

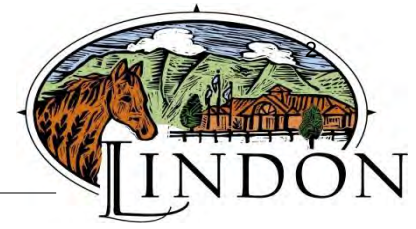
Lindon City Council Staff Report



Prepared by Lindon City
Administration

December 21, 2020

Notice of Meeting of the Lindon City Council



The Lindon City Council will hold a meeting beginning at **5:15 p.m. on Monday, December 21, 2020** in the Lindon City Center Council Chambers, 100 North State Street, Lindon, Utah. Meetings are broadcast live at www.youtube.com/user/LindonCity. The agenda will consist of the following:

Scan or click here for link to
download agenda & staff
report materials:



REGULAR SESSION – 5:15 P.M. - Conducting: Jeff Acerson, Mayor
Invocation: Randi Powell
Pledge of Allegiance: By invitation

(Review times are estimates only)
(2 minutes)

- 1. Call to Order / Roll Call**
- 2. Approval of Minutes:** The minutes of the regular City Council meeting of December 7, 2020 and the minutes of the special City Council meeting of February 6, 2020 will be reviewed. *(5 minutes)*
- 3. Council Reports** *(10 minutes)*
- 4. Administrator's Report** *(10 minutes)*
- 5. Presentations and Announcements**
 - a) Comments / Announcements from Mayor and Council members.
 - b) Presentation: Swearing-in of Lindon City Chief of Police, Mike Brower *(5 minutes)*
- 6. Open Session for Public Comment** *(For items not on the agenda)* *(10 minutes)*
- 7. Consent Agenda** — *(Items do not require public comment or discussion and can all be approved by a single motion.)*
There are no consent agenda items for approval. *(5 minutes)*
- 8. Review & Action — Resolution #2020-30-R, Solid Waste Services Contract Extension.** The City Council will review and consider for approval an extension of the residential solid waste and recycling removal contract with Republic Services. Republic is proposing an increased recycling rate effective July 1, 2021. *(20 minutes)*
- 9. Review & Action — Major Subdivision – Green Valley – Approximately 600 North Main Street.** Allan Colledge is seeking preliminary major subdivision approval for a four-lot single family home development at approximately 600 North Main Street. (Parcel numbers: 14:071:0230, 14:068:0214, 14:068:0196, 14:071:0316, and 14:042:0186). Planning Director, Mike Florence will present. *(15 minutes)*
- 10. Closed Session — Closed Session to Discuss the Sale or Purchase of Real Property.** The City Council will enter into a closed executive session to discuss the potential sale or purchase of real property per Utah Code 52-4-205. This session is closed to the general public. *(20 minutes)*
- 11. Review & Action — Declaration & Disposal of Surplus Real Property, Resolution #2020-31-R.** The City Council will review and consider possible declaration & disposal of 0.123 acres of surplus real property located at approximately 890 E. Center Street., Lindon, Utah and further identified as Lot 12, Plat A, Lindon Hidden Meadows Subdivision; Utah County Parcel ID #45:353:0012. *(15 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. 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 Kathryn Moosman, City Recorder 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) websites.

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

Date: December 16, 2020; Time: 4:30 p.m.; Place: Lindon City Center, Lindon Police Dept., Lindon Community Development

Meetings are broadcast live at www.youtube.com/user/LindonCity

REGULAR SESSION – 5:15 P.M. - Conducting: Jeff Acerson, Mayor

Invocation: Randi Powell

Pledge: By invitation

Item 1 – Call to Order / Roll Call

December 21, 2020 Lindon City Council meeting.

Jeff Acerson

Carolyn Lundberg

Van Broderick

Jake Hoyt

Mike Vanchiere

Randi Powell

Staff present: _____

Item 2 – Approval of Minutes

- Review and approval of City Council minutes: **December 7, 2020 and February 6, 2020**

2 The Lindon City Council held a regularly scheduled meeting on **Monday, December 7,**
 4 **2020, at 5:15 pm** in the Lindon City Center, City Council Chambers, 100 North State
 Street, Lindon, Utah.

6 **REGULAR SESSION – 5:15 P.M.**

8 Conducting: Jeff Acerson, Mayor
 Invocation: Van Broderick
 10 Pledge of Allegiance: Jeff Acerson

12 **PRESENT**

EXCUSED

Jeff Acerson, Mayor
 14 Carolyn Lundberg, Councilmember
 Jacob Hoyt, Councilmember
 16 Van Broderick, Councilmember
 Randi Powell, Councilmember
 18 Mike Vanchiere, Councilmember – via remotely
 Adam Cowie, City Administrator
 20 Mike Florence, Planning Director
 Brian Haws, City Attorney – via remotely
 22 Kathryn Moosman, City Recorder

24 1. **Call to Order/Roll Call** – The meeting was called to order at 5:15 p.m.

26 2. **Approval of Minutes** – The minutes of the regular City Council meeting of
 November 16, 2020 were reviewed.

28 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES
 30 OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 16, 2020 AS
 AMENDED. COUNCILMEMBER POWELL SECONDED THE MOTION. THE
 32 VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE
 34 COUNCILMEMBER BRODERICK AYE
 COUNCILMEMBER HOYT AYE
 36 COUNCILMEMBER VANCHIERE AYE
 COUNCILMEMBER POWELL AYE
 38 THE MOTION CARRIED UNANIMOUSLY.

40 **3. COUNCIL REPORTS:**

42 **Councilmember Broderick** – Councilmember Broderick reported he has been attending
 the police chief interviews and he is impressed with the number of qualified candidates.
 44 He noted they will be doing the interviews in person tomorrow; there are some great
 candidates. He also mentioned he would like to have a potential council discussion at
 46 some point regarding mail in voting as there is some uncertainty nationally this year. He

would like the County to explain what they do in the vote count to ensure/verify we are getting an accurate count on the voting to dispel any rumors.

Councilmember Vanchiere – Councilmember Vanchiere reported he spoke with Mr. Florence this week about writing the ordinance for the overlay zone on 700 North. He also mentioned he was contacted by a resident who indicated she was noticed by her mail carrier that they will be giving notices to residents who park in front of their mailboxes and that mail won't be delivered until they comply. He noted some citizens have moved their mailboxes as to be in compliance.

Councilmember Hoyt – Councilmember Hoyt expressed his thanks to the Parks & Recreation Dept. for their work for the annual tree lighting ceremony, the Santa Parade and letters to Santa where they will respond to each child who submits a letter to Santa. He also mentioned he sent out a picture to the council in regards to the bike path to the council. He also asked about the bike master plan and if the roads that don't have a special bike path if they don't need to be stamped. Mr. Cowie said the Parks and Trails master plan includes the bike master plan. He will follow up with the engineers on this issue.

Councilmember Lundberg – Councilmember Lundberg reported the recent Holy Cow boutique at the community center was a smashing success noting the owners thanked the city for hosting. She also mentioned she watched the research at UVU about planning and upcoming projects with design elements and concept. She also reported on the recent news regarding Bridal Veil Falls noting some sister cities have done a resolution about conservation; the County Commission will meet about this with the developer tomorrow. She feels strongly that Bridal Veil Falls is a state treasure, and not just a county treasure. She also reported Shelly Church has sent out letters to teachers for the grants each year. She noted there have been 18 applications submitted representing six schools. She also stated she would like to have a discussion item of increasing the grant monies for next year as they are more well-known and it is a great program.

Councilmember Powell – Councilmember Powell reported the annual tree lighting ceremony to be held tonight will be done virtually. She added the Mayor and Historical Preservation Commission did a great job. She also mentioned the Santa Parade should be a fun event.

Mayor Acerson – Mayor Acerson had nothing to report at this time.

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

Misc. Updates:

- Next council meetings: December 21st & January 4th
- Employment vacancies update – have hired for the Accounts Payables Clerk. Rebecca Gibbons. Opening for Clerk in the Community Development Dept. Police Officers Josh Edwards and Tony Weinmuller are retiring. Will be

conducting the Police Chief interviews in person tomorrow

- January 2021 newsletter assignment (due last week of Dec): Jake Hoyt
- Misc. Items

5. Presentations and Announcements:

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

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

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

- a) Resolution #2020-26-R; Lindon City Meeting Schedule. The City Council will review and consider for adoption the 2021 Lindon City Meeting Schedule.
- b) Resolution #2020-27-R; Mayor pro tem & Councilmember assignments. Mayor Acerson requests the Council's consent to the 2021 Mayor pro tem and other Councilmember liaison duties and appointments as assigned by the Mayor, including appointment of all Council members as Board members of the Lindon City Redevelopment Agency (RDA).
- c) Employee Merit Increase mid-year evaluation. In the FY2020-21 budget the City Council approved a merit increase for employees (based upon employee performance) and in accordance with the adopted pay scale. The merit increase will be effective January 1, 2021. Per past practice, the City evaluates mid-fiscal year budget constraints and economic indicators to determine if recommended merit increases are still financially prudent. Given a healthy local economic outlook, strong revenues, and healthy General Fund reserves the City Administration recommends the merit increase be applied as approved in the budget.

COUNCILMEMBER POWELL MOVED TO APPROVE THE CONSENT AGENDA ITEMS WITH THE CHANGE TO THE MEETING SCHEDULE AS DISCUSSED. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

CURRENT BUSINESS

8. Public Hearing — Recommendation to Adopt the 700 North Corridor Master Plan; Resolution #2020- 29-R.

Lindon City is proposing a land use small area master plan for the 700 North Corridor. The Planning Commission recommended to the city council adoption of the master plan.

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

Mike Florence, Planning Director led this discussion item by explaining in March 2020, Lindon City received a Technical Planning Assistance Program Grant from UDOT. He noted with the grant funds, the City hired IBI Group to complete a small area master plan for the 700 North Corridor. He noted the purpose of the small area plan is to build upon and refine the 2016 resident-initiated vision for the corridor. The Vision in the master plan states: *The 700 North site is envisioned as a gateway to Lindon city and fosters unique experiences for the community to gather.*

Mr. Florence further explained that high design standards will preserve and enhance the quality of the city. The site will be developed with community spaces, retail, restaurants, employment center, services, and other experiential attractions to create an environment for a live-work community. Through the support of BRT and future mobility options, the site will be a destination center and a center for the city to grow and develop by creating a thriving, walkable community that enhances the lifestyle of all Lindon residents in the present and future.

