

2 The Lindon City Council regularly scheduled meeting on **Monday, November 1, 2021,**
4 **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**

Jeff Acerson, Mayor
14 Van Broderick, Councilmember
Jake Hoyt, Councilmember
16 Carolyn Lundberg, Councilmember
Randi Powell, Councilmember
18 Adam Cowie, City Administrator
Brian Haws, City Attorney
20 Kathryn Moosman, City Recorder

EXCUSED

Mike Vanchiere, Councilmember

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

24 2. **Approval of Minutes** – The minutes of the regular City Council meeting of
October 18, 2021 were reviewed.

26
COUNCILMEMBER HOYT MOVED TO APPROVE THE MINUTES OF THE
28 REGULAR CITY COUNCIL MEETING OF OCTOBER 18, 2021 AS PRESENTED.
COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS
30 RECORDED AS FOLLOWS:

COUNCILMEMBER BRODERICK AYE
32 COUNCILMEMBER HOYT AYE
COUNCILMEMBER POWELL AYE
34 COUNCILMEMBER LUNDBERG AYE
THE MOTION CARRIED UNANIMOUSLY.

36

3. **Presentations and Announcements:**

38 a) Comments/Announcements from Mayor and Council members.
b) Presentations: The Lindon City Department Heads, Chief of Police,
40 Mike Brower, Kristen Colson, Finance Director, Phil Brown, Chief
Building Official, Mike Florence, Planning Director, Heath Bateman,
42 Parks & Recreation Director and Juan Garrido, Public Works Director,
were in attendance to present their various department reports to the
44 city council. Following the presentations, the Mayor and Council
expressed their thanks for the department heads for coming and for
46 their informative periodic department updates and for their good works
for the city.

4. COUNCIL REPORTS:

Councilmember Broderick – Councilmember Broderick reported former Lindon Mayor Jim Dain was recognized at the last BYU game as he is retiring from BYU. He also reported he and Adam Cowie and Juan Garrido traveled to Price, Utah to the DNR to talk about metering grants noting this topic will be discussed later in the meeting. He also reported he will be attending the next CUWCD meeting on Thursday to look for and discuss secondary water options.

Councilmember Vanchiere – Councilmember Vanchiere was absent.

Councilmember Hoyt – Councilmember Hoyt reported he attended the F45 ribbon cutting ceremony noting F45 is a new type of gym. He also reported several neighbors have approached him about 40 South and their concerns with the excessive speeds and the large semi-trucks with loads of cars for dealerships on that narrow road; they feel the excessive speeds needs some mitigation measures taken.

Councilmember Powell – Councilmember Powell reported she was invited and attended the Justice Reinvestment Initiative (JRI) at the Utah State Hospital along with Chief Brower, where they spoke on best practices for different levels of offenders and heard from a wide variety of individuals. Chief Brower added this is a statewide initiative to try to keep repetitive individuals accountable and to look for ways to improve. Councilmember Powell reported she also attended the recent Trunk or Treat event at the community center that was an awesome event and very well attended. She will also be attending the Engineering Coordination tomorrow at Public Works. She mentioned this November 29th will be the first “Most Wonderful Time of the Year” event which is an introduction for upcoming city Christmas celebrations. The Historical Preservation Commission will be hosting the annual Tree Lighting Ceremony at the community center on Monday, December 6th. It was brought up that is a city council meeting night. Following some discussion, the council was in agreement to meet at 7:30 pm that night following the Christmas Tree Lighting Ceremony.

Councilmember Lundberg – Councilmember Lundberg expressed her appreciation to City Engineers, Noah Gordon and Trent Andrus for their good work on the new 4 way stop on Locust Avenue and 400 East. She also reported she attended the Utah Valley Growth and Prosperity Summit with Mayor Acerson where the Valley Visioning Project was discussed along with input on growth in the valley. She also reported that most of the Avalon residents (55+ complex) do not drive and they love and rely on the transit system. They would like to see a dedicated covered bus stop in front of the Avalon apartments. She also attended the “Meet the Candidates Night” at the Spring Gardens retirement facility along with the other candidates. She also spoke with some individuals who would love to be sponsored by the veterans of foreign wars (north cities) noting they would like to meet at our veteran’s hall and in return provide “in kind” services such as honor guard, Memorial Day service, patriotic services etc. Mr. Cowie stated he will speak with Heath Bateman about possibly fitting that into the mini grant program or if there are

other options adding they have had to curtail free usage at the buildings as it sets a precedent.

