

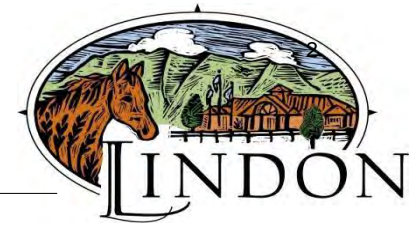
# Lindon City Council Staff Report



Prepared by Lindon City  
Administration

June 4, 2019

# Notice of Meeting of the *Lindon City Council*



The Lindon City Council will hold a meeting at 7:00 p.m. on Tuesday, June 4, 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: Matt Bean, Mayor pro tem  
Pledge of Allegiance: By Invitation  
Invocation: Jake Hoyt

(Review times are estimates only)  
(2 minutes)

1. **Call to Order / Roll Call**

2. **Presentations and Announcements**

(5 minutes)

a) Comments / Announcements from Mayor and Council members.

3. **Approval of minutes:** May 21, 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)  
No consent agenda items for approval.

6. **Public Hearing — Amendment to Commercial Farm Zone; Ordinance #2019-9-O** (20 minutes)

The City Council will accept public comment as it reviews and considers approval of Ordinance #2019-9-o amending Lindon City Commercial Farm Zone Chapter 17.51.130 to reduce landscaping requirements between parking lots and the street in the commercial Farm Zone. Application is made by Mike Jorgensen. The Planning Commission recommended approval to the City Council.

7. **Discussion Item — FY2020 Budget Items;** (60 minutes)

The City Council will have continued discussion on employee Merit and COLA, and Utility Rates Study and recommended increases (JUB Engineers will present the utility rate study) and merchant fees for credit card payments. The City Council will provide feedback for staff's direction.

8. **Review & Action — Adoption of Wildfire Preparedness Plan; Resolution #2019-16-R** (20 minutes)

The City Council will review and consider approval of Resolution #2019-16-R adopting the Wildfire Preparedness Plan for Lindon City. Chief Adams will present.

**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: May 31, 2019; Time: 11:30 a.m.; Place: Lindon City Center, Lindon Police Dept., Lindon Community Center

## **REGULAR SESSION – 7:00 P.M.** - Conducting: Matt Bean, Mayor pro tem

Pledge of Allegiance: By Invitation

Invocation: Jake Hoyt

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

June 4, 2019 Lindon City Council meeting.

Jeff Acerson - absent

Matt Bean

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: **May 21, 2019**

The Lindon City Council held a regularly scheduled meeting on **Tuesday, May 21, 2019, beginning with a work session at 6:00 p.m.** in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

**WORK SESSION** – 6:00 P.M.

Conducting: Matt Bean, Mayor pro tem

**COUNCILMEMBERS PRESENT**

Matt Bean, Councilmember

Van Broderick, Councilmember

Jacob Hoyt, Councilmember

Carolyn Lundberg, Councilmember - arrived 6:45

**ABSENT**

Jeff Acerson, Mayor

Mike Vanchiere, Councilmember

**STAFF PRESENT**

Adam Cowie, City Administrator

Kristen Colson, Finance Director

Brian Haws, City Attorney

Kathryn Moosman, City Recorder

1. **DISCUSSION: Discussion on FY 2020 Proposed Budget:** The Lindon City Council will review and discuss the proposed Fiscal Year 2020 budget. The Council will provide direction on specific items.

Adam Cowie, City Administrator, stated the City Council will review and discuss the proposed Fiscal Year 2020 budget and provide direction to staff on specific budget items. He noted this is a work session for general discussion on budgetary matters for the upcoming FY2020 budget and no public comment is required at this specific meeting.

He added while general direction may be given, no motion will be necessary and staff will update the final budget as directed by the Council's recommendations and will vote on the Final Budget on June 18, 2019.

Kristen Colson, Lindon City Finance Director, was in attendance to present her budget presentation including the budget work session agenda items, updated Fund Balance sheet and the 2019-2020 Major Budget Issues as follows:

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

Ms. Colson stated the Cost of Living Allowance (COLA) increase would be effective July 1, 2019. She added the COLA increase has historically been based on the average annual increase of the Consumer Price Index (CPI) from March-February. The average annual increase of the CPI from March 2018 to February 2019 was 2.3%.

Ms. Colson explained Merit Increases are awarded based on employee evaluation scores and would be effective January 1, 2020. In the past, the merit increase has been based on the unreserved General Fund balance as a percentage of revenue. With a healthy

General Fund reserves of over 20% anticipated for FY2020, the recommended Merit Increase would be 3.0%.

Ms. Colson noted employees below the mid-point would progress one step if they score a 6 or higher on their performance evaluations. Employees at or above the mid-point range would receive the 3.0% performance-based merit increase. Employees who have reached the maximum wage on their range of the pay scale would receive a 3.0% one-time payout based on their performance evaluations, but their wage does not increase. Ms. Colson stated that historically COLA and merit increases have provided somewhat consistent buying power and kept salaries competitive with salary studies.

### **Averages for the last 15 years are as follows:**

With no increases for 3 years:

- COLA: 1.72%
- Merit: 2.02%
- Both: 3.73%

Taking out the no increase years:

- COLA: 2.14%
- Merit: 2.52%
- Both: 4.66%

Ms. Colson noted the Budget Committee recommended the following:

- A cap of 5% total be put on combination of COLA & Merit Increase.
- The Merit be weighted more so that employees can continue to progress within their pay range
  - The desired time frame to reach the top of the range should be about 12-14 years which is an average merit increase of 2.5-3.0% each year
- That the COLA increase be the difference between the cap and the Merit increase
- The COLA increase would be 2.0%, effective July 1, 2019
- The Merit increase would be 3.0% for employees in the mid-high range, effective January 1, 2020

The fiscal impact for this proposal of 2.0% COLA effective July 1, 2019 and a one step or 3.0% merit increase effective January 1, 2020 is as follows:

	COLA only	Merit only	COLA & Merit
General Fund	\$79,198	\$85,690	\$166,602
Water Fund	\$4,542	\$6,203	\$10,869
Sewer Fund	\$4,247	\$3,730	\$8,052
Storm Water Fund	\$3,073	\$2,253	\$5,371
Recreation Fund	\$5,466	\$5,810	\$11,392
<b>Citywide Totals</b>	<b>\$96,526</b>	<b>\$103,686</b>	<b>\$202,286</b>

Ms. Colson stated this is included in the Proposed Budget.

Ms. Colson noted a survey of pay increases proposed by other entities for 2019-2020 shows an average total increase of 3.94%. Alpine School District has a COLA of 5.8% plus variable Merit Increases.

Ms. Colson indicated at the May 7, 2019 Work Session, the City Council asked that staff explore additional pay increase scenarios. Staff added 12 scenarios 5 without

- 2 one-time payouts and 7 with one-time payouts. She then presented a chart differentiating the scenarios as follows:

COLA on Wages	Merit on Wages			Mix of Merit 2% + 1% 1x
	3.0%	2.5%	2.0%	
2.0%	\$202,286 (\$19,561)	\$190,487 (\$16,329)	\$178,689 (\$13,097)	\$220,776 (\$19,561)
1.5%	\$177,636 (\$19,424)	\$165,895 (\$16,208)		\$196,035 (\$19,424)
1.0%	\$152,986 (\$19,286)			\$171,295 (\$19,286)
Mix of COLA 1% + 1% 1x	\$200,286 (\$19,286)	\$188,603 (\$16,086)	\$176,920 (\$12,886)	\$218,894 (\$19,286)

Amount in parentheses is the cost of the 1x merit payout for maxed employees and is included in the amount above it

4

- 6 There was then some general discussion regarding Merit and COLA increases including other entities and cities comparisons.

- 8 Councilmember Bean stated he likes the information and charts presented, but he would like to have a full Council to weigh in on this discussion before adoption; he is not sure he is ready tonight without more representation. He agrees this would be a good year to approve the recommended Merit and COLA and he would like to be able to finalize this sooner rather than later.

- 12 Councilmember Broderick stated this is a difficult item in the budget as he wants to keep employees happy and motivated yet be fair to the residents. The market is healthy, but he still likes the one-time payout that can be structured in a way to keep employees motivated. This is good year for a reduction in health benefits. He added he would also like to see past years increases and decreases on health care.

- 18 Councilmember Hoyt agrees this is a hard budget decision. He stated this is a good financial year and everyone is doing great things throughout the departments, and to go above 4% this would be the year. He also wants to be fair to the employees and the taxpayer. He would also like to have a full Council before making a final decision as he is not 100% there yet.

- 24 At this time, Mr. Cowie explained the pay range chart. He indicated they are trying to have employees continue to move up in the range without them considering moving to another municipality/jurisdiction and to keep competitive. Mr. Cowie also spoke on performance evaluation scores and the process. He noted the expectations and criteria (12 performance standards) with the supervisors doing the evaluations. He pointed out that citywide we are at about 8.5% on scores; we are scoring well but certainly not all employees are at 10%.

- 30 Following some additional discussion, the Council was in agreement to leave the 5% in the budget for now until the next meeting in order to have a full council in attendance before making a decision.

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

36

- 38 Ms. Colson explained the increases for Water, Sewer and Storm Water utility rates are still tentative, pending JUB Engineers completion of this year's utility rate



study. They are recommending a 9% increase on culinary water rates, 2.3% (CPI) increase on sewer utility rates and 2.3% (CPI) increase on storm water utility rates.

Ms. Colson indicated the garbage and recycling rates will increase 3% in order to cover Republic Services 3% increase on collection services. Republic Services has been increasing fuel surcharges (variable month-to-month). The monthly garbage rates would increase from \$10.00 to \$10.30 for the first can and from \$8.50 to \$8.76 for each additional can and monthly recycling rates would increase from \$3.60 to \$3.71 per can.

Mr. Cowie explained the changes in the original projections i.e., Ivory Homes coming in, changes in revenue, tier rate structure, large meter reading error, multi-units etc. He noted Orem City adopted a 7-year incremental plan last year that is very similar to Lindon's to ensure we don't lag behind.

Councilmember Broderick stated he is comfortable with what we are doing, but wants to know how are we adjusting (with a one or two year), so we can be proactive not reactive in the future.

Following some general discussion regarding Budget Issue #2 the Council was in agreement to approve this budget issue as presented. Mr. Cowie stated they will continue the discussion with Budget Issue #3 in the regular session

Mayor pro tem Bean and the Council thanked Ms. Colson and Mr. Cowie for the good information and for their hard work on the budget.

## **REGULAR SESSION** – 7:00 P.M.

Conducting:	Matt Bean, Mayor pro tem
Pledge of Allegiance:	Van Broderick
Invocation:	Matt Bean

### **PRESENT**

Matt Bean, Councilmember  
 Carolyn Lundberg, Councilmember  
 Van Broderick, Councilmember  
 Jacob Hoyt, Councilmember  
 Adam Cowie, City Administrator  
 Brian Haws, City Attorney  
 Mike Florence, Planning Director  
 Kathryn Moosman, City Recorder

### **EXCUSED**

Jeff Acerson, Mayor  
 Mike Vanchiere, Councilmember

**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.
- b) Presentation: Pleasant Grove Strawberry Days, June 15th-22nd. The Miss PG Royalty & PG Rodeo Royalty will present information on upcoming Strawberry Days events.

The Miss Pleasant Grove Royalty and Strawberry Days Rodeo Royalty were in attendance to present information on the upcoming Strawberry Days events. Brooklin Allen, 2019 Miss Pleasant Grove, presented general information about the upcoming Strawberry Days festival and introduced her attendants: Kinsie Robbins, Kennadie Austin, Isabella Adams, and Belinda Tapia who each mentioned an individual event including some of the following: Huck Finn Days, Concert in the Park, Carnival, Children's Art Show, Baby Contest, Princess Party and the Grand Parade. Ms. Allen then turned the time over to the Rodeo Royalty to present details of the Strawberry Days Rodeo.

Izzie Barns, 2019 Strawberry Days Rodeo Queen, was in attendance to present information about the Strawberry Days Rodeo noting the Rodeo starts at 7:00 pm (pre-show) with the new "Kids Zone" held every night before the rodeo. The rodeo is held Wednesday through Saturday with many fun events including mutton bustin, bull riding, and the great fireworks show. They invited the Mayor and Council out to the Rodeo noting it is a very fun event for the entire family.

Ms. Allen then thanked the Council for all the support Lindon City shows to the pageant and to the program. They also presented the Mayor and Council with a strawberry cheesecake and invited them to come out and enjoy the week long Strawberry Days events and festivities. Mayor pro tem Bean and the Council thanked the Royalty for the invitation and the cheesecake noting the Council always looks forward to the Strawberry Days Celebration.

**3. Approval of Minutes** – The minutes of the regular meeting of the City Council meeting of May 7, 2019 were reviewed.

COUNCILMEMBER HOYT MOVED TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 7, 2019 AS PRESENTED. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

**4. Open Session for Public Comment** – Mayor pro tem Bean called for any public comment not listed as an agenda item. There were several in attendance who addressed the Council as follows:

**Jamie Gardner:** Ms. Gardner expressed her concerns with the proposed reception center off Gillman Lane and her concerns with safety and the need for a traffic study as it impacts them and the entire neighborhood. She pointed out the access off and on Lakeview and Gillman Lane is terrible. There will be a lot more vehicles and they have a lot of kids in the neighborhood.

Mayor pro tem Bean invited the Planning Director forward to give a brief background on the proposed event center. Mr. Florence stated the city received a site plan application for a reception center just off of Gillman Lane. The city sent out public notices per city code, to everyone within 800 ft. of that property. The property is zoned commercial storage of which a reception center is a permitted use in that zone. The Planning Commission reviewed this item and heard public comment. They continued this item at the last meeting. The Commission requested that a light study be completed and also asked that the police chief and city engineer look into any traffic safety improvements that can be made. They also required that the design of the building must meet the commercial design standards and also required the masonry wall and additional buffering landscaping requirements.

Mr. Cowie stated next Tuesday's meeting (May 28<sup>th</sup>) would be the best opportunity to voice opinions regarding this issue.

**Angie Neuwirth:** Ms. Neuwirth stated she was at the meeting and she felt the Planning Commission didn't want to do the traffic study because even if a study was done there is nothing the Commission could do because if it meets the ordinance and code they would have to approve. Because there are health and safety issues and issues with the access etc., this is an issue that needs to go before the City Council and be deliberated. The street that is on the master plan needs to go through for access.

**Lisa Stark:** Ms. Stark stated she lives on Gillman Lane. She indicated she has letters from her neighbors opposing the event center. She then read one of the letters. She pointed out if the meeting was continued with the stipulation that the police and the engineer were going to access accidents etc. and go before the City Council then why have they started building when it has not been approved yet.

Mr. Florence stated they put a stop work order on the building today and ordered them to stop working and if they don't stop, they will be fined \$400 a day.

Ms. Stark went on to say as residents, they want to make sure safety is the main concern. With all due respect, they feel that the city has not realized decisions of the past and if this process is not done in the proper way there will be a feeling of mistrust. If the city is not willing to do their due diligence, they will hire someone as a private resource who will address this issue so the safety on Gillman Lane is mitigated.

Mayor pro tem Bean advised the residents to attend the planning commission meeting on May 28<sup>th</sup> where these concerns and issues that brought the continuance will be addressed. Mr. Cowie pointed out that the City Council is the appeal authority and there is a small window of time for the opportunity for an appeal to be filed. Mr. Florence then explained the appeals process.

Mayor pro tem Bean called for any further comments or discussion. Hearing none he moved on to the next agenda item.

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

- a) Change Order #3 on the 2017 Street Maintenance Projects for Staker Parsons to complete additional street maintenance work on 200 South between 2000 West and 1250 West and elimination of street maintenance work on Locust Avenue, 1200 West, 135 South, and 1060 West.
- b) Reimbursement agreement. The Council will review and consider approval of a reimbursement agreement with the City of Vineyard for their portion of 200 South road improvements being completed by Lindon City.

COUNCILMEMBER HOYT MOVED TO APPROVE THE CONSENT AGENDA ITEMS 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

HE MOTION CARRIED UNANIMOUSLY.

### **CURRENT BUSINESS**

6. **Review & Action — Maxfield Hollow Major Subdivision; Jake Davis.** The City Council will review and consider a request for major subdivision approval of a seven-lot single family residential subdivision located at approximately 800 West and Lakeview Road. (Utah County Parcel #'s 14:067:0162; 14:067:0164; 14:067:0178; 14:067:0181; 14:067:0177), in the Lindon City R1-20 zone. The planning commission recommended approval.

Mr. Florence led this discussion by giving a summary of the key issues noting the applicant is seeking major subdivision approval for a seven-lot residential subdivision. He explained the Maxfield Hollow Subdivision will reconfigure five existing lots into seven. The subdivision plan also includes the extension of 250 North to 800 West, which will be a public street. He noted the Planning Commission Recommended approval for this item on May 14<sup>th</sup>, 2019. He also indicated the City Council is the Land Use Authority for a Major Subdivision of four lots or more.

Mr. Florence then mentioned the recommended conditions of approval from the Planning Commission followed by discussion. He noted this application meets code requirements and is a pretty straightforward request.

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

COUNCILMEMBER LUNDBERG MOVED TO APPROVE THE APPLICANT'S REQUEST FOR SEVEN LOT MAJOR SUBDIVISION APPROVAL WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WILL CONTINUE TO WORK WITH THE CITY ENGINEER TO MAKE ALL FINAL CORRECTIONS TO THE ENGINEERING DOCUMENTS AND PLAT; 2. THE PLANS AND PLAT WILL MEET RELEVANT SPECIFICATIONS AS FOUND IN THE LINDON CITY DEVELOPMENT MANUAL; 3. THE APPLICANT WILL COMPLY WITH ALL

BONDING REQUIREMENTS; 4. 250 WEST WILL BE DEDICATED TO THE CITY AS A PUBLIC STREET; 5. ALL ITEMS OF THE STAFF REPORT.

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

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

THE MOTION CARRIED UNANIMOUSLY.

**7. Public Hearing — Amendment to Sign Ordinance; Ordinance #2019-8-O.**

The City Council will accept public comment as it reviews and considers approval of Ordinance amendment #2019-8-o amending Lindon City Sign Code Chapter 18.03 to modify the allowable square footage for directional signs. Application is made by Phil Haderlie on behalf of doTerra.

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

Mr. Florence opened the discussion by stating Phil Haderlie (who is in attendance) made application on behalf of doTerra to amend Title 18.03.030 to allow for increased directional signage in the Regional Commercial Zone. Mr. Florence stated Staff and the planning commission felt that if the City decides to amend the sign code to allow for increased sign area for directional signs then the City should consider, as well, allowing increased signage for the Heavy and Light Industrial zones due to sign visibility for delivery trucks.

