated behind the primary dwelling in the area that would customarily be considered the back yard of the dwelling.
- b. The Planning Director and City Engineer may approve the location of an accessory building that meets the requirements in subsection 3a. above upon reviewing a Setback Exception Permit application and determining that:
  - i. The appearance and height of the accessory building will not cause aesthetic detriment to neighboring property owners; and
  - ii. The proposed height and setback will not cause a public or traffic safety hazard.
- c. If the Planning Director and City Engineer determine that the proposed height and/or the proposed setback does not satisfy the criteria listed in 3b. above, they may deny the Setback Exception Permit application or approve the permit with a modified height and/or modified setback that sufficiently mitigates any detrimental impacts.

~~3.4.~~ Accessory buildings larger than two hundred (200) square feet shall be required to obtain a building permit.

4.5. Construction of an accessory building may precede the construction of the primary residence.

(Ord 2009-3, amended 02/03/2009, Ord 2008-4, amended 2/19/2008, Ord. 2003-15, Amend, 11/18/03; Ord. 2000-11, 2000; Ord. 111 §1(part), 1985: prior code §12-111-13)

**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.

102 PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this  
103 \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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109 Jeff Acerson, Mayor

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112 ATTEST:

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116 Kathryn A. Moosman,  
117 Lindon City Recorder

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119 SEAL

**8. Review & Action — Disposal of Surplus Equipment***(10 minutes)*

The Council will review and declare surplus city equipment to be auctioned off to the highest bidder through the website [www.publicsurplus.com](http://www.publicsurplus.com) . Items not sold within a specified time period will be disposed of at the discretion of the city administration.

Surplus items from the Parks & Recreation Department are presented in the attached memo. Staff requests approval from the Council to declare these items as surplus materials and equipment to be sold by the City. Items will be listed on the publicsurplus.com website for as long as we desire (minimum 2 weeks). The City has a profile with them and they take a small percentage of the highest bid amount. Heath is the administrator for our Lindon account on this website. Anything not sold is still our property and we can dispose of it however we choose after the bid period has expired.

**Sample Motion:** I move to (declare, not declare) the items included in the Memo dated Sept. 11, 2014 from the Parks & Recreation Director as surplus, and approve disposal of the items as presented, with the following conditions:

# Parks & Recreation Memo

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To: Adam Cowie  
 From: Heath Bateman  
 Date: September 11, 2014  
 Re: Surplus Items

Message:

Hello Adam,

I have a few more surplus items for Council consideration.

#	Item	Description	Condition	\$ Minimum
1	Spring Toy Airplane	No Spring attachments. Keeps breaking. Removed from the Park	Poor	\$25
				
1	Spring Toy Horse	Broken mount and pole	Poor	\$10



9	Blue Pad Folding Chairs	Leftovers from Church	Fair	\$5 each
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1	Orange Pad Folding Chair	Leftover from Church	Fair	\$5
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2	Green Office Chairs	Leftover from the Church	Fair	\$7 each
51	Child Size Folding Chair	Leftover from the Church	Good	\$10



2	Red Office Chairs		Fair	\$5
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1	Grey Desk Chair	Leftover from Church	Fair	\$10
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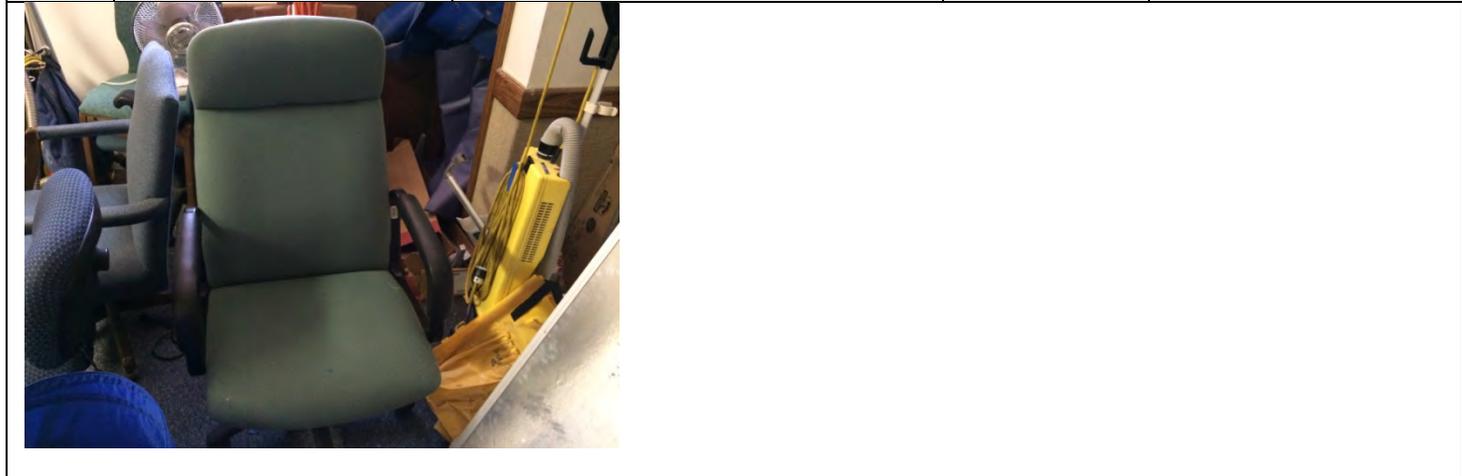
1	Blue rolling desk chair	Leftover from the Church	Fair	\$10
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1	TV/VHS	13inch television vhs combo	Unknown	\$10
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1	Green Office Chair	Leftover from the Church	Fair	\$10
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1	Chalk Board – Wall Mount	Leftover from the Church 4' x 4'	Fair	\$5
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2	Doors	Solid Church Doors	Good	\$50
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2	Golf Ball Coolers	Donated to Lindon Days	Fair	\$25
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1	Large Canvas Tent	Lindon Days Large Tent-Poles and Joints Broken	Poor	\$20
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**9. Review & Action — Charitable and Volunteer Donation Recognition (Res #2014-12-R)***(10 minutes)*