Mayor Acerson – Mayor Acerson also spoke on the Utah Valley Growth and Prosperity Summit he attended noting he would like to see the Chamber of Commerce come to present their vision on smart growth specific to Utah Valley. He feels we would be consistent with what they want to do and then put together a resolution. Mayor Acerson also spoke on the Trunk or Treat event noting it was a great event and thanked Mr. Bateman and his department for all the hard work on the successful event.

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

- Next regular council meetings: November 15th & December 6th
- December 2021 newsletter assignment (due last week of November): Mayor Acerson
- Fall clean-up, November 11th-22nd: Dumpsters available at five locations. One additional dump pass (good for two trips) is being provided to all utility accounts (can be picked up at City Center).
- 2021 Election info:
 - General Election Day: November 2nd
 - General Election Canvass: November 15th
- Misc. Items

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

6. **Consent Agenda Items** – There were no consent agenda items presented for approval.

CURRENT BUSINESS

7. **Review & Action — 2021 Storm Water Management Program (SWMP) updates; Resolution #2021-23-R.** The City Council will review and consider Resolution #2021-23-R regarding updated SWMP requirements for local municipalities which will be incorporated into Lindon's storm water management program.

Mr. Cowie led this agenda item by referencing the resolution and multiple chapters for the Storm Water Management Program (SWMP). He noted this is in order to comply with the State of Utah Department of Environmental Quality Division of Water Quality authorization to discharge under the Utah Pollutant Discharge Elimination System (UPDES) general permit for discharges from small Municipal Separate Storm Sewer Systems. He then turned the time over to the Public Works Director for his presentation.

Juan Garrido, Public Works Director explained the Storm Water Management Program needs to be updated to meet the requirements of the new permit cycle that

2 became effective on May 12, 2021 and expires on May 11, 2026, to comply with the
State of Utah Department of Environmental Quality, Division of Water Quality General
4 Permit for Discharges from Small Municipal Separate Storm Sewer Systems and to be
approved by the City. He then gave a summary of each chapter.

6 Mr. Garrido noted this Storm Water Management Plan (SWMP) has been updated
to limit the discharge of pollutants to the Lindon City Storm Sewer System. The
8 development and implementation of this SWMP is to fulfill requirements under the State
of Utah Authorization to Discharge Municipal Storm Water. He noted responsibility for
10 implementation of the storm water management program is divided between Lindon City
and the Utah County Stormwater Coalition.

12 Mr. Garrido stated for the city, most of the work is performed by the Public
Works Department and other Divisions and Departments, but the administration of the
14 entire program is done by the Engineering Division.

Mr. Garrido then gave an overview of the Storm Water Management Plan and the
16 chapters followed by some general discussion. He noted they will continue to follow the
rules of the permit and noted this is a living document that will continue to evolve.

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

20
COUNCILMEMBER BRODERICK MOVED TO APPROVE RESOLUTION
22 #2021-23-R APPROVING THE 2021 STORM WATER MANAGEMENT PROGRAM
AS PRESENTED. COUNCILMEMBER HOYT SECONDED THE MOTION. THE
24 VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BRODERICK AYE
26 COUNCILMEMBER HOYT AYE
COUNCILMEMBER POWELL AYE
28 COUNCILMEMBER LUNDBERG AYE
THE MOTION CARRIED UNANIMOUSLY.

30
8. Discussion Item — Secondary Water Metering. The Council will receive
32 information regarding awarded grant funding for secondary water meter
installation and provide direction on implementation of the secondary water
34 metering project.

36 Mr. Cowie opened this discussion item by stating Staff will be giving an update
on the recently awarded grant for installation of secondary water meters throughout
38 Lindon. He noted cities with secondary water systems are required to install secondary
meters on all connections by 2035. Due to recent drought and increased emphasis on
40 water conservation by the State, this timeline is anticipated to be reduced by the State
Legislature.

42 Mr. Cowie explained on October 28, 2021 Lindon City was awarded \$1,205,000
in grant funding for secondary meter installation by the Utah Board of Water Resources
44 and has also received commitment for \$400,000 of additional funding from the Central
Utah Water Conservancy District. The City will match the State funding for a combined
46 project cost of \$2,810,000. It's anticipated that installation of secondary meters will begin
in 2022 and may take 2-3 years to fully install and would begin with city properties in the

2 spring. He added this is a good funding opportunity for Lindon City so that we don't
have to look to residents for funding. Mr. Garrido confirmed we need to measure the
4 water or we cannot plan for the future with conservation and education and with making
the system better as to provide the level of service needed so we don't run out of water,
6 low pressure etc.

