

The Lindon City Council held a regularly scheduled meeting on **Tuesday, October 15, 2019, beginning with a work session at 6:00 pm** in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

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

1. Discussion Item: Quarterly Department Reports.

The Lindon City Department Heads will review and discuss with the council various aspects of their prospective department functions and responsibilities.

Adam Cowie, City Administrator, led this discussion item by stating the Department Heads are in attendance to review and discuss with the council various aspects of their prospective department functions and responsibilities.

Brad Jorgensen, Public Works Director, began by going over the public works staff changes as follows:

- Retirement: Dennis Kendall
- Promotions/Position Changes:
 - Matt Winward, Water Superintendent
 - Zack Dalley, Inspector
 - New Secretary, Jennifer Brown
 - New Position - Trent Andrus as Staff Engineer.

Mr. Jorgensen also gave an update on the cemetery stating things are going well and moving forward there.

Mr. Jorgensen then mentioned streets and the Maintenance Projects as follows:

- 200 South Mill and Fill
- West Side Mill and Overlays
- Crack Sealing – City Wide
- Sidewalk Grinding –Target Areas

Mr. Jorgensen stated with water they have Chlorination Finalization on Well #1 and Well #2 (showed photos and also photos of the 835 East Booster Station). He also showed a graph showing the water meters that have been GPS surveyed to date.

Regarding wastewater they have:

- Sewer Trouble Spot/Belly in Pipe Removal
 - Belly Removed at CUWCD Crossing
 - ▶ Lift Station #4 Site Improvements

Regarding Stormwater they have:

- ▶ Met 3-year Curb Inlet Cleaning Goal
- ▶ Removal of Illicit Discharge

- 2 ▶ Regular maintenance
 - Street Sweeping
 - 4 ◦ Fall Leaf Clean-up
 - Ditch Maintenance
 - 6 ◦ Sandbag Inventory
 - Public Awareness

8 Engineering Department:

- ▶ On-going GPS Data Collection
- 10 ▶ Traffic Collection and Speed Studies
- ▶ In-house Site Plan Review/Protection of Infrastructure
- 12 ▶ Completion of New Engineering Office Expansion

14 Mr. Jorgensen concluded by thanking the council for their time and continued support of the public works department and staff.

16

Kristen Colson, Finance Director stated she is over Department Personnel as follows:

- 18 • Kristen Colson - Finance Director (Has been at Lindon City for 18 years)
- Dona Haacke - Treasurer (Has been at Lindon City for 15 years)
- 20 • Kathy Bird - Accounts Payable Clerk (Has been at Lindon City for 18 years)
- Sherrie Laidler - Utilities Clerk (Has been at Lindon City for 15 years)
- 22 • Shelly Church - part-time receptionist (has been at Lindon city for 4 years)

24 Ms. Colson also went over duties and responsibilities as follows:

- Customer Service
- 26 • City Budget
- City Comprehensive Annual Financial Report (CAFR)
- 28 • Track revenues, expenditures, investments
- Monthly financial reports distributed to
 - 30 ◦ Department Heads via email
 - City Council via Google Drive
- 32 • Assist with annual audit
- Utilities Management
 - 34 ◦ Customer sign-ups and terminations
 - Monthly Billing and collections
 - 36 ➤ Culinary Water
 - Secondary Water
 - 38 ➤ Sewer
 - Storm Drain
 - 40 ➤ Garbage
 - Recycling
 - 42 ➤ UTOPIA
- Accounts Payable
- 44 • Human Resources
- Payroll & Benefits
- 46 • Business Licensing
- Process customer payments for
 - 48 ◦ Utilities

- Business licenses
- Other services offered by the City
- Reconcile all cashier deposits
- Billing & collection for miscellaneous receivables
- Animal licensing
- Water rights
- Fixed asset management

Achievements:

- Employee of the Quarter
 - Dona Haacke - 2nd Quarter 2016
 - Sherrie Laidler - 3rd Quarter 2017
 - Kathy Bird has been nominated numerous times
- Distinguished Budget Presentation Award - 14 times
 - Certificate of Achievement for Excellence in Financial Reporting - 10 times

Ms. Colson concluded by thanking the council for the opportunity to meet tonight and for all they do for her department and for their support.

Josh Adams, Chief of Police stated their department has 15 sworn police officers with 2 full-time office staff, and one part-time and one part-time emergency manager.