The Council will review and consider approval of Resolution #2014-12-R outlining various city services that could be gifted by the City Council in recognition of significant volunteer efforts or other donated time and/or items of value which have been provided to the City by private parties.

At the request of Councilmember Broderick, the attached resolution and list of items is presented for consideration of possible *recognition items* for those who have donated significant volunteer hours or made other private contributions to the City. The intent is not to match dollar-for-dollar value of donations or volunteer work provided to the City, but for the City to offer some minimum return for valuable donations received in order to show appreciation.

There is some hesitancy from staff and our attorney to consider utility fee credits and discounts or waiver of Land Use Application & Building Permit fees. These items have been listed in the resolution but need to be discussed in more detail prior to adoption.

**Sample Motion:** I move to (approve, deny, continue) Resolution #2014-12-R, with the following conditions:

**RESOLUTION NO. 2014-12-R**

**A RESOLUTION APPROVING PROPOSED RECOGNITION ITEMS TO BE AWARDED BY THE CITY COUNCIL IN APPRECIATION OF SIGNIFICANT PRIVATE DONATIONS AND/OR VOLUNTEER EFFORTS PROVIDED TO THE CITY BY PRIVATE PARTIES AND SETTING AN EFFECTIVE DATE.**

WHEREAS, the Municipal Council of Lindon City (Council) has received, and may continue to receive, significant donations and/or volunteer efforts from citizens, businesses, or other private parties; and

WHEREAS, the Council has identified projects that it hopes to utilize volunteer efforts and/or donations time, funding, or materials to assist in completion of the projects; and

WHEREAS, the Council is greatly appreciative of these donations and efforts made by citizens and businesses throughout the community and desires to recognize significant volunteer and donation efforts by gifting certain items or city services in recognition for these efforts; and

WHEREAS, the proposed recognition and gifts from the Council are not intended to be dollar-for-dollar trades for work performed or donations made, but to be limited and moderate gifts to show appreciation and gratitude; and

WHEREAS, it is the desire of the Council to approve the opportunity to recognize these efforts and donations as such will benefit the City and foster good public relations and may facilitate increased giving to the City in the future.

THEREFORE, BE IT RESOLVED by the Lindon City Council as follows:

Section 1. Lindon City Council hereby approves the following list of items as services that may be considered as gifts in recognition of significant volunteer donations of time, funding, land, materials, or other significant items:

- Discounted or waived rental fees at the Aquatics Center (including Flow Rider), Community Center, Vet Hall, or park pavilions
- Punch passes and/or Season passes to the Aquatics Center
- Discounted or waived fees for purchase of Cemetery Plots
- Naming rights on pavilions, city buildings, picnic tables, rooms at the community center, sections of trails, or parks
- Recognition plaque or marker placed on or near the project
- Discounted or waived fees for other Recreation and/or Community Center programs (sports teams, swim lessons, community center classes, etc.)
- Credit on city utilities
- Discounted or waived fees on Land Use Applications (building permits, site plans, subdivisions, inspection costs, etc)
- Trees planted in parks with recognition plaques

Section 2. Granting of recognition items shall only be provided by the City upon receipt and/or completion of significant donations of time, funding, land, materials or other significant items. A majority of Lindon City Council members must approve by official action in a City Council meeting any donation recognition awards and the amount or value thereof.

Section 3. This resolution shall take effect immediately upon passage.