Mr. Florence explained that the purpose of the request for increased directional sign area is to allow for larger font size for ease of readability for large delivery vehicles. He noted a Directional Sign, as defined in Lindon City Code 18.03.020 means: any sign used to direct traffic flow into or out of a parking lot through a City approved drive approach. He noted the sign code currently allows a maximum height of three feet and a maximum sign area of 6 feet. He indicated that Mr. Haderlie is proposing is to allow a maximum height of 3 feet and a maximum sign area of 12 square feet. These dimensions would allow for a 3' x 4' directional sign. Mr. Florence then referenced a chart with typical directional signs.

Mr. Florence referenced the Proposed Ordinance Language as follows:

1. Directional signs require a sign permit from the City
2. Only one (1) Directional sign is allowed for each City approved drive approach.
3. Directional signs shall meet the following requirements:
  - a. Not exceed three feet (3') in height; and
  - b. Not exceed six (6) square feet in area.
4. In the Regional Commercial, Heavy Industrial and Light Industrial zones, a maximum of three feet in height and twelve (12) square feet in area. The Maximum letter height is nine (9) inches for each sign face;
  - a. In all other commercial land use districts, a maximum of three feet (3') in

2 height and six (6) square feet in area.

3 5. Directional signs are permitted in all zones.

4

5 Mr. Florence stated Staff reviewed a number of codes from different  
6 municipalities to analyze how other communities address allowable square footage for  
7 directional signs. He then presented the list of findings for discussion.

8 Mr. Florence stated the applicant provided some information on their site plan  
9 from the United States Sign Council Foundation (USSCF) and the Federal Highway  
10 Administration sign manual. Staff reviewed USSCF material and it appears that the 360-  
11 foot visibility recommendation provided by the applicant is consistent with USSCF data  
12 calculations. USSCF recommends that with any signage the viewer reaction time, viewer  
13 reaction distance, letter height, copy area and negative space be considered. One thing  
14 that staff did notice was that while USSCF did recommend a 360' distance for readability  
15 for a road like 400 N. and with speeds at 30 MPH, their model sign code had a  
16 recommended directional sign area of six square feet.

17 Mr. Florence stated Mr. Haderlie also provided information from the Federal  
18 Highway Administration (FHA) sign manual. FHA recommends "a minimum specific  
19 ratio of 1 inch of letter height per 30 feet of legibility distance." While the FHA standards  
20 are designed for such signs as "railroad crossing", "road closed," and "stop" signs to  
21 name a few, they act as a good reference for determining appropriate letter height. Mr.  
22 Florence stated they measured a number of "public" warning and information signs  
23 around Lindon, and for example, a "stop" sign has 9" lettering, a "dead-end" sign has 5"  
24 lettering and an "address street sign" has 6" lettering.

25 Mr. Florence noted staff also evaluated a few existing directional signs at  
26 different businesses in the area. The Comcast sign is 4'10" tall by 3' wide sign (12 sq ft)  
27 with 2.5" lettering. The lettering could not be seen visibly from 360 feet but an adjacent  
28 "dead end" sign with 5" letter could be seen just fine. Along with the size of the letter, as  
29 per USSCF, the copy area and negative space have a lot to do with the visibility of the  
30 sign. "Dead end" and "stop" signs work well because of the contrasting colors and dark  
31 lettering. He noted they also evaluated the existing delivery sign at doTerra in Pleasant  
32 Grove. That sign is 4.5' tall and 3' wide with 4-inch lettering. The doTerra sign was  
33 somewhat easier to see at a distance under 300 feet but the lettering was still difficult to  
34 read.

35 Mr. Florence indicated an additional item the planning commission considered  
36 was that directional signs are allowed for each drive approach and in addition to other  
37 allowable monument signs. Monument signs, at a minimum, are allowed to be at least 36  
38 square feet and 6 feet in height. He noted as staff evaluated different directional signs  
39 around Lindon, they were difficult to find and there was generally a lack of these types of  
40 signs installed by businesses. The purpose in providing the above measurements is that  
41 the square footage may need to be increased for business areas with large delivery trucks  
42 so drivers can safely see the signs at a distance of at approximately 360'.

43 Mr. Florence further explained the main increase that the applicant is requesting  
44 would be to increase the width from approximately two feet to four feet to allow a 3'x4'  
45 directional sign. He then presented some examples doTerra provided of the types of  
46 signage they are looking to install. While the sign measurements on their proposal are not  
compliant with their ordinance amendment proposals, the council can evaluate the type of

sign they are considering. He indicated the General Plan has a land use goal to “build upon existing commercial site design and development standards, including architectural design guidelines and guidelines for landscaping and signage, to express the desired overall image and identity as outlined in the Community Vision Statement.

Mr. Florence then presented the site plan, doTerra sign examples and the proposed ordinance followed by discussion including letter height, sign size and unintended consequences. Mayor pro tem Bean called for any public comment at this time.

Mr. Spencer Barron asked if the language in the code differentiates a directional sign to a monument sign and what prevents a directional sign from becoming a monument sign.

Mr. Florence explained what a directional sign is noting they typically don’t have advertising just directional information. Brian Haws, City Attorney, commented if it wasn’t used for directional purposes, then courts are pretty clear when we can’t regulate content of the signs and the numbers would limit that; there is also a distance separation. Mr. Florence then turned the time over to the applicant for comment.

The applicant, Mr. Haderlie, explained they are proposing this because they want to give drivers time to see the sign as to be able to stop in time and to make good decisions at the turn. He indicated the entrance and exit signs look identical so there could be potential public safety issues involved; they are just trying to make sure they get the right size of sign to allow a meaningful and readable message and to ensure the sign looks nice.

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

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

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

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

- 8. Public Hearing — FY 2020 Proposed Budget; Resolution #2019-14-R.** The City Council will accept public comment as it reviews and considers adoption of its FY 2020 Proposed Budget. The Council will give direction on major budget issues and other citywide budgetary issues. A public hearing will be held on June 18, 2019, to amend the FY2019 budget and to adopt the FY2020 Final Budget.

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

Kristen Colson, Lindon City Finance Director, continued the discussion from the work session beginning with Budget Item #3.

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

Ms. Colson explained Lindon City is taking more payments by credit card and we are paying 45% more in credit card merchant fees than 2 years ago. Credit card payments are taken through multiple portals and via face-to-face, phone and online channels. Lindon City also currently charges a convenience fee to accept court payments online (\$2.00) over the phone (\$1.50). We do not charge any other fees to use a credit card for payments. We also limit credit card payments in the Community Development department to no more than \$300.

Ms. Colson noted there are two types of fees: Convenience Fees and Service Fees as follows:

**Convenience Fees**

- Flat rate
- Cannot be charged on  
(Building Permits)  
Auto pay transactions
- Must be charged on ACH payments also  
(electronic checks)

**Service Fees**

- Flat rate or percentage based
- Cannot be charged on utility payments
- Can be charged to just credit card payments

Ms. Colson stated Lindon City would need to work with our credit card vendors in order to set up these fees and must be approved by Visa and the process could take about 60 days.

Ms. Colson noted the survey of service fees charged by other organizations is included in the staff report. She pointed out that taking credit cards is a convenience for both Lindon City and the customers. Lindon City has been able to cover merchant fees with our revenue, however, some of Lindon's fees have not increased to include the increasing amount of merchant fees we are being charged. She pointed out that recreational sports registrations are now all online. She noted merchant fees are not calculated into Building permits. She added if we start charging a service fee, this could increase the number of returned checks.

Following some general discussion including the use of a possible cap on a building permit fee, the Council was in agreement with Budget Issue #3 to charge a service fee when customers pay with a credit card. They also agreed this is a good starting place to see how it works noting most people are aware there are vendor and merchant fees and if it is built in that will be beneficial.

**Ms. Colson then reviewed Property Tax Rates as follows: *for discussion only***

- Consider keeping the certified tax rate (CTR) (set by county auditors) the same or



- 2        apply an inflationary increase
- 4        • Keeping the 2017-2018 rate for 2018-2019 would have resulted in additional revenue of \$76,700.
  - 6        • Keeping the 2016-2017 rate would have resulted in additional revenue of \$217,400 in 2017-2018, and \$309,400 in 2018-2019

8        Ms. Colson indicated that applying an inflationary increase (2.1% CPI) to 2018-2019 the recommended CTR would have resulted in additional revenue of \$38,000. She noted the CTR is available around the 10<sup>th</sup> of June. With the Truth in Taxation Process, the budget would not be adopted until August, as per State Code.

12       Ms. Colson further explained as property valuations increase, Utah County decreases Lindon City's CTR in order to provide the city with the same revenue as the previous year (excluding growth). This method does not allow for property tax revenues to cover expenses that typically increase each year, hence losing buying power. Keeping the same CTR as valuations increase is considered a tax increase and must go through the Truth in Taxation process. Ms. Colson indicated keeping the 2017-2018 rate for 2018-2019 would have resulted in additional revenue of \$76,700. Keeping the 2016-2017 rate would have resulted in additional revenue of \$217,400 in 2017-2018, and \$309,400 in 2018-2019.

20       Mr. Cowie presented a graph showing the historical background on property taxes on a typical residential home in Lindon followed by discussion. He noted even though property valuations are increasing over time they are not big jumps. The average residential property tax in Lindon for 2018 was \$229.68 (on \$300,000 value home). He noted evaluations are done by the Utah County appraiser. He also explained the Truth in Taxation process if they so choose. Ms. Colson pointed out that property tax is a more stable tax than sales tax.

28       Councilmember Bean commented there are many philosophical arguments related to property tax and how it is unfairly burdensome to property owners, but the biggest increases are allocable from what the school districts have done over the years. People seem to not often talk about those increases, but if it were the city increasing taxes they would be up in arms. He would like to see our property tax revenues become more stable and therefore increase slightly based on some kind of an index. He understands this is not a popular position but is defensible.

34       Councilmember Lundberg spoke on Truth in Taxation and what has to be publicized. She noted the past 20 years Lindon has had a flat tax. She would want to make sure there is excellent communication with residents and take the same approach as we did for the PARC Tax etc. This would be tough to legislate but she feels there would be a way to do it through education; she would be open to discussion.

40       Councilmember Hoyt stated he attended a conference with Mr. Cowie at the School District. He understands the reasons as well and inflation concerns him. He stated we have some revenue producers in place that makes it so we don't have to rely on property tax which is risky. We have also done some fiscally responsible things that mitigate the reasons we would want to increase taxes as a more stable piece of the revenue but he is not ready to pull the trigger. Councilmember Broderick stated he would like to see what the legislature will do.

Mr. Cowie pointed out Lindon City has raised property taxes only once in 30 years (2009). He stated when they get the numbers from Utah County, they will bring this back for further discussion.

**Ms. Colson then went over the fee schedule changes noting most of the changes are just cleaning up wording etc.**

**Ms. Colson stated this Budget Also Includes the following:**

- An extra debt service payment for the Public Safety building of \$180,000
- \$1,300,000 for road improvement projects
- New fleet trucks for Public Works (2) and Parks (2)
- Creekside Park improvements \$314,300 with grant to offset \$142,860
- City Center playground replacement for \$250,000 paid for with PARC Tax
- New slide at Aquatics Center for \$150,000 with funding available from General Fund, State Street RDA, &/or PARC Tax
- \$150,000 for pickleball courts at Pheasant Brook Park paid for with impact fees
- Restrooms and drinking fountain at Fryer Park for \$100,000 paid for with impact fees

Councilmember Broderick stated he would like to see the money for the slide at the Aquatics Center split between the RDA and PARC tax (not from the General Fund) and pay an additional 2 years down on the public safety building. Following discussion, the Council stated they were in agreement with Councilmember Broderick's suggestion. Ms. Colson said she will run the numbers and make the adjustment. There was then some general discussion regarding the PARC tax fund balance (\$587,000) and General Fund Balances.

**Ms. Colson then went over the General Fund Unappropriated Fund Balance Projections as follows:**

- 2018-2019 Ending Fund Balance of \$2,507,550.
  - This is 23.3% of 2019FY projected revenues. The maximum state limit is 25%, which would be a balance of \$2,694,493.
- 2019-2020 Ending Fund Balance of \$2,608,427
  - This is 24.9% of 2020FY projected revenues. The maximum state limit is 25%, which would be a balance of \$2,622,756.

Following some additional discussion, Mr. Cowie stated they will present the finalize utility rates study, finalize the Merit and COLA discussion, and confirm the Merchant fees at the next meeting.

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

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

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

4  
COUNCILMEMBER BRODERICK MOVED TO APPROVE RESOLUTION  
6 2019-14-R APPROVING THE FY2020 PROPOSED BUDGET AND AMEND THE FY  
2019 BUDGET WITH CHANGES AS DISCUSSED. COUNCILMEMBER HOYT  
8 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN AYE

10 COUNCILMEMBER LUNDBERG AYE

COUNCILMEMBER BRODERICK AYE

12 COUNCILMEMBER HOYT AYE

THE MOTION CARRIED UNANIMOUSLY.

14  
*Mayor pro tem Bean called for a five-minute recess at this time.*

16  
**9. Recess to Lindon City Redevelopment Agency Meeting (RDA).**

18  
COUNCILMEMBER BRODERICK MOVED TO RECESS THE LINDON  
20 CITY COUNCIL MEETING AT 9:16 PM AND CONVENE AS THE LINDON CITY  
REDEVELOPMENT AGENCY. COUNCILMEMBER HOYT SECONDED THE  
22 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN AYE

24 COUNCILMEMBER LUNDBERG AYE

COUNCILMEMBER BRODERICK AYE

26 COUNCILMEMBER HOYT AYE

THE MOTION CARRIED UNANIMOUSLY.

28  
**10. Review & Action — Lifeguard Compensation Amendments.** Parks &  
30 Recreation Director, Heath Bateman, is requesting compensation amendments for  
lifeguard positions.

32  
Mr. Bateman led this discussion by stating they rely heavily on 15-year-old  
34 employees at the Aquatics Center as our need for staff numbers are so high. Because of  
the Fair Labor Standards Act (FLSA) they are limited on how many hours and when 15-  
36 year-old employees can work. Therefore, they will not be allowing 15-year-old  
employees to work earlier than 7:15am and/or later than 8:45pm. He indicated this could  
38 put our evening rental parties at risk of not having enough staff as our employees older  
than 15 years old is very limited.

40 Mr. Bateman stated because of these issues they are requesting a differential pay  
increase for those employees 16 years and older who are scheduled to work the rental  
42 party shifts of \$1.00 per hour as an incentive for them to accept and work their shifts.  
Because of the staff issues, on Mondays and Thursdays, they will be closing the pool  
44 earlier this year at 8:45pm (45 minutes earlier than last year).

46 Following some general discussion, the Council was in agreement this is a  
reasonable request to incentivize and keep the Aquatics Center staffed with lifeguards.

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

4  
COUNCILMEMBER BRODERICK MOVED TO APPROVE THE REQUEST  
6 FOR COMPENSATION AMENDMENTS FOR LIFEGUARD POSITIONS FOR  
LIFEGUARD POSITIONS. COUNCILMEMBER LUNDBERG SECONDED THE  
8 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN AYE

10 COUNCILMEMBER LUNDBERG AYE

COUNCILMEMBER BRODERICK AYE

12 COUNCILMEMBER HOYT AYE

THE MOTION CARRIED UNANIMOUSLY.

14  
**11. Review & Action — Municipal Wastewater Planning Program (MWPP)**

16 **2018 Annual Report; Resolution # 2019-15-R.** The City Council will review  
and consider approval the Municipal Wastewater Planning Program (MWPP)  
18 2018 Annual Report which has been submitted to the state Division of Water  
Quality. The Public Works Director, Brad Jorgensen, City Engineer, Noah  
20 Gordon, and Wastewater Supervisor, Kevin Muhlstein will present.

22 Public Works Director, Brad Jorgensen and Wastewater Supervisor, Kevin  
Muhlstein were in attendance to present the Municipal Wastewater Planning Program  
24 (MWPP) 2018 Annual Report which has been submitted to the state Division of Water  
Quality. Mr. Jorgensen stated part of the requirements of this evaluation for any monies  
26 from the state is that they present this to the Council for their approval of the findings and  
then submit the report to the state.

28 Following some general discussion regarding the summary report, the Council  
thanked Mr. Jorgensen and Mr. Muhlstein for the presentation and valuable information  
30 and for their good works for the city.

32 Mayor pro tem Bean called for any further comments or discussion from the  
Council. Hearing none he called for a motion.

34 COUNCILMEMBER BRODERICK MOVED TO APPROVE RESOLUTION  
#2019-15-R APPROVING THE 2018 MUNICIPAL WASTEWATER PLANNING  
36 PROGRAM (MWPP) ANNUAL REPORT WITH RECOMMENDED CHANGES AS  
DISCUSSED. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE  
38 VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN AYE

40 COUNCILMEMBER LUNDBERG AYE

COUNCILMEMBER BRODERICK AYE

42 COUNCILMEMBER HOYT AYE

THE MOTION CARRIED UNANIMOUSLY.

44  
**12. Discussion Item — Secondary Water Metering Requirements.** The City  
46 Council will be presented with information about the future of secondary water  
metering and discuss the implications of SB 52 passed in the last legislative

2 session.

4 Mr. Cowie gave a brief update stating SB52 just passed through the last  
6 legislative session and part of the requirement is that we have to submit a report by the  
8 end of this calendar year that outlines how we are going to implement citywide secondary  
10 water metering including costs, when it will be done and how it will be funded. The state  
will then take the data from these entities and reports and pin the city down for an  
implementation date. Mr. Cowie indicated there is a sense of urgency to get state funding  
as more entities will be competing for the funding. He noted this issue will be discussed  
more in the next several months.

12 Public Works Director, Brad Jorgensen and City Engineer, Noah Gordon were in  
attendance for this discussion item. Mr. Gordon gave his presentation with information  
14 about the future of secondary water metering and discussed the implications of SB 52  
passed in the last legislative session as follows:

16 Mr. Gordon explained that meters will be required on all new services designed  
after April 1, 2020 (no mandate to meter existing system as yet). The metering plan by  
18 the city will be required to be filed with the Division of Water Resources by December  
31, 2019, to include the following:

- 20 • Cost of full metering.
- 22 • How long it will take to complete including start date and completion date.
- How the city will finance the metering.

24 Mr. Gordon stated a study by the Utah Water Task Force (DWR) of issues related  
to metering secondary water within Utah to be reported by mid-November 2019. The  
26 report will need to include the following:

- 28 • Cost
- Timing
- Need for exemptions
- 30 • Resources to pay for the metering
- 32 • Any other relevant issues

34 Mr. Gordon noted an annual report by the city will be submitted each year by  
March 31<sup>st</sup> to the DWR and will include the following:

- 36 • Volume of Water used
- Number of meters
- Service boundary description
- 38 • Number of connections
- 40 • Volume received from sources

42 Mr. Gordon stated beginning July 1, 2019; the Board of Water Resources may  
make up to \$10,000,000 in low interest loans available each year as follows:

- 44 • 16% of 1% sales tax increase
- Payback interest of ~1%

Mr. Gordon stated Meters required on all new services in design and vested after April 1, 2020 are as follows:

- Anderson Farms is already installing meters
- City is already requiring meter setters with “jumpers” ready fore meters on all new projects.