Mr. Florence stated the master plan develops a land use plan for the corridor that will help to direct subsequent zoning code amendments. The master plan is divided into the following sections:

- Vision & Project Goals
 - Market Study & Economics
 - Urban Scale
 - Concept Plan
 - Street Types
 - Public Realm/Open Space
 - Recommendations Analysis
- Lindon City is poised to see significant economic development growth along 700 N. in the coming years.

Mr. Florence went on to say the corridor is the last remaining large commercial area left in Lindon to develop. The City has the opportunity to help guide future development through this master plan. As part of the master plan, Zions Bank completed an economic development analysis to help the City determine how much commercial development can be expected over the next 10 years. The City does an exceptional job in capturing sales tax for items such as motor vehicles, building materials, and general merchandise.

Mr. Florence indicated the City can better capture sales tax on things such as sporting goods, hotels, and restaurants. Lindon's biggest competition right now is the economic development that Pleasant Grove is capturing through job creation and the office buildings being constructed as well as eating establishments. Zions Bank

calculated that over the next 10 years, Lindon City can expect to construct approximately 45,000 square feet of retail and 650,000 square feet of office use. However, due to COVID-19, the office space will probably take longer to recover.

Mr. Florence commented that Staff feels like the 700 North master plan builds well upon the 2016 resident-initiated vision for 700 N by establishing the following items listed in that original visioning document:

- Create inspiring places – mixed use and heightened standards
- Identify a vision, an attractive gateway, goals for a unique economic development district, establishing development strategies
- Develop an economic development core, open space, landscaping, gathering place, and a variety of transportation options
- Attract unique businesses and offerings that make the area a regional draw
- Creating a sense of place and vibrant community

The City completed the following public outreach efforts:

- Planning commission and city council work meeting
- Progress update meetings with the planning commission o Large group developer meeting and individual developer meetings
- Individual meetings with property owners
- City Facebook page and website
- Resident community Zoom meeting
- Resident feedback through email o Meetings with UDOT, UTA, and Central Corridor BRT consultant

Mr. Florence stated in May, the City held a kick off meeting with many of the major commercial developers in Utah. In November, as the plan was being finalized, the City reached out again and met with some of these same developers individually to get their perspective on the plan. The City met with representatives from The Woodbury Corporation, Boyer Company, DB Urban and Dakota Pacific. All four of these companies liked the proposed master plan. He indicated a summary of their comments are listed on page 18 of the master plan.

Mr. Florence noted the City also solicited community feedback of the small area plan. The City posted the plan on the City Facebook page, website, and a community Zoom meeting was held on November 5th. A summary of the community feedback is also listed on page 18 of the master plan. Next Steps After adoption of the 700 North master plan the City needs to evaluate the current Lindon Village zoning ordinance and commercial design standards. Amendments should be made to these documents in order to implement the 700 North master plan. Mr. Florence then presented the Adopting Ordinance, Draft 700 North Master Plan and the 2016 resident committee presentation followed by some general discussion.

Mr. Cowie pointed out that Zions Bank gave a market analysis based on their experience and view on everything around the area and what this region could support in a reasonable fashion. We are trying to say that we have a professional organization that gave us a market analysis and have provided us with what type of uses are legitimate and could reasonably be proposed; by adopting this we are not saying this is the only thing we will accept.

2 Councilmember Hoyt pointed out a feasibility study tells you what you can do
feasibly and what you can do quickly. If we want to fill the corridor quickly with these
4 types of uses, he believes we would. If we want to be more selective then we have that
option as well. There is a stark difference between this study and what was done by those
6 with a vested interest in Lindon (2016 plan). Mr. Florence stated he didn't find a huge
difference between this plan and the 2016 plan.

8 Councilmember Lundberg pointed out mixed use has always been on the table.
Zions Bank is not taking into account some other potential quasi retail uses with
10 entertainment in that outlook as well as calling extremely conservative measure on retail
square footage; she fully realizes it can't all be retail.

12 Mayor Acerson commented this may be on target and may be conservative, but
the council may take the expectation to a higher level as the vision is much more retail
14 oriented; a developer may think this is all they can see. Mr. Cowie pointed out this is
based on their analysis, and to keep in mind this corridor has been built for almost 20
16 years and there is nothing there and it is zoned retail and office.

Councilmember Powell commented we have to establish what it is we want which
18 is on one side of the coin and the other side is our "pie in the sky" list. We also need the
opportunity for others to come in and have a bigger footprint in our area; there are not as
20 many Lindon residents using that 45,000 square feet of retail.

Councilmember Lundberg pointed out this is not just a Lindon draw but a
22 potential regional draw and that is our vision and what we are trying to accomplish.

Mr. Florence clarified this is over a 10-year period and we may not see anything
24 new come in for a while. He directed the council to take these plans as a reference noting
the real work will come when we start drafting the zoning.

26 Councilmember Vanchiere added the plan has plenty of flexibility but there is
some inconsistency with our current design standards and ordinance, and we can control
28 the mix of who comes in. Developers don't want to have to guess what we want there
and that is what the city council needs to determine what we will allow; he believes the
30 principles of the plan are good. He also agrees we can get more than 45,000 ft. of retail.

Councilmember Lundberg brought up page 16 of the plan noting one thing that
32 was called out for in the 2016 document was the verbiage Live – Work - Play. She would
suggest adding the word "Play" to the new document if the council is good with that
34 addition.

Mr. Cowie pointed out that a lot of developers don't want to go through a long 2-
36 year approval process. Councilmember Broderick commented that he is uncomfortable
with the possible amount of proposed residential. Mayor Acerson suggested that we may
38 need to take a more focused approach of what we want to see happen with a little give
and take and that the flexibility part is not negotiable.

40 Councilmember Hoyt stated he worries if we put this map (#40) out there,
developers may say if they put in residential first, they will bring commercial, but he
42 feels it is saying Lindon is open for high residential. He would rather move slowly and
get the retail commercial that we want rather than sell out for residential; we need to be
44 strategic. He is fine for some residential, but we don't need to advertise it but it can used
as a "carrot"; this map is not his vision. Mr. Florence re-iterated the map can be modified
46 but the IBI Group is just suggesting this as a conceptual plan based off zoning.

2 Following some additional discussion, regarding the conceptual layout map (page
#40) in the plan (residential), Mr. Cowie took a straw poll asking the Council if they are
4 comfortable with any level of residential in the area, and if so at what level. The Council
responded as follow:

6 Councilmember Lundberg: *Yes*. In her mind it is part of the negotiation piece with the
8 right partner and developer that comes forward with significant amenities that they are
willing to bring to the table for Lindon residents and the public at large; with no stand-
10 alone housing.

12 Councilmember Hoyt: Ideally, he would not like any residential, but he would be open to
residential as a “carrot” to get the right commercial partner in. He is ‘uncomfortable’
14 without changes to reduce or remove residential options.

16 Councilmember Powell: She has never envisioned residential on the corridor. However,
she would consider if a proper development came in that would fill the needs that the
18 committee and other previous councilmembers has put forward. She is ‘uncomfortable’
without changes to reduce or remove residential options.

20 Councilmember Broderick: He envisioned that the purpose of the plan was to attract the
22 right commercial. He also agrees with Councilmember Hoyt’s comments. He is
‘uncomfortable’ without changes to reduce or remove residential options.

24 Councilmember Vanchiere: *Yes*. There is no chance to attract commercial unless there is
26 residential there if we are going to realize the dream of a city center etc. He is for
residential, but we don’t have to settle and it should be quality and not super dense but it
28 would help the commercial part of it; it would be dependent on the amount and the type
and that is what he would be interested in.

30 Mayor Acerson articulated a few options as follows: 1. In order to achieve the
32 consensus we would like to have we need a master developer to facilitate the proper mix
that we are comfortable with; there is an associated cost to that and we don’t know what
34 that cost is. 2. The city leads out with a focal point of what we want and invest as a city
and allocate resources to set the course in action. 3. Develop a conceptual plan that still
36 gives flexibility, but that may perceive the wrong message to developers; it’s to our
benefit and best interest to come up with a visioning document whatever it may be; we
38 have to have something for developers on what our vision is. 4. Let the rest of the valley
develop so we would be last in this section of the valley in order to get what we really
40 want; if we wait long enough that may happen.

Mr. Cowie also mentioned the timing of the CDA only has a 20-year life span so
42 for us to have tax increment financing opportunities in this area there is a time limit; if it
doesn’t build in that time frame, we don’t capture that and would lose that money.

44 Councilmember Lundberg stated she sees three points of purpose to the vision
document as follows: 1. What is the memory and values of Lindon and 2. What is the
46 prophecy of what we want to see and 3. What is the right partner with the right

development that we are open to; we don't want to send a mixed message that would bring in the wrong partner.

Mr. Florence stated what he is hearing is to modify/rewrite the flexible development area and show the BRT stations and remove page #41, and further address the heights and setbacks. He noted he is not out promoting residential uses, but is looking at market realities. He stated he will modify the sheet/map and modify some of the language (and TOD language) and bring it back to the council. He clarified this was never intended to show a residential corridor. Mr. Cowie suggested continuing this item to make the changes and bring it back at a future meeting. Mayor Acerson called for any public comments at this time.

Ron Anderson: Mr. Anderson commented in looking at the plan we have heard about being flexible and once the map is out and if adopted does it have to be that way. He spoke about 25,000 ft. buildings and if it is multi story the whole corridor will be a strip mall. He then referenced section 5.3 land use plan. He pointed out this has been going on awhile as over 20 years ago the vision was a retail corridor with big box similar to Orem City. The previous council got the corridor space and railroad crossing and through the years they kept getting more commercial and it has become more restrictive with the vision being retail. They hung on to the big box retail but that is no longer an option. They were starting to realize they waited 20 years to attract a large grocer but that didn't pan out. There are office type things with mixed-use office; straight office isn't good right now and office is so overbuilt right now. He stated he appreciates the hard work of the council and hopefully we have something good come through all of this. He also has concerns that the BRT will interfere with the traffic flow and full-service intersection that may actually be a detriment rather than a blessing.

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

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

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

COUNCILMEMBER HOYT MOVED TO CONTINUE ORDINANCE #2020-16-O TO ADOPT THE 700 NORTH MASTER PLAN. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

9. Review & Action — Island Dance Studio. The Mayor and Council will review and consider for approval the site plan request by the Island Dance Studio to extend the final date for building improvements to be completed for the property at 172 South Main Street.