Mr. Cowie pointed out that managing Lindon's water resources is a top priority
8 for the city. He noted Lindon currently has no way to measure the amount of secondary
water being used by each household unless a secondary water meter has been installed.
10 Where secondary water is available State law requires all new development to have
secondary water meters installed; 60% of residential water use is used for outdoor
12 irrigation. He pointed out it's been proven that secondary water metering helps to
conserve water resources.

Resident in attendance, Kim Bonnett, expressed emphatically that the city has
14 already received assistance from the residents as they have already given all their water
shares 20 years ago with a promise that we would never be metered, and now you are
16 saying we won't have to pay for it; we have already paid for it. How much are those
water shares that were turned in worth now? At Meet the Candidates Night the question
18 was brought up by all candidates that the better way to preserve water is to fix the canals
and ditches as we lose a lot of secondary water that way and that residents have been
20 really good about conserving water when needed. This decision to go with the state and
purchase etc. was made without asking the citizens, the customers who gave you the
22 water; don't come and meter my water.

Resident in attendance, Gordon Case commented that the current system will not
24 work adding this was never discussed with the public. There is nothing to stop the debris
from going into the meter; there is no filter on it and it will cost the city millions of
26 dollars to change and put meters on every secondary. He was told by Dave Thurgood
(former city engineer) that we would not ever have meters on the secondary or he
28 wouldn't have signed up. Mr. Garrido clarified these meters are non-plug meters with no
cross-hairs.

Mayor Acerson stated we are open to more discussion and welcome feedback and
32 the concerns have been heard and the council will pay attention to it. Councilmember
Hoyt said he hopes residents know that no decisions have been made and this is just
34 discussion at this point.

Mr. Cowie then referenced the prepared Facts and FAQs (draft) sheet that has as a
36 general overview of questions regarding secondary water metering.

Mr. Cowie stated when Lindon City constructed the secondary water system in
38 1991-1993 most connections to the system were not metered (use of the water was not
measured). As properties developed, they were required to connect to the secondary
40 system (where available) but secondary meters were not installed. However, recent
residential developments on the west side of Lindon are required to install secondary
42 water meters as a way to help conserve water and limit potential demands to the culinary
water system. About 1/3 of Lindon's population will eventually reside in the residential
44 area west of Geneva Road and most will have metered secondary water use. As new
development continues to occur secondary meters will be installed (where secondary is
46 available). He pointed out this project will install secondary meters on all other existing

2 residential connections to the system. He noted secondary meters will be phased in for
commercial and industrial properties as additional funding allows.

4 Mr. Cowie pointed out that secondary water meters are being installed primarily
to: 1) comply with State of Utah secondary water metering requirements, 2) help
6 conserve water resources, and, 3) leverage funding through grants to reduce financial
burden on residents.

8 Reasons for installing secondary meters include the following:

State of Utah requirements:

- 10 • The State of Utah has recently required all new connections to the secondary
system built after April 2020 to be metered.
- 12 • The State of Utah is requiring all secondary water providers to meter all
existing connections by 2035. Due to significant drought conditions the
14 Governor and members of the State Legislature have recently indicated that
this timeline will be reduced, meaning secondary meters will need to be
16 installed sooner.

Water conservation and level of service:

- 18 • Data from other areas that have installed secondary water meters indicate that up
to 30% water savings was realized just by installing secondary meters and
20 providing the usage data to property owners. In most cases, water users are not
aware of how much secondary water they are using and how much water is
22 needed to keep a healthy lawn.
- 24 • In order to maintain or improve our level of service, we need to know the
current demand in order to forecast future demand and be able to build or
upscale the infrastructure needed to meet such demand.

26 Available grant funding:

- 28 • In order to help facilitate installation of secondary water meters, limited grants
were made available by the State to secondary water providers with less than
5,000 connections. Lindon City was proactive in applying for this funding and
30 was successful in being awarded \$1.2 million from the Division of Water
Resources towards installation of secondary water meters. The City also obtained
32 a grant for \$400,000 from the Central Utah Water Conservancy
District to offset costs of installing secondary water meters.

34 Mr. Cowie stated we anticipate the state will send the city a contract that we can
36 accept or reject. Mayor Acerson stated he will reach out and have that conversation. Mr.
Cowie stated he realizes this won't be an easy thing and that comments/promises were
38 made years ago, but the reality is to try and do this with the least impact on residents. He
pointed out the funding grant received more than doubles the money received from the
40 stimulus.