Mr. Gordon stated the cost of full metering is as follows:

- 2404 existing secondary water connections without meters
  - Anderson Farms is installing meters
- \$1500 -\$2000 cost to retro-fit and install the meter on an existing connection = \$3.6M - \$4.8M

Mr. Gordon stated the Timing and Financing of full Metering is as follows:

- How long it will take Lindon to complete full metering?
  - Start date
  - Completion date
- How will Lindon finance full metering?
  - Water fund balance
  - Grants
  - Low-interest loan
  - Bond
  - Other

Following the presentation, there was some general discussion regarding the information presented. Mr. Cowie stated the city currently has the funds to pay for this but has concerns that the city may not get the stated funding. Councilmember Hoyt stated he is not ready to move forward until it is mandated and not commit to a loan if there are grants available.

Mr. Cowie asked the council, in general, if we are preparing the report, are we looking at 5, 10 or 20 years. The Council agreed on the 10-15-year range. Mr. Cowie pointed out there will be some citizens paying for secondary meters and some who are not. Councilmember Lundberg stated we need to figure out what is conservative use vs. excessive use and try to get a baseline.

Mr. Cowie stated he is hearing if staff puts a plan together to present to the Council, they are agreeing on the 10-15-year window, finance options and using the “smart” metering option. The Council agrees that would accomplish the goal and a good starting point.

Following discussion, the Council thanked Mr. Jorgensen and Mr. Gordon for the presentation and valuable information and for their service to the city.

Mayor pro tem Bean 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 asked who he would forward an email received from the Utah Coalition Against Sexual Assault about doing a 4k Run in the

city. Mr. Cowie suggested sending it to Heath Bateman as that may be something that would fit with Lindon Days. He also reported he attended the recent ribbon cutting for a new restaurant in the city that was a great event. He also stressed the importance of supporting our local businesses.

**Councilmember Broderick** – Councilmember Broderick reported he attended the police recognition dinner that was well done and a very nice event.

**Councilmember Bean** – Councilmember Bean had nothing further to report.

**Councilmember Lundberg** – Councilmember Lundberg reported she attended the PG/Lindon Chamber of Commerce grand opening for a new restaurant on State Street. She mentioned the used car lot on 800 West does not have any improvements. She also reported she attended the recent Nova Graduation noting it is such worthwhile program and always a fun event. She reported the annual Memorial Day ceremony will be held at the cemetery at 9am on Monday (Memorial Day). She also asked about creating a city Instagram account to showcase new businesses in the city. Mr. Cowie stated they will check into the issue.

**Councilmember Vanchiere** – Councilmember Vanchiere was absent.

**Mayor Acerson** – Mayor Acerson was absent.

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

**Misc. Updates:**

- May City newsletter.
- June newsletter article: Brad Jorgensen - Article due to Kathy Moosman by end of May.
- Parks vehicle accident with summer help driving.
- Mayor out of town Wednesday, May 8th – Saturday, June 8th. Mayor pro tem is Matt Bean.
- Update on UDOT Vineyard Connector right-of-way and Mountain Tech development.
- Misc. Items.

**Upcoming Meetings & Events:**

- City Emergency Planning - May 23<sup>rd</sup>, 7-8pm in the City Council Chambers
- May 24<sup>th</sup> - June 2<sup>nd</sup>: grave decorations will be allowed anywhere on burial lots, including grass
- Memorial Day Ceremony – May 27<sup>th</sup> at 9:00 am at the City Cemetery.
- May 28<sup>th</sup> at 6pm - Joint meeting with the City Council and Planning Commission
- Candidate Filing Period: Begins June 3<sup>rd</sup> and ends June 7<sup>th</sup> at 5:00 pm
- Employee Summer Party – Wednesday, July 17<sup>th</sup> at 6:30 pm at the Aquatics Center

2 Mayor pro tem Bean called for any further comments or discussion from the  
Council. Hearing none he called for a motion to adjourn.

4 **Adjourn** –

6 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING  
8 AT 11:05 PM. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

10 Approved – June 4, 2019

12  
14 \_\_\_\_\_  
Kathryn Moosman, City Recorder

16  
18 \_\_\_\_\_  
Matt Bean, Mayor pro tem



**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.*

**There are no consent agenda items for approval.**

6. **Public Hearing — Amendment to Commercial Farm Zone; Ordinance #2019-9-O** (20 minutes)

The City Council will accept public comment as it reviews and considers approval of Ordinance #2019-9-o amending Lindon City Commercial Farm Zone Chapter 17.51.130 to reduce landscaping requirements between parking lots and the street in the commercial Farm Zone. Application is made by Mike Jorgensen. The Planning Commission recommended approval to the City Council.

**See materials provided by the planning department.**

**Sample Motion:** *I move to (approve, deny, continue) Ordinance #2019-9-R amending Lindon City Code Chapter 17.51.130 Commercial (or as presented, with changes).*

## Ordinance Amendment – Commercial Farm Zone

### Lindon City Code 17.51.130

Date: June 4, 2019  
 Applicant: Mike Jorgensen  
 Presenting Staff: Michael Florence

Type of Decision: Legislative

Council Action Required: Yes, the planning commission gave a unanimous recommendation of the change

#### MOTION

I move to (*approve, deny, continue*) ordinance amendment 2019-9-O (or *as presented, with changes*).

#### **Overview:**

Mike Jorgensen made application to amend Title 17.51.130(4) pertaining to proximity of parking to the street right-of-way in the Commercial Farm zone.

- 17.51.130(4) currently prohibits parking spaces from being located closer than thirty feet from a front property line or street side property line.
- Mr. Jorgensen is requesting an ordinance amendment to be able to reduce the 30' parking setback. The setback that the applicant would like to reduce is on 500 E., directly across the street from Rocky Mountain Elementary. The setback would be reduced to approximately 19'.
- Mr. Jorgensen would like to relocate the reduced landscaped area to the interior of his parking lot.
- The Planning Commission held a public hearing on this item on May 14<sup>th</sup> and 28<sup>th</sup> and unanimously recommended approval of the ordinance amendment.

#### **Proposed Ordinance Language**

4. No required parking spaces shall be within thirty feet (30') of a front property line or street side property line unless approved by the Land Use Authority. The Land Use Authority may reduce this requirement where an alternative plan is proposed that meets the design intent of the Commercial Farm Zone while also maintaining appropriate setbacks and buffers compatible with surrounding properties. There shall be no overall net loss of landscape percentage for the site.

#### **Analysis**

The proposed ordinance requires an applicant to provide an alternate plan if there is a request to reduce the parking setback. The land use authority must consider whether the changes would be compatible with surrounding properties by evaluating the intent of the Commercial Farm zone, and setbacks and other buffers on surrounding properties.

The ordinance requires that there be no net loss of the overall landscape percentage. If landscaping is reduced in one area, the same percentage needs to be relocated to another. Mr. Jorgensen has provided some concepts of his proposed changes to reduce the parking setback on 500 E. and increase the amount of landscaping in the parking lot.

Mr. Jorgensen proposed this idea of relocating the landscaping when he petitioned for the original zone change to the Commercial Farm zone. Staff has attached the planning commission and city council meeting minutes from 2018 as well as the planning commission minutes from May 14, 2019.

Current Landscaping along 500 E.

**Exhibits**

- Proposed Ordinance
- Site Plan
- Landscape renderings provided by the applicant
- Currently approved landscape plan
- 2018 Planning Commission and City Council meeting minutes
- May 14, 2019 planning commission meeting minutes

## ORDINANCE NO. 2019-9-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING TITLE 17.51.130 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council is authorized by state law to enact and amend ordinances establishing land use regulations; and

WHEREAS, the proposed amendment is consistent with the Lindon City General Plan goal carefully limit any negative impact of commercial facilities on neighboring land use areas, particularly residential development; and

WHEREAS, on May 14 and May 28, 2019, the Planning Commission held a properly noticed public hearing to hear testimony regarding the ordinance amendment; and

WHEREAS, after the public hearing, the Planning Commission further considered the proposed ordinance and recommended that the Council adopt the attached ordinance;

WHEREAS, the Council held a public hearing on June 4, 2019, to consider the recommendation and the Council received and considered all public comments that were made therein.

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

**SECTION I:** Amendment. Amend Lindon City Code Section 17.51.130 as follows:

17.51.130 Parking.

1. Each use in the CF zone shall have, on the same lot or conglomeration of parcels as defined in Section [17.51.020](#), off-street parking sufficient to comply with the number of spaces required by Chapter [17.18](#).
2. Parking spaces in a CF zone are exempted from the surfacing, striping, and interior landscaping requirements as found in Chapter [17.18](#), but shall be provided with a dustless, hard surface material such as compacted gravel, asphalt, or concrete and shall be provided with a similar hard surfaced access from a public street.
3. Notwithstanding Subsection [\(2\)](#) of this section, any off-street parking lot adjacent to a residential use or residential zone shall provide a minimum ten-foot (10') landscaped buffer from the parking lot to the adjacent residential use or zone. Trees shall be planted at least every ten feet (10') along the landscaped strip. Trees must be a minimum of two-inch (2") caliper measured one foot (1') off the ground and at least six feet (6') tall when planted. Trees shall be of a variety that will mature to a height of at least twenty feet (20') tall in order to provide a visual barrier between the parking lot and the residential use/zone.
4. No required parking spaces shall be within thirty feet (30') of a front property line or street side property line unless approved by the Land Use Authority. The Land Use Authority may reduce this requirement where an alternative plan is proposed that meets the design intent of the Commercial Farm Zone while also maintaining appropriate setbacks and buffers compatible with surrounding properties. There shall be no overall net loss of landscape percentage for the site.
5. All required ADA parking stalls shall be provided with smooth, hard surface asphalt or concrete paving with a

similar surface provided as an ADA accessible pedestrian route between the parking spaces and any public buildings being accessed from the spaces. (Ord. 2017-16 §1, amended, 2017)

**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 \_\_\_\_\_day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Matt Bean, Mayor Pro Tem

ATTEST:

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

SEAL





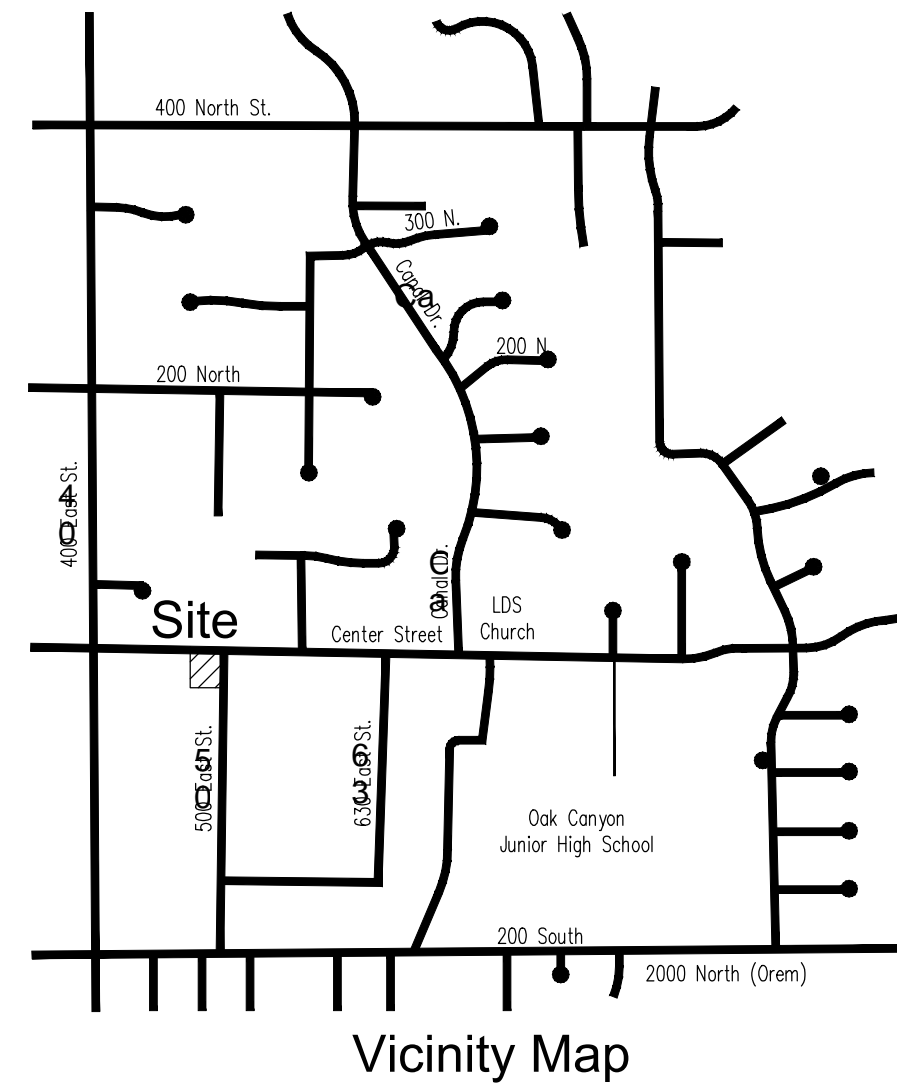
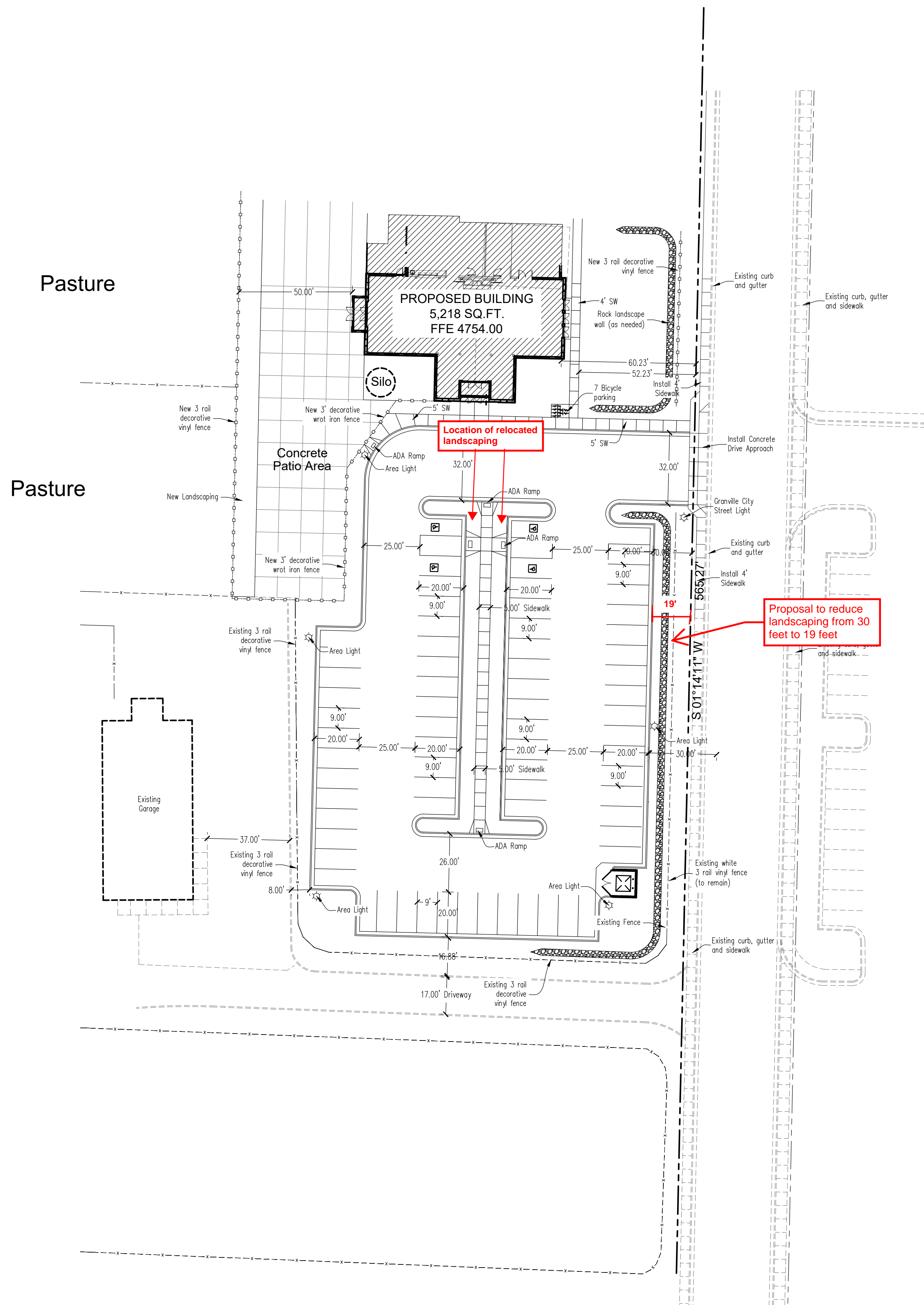
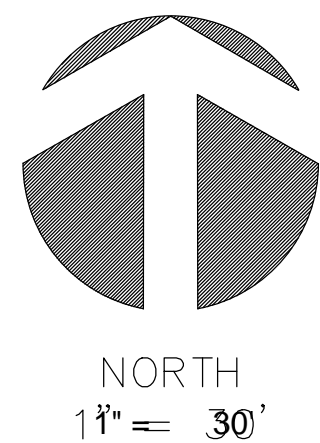








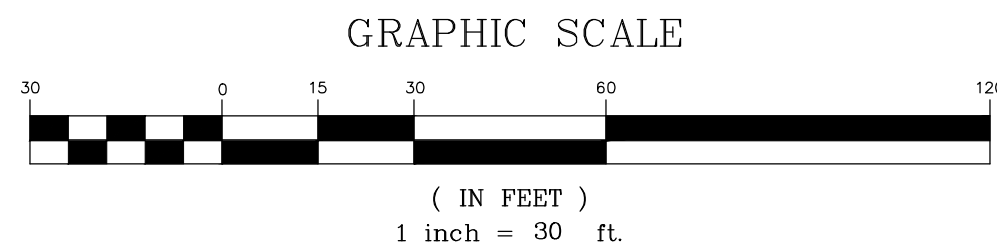




	Square Footage	Acreage	Percent of total
Total Area	276,654	6.35	100
Reception Center Area	84,900	1.95	32
Existing House	1,958	0.04	2
NEW Building / Pad Area	5,667	0.13	7
Total Hard Surface Area	47,044	1.08	16
Total Impervious Area	52,711	1.21	62
Total Landscaped Area	32,136	0.74	38

Tabulation Table

Hatched area notes area used for parking lot landscaping calculations.  
84 Parking Spaces x 40 sq.ft. per stall  
= 3,360 sq.ft. required  
Provided Landscaping = 3,918 sq.ft.