Mr. Florence explained the Island Dance Studio made application for site plan approval and amendment to the Lindon City zoning map to rezone the property to the Residential/Business Overlay Zone on January 6, 2020. He noted the planning commission granted site plan approval and a recommendation to the city council to amend the zoning map on April 28, 2020. He noted the Site Plan approval was approved with the following conditions:

1. Site plan approval is contingent upon Zone Map Amendment approval from the Lindon City Council to rezone the property to the Residential Business District Overlay Zone (RBO);
2. The plans will meet relevant specifications as found in the Lindon City Development Manual;
3. The applicant will comply with all bonding requirements;
4. The applicant will ensure that customers follow the proposed pick up and drop of requirements as explained in the staff report;
5. The applicant will obtain a building permit and meet commercial building requirements for the primary structure on the property;
6. The business will comply with the maximum occupancy requirements for the primary structure;
7. The applicant will continually hold a business license with Lindon City and will comply with the additional business license requirements for the RBO zone;
8. The applicant will complete the site improvements by December 31, 2022;

Mr. Florence stated the City Council granted zone map amendment approval on June 1, 2020 with the following conditions:

1. The applicant complies with all site plan, building permit, and business license approvals and requirements for the Residential Business District Overlay (RBO);
2. All building improvements are completed by December 31, 2020

Mr. Florence went on to say the Island Dance Studio submitted plans for a building permit on May 22, 2020. The first review of the building plans was completed on June 26, 2020, but because of the commercial aspect of the building structure, the City is requiring that all sheets of the plans be stamped by an architect. To this date, the City has not received updated building plans for a second review. He noted the Island Dance Studio has a current business license through December 31, 2020. Mr. Florence stated it is staff's recommendation that if the City Council grants an extension then the extension should be tied to the business license and that the business license would be suspended if the building improvements are not completed by the extended date.

Mr. Florence then presented a letter from the applicant and the June 2020 City Council meeting minutes followed by discussion. He then turned the time over to the applicants for comment.

2 Krisel Travis addressed the council at this time. She stated she is representing the
 4 Podikowski's (owners). She noted they have had a couple of complications and there has
 6 been some miscommunication by both parties. Once the application was made the
 8 redlines were received and how this could be approved was changed and they are now
 10 required to get an architectural stamp and that is taking longer than expected. The 3rd
 12 party reviewer thought this was a new construction and not an addition. There was also
 14 some delay in receiving information from the city. They didn't receive the redline
 16 comments till August and couldn't get through to the building officials. They are
 18 currently working with an architect to get the stamp. They are adding onto the existing
 20 building and because they didn't do the original building there is some hesitation so they
 22 may get a new architect. They can't get the building permit and so they are missing the
 24 deadline; that is why they are asking for an extension to get the permit.

26 Mayor Acerson asked the council, from the city perspective, if the city has been a
 28 bit of the problem here. Mr. Florence said it was miscommunication with the building
 30 division, but he feels it can't be blamed on one party over the other. Councilmember
 32 Broderick asked what is the new deadline they are proposing? Ms. Travis stated once the
 34 building permit is issued there is a 6-month time frame to complete the project. Mr.
 36 Florence stated it is staff's recommendation to set a date again and tie it with the business
 38 license so they get this moving.

40 Councilmember Lundberg commented due to the current situation with Covid-19,
 42 it has been a difficult year, so she is leaning towards working with them for a consensus.
 44 Councilmember Powell pointed out it is two-fold, Covid-19 and the lack of attention to
 46 detail. She is aware there are certain precautions and care that needs to be taken care of
 but she is also cognizant this is a difficult time for businesses. Councilmember Lundberg
 asked what a reasonable extension time frame would be. Councilmember Broderick
 asked Ms. Travis how much time they need. Ms. Travis replied the review times of the
 city are not under their control so she is hesitant to say a time frame. They can get them
 in in a couple of weeks but they can't control when, and that's why it should be based on
 the building permit.

32 Mayor Acerson asked staff if this can be fast tracked so we do our due diligence
 34 and turn it around in a timely manner; then it's on the applicant to own up as well. He
 36 would like to get this resolved as soon as possible in the interest of the city and the
 38 applicant; it should be a cooperative effort with both parties committed to get this done.
 Mr. Cowie stated it can be expedited it on our end. He also suggested to the council six
 months with no more extensions and to revoke their business license if they don't comply
 as we have been very patient with this issue.

40 Councilmember Powell agreed six months is long enough to get it done. She
 42 added staff is very good at details and this is a problem that needs to get done with no
 44 more extensions. Councilmember Hoyt suggested to make June 30, 2021 the deadline and
 46 agreed if they don't comply to revoke the business license. Councilmember Broderick
 asked the applicant if she believes they can make that happen. Ms. Travis said hopefully
 the weather won't delay them, but there is a route to get to June 30th however, the
 problem has been in getting a contractor. Mayor Acerson said the conditions need to be
 articulated.

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

COUNCILMEMBER LUNDBERG MOVED TO APPROVE THE APPLICANT'S REQUEST FOR A BUILDING IMPROVEMENT EXTENSION AS REQUIRED BY ORDINANCE #2020-9-O WITH A FINAL EXTENSION DATE TO JUNE 30, 2021 AND IF NOT IN COMPLIANCE BY THAT DATE THE BUSINESS LICENSE WILL BE REVOKED. COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE
 COUNCILMEMBER BRODERICK AYE
 COUNCILMEMBER HOYT AYE
 COUNCILMEMBER VANCHIERE AYE
 COUNCILMEMBER POWELL AYE
 THE MOTION CARRIED UNANIMOUSLY.

10. Public Hearing — Protesting / Picketing, Ordinance #2020-17-O. The Mayor and Council will review and consider for approval of Ordinance #2020-17-O relating to protesting and picketing. City Attorney Brian Haws will present.

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

Brian Haws, City Attorney explained the City Council requested in a prior meeting that this ordinance be prepared for consideration due to recent residential picketing occurrences in other cities. He then referenced the proposed Ordinance followed by discussion. He noted over the last year a number of issues have led to demonstrations in the state and county. They are moving away from traditional forums and starting to migrate to residential areas. As they do that there is a focus on protesting individuals. This is not only elected officials but some have targeted professional advisors which gets family and neighbors caught up in that.

Mr. Haws further explained this ordinance is very similar to the ordinance Orem and Salt Lake City has adopted. He pointed out he added a little bit of language to state it doesn't limit people's free speech. It will restrict picketing and demonstrating and in front of a home and will limit it to 100 ft. of a property line; protesters can go on a public right of way but cannot go on public property. Mr. Haws stated this is what being presented tonight and he believes it is legal and tested and the council needs to deem if it is necessary and safe.

Councilmember Powell stated she would publicly say no to this ordinance, but for Mr. Haws presentation she will agree.

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

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

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

4
6 COUNCILMEMBER HOYT MOVED TO APPROVE ORDINANCE #2020-17-
O AS PRESENTED. COUNCILMEMBER BRODERICK SECONDED THE MOTION.
THE VOTE WAS RECORDED AS FOLLOWS:

8 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BRODERICK AYE
10 COUNCILMEMBER HOYT AYE
COUNCILMEMBER POWELL AYE
12 COUNCILMEMBER VANCHIERE AYE
THE MOTION CARRIED UNANIMOUSLY.

14
16 **11. Review & Action — New Aquatics Center Slide Cost Increase.** The City
Council previously budgeted for a new slide at the Aquatics Center in the amount
of \$300,000 from RDA and PARC Tax funds. Final estimates indicate costs of
18 approximately \$358,080 for the recommended slide. This amount does not
include any contingency costs. The Council will review and consider whether to
20 proceed with the new slide project and appropriate the additional funds in a future
budget amendment.

22
24 Heath Bateman, Parks and Recreation Director gave his presentation to the
council at this time. He noted considering the high cost of this amenity, the funding
sources, and our hopes of increasing revenue, I do not know if the cost can be
26 quantified as to when the slide will be paid back by additional revenue. If the
Council is in favor of this new amenity at the pool, my recommendation is Option 2
28 this year or Option 1 after we save money and make the purchase next fall. Mr.
Bateman then presented the following bullet points for discussion:

- 30 • Splashtacular Pricing
- Splashtacular Add -on Pricing
- 32 • CEM Pricing
- Powder Coat Finish
- 34 • Translucent Fiberglass Bands
- Fabric Canopy
- 36 • Lookout Tower Standing Seam Roof
- Galvanized Steed Themed Tree Supports
- 38 • Pricing Options
 - Budgeted
 - Planned Spending
 - Options
- 40 • Maintenance and Additional Costs
- 42

44 Mr. Bateman stated he believes this would be the best use of the money for
the residents at this price point and the best “bang for the buck” and would make
46 the pool “fresh” and vibrant again; it would be a nice amenity in the gap area.

2 Following the presentation, there was some general discussion regarding the
information presented including capacity projections. Mr. Cowie pointed out the
4 pool is subsidized and advised the council not to look at this for making a profit
through additional amenities as it will not drive revenue.

6 Councilmember Powell stated she likes the idea and feels it would be a great
amenity, but she worries about the operation and maintenance costs. She mentioned
8 she would like to see some of funds used in a different way so she would not be in
favor of approval at this time.

10 Councilmember Hoyt stated he appreciates all the research done and has
been on the fence on this issue, but as he looks at this the large debt concerns him
12 but with the source of funding there (Parc Tax and RDA) and the “bang for the
buck”, we need to protect that investment so he would vote in favor. He also
14 believes it has the potential to create revenue.

Councilmember Lundberg stated she loves the idea, but it is along the lines
16 of the costs that makes her uncomfortable. She feels there are other priorities in the
city and feels we could maybe do an amenity that is not so expensive but would still
18 give enthusiasm for the pool. She feels that this year there are other priorities so
she would not be in favor of approval at this time.

20 Councilmember Vanchiere stated based on the information presented we
have already approved the \$300,000 that is already budgeted and the public safety
22 bond is paid off so he tends to agree with Councilmember Hoyt that it would bring
increased activity, and with our good sales tax revenues and the possible
24 sponsorship he would be in favor of funding the project.

Councilmember Broderick stated we have talked about the slide for a long
26 time and now we are here with good numbers of what we are dealing with. He
realizes there are many worthy places the funds could go, but with the nine second
28 turnaround time he would be in favor at this time.

Mayor Acerson brought up the option of a potential sponsorship to help
30 offset the costs of the slide project. He indicated he could contact/negotiate with
DoTerra who may be interested in supporting a sponsorship for the slide project if
32 incentivized. He believes the slide would be a good addition to the pool.

Following some additional discussion, the council was in agreement to
34 approve the proposal if part of the funding come from Parc tax funds and the
condition that a possible sponsor is facilitated. Mr. Bateman thanked the council for
36 their consideration in this matter noting he will make the best use of the funds as
possible.

38 Councilmember Powell asked the council at this time to remember the city
needs identity during the Christmas season and we need future discussion where
40 some funding can come from as to have more presence.