Chief Adams stated in the 2018-2019 Fiscal Year they had:

- 7,494 cases, 20.5 per day
- 2,417 traffic stops
- 353 traffic accidents
- 634 arrested individuals
- \$447,063 gross value of property loss by theft

Targeted Enforcement:

- Data-driven analysis in response to community-based traffic complaints
- Enforcement based on traffic-accident data
- Officers are focused on highest hazard rather than highest yield.

Chief Adams also showed a traffic summary graph and non-injury accidents and total percentage of non-enforceable violations. Chief Adams also expressed his appreciation to the council for their continued support of his officers and his department.

Phil Brown, Chief Building Official and Mike Florence, Planning Director in the Community Development Department addressed the Council at this time.

They began with the 2019 completed commercial projects in the city and also those under construction and those entitled and showed photos of the projects.

2 They also presented the Development numbers as shown below:

July 1, 2018 – June 30, 2019	Since July 2019
■ 306 building permits	■ 105 building permits
■ \$144,530, 234 – value of building projects	■ \$14,228,583 value of building projects
■ 48 land use applications	■ 16 land use permits
■ 13 new commercial/industrial developments	■ 1 new commercial/industrial development

4

And Upcoming projects as well:

- General Plan Amendments – land use and transportation
- Development Manual/Ordinance Amendments –
 - Road Cross-section Changes
 - Medical Cannabis
- Ivory Home Subdivision Approval
- Applied for a UDOT grant for additional master planning for 700 N.

6

8 Following the presentation Mr. Brown and Mr. Florence thanked the council for
10 their time and continued support of the Community Development Department.

12 **Brian Haws, City Attorney**, pointed out he is here each week with the council and tries
14 to keep them updated. He then updated them on a couple of things that has happened with
the group home lawsuit. They filed a motion for summary judgement and our attorney is
working with the homeowner's attorney, Dan McDonald, which he believes prepared an
excellent motion for summary judgement and has some real merit to it.

16 Mr. Harper did not respond to that motion in a timely manner. The court set it for
a motion to dismiss the case and when that date arrived Mr. Harper appeared by himself
18 and indicated he had been left high and dry by his attorney. So, the judge gave Mr.
Harper 45 days to hire a new attorney; that 45 days ends next week.

20 If a new council is hired and makes an appearance before the court next week the
court has given them another 28 days to respond to that motion. Mr. Haws stated he is
22 hoping that we will see an end to that litigation fairly soon. He concluded by stating he
does his best to support the council and to also support the department heads.

24 **Heath Batmen, Parks & Recreation Director** began his presentation to the council by
referencing the Aquatics Center Financial Report and items of note as follows:

- The 2019 season was the Aquatic Center's 11th season
- Financial information in this report is presented for the calendar year rather than by fiscal year
- In addition to the 2019 calendar year, 4 historical years are also presented
- Numbers since July 2018 are not audited
- Expenses are still coming as staff works to close the pool for the winter
- Debt service is not represented in this financial report, but some information is noted below.

- 2 • Improvements which were funded by PARC Tax:
 - 3 ○ \$9,799 for commercial refrigerator/freezer
 - 4 ○ \$33,165 for flow rider resurfacing
- 5 • Revenue decreased 5.6% before PARC tax contributions:
 - 6 ○ Daily admission revenue decreased 2.7%
 - 7 ○ Pool punch passes increased 3.2%
 - 8 ○ Concession revenue increased 5.8%
 - 9 ○ Pool rental revenue decreased 3.9%
- 10 • Expenses decreased 1.7%, but there are still 3 more months of utilities and winterization costs
- 11 **Debt Service**
 - 12 • Not presented in financial report
 - 13 • Annual debt service payments are about \$636,000
 - 14 ○ funded by General Fund
 - 15 ○ with PARC tax contributions:
 - 16 - \$50,000/year 2016FY - 2018FY
 - 17 - \$86,900 in 2019FY
 - 18 - \$85,000 is budgeted for 2020FY
 - 19 • 2008 bond for \$9.5M was refunded in 2015, but not called until July 2018
 - 20 • Principal outstanding on the 2015 Refunding Bond as of 7/31/2019 is \$6,840,000
 - 21 • The interest rate on the 2015 Refunding Bond is
 - 22 ○ 3% until July 2023
 - 23 ○ 4% for the remaining term
 - 24 • The 2015 Refunding Bond will be paid off July 2033
- 25 **Upcoming Maintenance & Improvements**
 - 26 • Ongoing Maintenance
 - 27 ○ Alex, Lindon's Facilities Manager, will seal concrete in sections, completing the entire Aquatics Center in about 4 years and then start over.
 - 28 ○ Replace all grates over 4 years at 12 grates per year. The grates cost about \$300 each.
 - 29 ○ Re-caulk all of the large concrete joints at the Aquatics Center. This is the 3rd year of this 3-year process at an estimated cost of \$7,500/year.
 - 30 ○ Annual pump maintenance with this year's estimated cost at \$25,000. This will be a continuous process.
 - 31 • 2019-2020 Fiscal Year
 - 32 ○ \$10,000 painting
 - 33 ○ \$10,000 flow rider grating
 - 34 ○ \$25,000 new netting and ropes
 - 35 ○ \$25,000 strainer replacement
 - 36 ○ \$150,000 for new slide (using RDA funds)
 - 37 • Looking into the Future
 - 38 ○ The blue and yellow shades are being repaired as needed, but will need to be replaced in the future. There are 6 shades that would cost about \$2,500 each.