DUDLEY AND ASSOCIATES  
ENGINEERS PLANNERS SURVEYORS  
353 EAST 1200 SOUTH, OREM, UTAH  
801-224-1252

Walker Farm Reception Center (Events Barn)  
26 South 500 East  
**Site Plan - Alternate**

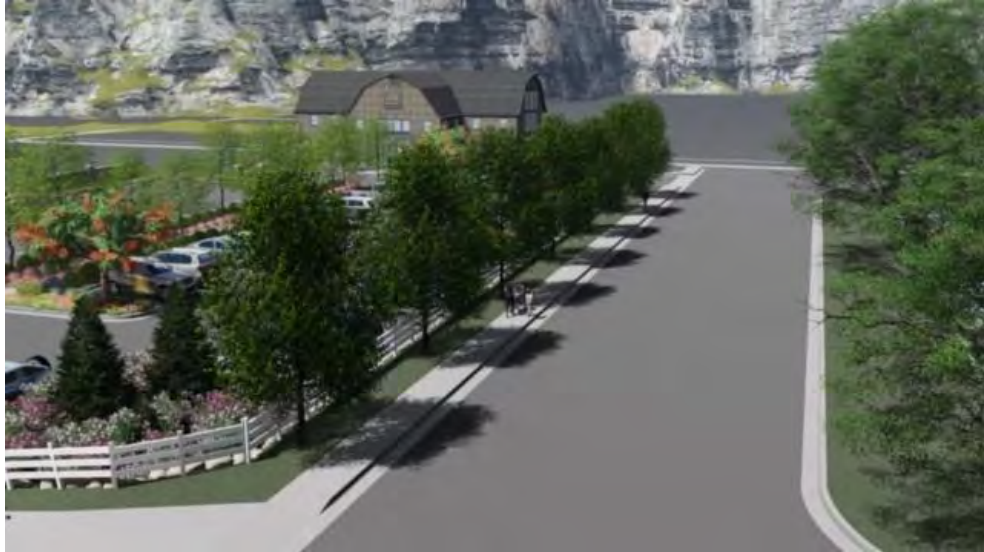
Revisions

Date  
8-28-2018  
Scale  
1" = 30'  
By  
TD  
Tracing No.  
L -

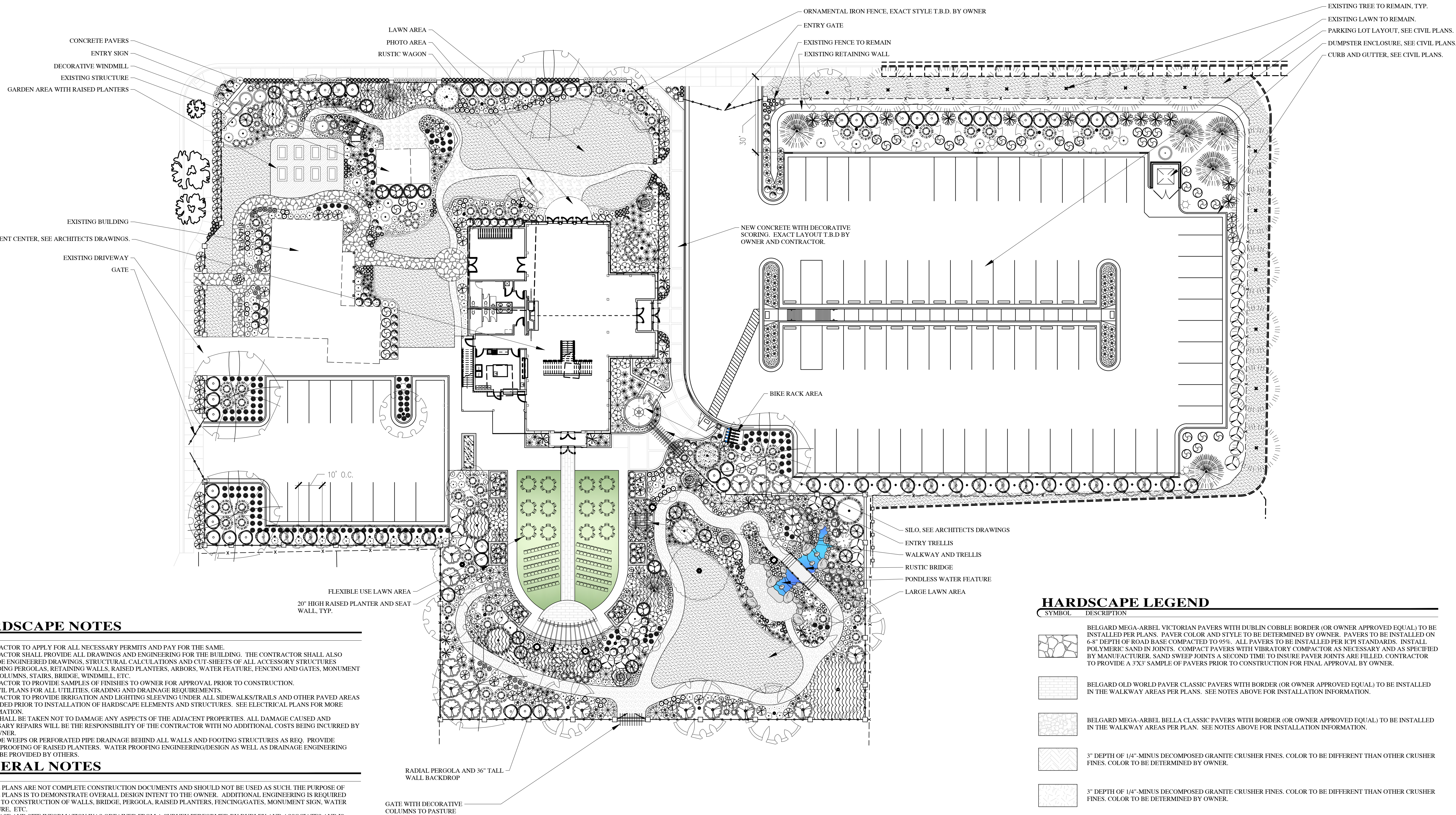
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## HARDSCAPE NOTES

1. CONTRACTOR TO APPLY FOR ALL NECESSARY PERMITS AND PAY FOR THE SAME.
2. CONTRACTOR SHALL PROVIDE ALL DRAWINGS AND ENGINEERING FOR THE BUILDING. THE CONTRACTOR SHALL ALSO PROVIDE ENGINEERED DRAWINGS, STRUCTURAL CALCULATIONS AND CUT-SHEETS OF ALL ACCESSORY STRUCTURES INCLUDING PERGOLAS, RETAINING WALLS, RAISED PLANTERS, ARBORS, WATER FEATURE, FENCING AND GATES, MONUMENT SIGN, COLUMNS, STAIRS, BRIDGE, WINDMILL, ETC.
3. CONTRACTOR TO PROVIDE SAMPLES OF FINISHES TO OWNER FOR APPROVAL PRIOR TO CONSTRUCTION.
4. SEE CIVIL PLANS FOR ALL UTILITIES, GRADING AND DRAINAGE REQUIREMENTS.
5. CONTRACTOR TO PROVIDE IRRIGATION AND LIGHTING SLEEVING UNDER ALL SIDEWALKS/TRAILS AND OTHER PAVED AREAS AS NEEDED PRIOR TO INSTALLATION OF HARDSCAPE ELEMENTS AND STRUCTURES. SEE ELECTRICAL PLANS FOR MORE INFORMATION.
6. CARE SHALL BE TAKEN NOT TO DAMAGE ANY ASPECTS OF THE ADJACENT PROPERTIES. ALL DAMAGE CAUSED AND NECESSARY REPAIRS WILL BE THE RESPONSIBILITY OF THE CONTRACTOR WITH NO ADDITIONAL COSTS BEING INCURRED BY THE OWNER.
7. PROVIDE WEEDS OR PERFORATED PIPE DRAINAGE BEHIND ALL WALLS AND FOOTING STRUCTURES AS REQ. PROVIDE WATERPROOFING OF RAISED PLANTERS. WATER PROOFING ENGINEERING/DESIGN AS WELL AS DRAINAGE ENGINEERING SHALL BE PROVIDED BY OTHERS.

## GENERAL NOTES

1. THESE PLANS ARE NOT COMPLETE CONSTRUCTION DOCUMENTS AND SHOULD NOT BE USED AS SUCH. THE PURPOSE OF THESE PLANS IS TO DEMONSTRATE OVERALL DESIGN INTENT TO THE OWNER. ADDITIONAL ENGINEERING IS REQUIRED PRIOR TO CONSTRUCTION OF WALLS, BRIDGE, PERGOLA, RAISED PLANTERS, FENCING/GATES, MONUMENT SIGN, WATER FEATURE, ETC.
2. ALL BASE AND SITE INFORMATION WAS OBTAINED FROM A SURVEY PERFORMED BY DUDLEY AND ASSOCIATES AND IS THEREFORE ASSUMED TO BE ACCURATE. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING AND PROPOSED GRADES, PROPERTY LINES ETC. ON-SITE PRIOR TO CONSTRUCTION AND WILL NEED TO MAKE ON-SITE ADJUSTMENTS AS NECESSARY DURING CONSTRUCTION.
3. CONTRACTOR IS RESPONSIBLE TO VERIFY CORRECT PROPERTY LINES AND MAKE ADJUSTMENTS TO PLAN AS NECESSARY. IN ADDITION, ALL UTILITIES AND/OR EASEMENTS ARE TO BE VERIFIED ON-SITE TO ENSURE NO CONFLICTS EXIST BETWEEN EXISTING UTILITIES, EASEMENTS AND THE PROPOSED LANDSCAPE PLAN.
4. ISDG OFFERS NO GUARANTEE, WRITTEN OR OTHERWISE, AS TO THE ACCURACY OF THESE DRAWINGS. THE OWNER AND CONTRACTOR ARE ULTIMATELY RESPONSIBLE FOR ENSURING LANDSCAPE IS CONSTRUCTED IN A SAFE MANNER THAT WILL NOT CAUSE HARM TO ANY PERSON, STRUCTURE OR OTHER ELEMENTS ON THE SAID PROPERTY OR ADJACENT PROPERTIES.
5. CONTRACTOR SHALL INSPECT ALL DRAWINGS AND SPECIFICATIONS. ANY DISCREPANCIES FOUND IN THE DRAWINGS, DETAILS OR SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER AND IN-SITE DESIGN GROUP PRIOR TO CONSTRUCTION. CONTRACTOR SHALL OBTAIN WRITTEN FIELD DIRECTIVES FROM IN-SITE DESIGN GROUP STATING PROPER COURSE OF ACTION IF DISCREPANCIES OR ERRORS ARE DISCOVERED PRIOR TO AND DURING CONSTRUCTION.

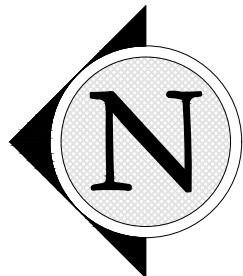
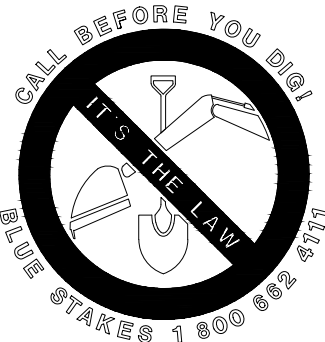
## HARDSCAPE LEGEND

SYMBOL	DESCRIPTION
	BELGARD MEGA-ARBEL VICTORIAN PAVERS WITH DUBLIN COBBLE BORDER (OR OWNER APPROVED EQUAL) TO BE INSTALLED PER PLANS. PAVES COLOR AND STYLE TO BE DETERMINED BY OWNER. PAVERS TO BE INSTALLED ON 6-8" DEPTH OF ROAD BASE COMPACTED TO 95%. ALL PAVERS TO BE INSTALLED PER ICI STANDARDS. INSTALL POLYMERIC SAND IN JOINTS. COMPACT PAVERS WITH VIBRATORY COMPACTOR AS NECESSARY AND AS SPECIFIED BY MANUFACTURER. SAND SWEEP JOINTS A SECOND TIME TO INSURE PAVES JOINTS ARE FILLED. CONTRACTOR TO PROVIDE A 3'X3' SAMPLE OF PAVERS PRIOR TO CONSTRUCTION FOR FINAL APPROVAL BY OWNER.
	BELGARD OLD WORLD PAVER CLASSIC PAVERS WITH BORDER (OR OWNER APPROVED EQUAL) TO BE INSTALLED IN THE WALKWAY AREAS PER PLANS. SEE NOTES ABOVE FOR INSTALLATION INFORMATION.
	BELGARD MEGA-ARBEL BELLA CLASSIC PAVERS WITH BORDER (OR OWNER APPROVED EQUAL) TO BE INSTALLED IN THE WALKWAY AREAS PER PLAN. SEE NOTES ABOVE FOR INSTALLATION INFORMATION.
	3" DEPTH OF 1/4"-MINUS DECOMPOSED GRANITE CRUSHER FINES. COLOR TO BE DIFFERENT THAN OTHER CRUSHER FINES. COLOR TO BE DETERMINED BY OWNER.
	3" DEPTH OF 1/4"-MINUS DECOMPOSED GRANITE CRUSHER FINES. COLOR TO BE DETERMINED BY OWNER.
	6"X4" EXTRUDED CONCRETE MOWCURB.
	BOULDER RETAINING WALL AND DECORATIVE LANDSCAPE BOULDERS. EXACT BOULDER TYPE AND COLOR TO BE DETERMINED BY OWNER. ENGINEERING TO BE PROVIDED BY OTHERS.
	DRY STACKED STONE WALL, EXACT STONE TYPE AND COLOR T.B.D. BY OWNER.

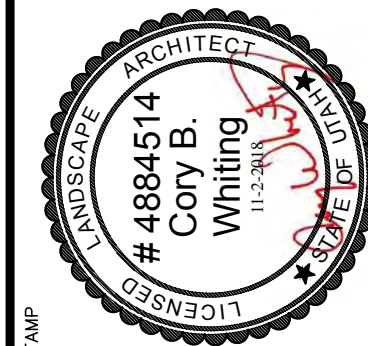
PLANTER BOX, PAVES OR TIMBER PER OWNER. IF PAVERS ARE SELECTED, MATCH OTHER BELGARD HARDSCAPES PAVERS AND WALLS. IF TIMBER IS SELECTED, THE TIMBER GROW BOX SHALL BE CONSTRUCTED OF 6"X6"X8' LONG PRESSURE TREATED REDWOOD TIMBERS STACKED 4 HIGH. BURY 1/2 OF THE FIRST TIMBER BELOW GRADE. USE LONG TIMBER NAILS TO SECURE THE TIMBERS TOGETHER AND PAINT ALL CUT ENDS OF THE TIMBERS WITH A PENETRATING SEALER TO PRESERVE THE WOOD. FILL RAISED PLANTERS WITH A MIN. 12" DEPTH OF BLENDED SOIL CONSISTING OF 50% SANDY LOAM TOPSOIL, 25% UTELITE SOIL CONDITIONER AND 25% SOIL PREP FROM MILLER COMPANIES (CALL FLOYD AT 435-757-2416) OR BARK FINES FROM THOMPSON LOGGING LOCATED IN HEBER CITY (CALL TERRY THOMPSON AT 435-640-3694). INSTALL 3" DEPTH OF DECOMPOSED GRANITE AROUND GARDEN PLANTER BOXES. THE DECOMPOSED GRANITE SHALL BE COMPACTED PER MANUFACTURERS SPECS AFTER INSTALLATION.



SCALE: 1"=20'-0" ON 24X36 SHEET



CONSULTANTS:



STAMP

**WALKER FARM/ BARN**  
484 E Center Street  
LONDON- Utah- 84042

PROJECT:

LANDSCAPE PLAN

SHEET TITLE:

DRAWN BY: JEV  
CHECKED: CBW  
DATE: 11-2-2018  
REVISIONS:  
JOB NO. 18-122

SHEET:

LS1.1



2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
 4 **October 9, 2018 beginning at 7:00 p.m.** at the Lindon City Center, City Council  
 Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION – 7:00 P.M.**

8 Conducting: Sharon Call, Chairperson  
 Invocation: Mike Marchbanks, Commissioner  
 10 Pledge of Allegiance: Mike Vanchiere, Commissioner

12 **PRESENT** **EXCUSED**

Sharon Call, Chairperson  
 14 Rob Kallas, Commissioner  
 Mike Marchbanks, Commissioner  
 16 Charlie Keller, Commissioner  
 Steven Johnson, Commissioner  
 18 Mike Vanchiere, Commissioner  
 Brandon Snyder, Associate Planner  
 20 Kathy Moosman, Recorder

22 **Special Attendee**  
 Matt Bean, Councilmember

24

1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.

26

2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of the  
 28 Planning Commission meeting of September 11, 2018 were reviewed.

30 COMMISSIONER JOHNSON MOVED TO APPROVE THE MINUTES OF  
 THE REGULAR MEETING OF SEPTEMBER 11, 2018 AS PRESENTED.  
 32 COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED  
 IN FAVOR. THE MOTION CARRIED.

34

3. **PUBLIC COMMENT** – Chairperson Call called for comments from any  
 36 audience member who wished to address any issue not listed as an agenda item.

38 Ann Johnson, Lindon resident addressed the Commission at this time. Ms.  
 Johnson states she lives on 200 East 40 North in an HOA development. She stated they  
 40 would like permission to put a sign out on their private street that states “no  
 parking/private street and unauthorized vehicles will be towed.” She asked if a permit is  
 42 required being that it is private property. Mr. Snyder stated it would not need a permit  
 but the planning department would need to verify the restrictions with height placement  
 44 and vision. Ms. Johnson also mentioned the “Dowdle” home located on 400 East is used  
 for community events and questioned what the policy is as the parking overflows into  
 46 their private street and she feels this could be a potential liability issue for their HOA.  
 Chairperson Call stated if there is a problem with a large event it should be brought to the  
 48 city’s attention. Ms. Johnson feels Mr. Dowdle should take responsibility for notifying



that have met the percentages; he likes the look of it noting they are using this product all over the world.

Chairperson Call asked if there were any public comments at this time. Mr. Leonard Lee commented his business is adjacent to this proposed development. He believes this is the best use and proposal for this property. He also thinks, as he has considered this proposal, as long as he can maintain his property line he doesn't object to them landscaping against his building if they willing to maintain it. Ann Johnson, resident in attendance, asked if the Fire Department will be able to gain access to the area and if it would pose any safety issues. She also pointed out there may be associated traffic issues by the Lindon Elementary school.

Chairperson Call stated her biggest concern is not how the building looks but how the ordinance is applied. Commissioner Kallas stated he feels good about the project, but would like to recommend continuation to give the commission time to visit the sites to view the other projects and products. Commissioner Vanchiere pointed out its clear in the ordinance (overlay zone), and if it comes before this body, that the Commission has the option of choosing other materials and it will be specified by staff in the Commission staff report.

Chairperson Call asked if there were any further comments or discussion. Hearing none she called for a motion.