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

44 COUNCILMEMBER HOYT MOVED TO APPROVE PROCEEDING WITH
THE NEW SLIDE PROJECT AT THE AQUATICS CENTER WITH DIRECTION TO
46 INCLUDE THE TOTAL FUNDING IN THE NEXT FY2020-21 BUDGET
AMENDMENT IN THE AMOUNT OF \$400,000.00 WITH A MAXIMUM OF

\$150,000 BEING PARC TAX FUNDS AND TO FACILITATE A POTENTIAL SPONSORSHIP. COUNCILMEMBER VANCHIERE SECONDED THE MOTION.

THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE

COUNCILMEMBER BRODERICK AYE

COUNCILMEMBER HOYT AYE

COUNCILMEMBER POWELL AYE

COUNCILMEMBER VANCHIERE AYE

THE MOTION CARRIED UNANIMOUSLY.

12. Closed Session — Closed Session to Discuss the Sale or Purchase of Real

Property. The City Council will enter into a closed executive session to discuss the potential sale or purchase of real property per Utah Code 52-4-205. This session is closed to the general public.

COUNCILMEMBER VANCHIERE MADE A MOTION TO ENTER INTO A CLOSED EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE POTENTIAL SALE OR PURCHASE OF REAL PROPERTY. THIS SESSION IS CLOSED TO THE GENERAL PUBLIC PER UTAH CODE 52-4-205.

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

COUNCILMEMBER LUNDBERG AYE

COUNCILMEMBER BRODERICK AYE

COUNCILMEMBER POWELL AYE

COUNCILMEMBER HOYT AYE

COUNCILMEMBER POWELL AYE

THE MOTION CARRIED UNANIMOUSLY.

COUNCILMEMBER BRODERICK MADE A MOTION TO CLOSE THE EXECUTIVE SESSION AND MOVE INTO THE REGULAR CITY COUNCIL SESSION. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Adjourn –

COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING AT 9:50 PM. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – December 21, 2020

Kathryn Moosman, City Recorder

Jeff Acerson, Mayor

The Lindon City Council held an annual Budget Kick-Off Meeting on **February 7, 2020**, beginning at 6:00 p.m. at the Lindon City Center, 100 North State Street, Lindon, Utah.

Conducting: Jeff Acerson, Mayor

PRESENT

Officials

Absent

Jeff Acerson, Mayor
Carolyn Lundberg, Councilmember
Van Broderick, Councilmember
Jake Hoyt, Councilmember
Mike Vanchiere, Councilmember
Randi Powell, Councilmember

Staff

Adam Cowie, City Administrator
Kristen Colson, Finance Director
Phil Brown, Chief Building Official
Josh Adams, Chief of Police
Heath Bateman, Parks & Recreation Director
Brad Jorgensen, Public Works Director
Mike Florence, Planning Director
Brian Haws, City Attorney

The meeting was called to order at 6:00 p.m.

DISCUSSION – The Lindon City Administration and Department Heads met with the Mayor and Council in a work session to review, discuss, and receive feedback on significant budget issues and priorities for the upcoming 2020-2021 fiscal year. This item was for discussion only with no motions required at this meeting.

Items of general discussion included the following:

1. Budget Adoption Process: *Presented by Kristen Colson & Brian Haws.*

- a. Ms. Colson reviewed the timeline for the budget process and adoption.
- b. Mr. Haws gave an update on Transportation Utility Fee court case. He also gave an update on sales tax exemption codes and policies.

2. Financial Outlook: *Presented by Adam Cowie & Kristen Colson.*

a. Reviewed significant revenue sources

- i. Sales tax and property tax; reviewed graphs and trends – we are leveling off with sales and property taxes.
- ii. Property tax; reviewed graphs and trends.

1. There was discussion on inflationary increases and/or keeping rates the same (technically an increase).
- iii. Utility rates; 2019 JUB utility rate study recommended increases: Water 9%; Sewer 4%; Storm Water 3%; (increases are inclusive of CPI inflationary increase).
- iv. PARC Tax – 6-year point; voter renewal required in November 2023 General Election for tax to continue
- b. Debt outlook for FY2021
 - i. The debt schedule and Utopia was reviewed.
 - o Public Safety Building bond payments
 - ii. To avoid or lessen future debt, create Capital improvement Project budget line items for replacement projects for buildings and infrastructure
 - iii. There was discussion on likely storm water revenue bonds for storm water projects (on addition to possible grants); possible property acquisitions for detention basin on Lakeview Rd.)
3. **Cost Savings/Increased Revenues/Reductions:** *Presented by Adam Cowie & Department Heads.* Including discussion of the following items:
 - a. **Recent Savings/Reductions:**
 - i. Delayed filling vacant positions (PW Sewer Operator; PW Water Operators); Combining of Police Dept. vehicle lease for lower interest rate.
 - b. **Future Savings/Efficiencies:**
 - i. Grants
 1. 2019 grants awarded: \$279,611.36; donations; \$5,170.00.
 2. 2018 grants awarded; \$2,224,241.35; donations for city causes: \$15,296.94.
 - a. Admin/Public Works – USDA/NRCS/BOR grants for ditch piping/storm water projects
 - b. Parks – Land & Water Conservation grants
 - ii. Reduction of third-party engineering expenses; legal/attorney expenses (\$15,000/yr. saved)
 1. Bringing these services in-house has saved money and provided better service.
 - c. **Increased or New Revenues:**
 - i. Building permits – continued growth. (Councilmember Broderick recommended 3rd party contract inspectors as able.
 - ii. Utility rates – continue with rate increase recommendations + CPI (explore utility rate subsidy for low income/seniors)
 - iii. Impact fee updates (storm water; parks & trails)
 - iv. Construction Phase Services Fee – needs tweaking; *Partial refunds likely.*
4. **Personnel Issues:** *Presented by Adam Cowie and Department Heads.*
 - a. Included discussion on evaluating position needs as we experience growth and demand for services;

- i. Public Works – Water Operator positions open until filled.
- ii. Building Dept – Evaluating additional administrative help to assist with business licensing and general work load; continued opening for future inspector; 3rd party inspection services as needed; business license fees.
- iii. Aquatics Center – Lifeguards and other pool positions; pay increases needed to attract and retain;
 - o \$60,000 to \$110,000 increase. Staff is evaluating options.
- b. Merit & COLA – (~\$175,000)
 - New 12-step pay scale implementation and policy updates.
 - COLA estimate = 1.4% recommended (actual CPI increase approx. 2.3%)
- c. Health/Dental insurance rates – TBD (historically 5-7% annual increase)
 - 3% employee participation on monthly insurance premium
 - \$50/month for family coverage; \$35/mo. single+one; \$17/mo. single
- d. Grant incentive program (reward for grants obtained/completed projects); retroactive to 2018

5. Capital Improvements & Expenditures: *Presented by Adam Cowie and Department Heads.* Including the following for discussion:

- a. Road maintenance - goal of \$1.3M+ (new) (up to \$2M fund balance depending on carry-over from FY2020)
- b. Continued evaluation of utilities needing replacement prior to new roadwork being done
- c. Water Fund – the public works director reviewed the long-term project list (new well, meters, new tank, etc.)
- d. Demo of old sewer lift stations (TBD, \$30-50k)
- e. Sewer lift station #4 replacement generator (\$40-50k)
- f. Generators in wells (\$40-50k each)
- g. Public Works/Parks & Recreation; 5 replacement vehicles anticipated due to age and condition(\$153k)
- h. Facilities maintenance: (\$427,000)
- i. Storm Water; Main ditch improvements/possible piping for recurring flood preventing (\$TBD)
- j. Planning/Building/Public Works tracking software – (\$20k setup +\$15k/yr.)
- k. Planning – General Plan update (\$10k-\$15k for mapping services)
- l. Parks & Recreation:
 - o New Aquatics Center slide (\$TBD)
 - o Adjustable basketball hoops (\$10k)
 - o Retaining wall replacement (1200 E horse transfer station/behind Vet Hall; \$20k-\$50k)
 - o New park and trail amenities according to park master plans (pavilions, courts, benches, playgrounds, etc.)
- m. Police Department:

- o New radios to replace 12-yr old equipment that is starting to fail (\$45,129)
- o New radar units in vehicles to replace 12 yr. old equipment (\$35k to \$45k)

6. **Other Significant Needs by Department Heads:** Other needs and miscellaneous items were discussed by the Department Heads at this time.

7. **Council member needs and requests:** The Councilmembers discussed miscellaneous needs and requests at this time.

- a. Councilmember Powell discussed strengthening the community identity/holiday decorations with Christmas lights at the city campus and a 2024 centennial celebration/committee.

In conclusion, Mr. Cowie asked the group if they felt there were any issues with financial obligations and if they felt that the city is heading on the right track. There was a general consensus among the group that they are satisfied with the financial direction the city is going with no major concerns or issues.

**This annual budget kick off meeting was for discussion and informational purposes only. The Council did not take action on any item at this meeting. Any items that require Council action will be discussed during regular City Council meetings prior to any action being taken.*

The meeting was adjourned at 8:25 p.m.

Approved – December 21, 2020

Kathryn Moosman, City Recorder

Jeff Acerson, Mayor

Item 3 - COUNCIL REPORTS:*(10 minutes)*

- A) MAG, COG, UIA, Utah Lake Comm., ULCT, NUVAS, IHC Outreach, County Board of Health - Jeff Acerson
- B) Police/Fire/EMS, Emergency Mgmt., Irrigation Co. Representative/Board member, City Buildings - Van Broderick
- C) Public Works/Engineering, Historic Commission, Administration, Building Const. & Inspection - Randi Powell
- D) PG/Lindon Chamber of Commerce, Economic Development, Lindon Days - Carolyn Lundberg
- E) Planning Commission/BOA, Planning/Zoning, General Plan, Transfer Station/Solid Waste Board - Mike Vanchiere
- F) Parks, Trails, and Recreation, Cemetery, Tree Advisory Board - Jake Hoyt

Item 4 - ADMINISTRATOR'S REPORT*(10 minutes)***Misc. Updates:**

- Next council meetings: January 4th & January 18th
- Audit Report for FY2019-20 will be completed by Dec 31st; presented in January 2021
- House fire causing displacement occurred on 12/15/2020 at approximately 170 W 725 N.
 - Chief Sanderson said residents are being taken care of; in process of determining cause.
- January 2021 newsletter assignment (due last week of Dec): Jake Hoyt
- Safe Routes to School grant, \$75k for 400 East sidewalk improvements. Thanks to Ron Clegg, city engineering division and parks dept for assistance on the grant. Funding available FY2022.
- Misc. Items

Item 5 – Presentations and Announcements

- a) Comments / Announcements from Mayor and Council members.
- b) Presentation: Swearing-in of Lindon City Chief of Police, Mike Brower

Item 6 – Open Session for Public Comment *(For items not on the agenda - 10 minutes)*

Item 7 – 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 were no consent agenda items for approval.