Mr. Bateman also referenced the Aquatics Center Financial Report as of 10/8/2019 with the calendar year totals. He also spoke on punch passes and would ask the council to consider that as a community pool they should be able to use them until they are gone and to discontinue family passes. Following discussion, the council was in agreement to that recommendation. He also spoke briefly on the new slide and marketing and ad sales. He concluded by thanking the council for their continued support of his department.

Mayor Acerson called for any further comments or discussion from the Council. Hearing none he moved on to the regular session.

REGULAR SESSION – 7:15 P.M.

Conducting: Jeff Acerson, Mayor
Pledge of Allegiance: Kristen Colson
Invocation: Jake Hoyt

PRESENT

Jeff Acerson, Mayor
Carolyn Lundberg, Councilmember
Jacob Hoyt, Councilmember
Van Broderick, Councilmember
Adam Cowie, City Administrator
Brian Haws, City Attorney
Kristen Colson, Finance Director
Mike Florence, Planning Director
Heath Bateman, Parks Director
Kathryn Moosman, City Recorder

EXCUSED

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.

3. **Approval of Minutes** – The minutes of the regular meeting of the City Council meeting of October 1, 2019 were reviewed.

COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 1, 2019 AS PRESENTED. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER HOYT	AYE
COUNCILMEMBER BRODERICK	AYE

THE MOTION CARRIED UNANIMOUSLY.

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

4
6 **5. Consent Agenda Items** – The following consent agenda item was presented for
approval.

- 8 a) **Resolution #2019-24-R;** Lindon City Court Recertification. The State of Utah
Requires that all justice courts must be recertified every four years. Passage
10 of this resolution affirms that the City Council is willing to meet all
12 requirements of the State to continue operation of the Lindon City Municipal
Justice Court.

14 COUNCILMEMBER HOYT MOVED TO APPROVE THE CONSENT
16 AGENDA ITEM AS PRESENTED. COUNCILMEMBER LUNDBERG SECONDED
THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE

18 COUNCILMEMBER HOYT AYE

COUNCILMEMBER BRODERICK AYE

20 THE MOTION CARRIED UNANIMOUSLY.

22 **CURRENT BUSINESS**

24 **6. Public Hearing — FY2020 Budget & Fee Schedule Amendment; Resolution**
26 **#2019-23-R.** The City Council will review and consider various budget and fee
schedule amendments.

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

32 Kristen Colson, Finance Director, led this discussion by presenting her budget
amendment notes and highlights as follows:

- 34 1. The Lindon Days Car Show raises money for Lindon Police to use for emergency
preparation. We do not budget for it, so when we receive it, we adjust the budget
36 for the revenue received and the increased expenses. This year they raised and
donated \$8,150.
- 38 2. The Administration department is replacing 4 old desk chairs which are about 20
years old for \$3,300.
- 40 3. Lindon City contracts with Executech for I.T. services. Executech upgraded the
City's virtual servers for \$4,575.
- 42 4. This is a carryover from 2018-2019 fiscal year to finish up the elevator and City
Center remodel. \$1,750 is for work tables for the work area and a tv for the
44 conference room. \$15,000 is to finish construction.
- 46 5. The remodel at the Public Works building for the Engineers' office was budgeted
for \$20,000 for last fiscal year and \$30,000 for this fiscal year. \$15,000 is being