Adopted and approved this \_\_\_\_\_ day of September, 2014.

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

Attest:

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

SEAL:

## 10. **Council Reports:**

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*(20 minutes)*

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|--|--------------------|
| A) MAG, COG, UIA, Utah Lake, ULCT, Budget Committee                            | - Jeff Acerson     |
| B) Public Works, Irrigation/water, City Buildings                              | - Van Broderick    |
| C) Planning, BD of Adjustments, General Plan, Budget Committee                 | - Matt Bean        |
| D) Parks & Recreation, Trails, Tree Board, Cemetery                            | - Carolyn Lundberg |
| E) Administration, Com Center Board, Lindon Days, Chamber of Commerce          | - Randi Powell     |
| F) Public Safety, Court, Animal Control, Historic Commission, Budget Committee | - Jacob Hoyt       |

## II. Administrator's Report:

(15 minutes)

### Misc Updates:

- September City newsletter:
  - <http://siterepository.s3.amazonaws.com/442/september14final.pdf>
- Land Use Project Tracking List – see attached.
  - Ivory Homes, Anderson property concept plan
  - 700 North assisted living facility
- Legislative report from State elected reps (October 21<sup>st</sup> Council meeting work session at 6:00pm)
- Tree lighting – Santa (yes or no?)
- Group Home appeal update
- **Special Meeting: Sept 23<sup>rd</sup> at 6:00pm???** (Wolf Mountain / Scott's, Miracle Grow; agreement)
- Claims updates: Flygare, Dexter, Jasper
- Business Friendly practices – Any specific issues we should address? Please send email.
- Community Center OpEx
- Misc. Items:

### Upcoming Meetings & Events:

- Newsletter Assignment: **Van Broderick** - November newsletter article. *Due by last week in October.*
- Sept 20<sup>th</sup> @ 8:00am - Arbor Day tree planting / Fun Run
- Oct 3<sup>rd</sup> – Ut County Health Dept Vaccination Clinic at Lindon City Center. 1-3pm
- Oct 7<sup>th</sup> – 6:00pm work session. Annual Dept reviews w/Police and Community Development.
- Oct 14<sup>th</sup> @ Noon – Engineering Coordination at Public Works. **Mayor, Van, and ???**
- Oct 21<sup>st</sup> @ 6:00pm – work session with State Legislators
- Nov 18<sup>th</sup> – 6:00pm work session. Annual Dept reviews w/Public Works and Parks Dept.
- Nov 27<sup>th</sup> – Thanksgiving Dinner at Community Center

### Future items:

- Employee Policy Manual updates
- Performance evaluations, compensation, and benefit studies
- Impact Fee and Utilities rate studies
- Economic Development plan / policies

# Adjourn

# PROJECT TRACKING LIST

APPLICATION NAME	APPLICATION DATE	APPLICANT INFORMATION	PLANNING COMM.	CITY COUNCIL
			DATE	DATE
<b>Ordinance changes: LCC 17.38 'Bonds for Completion of Improvements to Real Property'</b>	January 2014	City Initiated	Mar. 11	TBD
<i>City initiated ordinance changes needed to bring code into compliance with current practices and State laws.</i>				
<b>Zone Change: Old Town Square</b>	Feb 1, 2012	Scott Larsen	Feb. 14, continued	Pending
<i>Request for approval of a zone change for two parcels located at 873 West Center Street from R1-20 (Residential Low) to LI (Light Industrial).</i>				
<b>Property Line Adjustment: LBA Rentals</b>	Mar 12, 2012	Lois Bown-Atheling	N/A	N/A
<i>Request for approval of a property line adjustment to clean up existing parcels lines for five parcels in the CG zone at 162 &amp; 140 South Main Street. This project is in conjunction with the Castle Park project.</i>				
<b>Ordinance changes: LCC 17.32, 17.58, 17.66.020 'Subdivisions'</b>	Nov. 2012	City Initiated	Nov. 13, Dec. 11, Jan. 8, Jan. 22	TBD
<i>City initiated ordinance changes needed to bring code into compliance with current practices and State laws.</i>				
<b>Site Plan: Lindon Senior Apartments</b>	Sept. 2013	Matt Gneiting	TBD	TBD
<i>Request for site plan approval for senior housing apartments on State &amp; Main</i>				
<b>Amended Site Plan: Wasatch Ornamental Iron</b>	June 2014	Melvin Radmall	N/A	N/A
<i>Request for staff approval of a 16x18 machine cover in the LI zone located at 310 North Geneva Road.</i>				
<b>NOTE: This Project Tracking List is for reference purposes only. All application review dates are subject to change.</b>				
<b><u>PC / CC Approved Projects - Working through final staff &amp; engineering reviews (site plans have not been finalized - or plat has not recorded yet):</u></b>				
Stableridge Plat D	Tim Clyde – R2 Project		Old Station Square Lots 11 & 12	
AM Bank – Site Plan	Joyner Business Park, Lot 9 Site Plan		Olsen Industrial Park Sub, Plat A (Sunroc)	
Lindon Gateway II	Freeway Business Park II		Lindon Harbor Industrial Park II	
West Meadows Industrial Sub (Williamson Subdivision Plat A)	Keetch Estates Plat A		Highlands @ Bald Mountain Phased Sub	
Craig Olsen Site Plan	Valdez Painting Site Plan		Eastlake @ Geneva North Sub.	
LCD Business Center	Avalon Senior Living Site Plan		Lakeside Business Park Plat A	
Long Orchard Subdivision	Sonic Plastics Site Plan		Green Valley Subdivision	
Interstate Gratings Site Plan	Noah's Life Site Plan		Noah's Life Subdivision	
Bishop Corner Plat B				