- 8. Review & Action — Resolution #2020-30-R, Solid Waste Services Contract Extension.** The City Council will review and consider for approval an extension of the residential solid waste and recycling removal contract with Republic Services. *(20 minutes)*

FYI.... The rates listed in the agreement and resolution are the rates that the City is charged by Republic Services, NOT the rates that the residents are charged for these services. Additional administrative & tipping fees and increase of 2nd can fee to lower recycling can fee are not referenced in this agreement. Current fees are: 1st can, \$10.61; 2nd can, \$9.02; Recycling can, \$3.82.

Sample Motion: I move to (approve, deny, continue) Resolution #2020-30-R approving the solid waste services contract extension (as presented, or with changes).

**3rd ADDENDUM TO RESIDENTIAL SOLID WASTE
COLLECTION & RECYCLING AGREEMENT**

THIS 3rd ADDENDUM is made and entered into this the 21st day of December 2020, by and between Lindon City, a Utah corporation (hereinafter called the "City"), and Allied Waste Services of North America, LLC, d/b/a Republic Services of Utah (hereinafter called "Contractor").

WHEREAS, the City and Contractor are parties to certain agreement for services which began on March 1, 2010 for Curbside Residential Solid Waste Collection and Curbside Recycling Collection services, (hereinafter called "Agreement") to provide services as stipulated in the Agreement; and

WHEREAS, City and Contractor previously agreed to extend Agreement (Addendum dated the 18th day of November, 2014, hereinafter called "1st Addendum"); and

WHEREAS, City and Contractor previously agreed to extend Agreement (Addendum dated the 20th day of March, 2018, hereinafter called "2nd Addendum"); and

WHEREAS, Contractor has previously provided residential automated solid waste and recycling collection services within the boundaries of the City and to perform such work as may be incidental thereto; and

WHEREAS, the City desires to have Contractor continue to perform residential automated solid waste and recycling collection services in accordance with the terms of the Agreement and the associated 1st and 2nd Addendums that are currently in place; and

WHEREAS, the City desires to extend the Agreement by five (5) years where the current extension agreement is set to expire on June 30, 2021;

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1) Agreement Extension

The parties agree that this 3rd Addendum constitutes a mutual exercise of the rights to extend the Agreement for municipal solid waste (MSW) and Curbside Recycling collection, waiving any timing requirements that may have applied in Section 2 of the Agreement and agree that the Agreement will be extended for the period of five (5) years beginning **July 1, 2021 and concluding June 30, 2026** (hereinafter called "Extension Period")

2) Pricing

- a) At the start of the Extension Period, MSW pricing will NOT be increased. A rate of \$5.84 for each first residential container and \$4.00 for each additional container will remain in place. The recycling price, for those participating in the curbside recycling program, shall be \$5.59 for each recycling container, starting July 1, 2021.

3) Modification of Rates

The Modification of Rates section in the 2nd Addendum will be replaced with the following language:

- a) The annual pricing escalator for all MSW and recycling containers, starting on July 1, 2022 and annually thereafter, will be the Garbage & Trash Index using February over February's percentage rate. Also, starting July 1, 2022, a \$.01 increase/decrease will be added/subtracted to the per recycling container rate for every \$1 increase/decrease in average commodity tipping fee costs for the previous rolling 12-month period (February to February) using \$115/ton as the baseline. The combined annual pricing escalator shall not be greater than 4%.
- b) Contractor reserves the right to request a greater pricing adjustment in light of any significant relatable cost increases or market fluctuations. The granting of a greater price increase due to these increases shall not be unreasonably withheld by the City.
- c) This pricing model will take the place of any previous pricing models/adjustments.

4) Disposal

City will pay for all tipping fees/disposal costs for municipal solid waste (MSW) tons. MSW will be disposed of at the North Point Transfer Station, or another mutually agreed upon location. Contractor will pay for all tipping fees/disposal costs for recycling tons. Recycling will be tipped at a licensed receiver of recycling materials. When available, Contractor will receive 100% of recycling commodity rebates. Contractor reserves the right to request a pay increase from the City if there is a substantial increase in recycling collection or recycling disposal costs.

5) Additional Agreement Extensions

The parties, having effectively extended the Agreement for the Extension Period (July 1, 2021 — June 30, 2026) allowed in the Agreement, the 1st Addendum, and the 2nd Addendum, hereby agree that upon mutual consent of both parties, the Agreement may be extended for future years as is determined to be in the best interest of both parties. The parties expressly acknowledge and agree that nothing in this 3rd Addendum, the 2nd Addendum, the 1st Addendum, or the original Agreement; shall be understood or interpreted as restricting the right of the parties to negotiate and modify this Agreement at any time by written addendum. The parties agree that this includes further extension period(s) beyond this 3rd Addendum Extension Period which may be negotiated and put into place at any times as may be in the best interest of the parties and agreed upon in writing by both parties.

All terms of this 3rd Addendum are subject to the original Agreement, 1st Addendum, and 2nd Addendum terms and subsequent addendums and specifications except as modified herein.

Lindon City

December 21, 2020

(Authorized Representative Signature)

Date

Jeff Acerson

(Authorized Representative Printed Name)

Mayor

Title

(City Attest Signature)

December 21, 2020

Date

Kathryn A. Moosman

(City Attest Printed Name)

City Recorder

Title

**Allied Waste Services of North America, LLC, d/b/a Republic
Services of Utah**

Gordon Raymond – General Manager (Signature)

Date

Contractor Attest (Printed Name & Signature)

Date

- 9. Review & Action — Major Subdivision – Green Valley – Approximately 600 North Main Street.** Allan Colledge is seeking preliminary major subdivision approval for a four-lot single family home development at approximately 600 North Main Street. (Parcel numbers: 14:071:0230, 14:068:0214, 14:068:0196, 14:071:0316, and 14:042:0186). Planning Director, Mike Florence will present. *(15 minutes)*

See attached materials from the Planning Dept.

Sample Motion: I move to (approve, deny, continue) the Green Valley Major Subdivision request (as presented, or with changes).

Green Valley Major Subdivision Approval Approximately 600 North Main Street

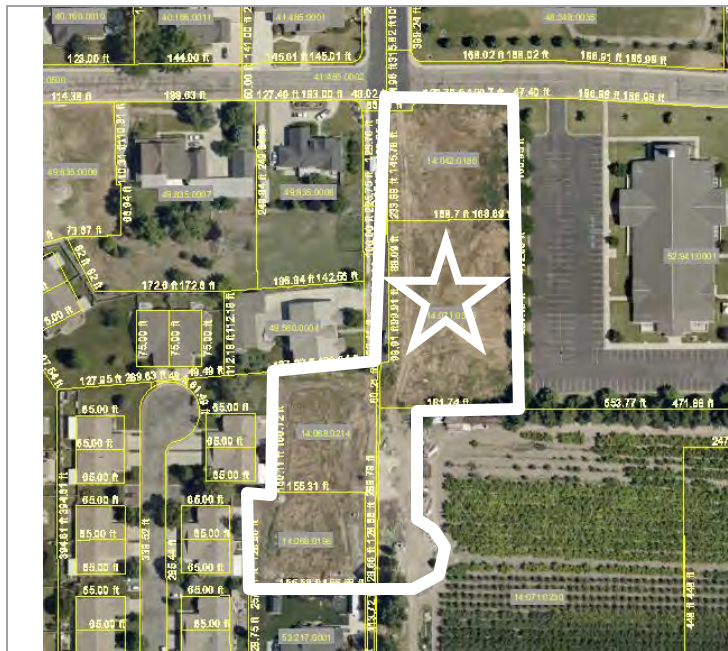
Date: December 21, 2020

Applicant: Alan Colledge
Presenting Staff: Michael Florence

General Plan: Residential Low
Current Zone: Residential R1-20

Property Owners: Colledge Properties LLC, Colledge Family Real Estate LLC, Sasha Stephenson, Robert Tucker Woods, H&M Properties LC.
Parcel ID's: 14:071:0230, 14:068:0214, 14:068:0196, 14:071:0316, 14:042:0186

Type of Decision: Administrative
Planning Commission Approval: Unanimous, December 8, 2020



Summary of Key Issues

1. Alan Colledge is seeking preliminary major subdivision approval for a 4-lot single family home development.

Overview

1. The proposed 4-lot subdivision meets the minimum lot size and infrastructure requirements for the R1-20 zone;
2. As part of this development, a portion of Main Street will be constructed continuing the street South of 600 North and ending in a temporary cul-de-sac.
3. The road alignment follows the Lindon City Street Master Plan map.
4. This subdivision layout was previously approved by Lindon City through a Major Subdivision application that received City Council approval on 12/17/2013 and final city engineer approval on 2/18/2015. The approved plat was not recorded with Utah County and has since expired, requiring the applicant to reapply for subdivision approval. In 2013 the City Council gave three conditions of approval for items that were missing on the original plans. All of these items are included in the updated plans and have been reviewed by city staff.
5. The Lindon City Planning Commission unanimously voted to recommend approval of this subdivision on December 8, 2020.