42 Councilmember Powell commented that it is important for citizens to understand
the reason for this in-depth discussion is because of the state legislature mandating these
meters. Councilmember Lundberg commented discussing options is important and
44 providing the information with public outreach and education. Feedback from the
community is important and that they understand what we are looking at long term. This
46 does not mean you will start paying but we are just getting the infrastructure there.

2 Mr. Garrido stated this particular meter is a pass through, no cross-hair meter that
has been in use in other cities. He will get all the documentation for further discussion.

4 Mayor Acerson asked what the window of opportunity is here and is there time to
have some public comment; not that it will change the decision. Mr. Cowie stated we
6 still have a long period to implement this as it will take several years. We are initially
purchasing the meters and that is anticipated in 2022 under this grant proposal and to then
8 to determine how long that would be. Mayor Acerson stated we want to be respectful of
the opportunity being offered here, but we also need to be able to manage the
10 expectations and find a good way to move forward.

Councilmember Powell brought up it was her recollection when the council had a
12 presentation about the grant application process that they could explore this further for
those who were not comfortable or hesitant knowing the opportunity to get the money
14 was there and then determine to move forward or not to accept this potential grant. Mr.
Cowie clarified that is still the case. She added to know we are feeling obligated to go
16 forward she would maintain that she is not happy having to put meters on for a variety of
reasons.

18 Councilmember Hoyt agreed stating he is hesitant and he is not there yet. He
feels in going down these paths and then feeling embarrassed to say no is hard. Mr.
20 Cowie stated this is an opportunity to pay for something that is going to be required
anyway and he hopes this isn't perceived as staff against the council's will. He added if
22 we pass on the opportunity to fund it, we will be forced to raise rates. He is hopeful to see
when we have to sign the contract that it is after the legislative session so we may have
24 some firm guidance.

Mayor Acerson agreed that would help clarify the way forward if it is mandated
26 and then as a council we can decide. Councilmember Broderick pointed out one thing is
the delivery system has to be first and that was part of the meeting with the Utah Board of
28 Water Resources; if the state legislature mandates that is definitely a big deal.
Councilmember Hoyt commented we need to make sure the public hearings are held so
30 the resident's concerns are heard and that they do have a seat at the table before any
decisions are made. Mr. Cowie pointed out that the expectations are that culinary rates
32 will go down if secondary rates go up. Mayor Acerson thanked staff for giving some
options here and we need to find the best way forward.

34 Resident in attendance, Rob Kallas expressed that he thinks Mr. Bonnett and Mr.
Case represents part of a group that owns large acreage parcels. They contributed
36 anywhere from \$60,000 to \$350,000 in water rights and then to have this legislative
mandate imposed is punitive in his opinion. And in regards to monitoring how much
38 water you use; the larger parcels try to be wise users of water. He pointed out that
consumption went down in a drought year and they are trying to be good stewards. His
40 recommendation would be to the city to look at a proposition where the rates are
guaranteed to not go up which would make it harder to have and afford large parcels.

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

44
46 **8. Discussion Item — Parks & Recreation Department.** The Council will receive
information on a few items from the Parks Department and provide direction
regarding possible improvements and amenities associated with the riding arena

2 and possible outdoor public art at the Community Center.

4 Mr. Cowie explained this item noting the Council asked the Parks Department to
6 form a committee to discuss potential improvements at the horse arena in the City Center
8 Park. He stated Heath Bateman, Parks & Recreation Director, is in attendance to present
options discussed by the Committee and the general outcomes. He noted no motions will
be made but direction on how, or if, to proceed is needed from the Council. He then
turned the time over to Mr. Bateman for his presentation.

10 Mr. Bateman explained during the development of the Parks, Recreation and
12 Facilities Master Plan in the spring of 2020, he started receiving emails from Lindon
residents regarding including the Horse Arena being included in the new masterplan as to
14 make the arena eligible for improvements with impact fee money. He received 66
separate emails in total with all asking for arena improvements as well as firm requests to
include the arena in the masterplan.