- 2 carried forward from last fiscal year and the \$45,000 is being moved to PW
Administration budget so the cost can be shared with the Water, Sewer, and
4 Storm Water funds. Additionally, \$30,000 which was budgeted for carpet,
flooring, and paint upgrades for the Public Works building is also being moved to
6 the PW Administration budget.
6. This is the budget amendment for the Police Chief pay increase which was
8 approved in August.
 7. This is the budget amendment for the Urban Deer Management costs for
10 Humphries Archery.
 8. The Streets division is purchasing 12 solar stop signs with lights and 3 radar speed
12 signs. The Parks division is purchasing 5 solar stop signs with lights for bikers on
the Murdock Trail.
 9. The expense for weekly on-call pay was not budgeted.
 10. There are 3 retaining walls in park areas around the City that need to be excavated
16 and rebuilt. They are located on 835 East, by the Dry Canyon Trailhead, and
behind the Veteran's Memorial Hall in City Center Park.
 - 18 11. This is a carryover from the 2018-2019 budget for a sewer lateral and easement at
the cemetery.
 - 20 12. This budget amendment is moving \$100,000 within the Road Fund from Capital
Improvements to Crack Sealing.
 - 22 13. All of the chairs and tables were replaced at the Vet Hall instead of doing half of
the tables this year and half next year.
 - 24 14. This is a carryover from the 2018-2019 budget for dumpster enclosures at
Pioneer, Hollow, and City Center parks.
 - 26 15. The Water Superintendent wages were increased in for retention purposes.

28 Ms. Colson then went over the summary of changes in fund balance spreadsheet
and the proposed fee schedule changes (included in the staff packet) followed by some
30 general discussion.

Mr. Cowie discussed the Weekly 'on-call' pay. He noted this is compensation
32 paid to individuals in Public Works and Parks that are designated to be available on-call
during a full week period. The on-call staff must be skilled in various aspects of the city
34 utilities or parks/rec in order to appropriately respond to multiple scenarios. The
employee is required to stay within 30-minutes response time of Lindon City for the
36 entire week, including on holidays, and may not consume alcohol or use performance
inhibiting drugs that limit their ability to operate machinery.

38 Mr. Cowie noted current compensation is \$140.03 per week. An amount was set
many years ago with the rate being increased annually by whatever COLA was approved
40 each year. After concern from some on-call staff that the rate is low and a recent
comparison of 19 other cities on-call rates, the Public Works Director and Parks &
42 Recreation Director recommend the rate be increased to \$200/week. This is a little above
average on-call pay compared to the other cities that provided this data to us. Staff
44 recommends the change to \$200 per week *with no annual COLA change*. The rate will be
periodically evaluated for needed adjustment.

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

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

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

12 COUNCILMEMBER BRODERICK MOVED TO APPROVE RESOLUTION
#2019-23-R APPROVING FY2020 BUDGET AND FEE SCHEDULE AMENDMENTS
14 WITH THE REMOVAL OF PROMOTION OF PRIVATE SPORTS/ACTIVITIES
FROM THE FEE SCHEDULE. COUNCILMEMBER HOYT SECONDED THE
16 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE

18 COUNCILMEMBER HOYT AYE

COUNCILMEMBER BRODERICK AYE

20 THE MOTION CARRIED UNANIMOUSLY.

22 **7. Presentation & Discussion Item — Mountainland Association of
Governments (MAG) Presentation; Regional Transportation Plan.**

24 Mountainland Association of Governments (MAG) will be in attendance to
present the updated Regional Transportation Plan and answer any questions.

26 Mr. Cowie opened this discussion by introducing Bob Allen, Senior Planner,
28 representing Mountainland Association of Governments for his presentation on the updated
Regional Transportation PlanTransPlan50 which is the regional transportation plan for
30 urbanized Utah County. The proposed projects and programs are a coordinated system of
capital-intensive roadway projects, transit improvements, and pedestrian/bicycle facilities
32 needed over the next thirty years. The plan attempts to minimize impacts on society and
the environment while providing for enough capacity and transportation choices to
34 ensure the region's economy continues to grow.