Motion

I move to (approve, deny, or continue) the applicant's request for final approval of the Green Valley Subdivision plat with the following conditions:

1. The applicant will continue to work with the city staff to make all final corrections to the engineering documents and plat;
2. The plat with lot layouts is approved as provided in the staff report;
3. Prior to plat recording, the applicant will provide staff with a final plat mylar to include notarized signatures of owner's consent to dedication, and obtain signature of all entities indicated on the attached subdivision plat;
4. Complete (or post an adequate improvement completion assurance), warrant and post required warranty assurance for all required public infrastructure improvements;

5. The plans and plat will meet and be constructed as per applicable specifications as found in the Lindon City Development Manual;
6. Prior to final development approval the applicant shall place permanent survey monuments in the subdivision; and
7. All items of the staff report

Surrounding Zoning and Land Use

North: Residential R1-20/Public Facilities – single family/city park

East: Residential R1-20 – church

South: Residential R1-20/Commercial Farm – single family/event center and farm property

West: Residential R1-20 – single family

Lot Requirements – Residential (R1-20) Zone

Required	Compliant
Minimum lot size: 20,000 square feet	Lots range in size from 20,000 square feet to 34,009 square feet

Subdivision Requirements

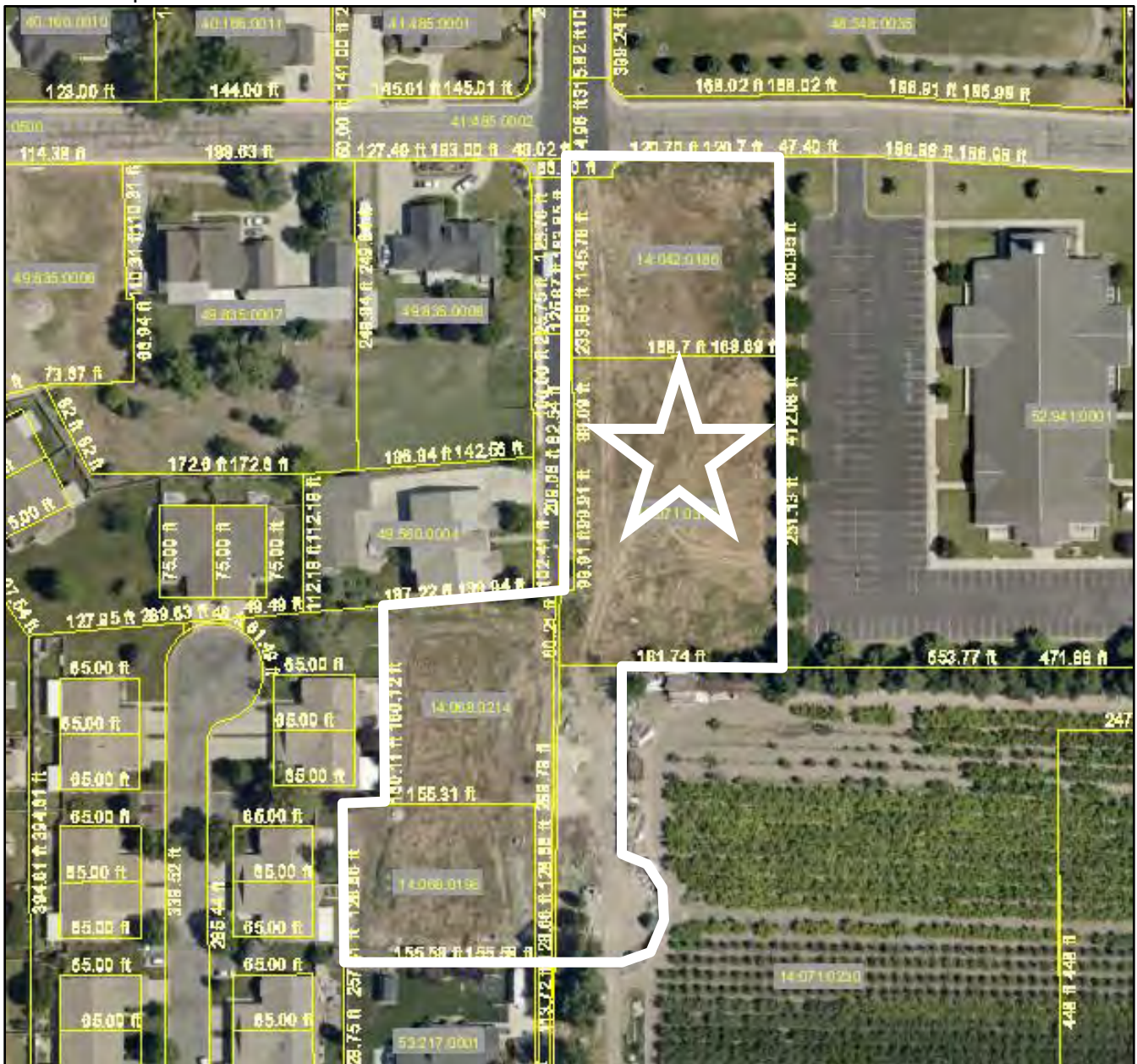
Required	Complaint
No single lot shall be divided by municipal or county boundary lines, roads, alleys, or other lots.	Yes
All residential lots shall front on a public street	Yes
Side lot lines shall be at right angles or radial to street lines.	Yes
The street layout shall conform to the master plan	Yes – Main Street will continue South in accordance with the street master plan. Main Street will end in a temporary cul-de-sac and not connect to 480 North as part of this subdivision.
Minimum right-of-way width for Minor streets	Yes – A 66 foot right of way is planned for the Main Street Cross Section.
Minor streets maximum grade: 12%	3.05%
Sidewalks, curbs and gutters shall be provided on both sides of all streets to be dedicated to the public	Yes – The addition to Main Street will include a 4-foot sidewalk on the West Side of the street and a 6-foot trail on the East Side of the street.
Easements shall follow rear and side lot lines whenever practical and shall have a minimum total width of 15 feet apportioned equally in abutting properties.	Yes
Underground utilities and piped sanitary sewerage shall be provided by the subdivider.	Yes
No lot shall be created which is more than three times as long as it is wide.	Yes
Street lights	Yes – An Esplanade Street Light will be installed on lot 2 along Main Street.

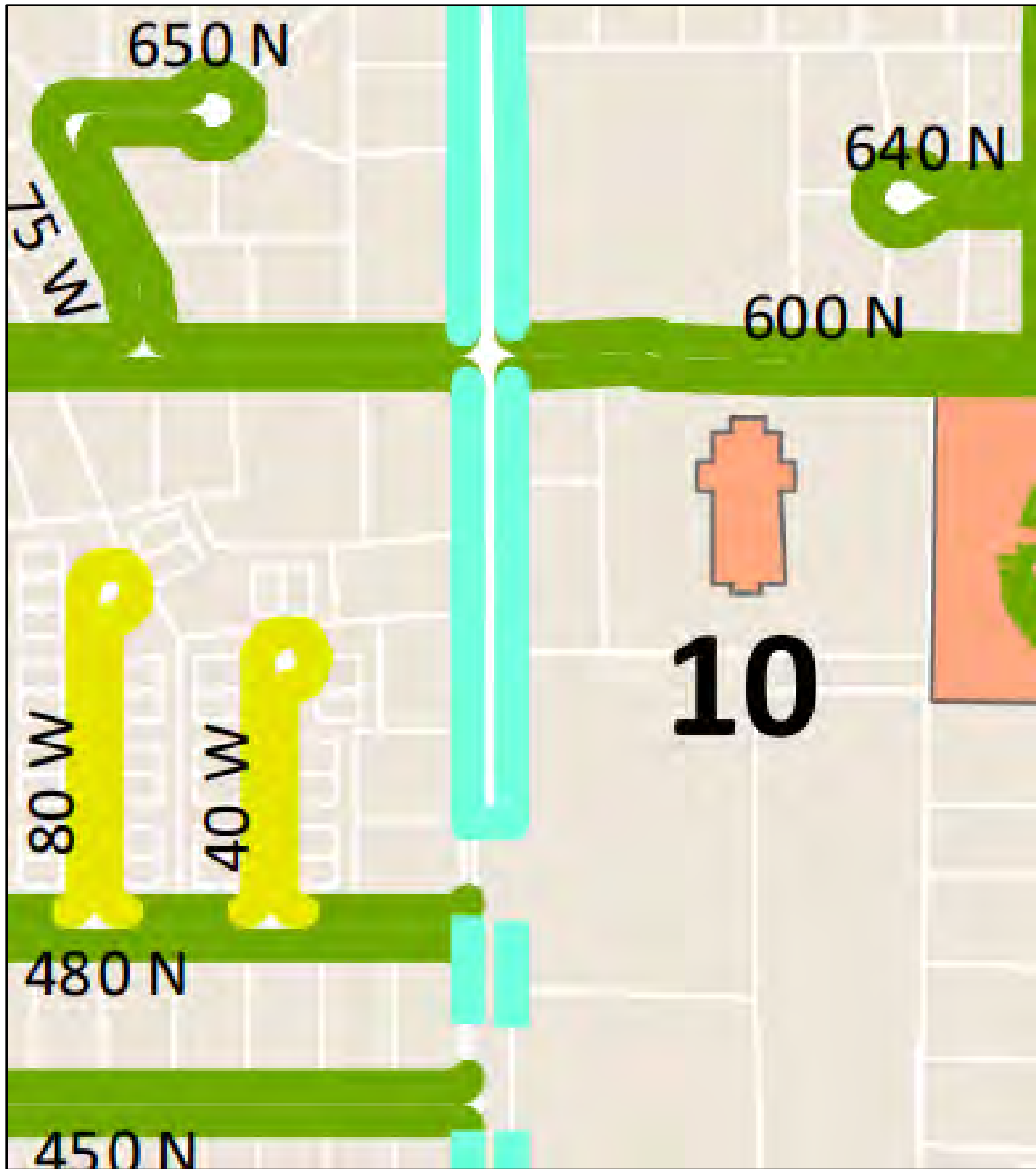
Engineering Requirements

The City Engineer is working through technical issues related to the plat and civil engineering plans and will ensure all engineering related issues are resolved before final approval is granted.