COMMISSIONER KALLAS MOVED TO CONTINUE THE APPLICANT'S REQUEST FOR SITE PLAN APPROVAL FOR SENIOR HOUSING APARTMENTS AT A DENSITY OF 30 UNITS/ACRE IN ORDER TO ALLOW TIME FOR THE COMMISSION TO VIEW SIMILAR PROPERTIES AND PRODUCTS. COMMISSIONER KELLER SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER KELLER	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER VANCHIERE	NAY

THE MOTION CARRIED FIVE TO ONE.

**9. Site Plan/Conditional Use Permit — Walker Farms, 26 South 500 East.** Mike Jorgensen requests preliminary site plan approval for a reception center as a conditional use on the property located at approximately 26 South 500 East, in the Commercial Farm (CF) zone. Recommendations will be forwarded to the City Council for final approval.

Mr. Snyder stated the applicant, Mike Jorgensen is in attendance to request preliminary site plan approval for a reception center as a conditional use on the property located at approximately 26 South 500 East, in the Commercial Farm zone. He noted recommendations will be forwarded to the City Council for final approval.

Mr. Snyder explained that Mr. Jorgensen is proposing to construct an events barn (reception center) on the property. He is also proposing to utilize the existing home, on the corner of Center St. and 500 East, as a caretaker or farm-help accessory dwelling.

Both of these uses require a conditional use permit in the CF zone per Lindon City Code. He pointed out the applicant's existing residence and detached garage/workshop are included in the Walker Farms project.

Mr. Snyder stated that Lindon City Code 17.09 Table #1 indicates that for projects in the CF zone, the Planning Commission will complete a preliminary review of the site plan and conditional use prior to a final review and decision by the City Council and recommendations from the Planning Commission review will be forwarded to the City Council. He commented that a large portion of the project area was initially rezoned by the City Council on October 3, 2017 (Ordinance 2017-14-O) from the R1-20 zone to the CF zone. The City Council rezoned additional property to the CF zone on September 4, 2018 (Ordinance 2018-16-O).

Mr. Snyder stated the Planning Staff, City Engineer and the applicant are working through technical issues related to the site and City Staff will ensure all issues are resolved before final Engineering approval is granted. He noted third party notices were mailed on September 28, 2018, to the adjoining property owners in accordance with Lindon City Code and no comments have been received to date.

Mr. Snyder then referenced for discussion Table 1, Property Information (LCC Commercial Farm 17.51). Mr. Snyder indicated that at least forty percent (40%) of the property must be maintained in active agricultural production and be managed in such a way that there is a reasonable expectation of profit. He added that land used in connection with a farmhouse, such as landscaping, driveways, etc., cannot be included in the area calculation for agricultural production eligibility. He added the applicant raises and breeds alpacas and intends to sell the alpaca wool and the event center can be an additional revenue source for the alpaca operation.

Mr. Snyder stated the minimum area of any lot or parcel of land in the CF zone shall be five acres. Multiple parcels that total five acres or more may qualify as meeting the minimum lot area without combining the parcels only when they are under identical legal ownership and are contiguous. A deed restriction prohibiting the separation of parcels may be required in order to maintain the minimum five contiguous acres.

Mr. Snyder pointed out that not more than one single-family dwelling with an accessory apartment, and one caretaker's or farm-help dwelling, may be placed on a lot or parcel of land in the CF zone (or conglomeration of parcels necessary to meet minimum acreage requirements). In no case may the caretaker's or farm-help dwelling be sold as a separate, subdivided lot unless it meets all requirements of the underlying zone. Owner occupancy of a primary residence on the property is required to maintain a caretaker's or farm-help dwelling unit. Project area contains applicant (owner) existing residence and another residence to be used as a caretaker's or farm-help dwelling (corner of 500 East and Center Street). He noted that Mr. Jorgensen recently bought two other existing residences that are adjacent to but not part of the project area.

Mr. Snyder stated in a CF zone, all buildings, including accessory buildings and structures, shall not cover more than forty percent (40%) of the area of the lot or parcel of land, or the conglomeration of parcels as defined in city code; this site is currently less than 10%. At least forty percent (40%) of the front yard setback area of any lot shall be landscaped. On any lot, concrete, asphaltic, gravel, or other driveway surfaces shall not cover more than fifty percent (50%) of a front yard. This requirement has not been met as landscaping details are needed for the frontages along Center Street and 500 East.

Mr. Snyder stated parking spaces in a CF zone are exempted from the surfacing, striping, and interior landscaping requirements and must provide a dustless, hard surface material such as compacted gravel, asphalt, or concrete and shall be provided with a similar hard surfaced access from a public street; these parking lots are asphalt.

Mr. Snyder noted any off-street parking lot adjacent to a residential use or residential zone shall provide a minimum ten-foot landscaped buffer from the parking lot to the adjacent residential use or zone. Trees shall be planted at least every ten feet along the landscaped strip and must be a minimum of two-inch caliper measured one foot off the ground and at least six feet tall when planted. Trees shall also be of a variety that will mature to a height of at least twenty feet tall in order to provide a visual barrier between the parking lot and the residential use/zone. He noted this requirement has not been met as yet as the detailed landscaping plans are still needed.

Mr. Snyder indicated no required parking spaces shall be within thirty feet of a front property line or street side property line. All required ADA parking stalls shall be provided with smooth, hard surface asphalt or concrete paving with a similar surface provided as an ADA accessible pedestrian route between the parking spaces and any public buildings being accessed from the spaces.

Mr. Snyder indicated there are no architectural design standards for the Commercial Farm zone. Mr. Snyder then presented photos (2017 conditions), Location, Site Plan (Overall Project Concept), Layout (Reception Center Concept) and Elevations followed by discussion. He then turned the time over to Mr. Jorgensen for comment.

Mr. Jorgensen explained the parking and the landscape plan that he emailed to Mr. Snyder showing setback adjustments on the parking lot/landscaping. Mr. Snyder stated Mr. Jorgensen could consider an ordinance amendment that would go through the planning commission who would then forward their recommendations on to the City Council for review and approval. Mr. Snyder pointed out that the change would only apply to the commercial farm zone.

Chairperson Call stated it is her understanding that Mr. Jorgensen could start construction while applying for the ordinance change but would have to follow the approved plans. She pointed out it would be up to the applicant to go forward with the ordinance amendment process. Following discussion, the Commission agreed this may be an extenuating circumstance (as there is a school adjacent to the property) where an ordinance change may be accommodated. Chairperson Call commented as she reviewed this it appears to meet all requirements and guidelines and looks to be a really nice project.

Chairperson Call asked if there were any further comments or discussion. Hearing none she called for a motion.

COMMISSIONER KALLAS MOVED TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE SITE PLAN AND CONDITIONAL USE PERMIT FOR WALKER FARMS TO BE LOCATED AT 26 SOUTH 500 EAST IN THE COMMERCIAL FARM (CF) ZONE APPROVAL WITH THE FOLLOWING CONDITIONS: 1. THAT THE OWNER OCCUPIES ONE OF THE LEGAL ON-SITE RESIDENCES IN ACCORDANCE WITH LINDON CITY CODE 17.51.014 AND 70, AND 2. THAT A DEED RESTRICTION PROHIBITING THE SEPARATION OF THE PARCELS BE RECORDED IN ORDER TO MAINTAIN THE MINIMUM FIVE (5) CONTIGUOUS ACRES (LINDON CITY CODE 17.51.020 AND 70) AND 3. THAT

THE PROJECT COMPLIES WITH NOISE LIMITS, SIGNAGE REGULATIONS, AND ANIMAL REGULATIONS AS REQUIRED IN LINDON CITY CODE AND SPECIFICALLY SECTIONS 17.51.145 AND 150 AND 4. PRIOR TO FINAL APPROVAL THAT THE APPLICANT WORKS WITH CITY STAFF TO ADDRESS AND CORRECT THE SETBACK CONCERNS AND LOT ISSUES RAISED BY RECENT UNAPPROVED DIVISIONS OF LAND (CONDITION FROM REZONING 09/04/2018 CC) AND 5. PROVIDE A LANDSCAPING PLAN TO MEET APPLICABLE REQUIREMENTS OF LCC 17.51.120(2) AND 17.51.130(3).

COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER KELLER	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER VANCHIERE	AYE

THE MOTION CARRIED UNANIMOUSLY.

9. **New Business: Reports by Commissioners** – Chairperson Call called for any new business or reports from the Commissioners.

Chairperson Call mentioned Scott Thompson has been selected as a new Planning Commissioner and the Council will take action to appoint him next week. She also asked for an update on the snake farm. Mr. Snyder said he spoke with Mr. Stone today and he has scheduled to have the required inspections take place.

10. **Planning Director Report** –

- Hiring in process for Planning Director position
- Report from APA Utah Planning Conference in Sandy

Chairperson Call called for any further comments or discussion. Hearing none she called for a motion to adjourn.

**ADJOURN** –

COMMISSIONER CALLMADE A MOTION TO ADJOURN THE MEETING AT 9:50 PM. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – October 23, 2018

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Sharon Call, Chairperson

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Brandon Snyder, Associate Planner

The Lindon City Council held a regularly scheduled meeting on **Tuesday, October 16, 2018, beginning 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: Matt Bean, Mayor Pro Tem  
 Pledge of Allegiance: Devin, Boy Scout  
 Invocation: Daril Magleby, Councilmember

**PRESENT**

Matt Bean, Councilmember  
 Carolyn Lundberg, Councilmember  
 Van Broderick, Councilmember  
 Daril Magleby, Councilmember  
 Adam Cowie, City Administrator  
 Brandon Snyder, Planning Director  
 Kathryn Moosman, City Recorder

**EXCUSED**

Jeff Acerson, Mayor  
 Jacob Hoyt, Councilmember

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.
3. **Approval of Minutes** – The minutes of the regular meeting of the City Council meeting of September 18, 2018 were reviewed.

COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 18, 2018 AS PRESENTED. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN	AYE
COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER MAGLEBY	AYE

THE MOTION CARRIED UNANIMOUSLY.

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

David Shaw, Lindon resident, approached the Council at this time and introduced his son Adam who is working on a merit badge. Mr. Shaw stated he has previously been before the Council in a professional capacity. He also expressed his appreciation for the Council and the time and effort they put into the community. He realizes this is a

significant commitment and he just wanted to convey his message of gratitude. The Council thanked Mr. Shaw for his nice comments.

**5. Consent Agenda Items –**

1. Appointment of Scott A. Thompson to a three-year term as a Lindon City Planning Commissioner.
2. Approval of Resolution #2018-19-R declaring certain city equipment and supplies as surplus to be sold and disposed of per city policies.
3. Approval of two updated agreements with Central Utah Water Conservancy District and the United States Department of the Interior regarding Olmstead Hydroelectric Plant power loss charges and water carriage charges.
4. Extension of Final Plat and Improvement Plans Approval — Lindon Self-Storage, 860 West 200 South. Susan Palmer, Ridgepoint Management Group LLC, on behalf of Lindon Self-Storage LLC, seeks a 12- month extension of the final plat and plan(s) approval for the Lindon Self-Storage Subdivision, Plat A, a forty-six (46) unit self-storage major condominium project, to be located at approximately 860 West 200 South in the Light Industrial (LI) zone. LCC 17.12.210 allows for an applicant to request up to a 12-month extension of the final approval. The current approval expires in November 2018. No changes to the previously approved final plat and plan(s) are being proposed. The Planning Commission recommends approval of the requested extensions.

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

COUNCILMEMBER BEAN	AYE
COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER MAGLEBY	AYE

THE MOTION CARRIED UNANIMOUSLY.

**CURRENT BUSINESS**

6. **Site Plan/Conditional Use Permit — Walker Farms, 26 South 500 East.** Mike Jorgensen requests preliminary site plan approval for a reception center as a conditional use on the property located at approximately 26 South 500 East, in the Commercial Farm (CF) zone. The Planning Commission recommended approval with conditions.

Brandon Snyder, Associate Planner, noted the applicant, Mike Jorgensen is in attendance for this agenda item. He explained Mr. Jorgensen is requesting approval of a preliminary site plan approval for a reception center as a conditional use on the property located at approximately 26 South 500 East, in the Commercial Farm zone. He noted the Planning Commission recommended approval with conditions.

Mr. Snyder stated Mr. Jorgensen is proposing to construct an event barn (reception center) on the property. He also proposes to utilize the existing home, on the corner of Center Street and 500 East, as a caretaker or farm-help accessory dwelling. Mr. Snyder stated both of these uses require a conditional use permit in the CF zone per Lindon City Code. He noted the applicant's existing residence (400 East) and detached garage/workshop are included in the Walker Farms project. Mr. Snyder reminded the Council that the intent of the commercial farm zone is to provide encouragement of agricultural production and associated commercial activities that are compatible with and/or promote agricultural uses within the city. Mr. Snyder indicated objectives of the zone include promoting and preserving agricultural production, promoting agricultural open space throughout the city, and allowing associated commercial activities which could be used as additional revenue sources to help sustain and support agricultural industry within Lindon.

Mr. Snyder explained that a large portion of the project area was initially rezoned by the City Council on October 3, 2017 from the R1-20 zone to the CF zone. The City Council also rezoned additional property to the CF zone on September 4, 2018. He noted the Planning Staff, City Engineer and Mr. Jorgensen are working through any technical issues related to the site and Staff will ensure all issues are resolved before final Engineering approval is granted. He noted third party notices were mailed on September 28, 2018, to the adjoining property owners in accordance with Lindon City Code and no comments have been received to date.

Mr. Snyder then referenced Table 1 Property Information (LCC Commercial Farm 17.51) including Lot area, Lot width, Lot depth, Building height, Onsite parking stalls, Building setbacks and Agricultural Production Area followed by discussion. Mr. Snyder noted all requirements are met.

Mr. Snyder pointed out that at least forty percent of the property must be maintained in active agricultural production and be managed in such a way that there is a reasonable expectation of profit. Also, land used in connection with a farmhouse, such as landscaping, driveways, etc., cannot be included in the area calculation for agricultural production eligibility. Mr. Snyder pointed out the 40% requirement is met. Even though the combined parcels (total project area 6.29 acres) exceeds the minimum 5 acres as required by city code, currently the agricultural production area is at the minimum 40%. He indicated that no parcels that are currently in the project area could be removed or sold separately at a future date without modifications to the site plan.

Mr. Snyder further explained "agricultural production" is defined (per city code) as the production of food for human or animal consumption through the raising of crops and/or breeding and raising of domestic animals and fowl (except household pets) in such a manner that there is a reasonable expectation of profit. He noted this was previously discussed during the rezoning of the property. Mr. Jorgensen raises and breeds alpacas and intends to sell the alpaca wool; the reception/event center can be an additional revenue source for the alpaca operation.

Mr. Snyder stated the minimum area of any lot or parcel of land in the CF zone shall be five acres. He noted that multiple parcels that total five acres or more may qualify as meeting the minimum lot area without combining the parcels only when they are under identical legal ownership and are contiguous. He indicated that a deed

2 restriction prohibiting the separation of parcels may be required in order to maintain the  
minimum five contiguous acres.

4 Mr. Snyder went on to say that not more than one single-family dwelling with an  
accessory apartment, and one caretaker's or farm-help dwelling, may be placed on a lot  
6 or parcel of land in the CF zone (or conglomeration of parcels necessary to meet  
minimum acreage requirements). He pointed out that in no case may the caretaker's or  
8 farm-help dwelling be sold as a separate, subdivided lot unless it meets all requirements  
of the underlying zone. He added that owner occupancy of a primary residence on the  
10 property is required to maintain a caretaker's or farm help dwelling unit.

Mr. Snyder re-iterated that the project area contains Mr. Jorgensen's existing  
12 residence, at 400 East, and another residence to be used as a caretaker's or farm-help  
dwelling at the corner of 500 East and Center Street. Mr. Jorgensen has also recently  
14 bought two other existing residences that are adjacent to but not part of the project area.

Mr. Snyder went on to say in a CF zone, all buildings, including accessory  
16 buildings and structures, shall not cover more than forty percent (40%) of the area of the  
lot or parcel of land, or the conglomeration of parcels as defined in city code (currently  
18 less than 10%). At least forty percent (40%) of the front yard setback area of any lot shall  
be landscaped. On any lot, concrete, asphaltic, gravel, or other driveway surfaces shall  
20 not cover more than fifty percent (50%) of a front yard (this requirement has not been  
met. He noted that landscaping details are needed for the frontages along Center Street  
22 and 500 East).

Mr. Snyder pointed out that parking spaces in a CF zone are exempted from the  
24 surfacing, striping, and interior landscaping requirements, but shall be provided with a  
dustless, hard surface material such as compacted gravel, asphalt, or concrete and shall be  
26 provided with a similar hard surfaced access from a public street (parking lots are  
asphalt). He noted that any off-street parking lot adjacent to a residential use or  
28 residential zone shall provide a minimum ten-foot (10') landscaped buffer from the  
parking lot to the adjacent residential use or zone. Trees shall be planted at least every ten  
30 feet (10') along the landscaped strip and must be a minimum of two-inch (2") caliper  
measured one foot (1') off the ground and at least six feet (6') tall when planted. Trees  
32 shall be of a variety that will mature to a height of at least twenty feet (20') tall in order to  
provide a visual barrier between the parking lot and the residential use/zone (this  
34 requirement has not been met).

Mr. Snyder noted no required parking spaces shall be within thirty feet (30') of a  
36 front property line or street side property line. He indicated Mr. Jorgensen would like to  
discuss a potential ordinance amendment to allow for the parking to be closer to the street  
38 and the landscaping to be added within the parking area. All required ADA parking stalls  
shall be provided with smooth, hard surface asphalt or concrete paving with a similar  
40 surface provided as an ADA accessible pedestrian route between the parking spaces and  
any public buildings being accessed from the spaces. He pointed out there are no  
42 architectural design standards for the Commercial Farm (CF) zone.

Mr. Snyder then presented photos (2017 & 2018), Location, Site Plan (Overall  
44 Project Concept), Layout (Reception Center Concept), Elevations, Example Parking Lot  
and Landscaping Placement (not for approval at this time) followed by discussion. He  
46 then turned the time over to Mr. Jorgensen for comment.



Mr. Jorgensen addressed the Council at this time. He indicated he is considering a potential ordinance amendment to allow for the parking to be closer to the street and the landscaping to be added within the parking area as the elementary school is the adjacent neighbor.

Councilmember Lundberg commented she likes this trade off as it spreads some of the beautification into the interior parking lot so its not just asphalt and concrete. She likes the trade off and it seems like a reasonable concept. Councilmember Broderick agreed adding it looks very sharp.

Mayor Pro Tem Bean pointed out this item came before the Planning Commission a week ago and they agreed to keep the five conditions in the motion to ensure they are followed up with. Mr. Jorgensen stated he is comfortable with the five listed conditions.