Mr. Allen began by explaining Mountainland Association of Governments
36 (MAG) serves the governments and citizens of Summit, Utah, and Wasatch Counties. As
part of this association, Mountainland Metropolitan Planning Organization (MPO) has
38 the task of planning for the urban Utah County regional transportation needs. Located at
the southern end of the Wasatch Front region of Utah, the MPO encompasses the rapidly
40 growing Provo/Orem Urbanized Area and includes all 25 Utah County municipalities and
contiguous unincorporated areas. Urbanization and the locations of major
42 transportation facilities are constrained by physical boundaries including steep
mountain terrain to the east and west and by the large, centrally located Utah Lake.
44 The urban area is roughly bisected by I-15, the only freeway currently within Utah
County.

2 Mr. Allen went on to say the MPO creates the forum bringing together urban
3 leaders with state and federal transportation officials, opening dialogue, and providing a
4 process for all to be involved in planning and funding the transportation needs of the area.
5 MAG has a strong history of working together with stakeholders and accomplishing
6 results.

7 Mr. Allen added that the TransPlan50 follows the guidelines of the last federal
8 transportation bill – Fixing America’s Surface Transportation Act (FAST Act) - and
9 embodies them philosophically as well as technically. The Federal Highway
10 Administration (FHWA) requires each MPO to address ten specific planning factors.
11 FAST Act states that the metropolitan planning process shall be continuous, cooperative,
12 and comprehensive. The process will also provide consideration and implementation of
13 projects, strategies, and services to address many factors

14 Mr. Allen also presented information on metropolitan planning, growing regions
15 (west, north, south and central areas), regional growth trends, travel demands, funding and
16 costs, total revenue, constrained costs and needs, and regional goals.

17 Mr. Allen also spoke on exploring additional freeways, capacity, creating a robust
18 regional transit network, building a regionally connected active transportation system,
19 needed highway, transit, and active transportation projects and how to preserve what we
20 have. Following the presentation there was some general discussion regarding the
21 information presented.

22 Lyle Lamoreaux, resident in attendance asked where the growth and data comes
23 from. Mr. Allen stated the data comes from growth projections and demographers, growth
24 of families, and building permit data and buildable ground in the county; there is a lot of
25 science that goes into the data.

26 Mr. Allen concluded by expressing his appreciation for Mayor Acerson noting he is
27 a stalwart on our board and we appreciate his efforts.

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

30
31 **8. Review & Action — Transferring 600 South (Orem 1600 North) to UDOT;
32 Resolution #2019-22-R.** The City Council will review and consider whether to
33 approve a jurisdictional transfer of 600 South Lindon (1600 North Orem) to
34 UDOT.

35 Mr. Cowie opened this discussion by giving a brief overview stating staff has been
36 working with UDOT and Orem City to transfer 1600 North/Lindon 600 South to a
37 maintained road. Mr. Cowie then showed a map of the location in question.

38 He noted the intent is that Lindon City the City of Orem want to transfer
39 ownership and full jurisdiction of 1600 North, Orem and 600 South, Lindon beginning at
40 SR-241 mile post 0.416 (I-15 NB off-ramp) and ending at the junction of US-89 (State
41 Street), approximately 1.15 +/- miles to UDOT (“1600 North Corridor”).

42 Lindon and Orem currently share a common boundary along the centerline of the
43 1600 North Corridor and UDOT will maintain a portion of the 1600 North Corridor,
44 identified as State Route 241 (SR-241), between Geneva Road and Lindon Park Drive,
45 and east of the SR-241 section of the roadway Lindon and Orem currently share
46

2 maintenance responsibilities along the 1600 North Corridor length of approximately 1.15
4 miles, with Orem being responsible for 0.65 miles (56.5%) and LINDON responsible for
the remaining 0.5 miles (43.5%).

6 The traffic along the 1600 North Corridor between Geneva Road and I-15 and
continuing to State Street (US-89), thereby connecting two State roads, is of regional and
8 State significance and not primarily used for local traffic. Transfer of the 1600 North
Corridor to UDOT will provide for consistent maintenance responsibility of the roadway,
10 instead of relying upon three different jurisdictions to maintain various segments of the
road, thus improving the efficient movement of goods and services, enabling coordinated
12 traffic signal efforts along the corridor, and improving safety of the traveling public. Mr.
Cowie stated before the Council tonight for approval is the resolution and agreement to
make this official.