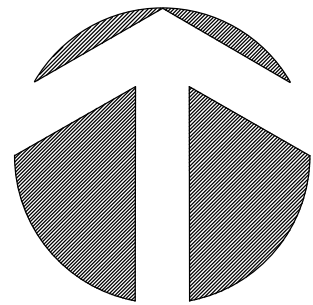
Exhibits

1. Aerial photo
2. Lindon City Street Master Plan Map section
3. Plat
4. Site plan

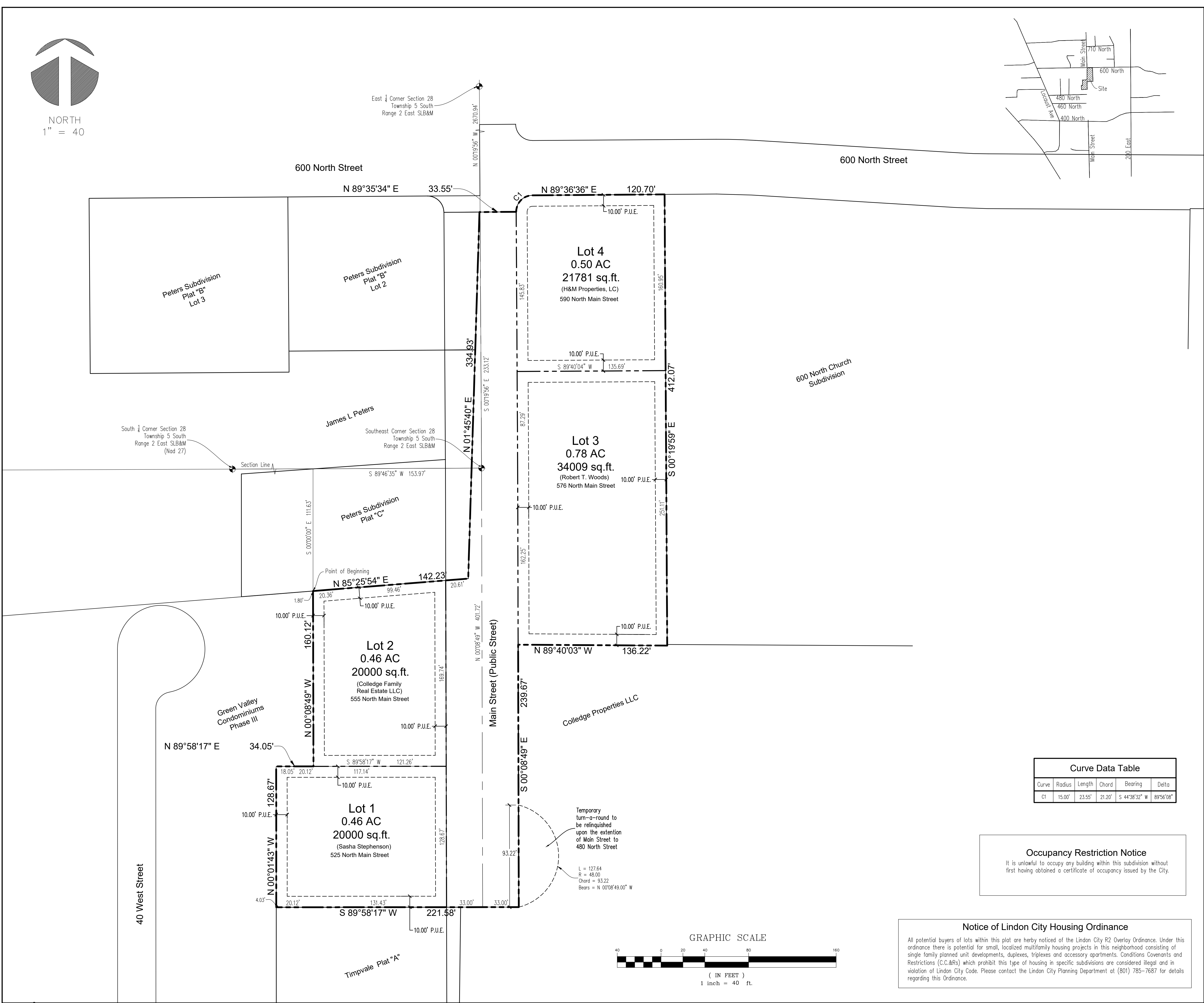




- Street RW Minor Collectors
- - Street RW Future Minor Collectors
- Street RW Local
- - Street RW Future Local
- Street RW Private



NORTH
1" = 40



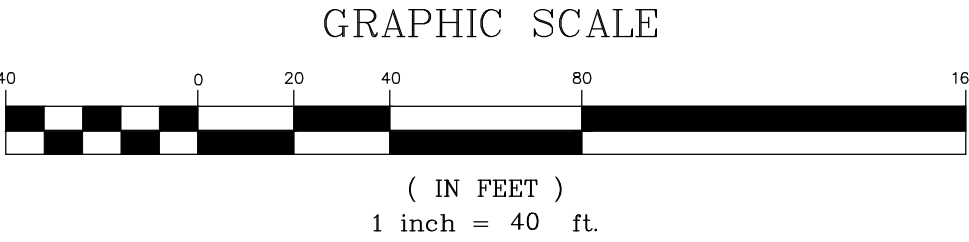
Curve Data Table					
Curve	Radius	Length	Chord	Bearing	Delta
C1	15.00'	23.55'	21.20'	S 44°38'32" W	89°56'08"

Occupancy Restriction Notice

It is unlawful to occupy any building within this subdivision without first having obtained a certificate of occupancy issued by the City.

Notice of London City Housing Ordinance

All potential buyers of lots within this plat are hereby noticed of the London City R2 Overlay Ordinance. Under this ordinance there is potential for small, localized multifamily housing projects in this neighborhood consisting of single family planned unit developments, duplexes, triplexes and accessory apartments. Conditions Covenants and Restrictions (C.C.&Rs) which prohibit this type of housing in specific subdivisions are considered illegal and in violation of London City Code. Please contact the London City Planning Department at (801) 785-7687 for details regarding this Ordinance.



Surveyor's Certificate

I, Roger D. Dudley, do hereby certify that I am a registered land surveyor, and that I hold certificate No. 147082 in accordance with Utah Code, Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I further certify: that at the request of the owner of the below-described land, I performed a survey of said land in accordance with Section 17-23-17 of the Utah Code: that the boundary description below correctly describes the land surface upon which will be constructed Green Valley Subdivision Plat "A", that I have verified all measurements, and that the reference markers shown on said plat are located as shown and are sufficient to readily retrace or reestablish this survey.

Boundary Description

Commencing at a point located South 89°46'35" West along the Section line 153.97 feet and South 111.63 feet from the Southeast corner of Section 28, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence North 85°25'54" East along Plat "C", Peters Subdivision 142.23 feet; thence North 01°45'40" East 334.93 feet; thence North 89°35'34" East 33.55 feet; thence along the arc of a 15.00 foot radius curve to the right 23.55 feet (chord bears North 44°38'32" East 21.20 feet); thence North 89°36'36" East 120.70 feet; thence South 00°19'59" East 412.07 feet; thence North 89°40'03" West 136.22 feet; thence South 00°08'49" East 239.67 feet; thence South 89°58'17" West along Plat "A" Timpvale Subdivision 221.58 feet; thence along Green Valley Condominiums the following 3 courses: North 00°01'43" West 128.67 feet, North 89°58'17" East 34.05 feet, North 00°08'49" West 160.12 feet to the point of beginning.

AREA=128,841 sq. ft. or 2.96 acres

Basis of Bearing = South 89°46'35" West along the Section line NAD 27

Date _____ Surveyor _____
(See Seal Below)

Owner's Dedication

The undersigned owners ("owner" without regard to number or gender) of the above-described land hereby certifies that: owner has caused a survey to be made of said land and to be prepared for the Green Valley Subdivision Plat "A" Owner hereby consents to the concurrent recordation of the plat and Declaration and hereby submits the described land to the provisions and requirements of the declaration, owner hereby dedicates any public streets reflected on the map for the use by the general public.

In witness hereof we have hereunto set our hands this ____ day of _____, A.D. 20____.

by: _____ by: _____
Robert Tucker Woods H&M Properties, LC

by: _____ by: _____
Colledge Family Real Estate LLC Sasha Stephenson

Acknowledgement

State of Utah }
County of Utah } S.S.

On this ____ day of _____, A.D. 20____, personally appeared before me the signers of the foregoing dedication who duly acknowledge to me that they did execut the same.

My Commission Expires _____ Notary Public _____
(see Seal below)

Acceptance of Legislative Body

The City of London, County of Utah, approves this Subdivision subject to the Conditions and Restrictions stated hereon, and hereby accepts the dedication of all streets, easements and other parcels of land intended for perpetual use of the public this ____ day of _____, A.D. 20____.

Mayor _____ City Attorney _____

City Engineer _____ Clerk / Recorder _____

Planning Director _____ Chairman, Planning Commission _____

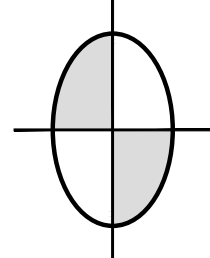
Conditions of Approval

Plat " A "

Green Valley Subdivision

London City, _____ Utah County, Utah
Scale: 1" = 40 Feet

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDER SEAL



Dudley and Associates, Inc.
Engineers Planners Land Surveyors
353 East 1200 South
Orem, Utah 84058