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

COUNCILMEMBER LUNDBERG MOVED TO APPROVE THE SITE PLAN AND CONDITIONAL USE PERMIT FOR WALKER FARMS TO BE LOCATED AT 26 SOUTH 500 EAST IN THE COMMERCIAL FARM (CF) ZONE, WITH THE FOLLOWING CONDITIONS: 1. THAT THE OWNER OCCUPIES ONE OF THE LEGAL ON-SITE RESIDENCES IN ACCORDANCE WITH LINDON CITY CODE 17.51.014 AND 70, AND 2. THAT A DEED RESTRICTION PROHIBITING THE SEPARATION OF THE PARCELS BE RECORDED IN ORDER TO MAINTAIN THE MINIMUM FIVE (5) CONTIGUOUS ACRES (LINDON CITY CODE 17.51.020 AND 70), AND 3. THAT THE PROJECT COMPLIES WITH NOISE LIMITS, SIGNAGE REGULATIONS, AND ANIMAL REGULATIONS AS REQUIRED IN LINDON CITY CODE AND SPECIFICALLY SECTIONS 17.51.145 AND 150, AND 4. PRIOR TO FINAL APPROVAL THAT THE APPLICANT WORKS WITH CITY STAFF TO ADDRESS AND CORRECT THE SETBACK CONCERNS AND LOT ISSUES RAISED BY RECENT UNAPPROVED DIVISIONS OF LAND (CONDITION FROM REZONING 09/04/2018 CC), AND 5. PROVIDE A LANDSCAPING PLAN TO MEET APPLICABLE REQUIREMENTS OF LCC 17.51.120(2) AND 17.51.130(3). COUNCILMEMBER MAGLEBY SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN	AYE
COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER MAGLEBY	AYE

THE MOTION CARRIED UNANIMOUSLY.

- 7. Discussion Item — Urban Deer Hunt / Urban Deer Removal Programs.** Chief Josh Adams and a representative from the State of Utah Division of Wildlife Resources (DWR) will review urban deer hunt program rules and processes. The Council will provide direction to staff on whether or not to proceed with gathering additional public input and/or begin efforts with the DWR to establish an urban deer hunt or urban deer removal program within Lindon. If an urban hunting program is desired a future public hearing and budget amendment hearing will be necessary.

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
 4 **May 14, 2019 beginning at 7:00 p.m.** at the Lindon City Center, City Council  
 Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION – 7:00 P.M.**

8 Conducting: Sharon Call, Chairperson  
 Invocation: Jared Schauers, Commissioner  
 10 Pledge of Allegiance: Scott Thompson, Commissioner

12 **PRESENT** **EXCUSED**

Sharon Call, Chairperson  
 14 Mike Marchbanks, Commissioner  
 Rob Kallas, Commissioner  
 16 Steven Johnson, Commissioner  
 Scott Thompson, Commissioner  
 18 Jared Schauers, Commissioner  
 Mike Florence, Planning Director  
 20 Anders Bake, Associate Planner  
 Kathryn Moosman, Recorder

22 **Special Attendee:**  
 24 Matt Bean, Councilmember

26 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.

28 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the  
 Planning Commission meeting of April 9, 2019 were reviewed.

30  
 32 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE  
 REGULAR MEETING OF APRIL 9, 2019 AS PRESENTED. COMMISSIONER  
 34 MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.  
 THE MOTION CARRIED.

36 3. **PUBLIC COMMENT** – Chairperson Call called for comments from any  
 audience member who wished to address any issue not listed as an agenda item.

38  
 40 Mr. Mark Weldon spoke on his application noting he is 40 days into the process  
 and they set a guideline for 60 to 90 days for an answer. They would like the fake road to  
 be moved off of their property as the timeline is almost up. He noted city staff has done  
 42 the process perfectly. They just wanted to say this is of large economic importance to  
 them to have the removal of the road. The drainage and detention go to that area so  
 44 without the road being removed it is a major problem for them. They have invested a lot  
 of time and money for the parking deck and if the parking isn't provided Global  
 46 Payments will not go in. So, they are now in consideration of spending 5 million for a  
 parking structure and they would ask that it not be taxed and are they are asking for  
 48 advice from the commission as to not get charged for property tax on the parking

2 structure or if there is a way to get abatement on the property taxes for the parking  
structure. He is asking that the commission research the possibility of this issue.

4 Chairperson Call stated they could encourage additional research but that is not a  
decision this body can make. Mr. Weldon stated this is a unique case and they are just  
6 asking for staff to consider and research the issue. Mr. Florence stated that is something  
the Utah County Assessor would have to answer. The mechanisms the city would have  
8 access to is through a Redevelopment Agency (RDA) and there is not one set up in that  
area; this would begin with the city council. He noted there may be incentive packages to  
10 offset costs but that would also be a decision of the city council. Mr. Florence suggested  
that Mr. Weldon contact himself and the city administrator to discuss the issue further.

#### 12 **CURRENT BUSINESS** –

- 14
- 16 4. **Public Hearing** – Recommendation to the Lindon City Council to amend Lindon  
City Code Chapter 17.51.130 to reduce landscaping requirements between  
parking lots and the street in the Commercial Farm zone. Application is made by  
18 Mike Jorgensen.

22 COMMISSIONER MARCHBANKS MOVED TO OPEN THE PUBLIC  
HEARING. COMMISSIONER JOHNSON SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

24

26 Michael Florence, Planning Director, gave a brief overview of this item  
explaining the applicant, Mr. Mike Jorgensen made application to amend Title  
17.51.130(4) pertaining to proximity of parking to the street right-of-way in the  
28 Commercial Farm zone. He noted City code currently prohibits parking spaces from  
being located closer than thirty feet from a front property line or street side property line.  
30 He indicated it was assumed by staff that the thirty-foot area was meant to be landscaped  
and Staff clarified this requirement in the proposed ordinance language. The proposed  
32 ordinance would allow a reduction in the thirty-foot requirement where a non-residential  
use either abuts the property or is directly across the street. However, no net loss of  
34 landscaping will be allowed. He added the reduced landscaping must be relocated to  
either add additional interior parking lot landscaping or overall site landscaping.

36 Mr. Florence stated no required parking spaces can be within thirty feet (30') of a  
front property line or street side property line. Also, a minimum thirty (30) foot landscape  
38 buffer shall be required between parking areas and the front property line or street right-  
of-way. A reduction in the thirty-foot landscape buffer may be approved where a non-  
40 residential use either abuts the property or is directly across the street and the non-  
residential use has less than the thirty-feet of landscaping between the parking area and  
42 front property line or street right-of-way. He noted where approved, the applicant will  
replace the reduced thirty-foot landscaping buffer with additional interior parking lot or  
44 site landscaping.

46 Mr. Florence noted the thirty-foot setback for parking was probably adopted  
because the minimum setback for a single-family residence in the R1 zone is thirty feet.  
The applicant is proposing the change for two reasons: First, Rocky Mountain  
48 Elementary has 9 ½ feet of landscaping between their parking and the street right-of-way.  
The applicant's proposal shows reducing the landscaping from 30 feet to 19 feet. The

property is unique in that it sits well below grade. There is approximately 9 ½ feet of landscaping between the rail fence and the sidewalk, with another two feet behind the fence. The remaining landscaping will be below grade at the parking

Mr. Florence stated the applicant would like to relocate the reduced landscaping to the interior of the parking lot. The site plan shows an interior sidewalk. If the reduction in landscaping is approved, the applicant is proposing to relocate it to install landscaping on both sides of the interior parking lot sidewalk. He noted the general plan has a land use goal to carefully limit any negative impact of commercial facilities on neighboring land use areas, particularly residential development.

Mr. Florence then presented the following exhibits for discussion:

- Proposed Ordinance
- Planning Commission Minutes October 9, 2018
- City Council meeting minutes October 16, 2018
- Site Plan
- Landscape renderings provided by the applicant
- Current approved landscape plan

Commissioner Kallas commented that it makes a lot of sense for what they are requesting and would work very well and questioned if a variance would be better suited than changing the ordinance. Mr. Florence stated a variance wouldn't apply to this situation. Chairperson Call stated she doesn't want us to be put in a situation where a determination has to be made every time an application is submitted. Commissioner Thompson agreed stating he has the same basic concerns. He added the exceptions on this are very specific and questioned if the wording could be changed to make it work so it is not specific for this property; it looks like it will work well, but may be a little too specific for him.

Commissioner Kallas commented we can't govern what schools do and he would hesitate to change the ordinance just for this specific case. Mr. Florence said he would like feedback tonight and then he can take another shot at the ordinance. Commissioner Marchbanks pointed out there are only two locations in the city that meet the requirements for a commercial farm zone (this property and Wadley Farms).

Mrs. Jorgensen was in attendance representing this item. She mentioned they feel this is a pretty straightforward request and think this would look so much prettier and would be better if they landscape down to where the elevation drops.

Following some general discussion Chairperson Call stated we need to work something out with the ordinance. Commissioner Kallas asked Ms. Jorgensen if she would be in agreement if this decision is postponed in order to figure out a tool to make this work. Ms. Jorgensen stated they would be fine with that.

Chairperson Call asked if there were any public comments or discussion. Hearing none she called for a motion to close the public hearing.

COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.  
COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT  
VOTED IN FAVOR. THE MOTION CARRIED.

Chairperson Call called for any further comments or discussion from the Commission. Hearing none she called for a motion.

COMMISSIONER KALLAS MOVED TO CONTINUE ORDINANCE AMENDMENT 2019-8-O TO ALLOW STAFF TO TAKE DIRECTION TO INVESTIGATE HOW THIS SECTION OF THE DEVELOPMENT CAN BE APPROVED TO MINIMIZE THE SETBACK TO 19 FEET WITHOUT CHANGING THE ORDINANCE. COMMISSIONER THOMPSON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER THOMPSON	AYE
COMMISSIONER SCHAUERS	AYE

THE MOTION CARRIED UNANIMOUSLY.

5. **Public Hearing** – Recommendation to the Lindon City Council to amend Lindon City Sign Code Chapter 18.03 to modify the allowable square footage for directional signs. Application is made by Phil Haderlie on behalf of doTerra.

COMMISSIONER THOMPSON MOVED TO OPEN THE PUBLIC HEARING. COMMISSIONER SCHAUERS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Mr. Florence led this discussion by stating the applicant, Phil Haderlie (who is in attendance) made application on behalf of doTerra to amend Title 18.03.030 to allow for increased directional signage in the Regional Commercial Zone. The ordinance amendment application was filed to allow increased signage for the Regional Commercial zone only. Staff feels that if the City decides to amend the sign code to allow for increased sign area for directional signs then the City should consider, as well, allowing increased signage for the Heavy and Light Industrial zones due to site visibility for delivery trucks.

Mr. Florence explained Mr. Haderlie explained the purpose of the request for increased directional sign area is to allow larger font size for ease of readability for large delivery vehicles; A Directional Sign, as defined in Lindon City Code 18.03.020 means: any sign used to direct traffic flow into or out of a parking lot through a City approved drive approach; The sign code currently allows a maximum height of three feet and a maximum sign area of 6 feet. He noted the applicants request is to allow a maximum height of 3 feet and a maximum sign area of 12 square feet. These dimensions would allow for a 3' x 4' directional sign.

Mr. Florence then presented the Proposed Ordinance Language as follows:

*Directional Signs.*

1. Directional signs require a sign permit from the City
2. Only one (1) Directional sign is allowed for each City approved drive approach.
3. Directional signs shall meet the following requirements:
  - a) Not exceed three feet (3') in height; and b. Not exceed six (6) square feet in area.
  - b) In the Regional Commercial, Heavy Industrial and Light Industrial zones, a maximum of three feet in height and twelve (12) square feet in area;

7. **Discussion Item — FY2020 Budget Items;** (20 minutes)  
The City Council will have continued discussion on employee Merit and COLA, and Utility Rates Study and recommended increases (JUB Engineers will present the utility rate study). The City Council will provide feedback for staff's direction.

***Discussion Item only. No motion required.***

## Budget Issues

This is a review of budget issues for the 2019-2020 fiscal year. These budget issues will be presented in the June 4, 2019 City Council meeting to decide what will be included in the final budget.

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

The Consumer Price Index (CPI) had an average annual increase of 2.3% from March 2018 to February 2019 according to US Department of Labor as shown below.

**Figure 1:** Consumer Price Index March 2017-February 2019, All Urban Consumers, All Items

	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Average
2017-2018	243.801	244.524	244.733	244.955	244.786	245.519	246.819	246.663	246.669	246.524	247.887	248.991	245.988
2018-2019	249.554	250.546	251.588	251.989	252.006	252.146	252.439	252.885	252.038	251.233	251.712	252.776	251.743
% Change	2.4%	2.5%	2.8%	2.9%	2.9%	2.7%	2.3%	2.5%	2.2%	1.9%	1.6%	1.5%	2.3%

Source: US Dept. of Labor, Bureau of Labor Statistics

Merit increases would be effective January 2020 and would be awarded based on performance evaluations. Merit increases would be one step for employees below the mid range. Employees at or above the mid range step would receive a 3.0% performance based merit increase. One-time merit increase payments have also been given to employees who have reached the maximum wage on their range of the pay scale. These employees are still valued for their expertise and are given this one-time payout based on their performance evaluations, but their wage does not increase. The one-time payouts are calculated based on the amount of merit increase they would receive for 12 months.

Historically, COLA and merit increases have provided somewhat consistent buying power for the employees and have kept salaries competitive and employee morale high. Lindon City conducts compensation studies every few years to ensure that employee compensation remains competitive with similar municipalities. In the more distant past there were many positions that would have to be adjusted to bring them to the midpoint of the surveys. In the past 5 years, this has rarely happened because positions have remained competitive due to the annual COLA and merit increases.

Each year, there is an increase in payroll and/or benefits costs to the City. This year, the City is changing the benefits offered to benefitted employees and decreasing the benefit costs.

Figure 2 shows the combination of the costs increases for insurance and pay for the prior, current and budgeted fiscal years.

**Figure 2:** Costs of Benefit Allowance and Pay Increases

Year	Insur Incr (Decr)		Pay Increase			Combined Cost
	%	\$	COLA %	Merit %	Cost \$	
2017-2018	6.5%	\$47,697	1.5%	3.0%	\$124,614	\$172,311
2018-2019	4.7%	\$36,553	2.1%	1.9%	\$165,435	\$201,988
2019-2020	-2.9%	-\$23,881	2.0%	3.0%	\$202,132	\$178,251

Figure 3 shows a history of the increases that Lindon City has provided for the employees.



**Figure 3: History of Lindon City COLA and Merit Increases**

Fiscal Year	COLA	Merit	Combined	Comments
6/30/2019	2.10%	0.90%	3.00%	one time 1% merit pay out was approved
6/30/2018	1.50%	3.00%	4.50%	
6/30/2017	0.03%	3.00%	3.03%	
6/30/2016	1.40%	1.50%	2.90%	
6/30/2015	1.40%	2.73%	4.13%	
6/30/2014	1.90%	2.73%	4.63%	
6/30/2013	2.30%	2.73%	5.03%	
6/30/2012	3.20%	2.73%	5.93%	
6/30/2011	0.00%	0.00%	0.00%	one time 3.9% COLA pay out was approved during the year
6/30/2010	0.00%	0.00%	0.00%	
6/30/2009	0.00%	0.00%	0.00%	
6/30/2008	2.60%	2.73%	5.33%	
6/30/2007	3.50%	2.73%	6.23%	
6/30/2006	3.50%	2.73%	6.23%	
6/30/2005	2.30%	2.73%	5.03%	
<b>Average</b>	<b>1.72%</b>	<b>2.02%</b>	<b>3.73%</b>	

The fiscal impact for this proposal of 2.0% COLA effective July 1, 2019 and a one step or 3.0% merit increase effective January 1, 2020 is shown below and is included in the Proposed Budget.

	COLA only	Merit only	COLA & Merit
General Fund	\$79,198	\$85,690	\$166,602
Water Fund	\$4,542	\$6,203	\$10,869
Sewer Fund	\$4,247	\$3,730	\$8,052
Storm Water Fund	\$3,073	\$2,253	\$5,371
Recreation Fund	\$5,466	\$5,810	\$11,392
<b>Citywide Totals</b>	<b>\$96,526</b>	<b>\$103,686</b>	<b>\$202,286</b>

With concerns about continually increasing wages, the City Council has asked for different scenarios for payroll increases and their corresponding impact on the budget. There are 13 different scenarios listed in the Figure 4 matrix. Six scenarios (colored blue) have different combinations of COLA and Merit increases on employees' wages.

Six scenarios (colored tan) have different combinations of COLA and Merit increases on employees' wages as well as a one-time (1x) payout of 1% COLA or 1% Merit pay. One scenario (colored yellow) has a 2% Merit increase, a 1% COLA increase and two 1% 1x payouts, one for COLA in July and one for Merit in January. The matrix also shows in parentheses the amount of one-time merit pay that would go to employees who have reached the top of their pay ranges.

**Figure 4: Cost of Payroll Increases for Various Scenarios**

		Merit on Wages			Mix of Merit 2% + 1% 1x
		3.0%	2.5%	2.0%	
COLA on Wages	2.0%	\$202,286 (\$19,561)	\$190,487 (\$16,329)	\$178,689 (\$13,097)	\$220,776 (\$19,561)
	1.5%	\$177,636 (\$19,424)	\$165,895 (\$16,208)		\$196,035 (\$19,424)
	1.0%	\$152,986 (\$19,286)			\$171,295 (\$19,286)
Mix of COLA 1% + 1% 1x		\$200,286 (\$19,286)	\$188,603 (\$16,086)	\$176,920 (\$12,886)	\$218,894 (\$19,286)

Amount in parentheses is the cost of the 1x merit payout for maxed employees and is included in the amount above it



Additional information was included in the staff report for the May 21<sup>st</sup> meeting to aid in this discussion.

- 2018-2019 Lindon City position schedule
- 2018-2019 Lindon City pay scale
- a review of how employee performance evaluations impact their merit increases
- average employee performance evaluation scores by department for the last 5 years
- a list of increases that other entities are proposing
- a table which shows how long it would take an average employee to reach the top of their pay range with different average merit increases

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

JUB Engineers has concluded their utility rate study for water, sewer, and storm water utility rates. They will present their recommendations in the June 4<sup>th</sup> City Council Meeting. Below is a summary of the rate changes that they are recommending.