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

16
COUNCILMEMBER HOYT MOVED TO APPROVE RESOLUTION #2019-
18 22-R APPROVING THE TRANSFER OF LINDON'S 600 SOUTH TO UDOT AS
PRESENTED. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE
20 VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE

22 COUNCILMEMBER HOYT AYE

COUNCILMEMBER BRODERICK AYE

24 THE MOTION CARRIED UNANIMOUSLY.

- 26 **9. Public Hearing — Amend the Lindon City Zoning Map from R1-20 to CG at**
approximately 229 W 400 N; Ordinance #2019-16-O. Colts Neck Investments,
28 LLC requests approval for a Zoning Map Amendment to change the zoning of the
property at approximately 229 W. 400 N. from Residential (R1-20) to
30 Commercial General (CG) Parcel #14:068:0163.

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

36 Anders Bake, Associate Planner, led this discussion by stating the applicant Tim
Clyde is in attendance to request a rezone on the subject parcel from residential (R1-20)
38 to Commercial (CG). The purpose of the request is to allow vehicle deliveries to travel
through the property from State Street to egress to 400 North. He noted Mr. Clyde would
40 also like to expand his current business operation onto the subject property. The applicant
owns the strip center building on State Street where Fence Specialist operates a retail
42 store and then uses the back building and yard area for manufacturing and inventory
storage. He indicated that trucks coming in and out of the property have had issues in the
44 past backing onto State Street but the applicant has since started using the subject
residential property for truck egress onto 400 N.

2 Mr. Bake explained in order for the applicant to legally use the subject property
for egress and business expansion it must be rezoned to commercial. If the City Council
4 votes to approve the rezone request then staff recommends that the approval be
conditioned on curb, gutter, and sidewalk and related infrastructure improvements being
6 installed along 400 N. as well as the landscaping meet city code requirements. The
applicant would also be required to meet any fencing regulations. If approved by the City
8 Council, the applicant will need to return for site plan approval with the Planning
Commission.

10 Mr. Bake stated city staff has recently been working with Mr. Clyde to bring the
subject property into code compliance with outdoor storage and cutting the weeds on the
12 property. This item was brought before the Planning Commission and City Council in
2007 for a zone change request but was denied at that time. The City felt at that time that
14 the property should remain residential. Attached are the meeting minutes from August
and September, 2007. On October 8th 2019 the Planning Commission unanimously
16 voted in favor of recommending approval for the requested zone change. The motion
included the condition that the applicant be required to install curb, gutter and sidewalk
18 along 400 N. and that the property meet all Lindon City landscaping requirements.

Mr. Bake stated the subject parcel at approximately 229 West 400 North is
20 currently designated in Lindon's General Plan as Residential Low. The General Plan
states that the purpose of this category is to provide areas of low-density residential
22 neighborhoods of essentially spacious and uncrowded character to promote the benefits
of an open, rural atmosphere, and to provide for areas where large animals are permitted.
24 Includes area typically zoned as R1-20. The property is currently zoned R1-20.

Mr. Bake went on to say Lindon City Code states that the single family residential
26 zones (R1) are established to provide areas for the encouragement and promotion of an
environment for family life by providing for the establishment of one (1) family detached
28 dwellings on individual lots that are separate and sheltered from non-residential uses
found to be inconsistent with traditional residential lifestyles customarily found within
30 Lindon City's single-family neighborhoods.

Mr. Bake explained the proposed zone map amendment would change the zoning
32 of this parcel to General Commercial. The Lindon City code states that the Commercial
Ordinance is established to promote commercial and service uses for general community
34 shopping. The objective in establishing commercial zones is to provide areas within the
City where commercial and service uses may be located. These zones include the General
36 Commercial Zones (CG, CG-A, CG-A8, CG-S), Lindon Village Commercial Zone and
the Planned Commercial (PC-1 and PC-2) Zones. The General Commercial Zone
38 requires a minimum lot size of 20,000 square feet. The subject parcel meets this
requirement with 24,180 square feet.

Mr. Bake also mentioned that Public Hearing Notices, required per Lindon City
40 Code section 17.14, were mailed to each affected entity and property owner. They were
also published on the City and State Websites and in the Daily Herald on September 26,
42 2019. There were a number of public comments at the October 8th Planning Commission
44 meeting. Those comments mainly dealt with increased truck traffic onto 400 North and
safety concerns with those trucks. Other comments had to deal with vehicle speeds on
46 400 North and truck delivery routes when vehicles leave the subject property.

2 Mr. Bake then presented the Concept Site Plan, Aerial Photo, Surrounding Area,
3 Zoning Map, Surrounding Area General Plan Land Use Map, August 22, 2007 Planning
4 Commission Minutes, September 28, 2007 City Council Minutes followed by some
general discussion. He then turned the time over to the applicant for comment.