Utah

Green Valley Subdivision

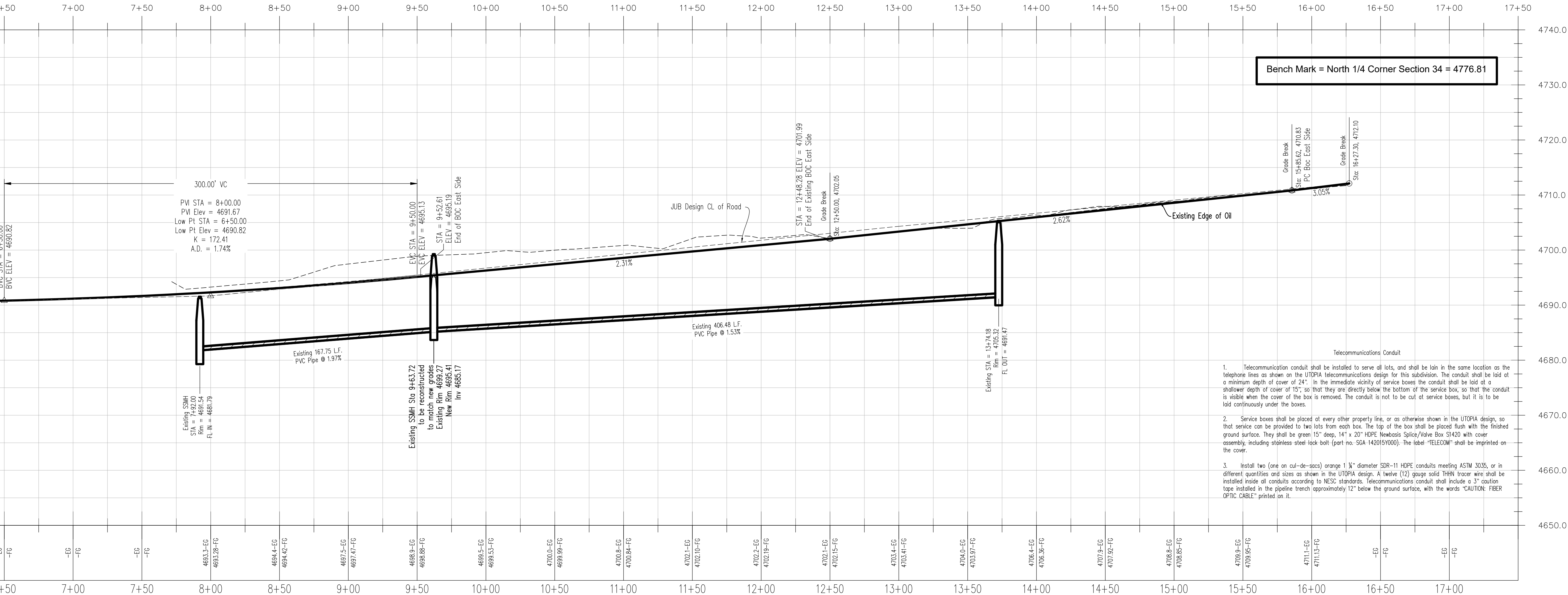
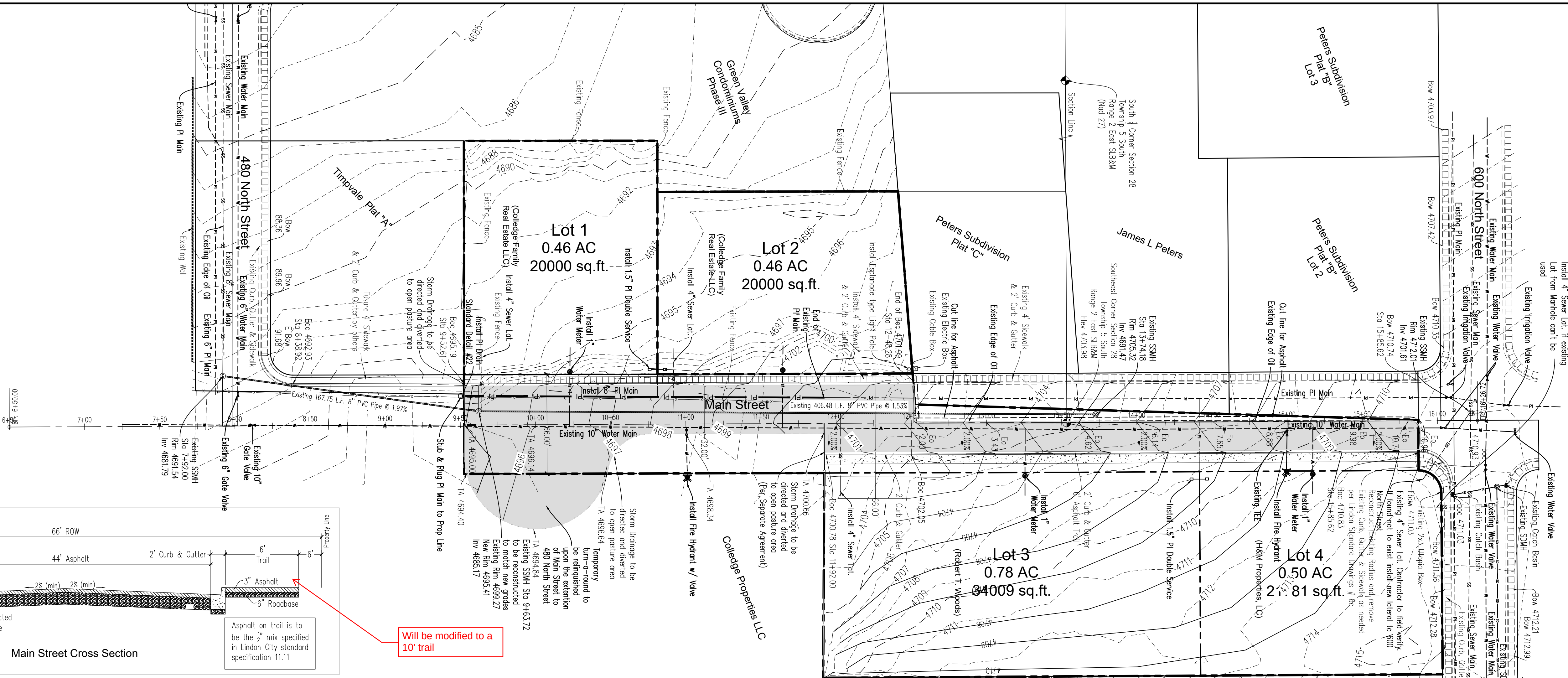
Street Improvement Plan

Lindon City

REVISIONS

DATE
6-26-2014
SCALE
1"=40'
BY
BHT
TRACING NO.
L - 13906

SHEET No.
C - 1



1. Telecommunication conduit shall be installed to serve all lots, and shall be laid in the same location as the telephone lines as shown on the UTOPIA telecommunications design for this subdivision. The conduit shall be laid at a minimum depth of cover of 24". In the immediate vicinity of service boxes the conduit shall be laid at a shallower depth of cover of 15", so that they are directly below the bottom of the service box, so that the conduit is visible when the cover of the box is removed. The conduit is not to be cut at service boxes, but it is to be laid continuously under the boxes.
2. Service boxes shall be placed at every other property line, or as otherwise shown in the UTOPIA design, so that service can be provided to two lots from each box. The top of the box shall be placed flush with the finished ground surface. They shall be green 15" deep, 14" x 20" HDPE Newbasin Splice/Valve Box S1420 with cover assembly, including stainless steel lock bolt (part no. SGA 142015V000). The label "TELECOM" shall be imprinted on the cover.
3. Install two (one on cul-de-sacs) orange 1 1/4" diameter SDR-11 HDPE conduits meeting ASTM 3035, or in different quantities and sizes as shown in the UTOPIA design. A twelve (12) gauge solid THHN tracer wire shall be installed inside all conduits according to NESC standards. Telecommunications conduit shall include a 3" caution tape installed in the pipeline trench approximately 12" below the ground surface, with the words "CAUTION: FIBER OPTIC CABLE" printed on it.

- 10. Closed Session — Closed Session to Discuss the Sale or Purchase of Real Property.** The City Council will enter into a closed executive session to discuss the potential sale or purchase of real property per Utah Code 52-4-205. This session is closed to the general public. *(20 minutes)*

- 11. Review & Action — Declaration & Disposal of Surplus Real Property, Resolution #2020-31-R.** The City Council will review and consider possible declaration & disposal of 0.123 acres of surplus real property located at approximately 890 E. Center Street., Lindon, Utah and further identified as Lot 12, Plat A, Lindon Hidden Meadows Subdivision; Utah County Parcel ID #45:353:0012. *(15 minutes)*

Sample Motion: I move to (approve, deny, continue) Resolution #2020-31-R declaring as surplus and authorizing the disposal of real property (as presented, or with changes).

RESOLUTION NO. 2020-31-R**A RESOLUTION DECLARING CERTAIN REAL PROPERTY OWNED BY LINDON CITY TO BE SURPLUS REAL PROPERTY AND AUTHORIZING DISPOSAL OF THE PROPERTY.**

WHEREAS, the Municipal Council of Lindon City desires the disposal of an underutilized and oddly configured portion of property consisting of approximately 0.123 acres (approx. 5,357 sq/ft) of surplus real property located at approximately 890 E. Center Street., Lindon, Utah and further identified as Lot 12, Plat A, Lindon Hidden Meadows Subdivision; Utah County Parcel ID #45:353:0012; and

WHEREAS, the procedure for the disposal of parcels of real property as outlined in Lindon City Code (LCC) Chapter 3.07 was consulted and, based on a recent appraisal obtained by the City for other residentially zoned undeveloped property in Lindon (valued at approx. \$6.50 / sq. ft.), find that the property will be valued at less than \$100,000 and therefore disposal is not bound to the requirements listed in LCC 3.07; and

WHEREAS, the City held a public meeting about the property disposal on December 21, 2020; and

WHEREAS, the City has received interest from an adjacent land owner to purchase the property at an appraised value (TBD) plus covering closing costs, cost of the appraisal, and any other incidental costs of purchasing and transferring ownership and adjusting subdivision lot boundaries of the property so that Lindon City bears no direct cost for selling the property; and

WHEREAS, the City Council has determined that the property is surplus real property and desires for the proceeds to benefit Lindon City for use in funding other public purposes.

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

- Section 1. That the portion of property identified on 'Exhibit A' as Lot 12, Plat A, Lindon Hidden Meadows Subdivision; Utah County Parcel ID #45:353:0012 consisting of approximately 0.123 acres is declared as surplus real property; and
- Section 2. All, or a portion, of the declared surplus real property may be sold after receipt of an acceptable offer to be finalized and approved by Mayor Acerson per the general terms outlined in this Resolution; and
- Section 3. This resolution shall take effect immediately upon passage.

Adopted and approved this 21st day of December, 2020.

By _____
Jeff Acerson, Mayor

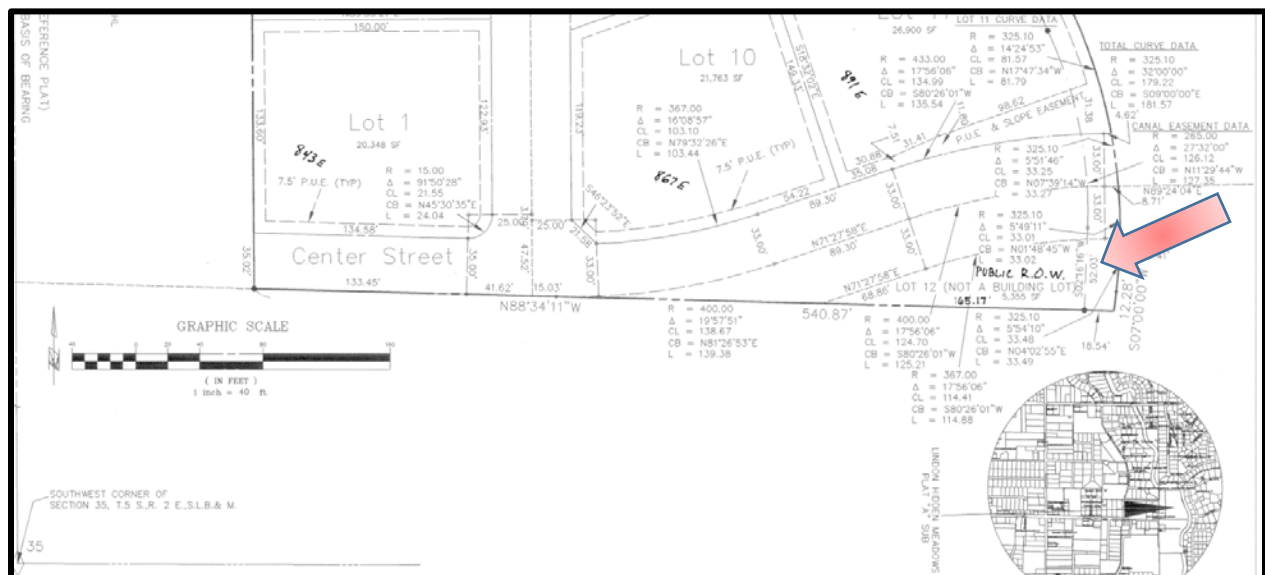
Attest:

By _____
Kathryn A. Moosman, City Recorder

SEAL:

Exhibit A

Map identifies 0.123 acres of surplus real property located at approximately 890 E. Center Street.,
 Lindon, Utah and further identified as Lot 12, Plat A, Lindon Hidden Meadows Subdivision; Utah County
 Parcel ID #45:353:0012.



ADJOURN