### Culinary Water Utility Fee

Base Rate

ZONES	METER SIZE						
	1"	1 ½"	2"	3"	4"	6"	8"
Below North Union Canal	<del>\$22.84</del> \$24.90	<del>\$29.25</del> \$48.64	<del>\$46.51</del> \$77.14	<del>\$174.62</del> \$167.37	<del>\$221.97</del> \$300.34	<del>\$332.59</del> \$618.54	<del>\$458.93</del> \$761.01
Above North Union Canal	<del>\$26.68</del> \$29.35	<del>\$33.09</del> \$53.09	<del>\$50.35</del> \$81.59	<del>\$178.46</del> \$171.82	<del>\$225.81</del> \$304.79	<del>\$336.43</del> \$622.99	<del>\$462.77</del> \$765.46
Upper Foothills	<del>\$42.73</del> \$46.54	<del>\$49.14</del> \$70.28	<del>\$66.40</del> \$98.78	<del>\$194.51</del> \$189.01	<del>\$241.86</del> \$321.98	<del>\$352.48</del> \$640.18	<del>\$478.82</del> \$782.65

### Usage Rate per 1,000 gallons

ZONES	BLOCK			
	1	2	3	4
Below North Union Canal	<del>\$1.36</del> \$1.48	<del>\$1.78</del> \$1.92	<del>\$2.37</del> \$2.59	<del>\$3.26</del> \$3.55
Above North Union Canal	<del>\$1.80</del> \$1.81	<del>\$2.35</del> \$2.35	<del>\$3.14</del> \$3.17	<del>\$4.32</del> \$4.34
Upper Foothills	<del>\$1.80</del> \$1.81	<del>\$2.35</del> \$2.35	<del>\$3.14</del> \$3.17	<del>\$4.32</del> \$4.34

### Thousands of Gallons of Water Included in Each Block of Water

Meter Size	Block of Water (thousands of gallons)			
	1	2	3	4
1"	0-6	7-12	13-24	more than 24
1½"	<del>0-8</del> 0-12	<del>9-15</del> 13-24	<del>16-31</del> 25-48	more than <del>31</del> 48
2"	<del>0-12</del> 0-19	<del>13-25</del> 20-38	<del>26-50</del> 39-77	more than <del>50</del> 77
3"	<del>0-47</del> 0-42	<del>48-94</del> 43-84	<del>95-189</del> 85-168	more than <del>189</del> 168
4"	<del>0-60</del> 0-76	<del>61-120</del> 77-151	<del>121-240</del> 152-302	more than <del>240</del> 302
6"	<del>0-90</del> 0-156	<del>91-180</del> 157-312	<del>181-360</del> 313-624	more than <del>360</del> 624
8"	<del>0-124</del> 0-192	<del>125-249</del> 193-384	<del>250-497</del> 385-768	more than <del>497</del> 768

**Metered Secondary Water** (where available; in addition fee based on lot size)

Base	\$6.00	<del>\$6.00</del> <b>\$6.20</b>
Usage rate per 1,000 gallons		
• If using treated water	See Culinary Water Usage Rates and Blocks	
• If using untreated water	\$0.55	<del>\$0.55</del> <b>\$0.57</b>

**Sewer Utility Fee**

Base charge - Based on Table 403.1 in 2015 International Plumbing Code as currently adopted or as may be amended.

• Single Family Residential (R-3, R-4)	\$19.44	<del>\$19.44</del> <b>\$20.22</b>
- 1 base rate fee covers up to 2 units (home + accessory apartment)		
• Multi-family Residential (R-2), per unit	\$9.72	<del>\$9.72</del> <b>\$10.11</b>
(½ base rate fee for Single Family Residential)		
• Other Residential (R-1, R-2 [dormitories], Institutional), per unit	\$4.86	<del>\$4.86</del> <b>\$5.06</b>
(¼ base rate fee for Single Family Residential)		
• Non-Residential, per water meter	\$19.44	<del>\$19.44</del> <b>\$20.22</b>
Usage rate per 1000 gallons	\$2.57	<del>\$2.57</del> <b>\$2.67</b>

**Storm Water Utility Fee**

~~\$8.92~~ **\$10.08**

Please refer to JUB's Utility Rate Study, which is in the staff report for the June 4<sup>th</sup> meeting, for more information on the water, sewer, and storm water utility rate changes.

Lindon City contracts with Republic Services for garbage and recycling collection. The current contract has an annual 3% increase in their collection fees. Also, they charge a fuel surcharge fee which has increased over the past year as fuel costs have increased. This results in the following rate increases for our customers.

**Garbage** (Residential Only)

First garbage can	\$10.00	<del>\$10.00</del> <b>\$10.30</b>
Each additional garbage can	\$8.50	<del>\$8.50</del> <b>\$8.76</b>

**Recycling**, per can

~~\$3.60~~ **\$3.71**

The monthly change on a resident's utility bill who lives below North Union Canal, has unmetered pressurized irrigation, uses 8,000 gallons with their 1" culinary water meter, has one garbage can and one recycling can, would be:

Water	\$3.07
Sewer	\$1.58
Storm	\$1.16
Garbage	\$0.30
Recycling	\$0.11
add'l tax	<u>\$0.37</u>
<b>Total</b>	<b>\$6.59</b>

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

Lindon City pays merchant fees in order to accept payments by credit cards. These merchant fees have increased from \$51,524 in the 2016-2017 fiscal year to an estimated \$75,000 for the current fiscal year. This is because we are taking more payments by credit card. Credit card payments are taken through multiple portals and via face-to-face, phone and online channels.

<u>Service</u>	<u>CC Portal</u>	<u>Avg Fee Charged to Lindon City</u>
Utility payments	Xpress	1.10%
Misc. govt svcs (cemetery, bus. license)	Xpress	1.60%
Recreation (sports, rentals, admissions)	DASH/OpenEdge	2.10%
Court (fines, restitution)	CORIS/Xpress (in person/via phone)	1.60%
Court (fines, restitution)	CORIS/Heartland	1.45%

Lindon City currently charges a convenience fee to accept Court Payments online (\$2.00) or over the phone (\$1.50). We do not charge any other fees to use a credit card for payment, however, we do limit credit card payments in Community Development to no more than \$300. Developers have asked to be able to use their credit cards for payment on building permits, even if they have to pay a fee which we currently do not have.

If we were to start charging a fee to customers in order to recoup our credit card costs, there are different kinds of fees and lots of rules established by the credit card industry, particularly Visa.

The two main type of fees are convenience fees and service fees. Convenience fees are flat rates and cannot be charged to face-to-face customers nor automatic payments. If we charge convenience fees on credit cards, we also have to charge them on ACH payments (ie, electronic checks). With these rules, we would not be able to charge convenience fees for using a credit card to pay for a building permit since those are paid for when the developer comes in to pick up their building permit.

The other type of fee that we could charge customers who pay with credit cards are service fees. Service fees can be flat or percentage based rates and can be charged in all payment channels including face-to-face customers, but are not allowed for utility payments.

Lindon City would need to work with our credit card vendors in order to set up these fees. The service fee needs to be approved by Visa and the process could take up to 60 days.

A survey was conducted by Park City of what some other entities do. They shared this information and it is shown in Figure 5 on the following page. Please note that not all of these fees are compliant with Visa rules and regulations.

**Figure 5: Park City Survey Results for Credit Card Fees Charged by Organization**

CREDIT CARD FEES CHARGED			
Organization	Utilities	Business License	Building Permit
Centerville	None	None	None
Clearfield	None	None	Ck or Cash Only
Clinton	None	None	None
Farmington	None	None	Ck or Cash Only
Fruit Heights	None	None	Ck or Cash Only
Harrisville	None	Min. \$2.50 or 2.5%	Min. \$2.50 or 2.5%
Heber	None	>\$1,000 Requires Check	>\$1,000 Requires Check
Kaysville	None	None	None
Layton	None	2% on CC but 0 on Debit	2% on CC but 0 on Debit
Lindon	None	None	None, >\$300 Requires Cash or Check
North Ogden	None	None	None
Ogden	None	None	None
Pleasant View	2% over \$1,000	2% over \$1,000	2% over \$1,000
Riverdale	>\$1,500 Requires Check	>\$1,500 Requires Check	>\$1,500 Requires Check
Roy	None	None	None
Santa Clara	None	None	>\$1,500 Requires Check
South Ogden	None	None	None
South Weber	None	Ck or Cash Only	Ck or Cash Only
Summit County	None	None	None under \$10k 2.5% >\$10k
Sunset	\$1.95	2.45%	2.45%
Syracuse	1%	1%	1%
Uintah	Use Pay Pal 4% On All	Use Pay Pal 4% On All	Use Pay Pal 4% On All
Utah State Tax	None	~2.50%	~2.50%
Vernal	None	3%	3%
Washington City	1.75%	1.75%	1.75%
Washington Terrace	\$1.90 or 3% > \$300	\$1.90 or 3% > \$300	\$1.90 or 3% > \$300
West Point	None	>\$1,000 is 3%	>\$1,000 is 3%
Woods Cross	None	<\$1,000 No Fee but >\$1,000 Ck or Cash Only	<\$1,000 No Fee but >\$1,000 Ck or Cash Only

\*3% on Citations

Court: \$1.50/phone  
or \$2.00/online

\*2.5% on jail/court

\*In process of  
implementing

Taking credit cards is a convenience for both Lindon City and our customers. Lindon City has been able to absorb the merchant fees, however the merchant fees we are charged are growing faster than our fees for our services. For instance, we have not increased our recreation sports fees to offset the increasing merchant fees as more (almost all) customers register online. And if we allow developers to use credit cards to pay for large building permits, those merchant fees are not calculated into the building permit fees. On the other hand, if we impose a service fee for using credit cards, many customers will choose to pay by check which takes personnel time and increases chances for returned checks. This is why we do not currently accept checks at the Aquatics Center.

Upon further research, we found that Visa rules prohibit only charging service fees on certain amounts and not on others. Nor can we set a limit on accepting credit card payments. Thus, Lindon City cannot say that we will not charge a service fee on amounts \$300 or less, nor can we say that we won't accept credit cards for purchases over \$20,000. We can choose to not charge service fees at all on certain services.

In the last meeting, staff and City Council agreed that the established service fee should be sufficient to cover the merchant fees on a large building permit. While we had looked at covering the average merchant fees, there were some credit cards that have higher merchant fees and these could be used to pay for building permits. A 3% service fee would cover all but one type of card, which is at 3.08% and is only used 0.5% of the time. If this type of card were to be used on a \$150,000 building permit, the 3% service fee (\$4,500) would cover all but \$120 of the \$4,620 merchant fees. This is close enough considering the number of transactions on which we would be charging the 3% service fee, but have merchant fees closer to the average of 1.6%.

Below are the updated proposed service fees. As previously mentioned, we can choose certain services that we do not charge the service fee on.

Service	Channels	Service Fee
Utility payments	All	None
City Services Utility Application Fee Donations (Thanksgiving or other)	All	3.0% (unless otherwise noted) None None
Recreation Registration (classes & sports) Aquatics Center Programs Aquatics Center Admissions Aquatics Center Punch Passes Aquatics Center Merchandise Aquatics Center Concessions Senior Center Activities	All	3.0% (unless otherwise noted) None None None None None None None
Court	In Person & Phone	3.00%
Court	Online	Keep Convenience Fee as already set up: \$2.00

Please consider:

- Are there services listed above that you **do** want to charge the service fee on?
- Are there services not listed above that you **do not** want to charge the service fee on?

## Proposed Merit &amp; Cost of Living Allowance (COLA) for FY2020 budgets

CITY OR COUNTY	COLA/market%	MERIT%	TOTAL %	COMMENTS
Park City	-	2.00	2.00	2% increase (split between merit/cola not identified so listed as Merit on this chart)
Sevier County	2.00	-	2.00	
Sunset	2.00	-	2.00	
Brigham City	-	2.40	2.40	
Provo	-	2.50	2.50	
Roosevelt	2.50	-	2.50	1% market increase for some positions based on job comps
State of Utah	2.50	-	2.50	
West Valley	-	2.50	2.50	2.75% market adjustment if +/- 5% on job comps.
American Fork	-	3.00	3.00	
Alpine	3.00	-	3.00	
Draper	2.00	1.00	3.00	
Eagle Mountain	-	3.00	3.00	Merit pay is also based on market comp increases
Emery County	3.00	-	3.00	
Enoch	3.00	-	3.00	
Highland	-	3.00	3.00	
Layton	1.00	2.00	3.00	Merit will depend upon performance
Lehi	-	3.00	3.00	and 1% market on job comps needing adjustment
Mapleton	-	3.00	3.00	
Naples	-	3.00	3.00	
Payson	-	3.00	3.00	
Pleasant Grove	1.50	1.50	3.00	
South Jordan	3.00	-	3.00	Fire - 3% Cola and 2.75% step increase; Police upgraded pay plan
South Salt Lake	3.00	-	3.00	Proposed prop tax increase for 15% market adj. for public safety
South Weber	-	3.00	3.00	
Tremonton	2.00	1.00	3.00	
Vineyard	-	3.00	3.00	
Cedar Hills	-	3.50	3.50	combined cola/merit; listed as Merit on this chart
Syracuse	3.51	-	3.51	4.02% for public safety
Clinton	2.00	2.00	4.00	adding 10% increase opportunity for 'Master Police Officer' program
Herriman	-	4.00	4.00	Plus market adjustments for labor positions
Holladay	-	4.00	4.00	Proposing overall 3.5% or 4%
Midvale	-	4.00	4.00	Ave 4%, w/possible 0-5%. + market adjustment if +/- 4% on job comps
Millcreek	1.50	2.50	4.00	
North Ogden	-	4.00	4.00	
Ogden	-	4.00	4.00	
Orem	1.00	3.00	4.00	Pay for Performance - merit
Taylorsville	-	4.00	4.00	6-10% public safety increase (combined merit/cola/market)
Tooele City	2.50	1.50	4.00	Across board 50 cent increase.
West Point	2.00	2.00	4.00	
Clearfield	3.00	1.50	4.50	
Davis	1.00	3.50	4.50	Merit is based on performance
Morgan	2.00	2.70	4.70	2.7% merit increase is difference between steps, but depends on tenure if getting merit
Bluffdale	3.90	1.00	4.90	
Heber	3.00	2.00	5.00	Merit maybe raised to 3%
La Verkin	3.00	2.00	5.00	
Lindon	2.00	3.00	5.00	Merit based on performance
North Salt Lake	3.00	2.00	5.00	Police = 5-8% depending on position
Santa Clara	-	5.00	5.00	2 yrs w/city = 3% merit; 1 yr w/city = 1% merit
Saratoga Springs	-	5.00	5.00	Up to 5% merit until salary mid-point; up to 3% merit after mid-point + 2% one-time bonus
Spanish Fork	-	5.00	5.00	
South Ogden	-	5.00	5.00	5% average adjustment across the city
Beaver	2.40	2.74	5.14	2.5% merit grade/step scale for employees (6+ years of employment)
Murray	2.70	2.50	5.20	steps 0-5 = 5%, steps 6-12 = 2.5%, Move one step on anniversary date
Springville	2.20	3.00	5.20	
Mountainland Assoc. of Gov	2.80	2.50	5.30	For COLA, MAG uses ave of 3 indexes: Social Security(2.8%), National CPI(2.4%), Western Region CPI-U(3.3%)
Riverdale	2.33	3.00	5.33	5.33% combined merit/cola (didn't have details on merit/cola split - so divided as shown)
Blanding	2.40	3.00	5.40	1-3% merit (listed as 3% on this chart)
Cottonwood Heights	1.90	3.70	5.60	
Alpine School District	5.80	yes*	5.80	5.8% COLA + various* merit increases depending on position, tenure, etc.
West Jordan	3.10	2.75	5.85	5% public safety
Bountiful	2.00	5.00	7.00	Merits for those still climbing the salary scale.
Cedar City	4.50	2.50	7.00	
Sandy	4.00	3.00	7.00	2-4% COLA depending on position (listed as 4% on this chart)

	COLA / Market %	Merit %	Total %
Average	1.59	2.45	4.00

8. **Review & Action — Adoption of Wildfire Preparedness Plan; Resolution #2019-16-R**

(20 minutes)

The City Council will review and consider approval of Resolution #2019-16-R adopting the Wildfire Preparedness Plan for Lindon City. Chief Adams will present.

**Sample Motion:** *I move to (approve, deny, continue) Resolution #2019-16-R adopting the Wildfire Preparedness Plan for Lindon City (or as presented, with changes).*

## LINDON CITY

### RESOLUTION NO. 2019-16-R

#### A RESOLUTION OF LINDON CITY, UTAH ADOPTING THE LINDON CITY COMMUNITY WILDFIRE PREPAREDNESS PLAN (CWPP), AND SETTING AN EFFECTIVE DATE.

WHEREAS Lindon City recognizes the need of a Community Wildfire Preparedness Plan for the safety of the citizens within Lindon City and the protection of private property and community infrastructure: and

WHEREAS on June 15, 2017, the Lindon City Council adopted Resolution 2017-14-R, approving a cooperative agreement between the Utah Division of Forestry, Fire, and State Lands and Lindon City for wildfire management effective that date; and

WHEREAS said agreement included that Lindon City would participate in wildfire management activities and prepare a Community Wildfire Preparedness Plan (CWPP) hereby known as the Community Wildlife Preparedness Plan; and

WHEREAS the creation and coordination of the Community Wildfire Preparedness Plan (CWPP) was assigned to Lindon City Police Chief, Josh Adams, who coordinated with the Orem City Emergency Manager, and the Orem Fire Department in the preparation of the CWPP and all compliance requirements; and

WHEREAS adoption by Lindon City demonstrates its commitment to wildfire management and achieving the goals outlined in the Community Wildfire Preparedness Plan (CWPP) and ensures the City follows the plan.

NOW THEREFORE, BE IT RESOLVED by the Lindon City Council, that:

Lindon City, Utah hereby adopts the 2019 Community Wildfire Preparedness Plan (CWPP) as kept on file with the Lindon City Recorder and additionally found on the city website as may be amended from time to time.

PASSED and made EFFECTIVE this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Jeff Acerson  
Lindon City Mayor

ATTEST

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Kathryn A. Moosman  
Lindon City Recorder



## State of Utah

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# Community Wildfire Preparedness Plan

For the Wildland – Urban Interface

## Lindon, Utah

LINDON



05/24/19

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Department of Natural Resources  
Division of Forestry, Fire and State Lands  
1594 W North Temple, PO Box 145703, Salt Lake City, UT 84114-5703

# Lindon Wildfire Preparedness Plan

**Declaration and Concurrence Page**

This list needs to be customized to the individual plan. Provide the names and affiliations of all cooperators. This page will then be signed after all cooperators have reviewed the plan and concur with its contents.