6 Tim Clyde was in attendance to address the Council at this time. Mr. Clyde stated
7 they will be coming back with a site plan to the commission for approval noting they will
8 have an 8 ft fence to obscure materials etc. and they will make sure it meets all
landscaping requirements and curb, gutter and sidewalk etc. Mr. Clyde stated as soon as
10 he has the zone change, they will continue to work with the city on the site plan and they
want to get through this process. Mr. Clyde stated this is just a zone change right now
12 from residential to general commercial. Mr. Bake stated it will require a 7ft fence and 20
ft of landscaping and to ensure that there is a clear view. Mr. Haws stated there will be no
14 stacking above the fence. Mr. Bake pointed out there will be a concrete wall on the east
side. Following some general discussion, the Council was in agreement this change will
16 be accommodating for safety reasons.

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

20 COUNCILMEMBER HOYT MOVED TO CLOSE PUBLIC HEARING.
21 COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
22 VOTED IN FAVOR. THE MOTION CARRIED.

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

26 COUNCILMEMBER HOYT MOVED TO APPROVE ORDINANCE #2019-16-
27 O TO AMEND THE LINDON CITY ZONING MAP FROM R1-20 TO COMMERCIAL
28 GENERAL AT APPROXIMATELY 229 W. 400 N. PARCEL NUMBER 14:068:0163
29 WITH THE FOLLOWING CONDITION(S): 1. THE APPLICANT BE REQUIRED TO
30 INSTALL CURB, GUTTER, SIDEWALK AND RELATED PUBLIC
31 INFRASTRUCTURE IMPROVEMENTS ALONG 400 N. AND THAT THE
32 PROPERTY MEET ALL LINDON CITY LANDSCAPING REQUIREMENTS; 2. ALL
33 ITEMS OF THE STAFF REPORT. COUNCILMEMBER BRODERICK SECONDED
34 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

36 COUNCILMEMBER LUNDBERG AYE
37 COUNCILMEMBER HOYT AYE
38 COUNCILMEMBER BRODERICK AYE
39 THE MOTION CARRIED UNANIMOUSLY.

40
41 **10. Discussion Item — Anderson Farms Development Options with Ivory
42 Homes.** The City Council will review and discuss the Anderson Farms
43 Development Options with Ivory Homes.
44

45 Mr. Florence led this discussion by stating we discussed at the last meeting about
46 the main topics of observing the commercial and park areas and the density being towards

2 the apartments and these four items need to be nailed down a little more. He noted Chris
Gamvroulas with Ivory Homes is in attendance to present the updated concept plan.

4 Mr. Gamvroulas stated as discussed, they are coming back with some real solutions
in several ways. Relative to the park area they are moving forward with parcel E and it is
6 under construction (8 lots). Based on the last meeting, he has instructed the team to move
forward with the first phase. After speaking with Mr. Florence, we are here to get input as
8 to what may work. He noted Dr. Thorne has a deep appreciation for his property and a
good relationship with the Andersons. Given that the access to the property is along
10 Anderson Blvd. it makes more sense that it's a residential area. It appears Dr. Thorne is
going to hang onto their property for a while longer.

12 Mr. Gamvroulas indicated they dropped 11 units and Ken Watson has been
working with the engineer to do the 60 phases. The road will be built next spring off of 700
14 north and will relieve a lot of pressure and it may precipitate a traffic signal through
UDOT. He feels there wasn't a strong dislike with deed restrictions etc., but there are ways
16 to do that to get some comfort. Multifamily is an easy way to pick up density. But it won't
increase the park size. He would encourage to set aside a number of units for AMI (18-20)
18 he just doesn't know and how much resources to employ to come back with a definitive
number. He understands you want a bargaining chip and he is not being crass, but maybe
20 the answer is a redesign with small lot single family and add some apartments with a play
on commercial.

22 Mr. Gamvroulas stated he doesn't want to end up with the commercial property in
perpetuity and not be able to dispose of it. They want to be cooperative and maybe a mixed
24 use would be very exciting and he would love to see that happen here as it adds value to the
community. This could be a good halo effect. He would like to know if these are things that
26 you're interested in talking about. An active adult facility will be paved next week with 63
units coming on line with multiple product types to sell; it has all accelerated a bit.