Board of Adjustment		
Applicant	Application Date	Meeting Date

Annual Reviews				
APPLICATION NAME	APPLICATION DATE	APPLICANT INFORMATION	PLANNING COMM.	CITY COUNCIL
			DATE	DATE
<b>Annual review - Lindon Care Center</b> 680 North State Street (File # 05.0383.8) <a href="mailto:administrator@lindoncare.com">administrator@lindoncare.com</a>	Existing use.	Lindon Care Center Manager: Christine Christensen 801-372-1970.	<b>March 2015</b> Last Reviewed: 3/14	N/A
<i>Annual review of care center to ensure conformance with City Code. Care center is a pre-existing use in the CG zone.</i>				
<b>Annual review of CUP - Housing Authority of Utah County - Group home. 365 E. 400 N. (File # 03.0213.1)</b> <a href="mailto:lsmith@housinguc.org">lsmith@housinguc.org</a>	Existing CUP	Housing Auth. Of Utah County Director: Lynell Smith 801-373-8333.	<b>March 2015</b> Last Reviewed: 3/14	N/A
<i>Annual review of CUP to ensure conformance with City Code. Group home at entrance to Hollow Park was permitted for up to 3 disabled persons.</i>				
<b>Heritage Youth Services - Timpview Residential Treatment Center. 200 N. Anderson Ln. (File # 05.0345)</b> <a href="mailto:info@heritageyouth.com">info@heritageyouth.com</a> <a href="mailto:info@birdseyertc.com">info@birdseyertc.com</a>	Existing CUP	HYS: Corbin Linde, Lynn Loftin 801-798-8949 or 798-9077	<b>March 2015</b> Last Reviewed: 3/14	N/A
<i>Annual review required by PC to ensure CUP conditions are being met. Juvenile group home is permitted for up to 12 youth (16 for Timp RTC) not over the age of 18.</i>				

Grant Applications	
Pending	Awarded
<b>Bikes Belong</b> - Trail construction grant. Requested amount: \$10,000 o Status: NOT SELECTED FOR 2010. WILL RE-APPLY IN 2014.	<b>MAG Bicycle Master Plan Study</b> Awarded funds to hire consultant to develop bicycle master plan to increase safety and ridership throughout the city.
<b>Land and Water</b> – Trail construction grant. Requested amount: \$200,000 o Status: NOT SELECTED. RE-APPLY IN 2014.	<b>Utah Heritage Foundation</b> — Lindon Senior Center Awarded 2013 Heritage Award in the Category of Adaptive Use Project.
<b>Hazard Mitigation Grant / MAG Disaster Relief Funds-</b> (pipe main ditch)	<b>CDBG 2013 Grant</b> – Senior Center Van (\$50,000). Funds dispersed July 2013
<b>FEMA Hazard Mitigation Grant</b> – (pipe Main Ditch)	<b>EDC Utah 2014</b> — Awarded matching grant to attend ICSC Intermountain States Idea Exchange 2014.
	<b>CDBG 2014 Grant</b> – Senior Center Computer Lab (\$19,000)

Planning Dept - Projects and Committees			
On-going activities (2014 yearly totals)	Misc. projects	UDOT / MAG projects	Committees
Building permits Issued: 144 New residential units: 30	2010-15 General Plan implementation (zoning, Ag land inventory, etc.)	700 North CDA	Utah Lake Commission Technical Committee: Bi-Monthly
New business licenses: 58	Lindon Hollow Creek-Corps of Eng., ditch relocation	Lindon Bicycle Master Plan	MAG Technical Advisory Committee: Monthly
Land Use Applications: 37 Drug-free zone maps: 15	Lindon Heritage Trail Phase 3 Gateway RDA improvements		Lindon Historic Preservation Commission: Bimonthly North Utah County Transit Study Committee Monthly