NAME	AFFILIATION
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SIGNATURE	DATE
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NAME	AFFILIATION
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SIGNATURE	DATE
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NAME	AFFILIATION
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NAME	AFFILIATION
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# Lindon Wildfire Preparedness Plan

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SIGNATURE	DATE
<i>Declaration and Concurrence Page, continued</i>	
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# Lindon Wildfire Preparedness Plan

## INTRODUCTION

Over 600 of Utah's communities have been classified as "at risk" of wildfire. The safety of the citizens of any community and the protection of private property and community infrastructure is a shared responsibility between the citizens; the owner, developer or association; and the local, county, state and federal governments. **The primary responsibility, however, remains with the local government and the citizen/owner.**

### The purpose of wildfire preparedness planning is to...

- Motivate and empower local government, communities, and property owners to organize, plan, and take action on issues impacting the safety and resilience of values at risk
- Enhance levels of fire resilience and protection to the communities and infrastructure
- Identify the threat of wildland fires in the area
- Identify strategies to reduce the risks to structures, infrastructure and commerce in the community during a wildfire
- Identify wildfire hazards, education, and mitigation actions needed to reduce risk
- Transfer practical knowledge through collaboration between stakeholders toward common goals and objectives

### Outcomes of wildfire preparedness planning...

- Facilitate organization of sustainable efforts to guide planning and implementation of actions:
  - 1. Fire adapted communities    2. Resilient landscapes    3. Safe and effective fire response**
- Improve community safety through:
 

✓ Coordination and collaboration	✓ Firefighter training	✓ Fire prevention
✓ Public awareness and education	✓ Fuel modification	✓ Development of long-term strategies
	✓ Improved fire response capabilities	

## RESOURCES

For resources to complete a wildfire preparedness plan for your community, consider organizations such as the following:

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>✓ Local / Primary fire protection provider</li> <li>✓ Local Resource, Conservation and Development Districts</li> <li>✓ Utah Division of Forestry, Fire and State Lands</li> <li>✓ Utah State Fire Marshal (Dept. of Public Safety)</li> <li>✓ Utah Division of Emergency Management</li> <li>✓ Utah Living With Fire</li> <li>✓ Local fire agencies</li> </ul> | <ul style="list-style-type: none"> <li>✓ Local emergency management services</li> <li>✓ USDA Forest Service</li> <li>✓ U.S. Department of Interior Agencies</li> <li>✓ Utah Resource Conservation Districts</li> <li>✓ Utah Soil Conservation Districts</li> </ul> |
|--|--|

## STATEMENT OF LIABILITY

The activities suggested by this template, associated checklist and guidance document, the assessments and recommendations of fire officials, and the plans and projects outlined by the community wildfire council, are made in good faith according to information available at this time. The Utah Division of Forestry, Fire and State Lands assumes no liability and makes no guarantees regarding the level of success users of this plan will experience. Wildfire still occurs, despite efforts to prevent it or contain it; the intention of all decisions and actions made under this plan is to reduce the potential for, and the consequences of, wildfire.

*Last revised March 2016*

This document provides the outline for and specifies the information recommended for inclusion in a wildfire preparedness plan.

# Lindon Wildfire Preparedness Plan

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## PLANNING OVERVIEW

On June 15, 2017, Lindon City Council adopted Resolution 2017-14-R, approving a cooperative agreement between the Utah Division of Forestry, Fire, and State Lands and Lindon City for wildfire management effective that date. This agreement included that Lindon City would participate in wildfire management activities and prepare a Wildfire Preparedness Plan (CWPP).

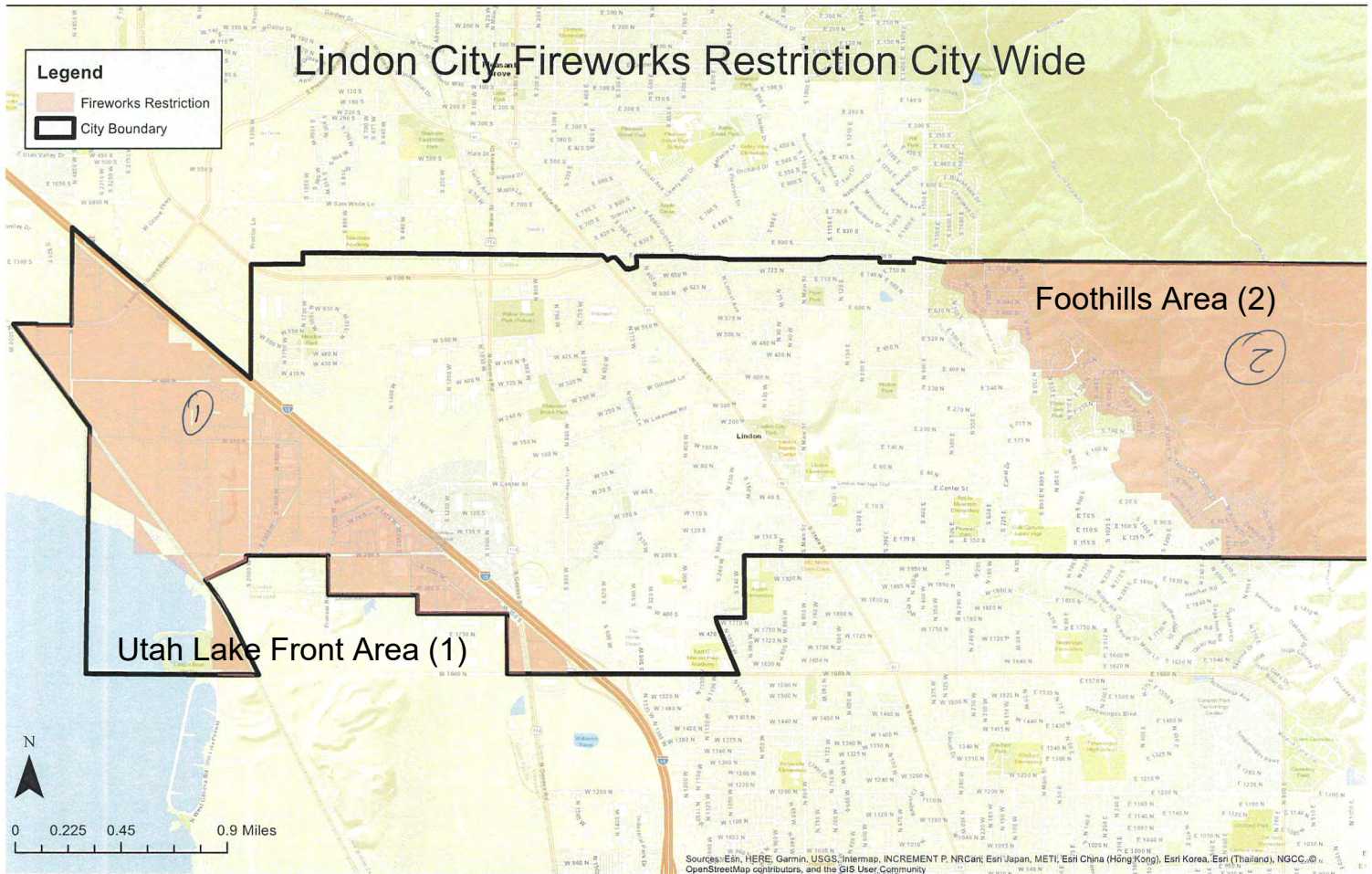
The creation and coordination of the CWPP was assigned to Josh Adams of Lindon Police Department, who coordinated with the Orem Emergency Manager, and Orem Fire Department in the preparation of the CWPP and all compliance requirements, including the fire mitigation goals. This preparation took place between June 2017 and March 2019, with assistance and input from Katie Dibble, Wasatch Front WUI Coordinator with Utah Division of Forestry, Fire, and State Lands.

Two areas within Lindon City were qualified as wildfire mitigation areas: the Utah Lake Waterfront on the western boundary of Lindon City, and the Foothills Area along the eastern boundary of Lindon City. Lindon City had previously designated these two areas as fireworks restricted areas for the same reasons they qualify for CWPP area designation.

The CWPP document was finalized in April of 2019, and presented to the Lindon City Council for adoption on June 4, 2019.

# Lindon Wildfire Preparedness Plan

## PLAN OVERVIEW MAP Area of Interest





## Lindon Wildfire Preparedness Plan

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### **PARTNERSHIPS AND COLLABORATION**

**Lindon City Council:** The Lindon City Council will support the CWPP by carefully considering funding requests related to mitigation projects, requests for equipment, and funding associated with wildland firefighting and the CWPP. The Council will also be an avenue to distribute and receive information related to the CWPP to and from prospective community members and community interests. The Council will also be an advocate for cooperation between City departments as it relates to sharing equipment and manpower to reduce the City's wildfire risk.

**Orem Fire Department:** Orem Fire will provide technical assistance regarding the locations and recommended specifications of fuels mitigation. Additionally, Orem Fire will assist with tracking "in kind" contributions, provide education for the public regarding wildfire issues, and provide wildfire training for Lindon City Staff. Orem Fire will also review the CWPP on an annual basis and facilitate necessary updates.

**Lindon Police Department:** LIPD will work with fire department personnel to increase awareness of fireworks boundaries and illegal fireworks training and to increase patrols for illegal fireworks and burn permit violations within the restricted zones of the city.

**Lindon Public Works:** Lindon Public Works will work with the fire department to increase awareness of firework boundaries and illegal fireworks training and to increase patrols for illegal fireworks and burn permit violations within the restricted zones of the city.

**US Forest Service:** The USFS will evaluate areas for mitigation action in cooperation with the CWPP members within the community, assist with PR efforts and contribute expertise when possible, coordinating mitigation actions on Forest Service land with partners.

# Lindon Wildfire Preparedness Plan

## PART I COMMUNITY DESCRIPTION

<b>Community Legal Structure</b>			
List the government entities associated with the community – city, town, unincorporated community, special service district, homeowner association(s), other.			
<b>Organization</b>	<b>Contact Person</b>	<b>Phone Number</b>	<b>E-mail</b>

<b>Population</b>	
<b>Approximate number of homes</b>	
<b>Approximate number of lots</b>	
<b>Approximate number of commercial entities</b>	
<b>Approximate number of full-time residents</b>	
<b>Approximated number of part-time residents</b>	
<i>Notes/comments:</i>	

<b>Restricting Covenants, Ordinances, etc. (Attach as appendix)</b>	
For example, home association bylaws may have requirements regarding building construction materials or vegetation removal, or regarding access in a gated community.	
<b>Source</b>	<b>Details</b>



## Lindon Wildfire Preparedness Plan

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Utah Lake Waterfront - Access
Directions to community
All-weather access
Seasonal access

Roads								
	None	Some	All	Adequate	Inadequate	% Pavement	% gravel	% dirt
Road signs present								
Will support normal flow of traffic								
Are loop roads								
Are dead-end roads								
Turnaround space available at end of road for emergency equipment (based on turning radius listed in the guidance document)								

## Lindon Wildfire Preparedness Plan

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Driveways						
	Adequate	Inadequate	No	Few	Most	All
Most driveways width and height clearance, road grades and vegetation appearance are...						
Individual homeowners have posted their name and address						
Notes/comments:						

Structures						
	None	Few	Some	Many	Most	All
Wood frame construction						
Have wood decks or porches						
Have wood, shake or shingle roofs						
Are visible from the main subdivision road						
Notes/comments:						

Bridges, Gate, Culverts, other			
	No	Some	All
Bridges support emergency equipment			
Gate provides easy access to emergency equipment			
Culverts are easily crossed by emergency equipment			
Notes/comments:			

## Lindon Wildfire Preparedness Plan

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Utilities						
	Below ground	Above ground	Provided by	Phone number	% marked with a flag or other highly visible means	% utilized
Telephone service						
Electrical service						
Are there homes utilizing propane?						
Are there homes utilizing natural gas?						
Notes/comments:						

List locations of propane tanks above ground:		
Owner	Address, lat/long, etc.	Size
Notes/comments:		

Primary Water Sources			
Approximate % homes using central water system			
Approximate %homes using individual wells			
Approximate % homes having additional private water source			
Water provided by		Phone	

## Lindon Wildfire Preparedness Plan

*Notes/comments:*

### List locations of water sources:

Owner	Address, lat/long, etc.	Accessible

*Notes/comments:*

### East Foothills Access

#### Directions to community

#### All-weather access

#### Seasonal access

### Roads

	None	Some	All	Adequate	Inadequate	% Pavement	% gravel	% dirt
--	------	------	-----	----------	------------	---------------	-------------	-----------

## Lindon Wildfire Preparedness Plan

<b>Road signs present</b>			X	X				
<b>Will support normal flow of traffic</b>			X	X				
<b>Are loop roads</b>		X						
<b>Are dead-end roads</b>		X						
<b>Turnaround space available at end of road for emergency equipment (based on turning radius listed in the guidance document)</b>			X	X				
<b>Driveways</b>								
			<b>Adequate</b>	<b>Inadequate</b>	<b>No</b>	<b>Few</b>	<b>Most</b>	<b>All</b>
<b>Most driveways width and height clearance, road grades and vegetation appearance are...</b>								
<b>Individual homeowners have posted their name and address</b>								
<i>Notes/comments:</i>								

<b>Structures</b>						
	<b>None</b>	<b>Few</b>	<b>Some</b>	<b>Many</b>	<b>Most</b>	<b>All</b>
<b>Wood frame construction</b>						
<b>Have wood decks or porches</b>						
<b>Have wood, shake or shingle roofs</b>						
<b>Are visible from the main subdivision road</b>						
<i>Notes/comments:</i>						

## Lindon Wildfire Preparedness Plan

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Bridges, Gate, Culverts, other			
	No	Some	All
Bridges support emergency equipment			
Gate provides easy access to emergency equipment			
Culverts are easily crossed by emergency equipment			
<i>Notes/comments:</i>			

Utilities						
	Below ground	Above ground	Provided by	Phone number	% marked with a flag or other highly visible means	% utilized
Telephone service						
Electrical service						
Are there homes utilizing propane?						
Are there homes utilizing natural gas?						
<i>Notes/comments:</i>						

List locations of propane tanks above ground:		
Owner	Address, lat/long, etc.	Size
<i>Notes/comments:</i>		

## Lindon Wildfire Preparedness Plan

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Primary Water Sources			
<b>Approximate % homes using central water system</b>			
<b>Approximate %homes using individual wells</b>			
<b>Approximate % homes having additional private water source</b>			
<b>Water provided by</b>		<b>Phone</b>	
<i>Notes/comments:</i>			

List locations of water sources:		
Owner	Address, lat/long, etc.	Accessible
<i>Notes/comments:</i>		

## Lindon Wildfire Preparedness Plan

### PART III: RISK REDUCTION GOALS/ ACTIONS

**Goals of Plan:** Provide a brief statement under the Prevention, Preparedness, Mitigation and Maintenance goals. These should align with the pillars of the National Cohesive Strategy and the Utah Catastrophic Wildfire Reduction Strategy (1. Resilient Landscapes 2. Fire Adapted Communities 3. Wildfire Response).

**Identification of Actions:** Provide detailed project information. These projects/actions can be mapped/tracked in the Utah WRA portal and should be consistent with a Cooperative Agreement in compliance with the Wildfire Policy if applicable.

**GOAL A: PREVENTION** – Activities directed at reducing the occurrence of fires, including public education, law enforcement, personal contact.

Goal A.1 –			
Action(s):	Timeline:	Community Lead:	Priority:
Mailer for Dumpsters	Spring	Orem Fire	
Community Open House in October	October	Orem Fire	
<i>Notes, updates ,and monitoring</i>			



## Lindon Wildfire Preparedness Plan

**GOAL B: PREPAREDNESS** – Activities that lead to a state of response readiness to contain the effects of wildfire to minimize loss of life, injury, and damage to property. Including access to home/community, combustibility of homes/structures and creating survivable space.

<b>Goal B.1 – Evaluate, upgrade and maintain community wildfire preparation</b>			
<b>Action(s):</b>	<b>Timeline:</b>	<b>Community Lead:</b>	<b>Priority:</b>
63 Sets of Brush Gear	Now	Orem Fire	
44 Firefighters Red Card Certified	Now	Orem Fire	
<i>Notes, updates ,and monitoring</i>			

<b>Goal B.2 – Educate community members to prepare for and respond to wildfire.</b>			
<b>Action(s):</b>	<b>Timeline:</b>	<b>Community Lead:</b>	<b>Priority:</b>
Community Open House	October	Orem Fire	
<i>Notes, updates ,and monitoring</i>			

## Lindon Wildfire Preparedness Plan

<b>Goal B.3 – Address identified regulative issues impacting community wildfire prevention and response needs.</b>			
Action(s):	Timeline:	Community Lead:	Priority:
None			
<i>Notes, updates ,and monitoring</i>			

<b>Goal B.4 – Evaluate response facilities and equipment.</b>			
Action(s):	Timeline:	Community Lead:	Priority:
All in great shape	Current	Orem Fire	
<i>Notes, updates ,and monitoring</i>			

## Lindon Wildfire Preparedness Plan

**GOAL C: MITIGATION** – Actions that are implemented to reduce or eliminate risks to persons, property or natural resources including fuel treatments and reduction.

<b>Goal C.1 – Decrease fuels within the community to reduce wildfire impact in and around the community.</b>			
<b>Action(s):</b>	<b>Timeline:</b>	<b>Community Lead:</b>	<b>Priority:</b>
Dumpsters to all residents	Spring/Fall	Orem Fire	
<i>Notes, updates ,and monitoring</i>			

<b>Goal C.2 – Work with local, state and federal fire officials to decrease fuels on private and adjacent public lands to reduce wildfire intensity and impact in and around the community.</b>			
<b>Action(s):</b>	<b>Timeline:</b>	<b>Community Lead:</b>	<b>Priority:</b>
Weed Abatement on Public Properties	Current	Lindon City	

## Lindon Wildfire Preparedness Plan

<i>Notes, updates ,and monitoring</i>			

**GOAL D: MAINTENANCE** – the process of preserving actions that have occurred including fuel treatments and reduction.

<b>Goal D.1 - Regularly evaluate, update and maintain project commitments.</b>			
<b>Action(s):</b>	<b>Timeline:</b>	<b>Community Lead:</b>	<b>Priority:</b>
<i>Notes and updates</i>			

# Lindon Wildfire Preparedness Plan

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## PART IV: CONTACTS

The contacts in this part identify community resources that can be used to complete the goals of the plan.

Planning Committee Member List			
Name	Affiliation	Phone Number	E-mail
None			

Commercial Entities				
Organization	Contact Person	Phone Number	E-mail	Address
None				

## Lindon Wildfire Preparedness Plan

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Formal Associations			
Organization	Contact Person	Phone Number	E-mail
None			

Media Support			
Organization	Contact Person	Phone Number	E-mail
None			

Schools				
School	Contact Person	Phone Number	E-mail	Address
None				

## Lindon Wildfire Preparedness Plan

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Transportation			
Organization	Contact Person	Phone Number	E-mail
Lindon Public Works	Brad Jorgensen	801-796-7954	bjorgansen@lindoncity.org

Private Equipment Capabilities				
Type of Equipment	Contact Person	Phone Number	E-mail	Address
None				

Other			
Organization	Name	Phone Number	E-mail
None			

# Lindon Wildfire Preparedness Plan

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## APPENDIX

### Appendix A:

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### Appendix B:

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### Appendix C:

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### Appendix D:

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**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:**

- June City newsletter: see city website <https://lindoncity.rainadmin.com/newsletter.htm>
- July newsletter article: **Van Broderick** - Article due to Kathy by end of June
- Mayor out of town Wed, May 8<sup>th</sup> – Sat, June 8<sup>th</sup>. Mayor pro tem is Matt Bean
- Lindon Days Grand Marshal name
- Desire for joint meeting with the Alpine School District Board? Topics?
- Misc. Items

**Upcoming Meetings & Events:**

- Candidate Filing Period: Begins June 3<sup>rd</sup> and ends June 7<sup>th</sup> at 5:00 pm
- Employee Summer Party – Wednesday, July 17<sup>th</sup> at 6:30 pm at the Aquatics Center

**ADJOURN**