28 We have worked to have large scale mass supply communities with attainable
housing in Provo, Lindon and Eagle Mtn; we have something other builders don't. We
30 plan to build the park next year (4 years early) that will be a regional draw for Lindon
residents and others; it will be a great facility with great amenities.

32 Councilmember Hoyt expressed his concerns with the commercial piece and is
something he wants to preserve. This would bring him to the bargaining table. If there is a
34 location where we add density it would be in the single family. The other pieces are fine
but for him it's the commercial piece as it is important piece and we need to preserve for
36 future players down the road. He is confident in the corridor and Utah County. Ten years
from now sounds great and would really bring him to the table.

38 Councilmember Lundberg stated we need to preserve something that can be an
identifiable downtown Lindon. This community would benefit from a gathering place
40 maker with those amenities. Mr. Gamvroulas stated they have recently concluded another
take down that included a piece of commercial they now have title to, with one more
42 takedown to go. Now the amenities are entrainment and food, and they will come in for
that experience. He does not see a big box store here, as amazon is taking over. He sees
44 more of a theater and restaurant feel; it is morphing and we know that.

46 Councilmember Broderick expressed that he is open to increasing apartment
density depending on what specific items ICO is offering in exchange.

2 Councilmember Lundberg questioned the four-story designs. Mr. Gamvroulas said
this would require opening up the development agreement; the four-story apartments are by
4 the railroad tracks. She also mentioned the executive lots and that it may make sense to
make some bigger lots that would be a nice offset to create that in the heart of the project.
6 She would be open to some of the changes discussed but we should still look at the deed
restricted topic. As there are first responders and employees who would like to live in
8 lindon. She questioned if this is worth pursuing as there are potential caveats that come
with that. But she would like to see that happen for a lot of reasons.

10 Mr. Gamvroulas stated he has to keep some at market rate to offset that but there is
an interest. Mayor Acerson pointed out the challenge is if you build it, they will come. Say
12 we have deed restrictions first responders, teachers, veterans etc. and they choose not to go
there what do we do then? Mr. Gamvroulas stated you can open it up because it is still deed
14 restricted and tiered; but you can do it however you like.

There was then some general discussion regarding the information presented. Mr.
16 Gamvroulas pointed out there are essentially the same number of lots, there are no new lots
they are just shifted around. Mr. Gamvroulas also indicated there is some language in the
18 development agreement that gives some limited flexibility to shift them around within the
parameters. Mr. Gamvroulas concluded by stating he will take these comments into
20 account and work something out and come back; they will meet with the planners with
some new ideas.

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

24 COUNCIL REPORTS:

26 **Councilmember Hoyt** – Councilmember Hoyt mentioned Lyle Lamoreaux is here and
28 he would like to hear from him on anything he would like to mention from the Historic
Preservation Committee. Mr. Lamoreaux stated they are grateful for the invite from
30 Parks & Recreation to help with the Spike 150 as it was such a great opportunity. They
would be interested in how we as a community evaluate the activity from both cost and
32 attendance and effect. He is intrigued by that.

34 **Councilmember Broderick** – Councilmember Broderick reported he will be attending
the North Union Canal meeting tomorrow to talk about raising the assessment.

36 **Councilmember Lundberg** – Councilmember Lundberg reported she attended the APA
38 Conference with Mike Florence and Anders Bake. Planning Commission Chair, Sharon
Call and Commissioner Marchbanks and Commissioner Thompson also attended. There
40 were a lot of great classes and it was a very beneficial conference. She also mentioned
they saw former Planning Director, Hugh Van Wagenen. They also attended a break out
42 session for “Wasatch Choice” for the state vision which was very informative.

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

2 **Mayor Acerson** – Mayor Acerson reported he attended UIA meetings where the bonding
4 capacity is increasing and revenues and projections are up so there is enough headroom
which great.

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

8 **Misc. Updates:**

- Vote by Mail Ballots will be mailed the week of Oct. 14th
- Sewer back up claim on 200 East
- PG/Lindon Chamber – business recognition
- Misc. Items

14 **Upcoming Meetings & Events:**

- October 25th – Halloween Carnival at Community Center
- November 5th – General Election
- November 8-18th – fall clean-up w/dumpsters available to the public

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

22 **Adjourn** –

24 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
AT 9:55 PM. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL
26 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

28 Approved – October 29, 2019

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32 _____
Kathryn Moosman, City Recorder

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36 _____
Jeff Acerson, Mayor