16 Mr. Bateman pointed out with the suggestion from Council, he put together an Ad
Hoc committee of Lindon residents interested in the future of the Horse Arena. He then
18 referenced the invitations sent to a few select residents. They held 2 meetings via ZOOM
meetings and they discussed what each member of the Committee would like the City
20 Council to consider for the future of the horse arena. He noted there were 3 outcomes of
their discussions as follows:

- 22 1. Funding and building a new indoor horse arena.
- 24 2. Funding and building a 'Covered' arena (Just a roof)
3. Funding and improving the current arena

OPTION #1 FUNDING & BUILDING A NEW ARENA

- 26 • New Covered Arena
 - 28 • Center of the Park (baseball fields area)
 - Indoor enclosed and roof only were discussed
- Issues:
 - 30 • Parking
 - Increase Street Traffic
 - 32 • No through road in the park
 - Cost
 - 34 • Loss Parks Amenities (baseball fields)
 - Underground utilities
- 36 • Costs
 - Earthwork
 - 38 • Building – Estimates: (Steve Mills – S & S Buildings)
 - Construction

40 Mr. Bateman then showed photos of *CONCEPT 1*, *CONCEPT 1 A* and *CONCEPT 1 B*

- 42 • New Covered Arena
 - Center of the Park (baseball fields area)

OPTION 1

- Building Cost
- 46 • Steve Mills (S & S Barns and Buildings)
- Rough Estimate for Building Purchase and Assembly \$35 sq/ft

- 300' x 175' = 52,500 sq/ft
- 52,500 sq/ft X \$35 per sq/ft = \$1,837,500
- Surfacing
- Arena surfacing Process:
- Length x Width x Depth = X-ft
- X /27 Cubic Yards
- Cubic Yards x 1.4 = Tons Required
- Rick Newton (Geneva Rock)
- Washed Concrete Sand (best surfacing with some additives) \$27.50 a ton
- Gyrochip/Sand Mix is \$6 a ton
- \$16,000

OPTION 1

- Other Costs
- Excavation of Ground \$70,000
- Fence Posts \$18 each (54 needed) \$1,000
- Light Fixtures \$6,500 (Quantum LED lights)
- Electrical \$10,000
- Moving Water Line – (might be necessary) \$10,000
- Moving Storm Water Line – (might be necessary) \$10,000
- Landscape Restoration \$15,000
- Other Options
- Parking Lot Pavement \$81,000

OPTION 2

- Move Arena to Center of Park (No Building)
- Same Costs – \$1.8 for the building.
- Same Challenges as covered indoor.

OPTION 3

- Fix up old arena

Mr. Bateman then went over the different options, concepts, issues and the costs involved followed by some general discussion.

Following some additional discussion regarding the different options presented, the Council was in agreement to proceed with Option #3 and to just make improvements to the existing arena at this time. Mr. Bateman stated he will come back to the council with a master plan with steps and stages that will need to happen at the arena and just report to the committee. Mayor Acerson commented that whatever options we land on he would recommend to broaden the public comment to the general citizenry and be prepared to have that conversation.

Mr. Bateman stated another item for discussion was brought up by Councilmember Powell was the stumps of three trees that were recently removed at the Community Center south parking lot. He noted this past summer the three large blue spruce trees on the corner of Main Street and Center Street died due to a fungal sickness and pine borer. He stated he and Councilmember Powell would like to know if the Council would consider the carving of those tree stumps to help beautify the city. He noted the Barefoot Carver in Provo quoted \$2,500 for the two little ones and \$3,000 for the large one.

2 Following some general discussion regarding this issue the Council was in
4 agreement to remove the stumps and store them for potential future use and to plant new
trees at these locations.

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

8 **9. Discussion Item — Geneva Resort Park Property.** The Council will receive
10 information about the Geneva Resort Park property and how it may be impacted
by nearby development planned by the City of Vineyard.

12 Mr. Cowie explained the staff at Vineyard contacted Lindon staff and asked about
the timeline for improvements to be made at the Geneva Resort Park. He noted they are
14 interested in reserving time at the park for their city programing (soccer, t-ball, etc.). He
also indicated the Vineyard City Center area is master planned ½ mile south of the park
16 and would eventually consist of 6,000 to 8,000 residents. Lindon staff stated that
significant improvements are several years away and not likely in the next 3 to 5 years.

18 Mr. Cowie commented it was also discussed that it's highly likely that the park
will be heavily used by nearby Vineyard residents. He noted the Vineyard staff also
20 indicated that the City of Vineyard may be interested in purchasing the property for a
public park so as to speed up the timeline of for potential park improvements.

22 Mr. Cowie stated he is looking for direction on whether this is something to
explore more with Vineyard or not. He pointed out it was mentioned that if the property
24 is intended as a public park, a deed restriction could potentially accompany any sale of
land so as to limit uses and require that the land remain as public open space. There was
26 then some general discussion regarding this issue.

28 Following some additional discussion, the Council was in agreement to retain the
Geneva Park Property as a legacy park and were in agreement to not consider selling at
this time and to see what the future plans are at Utah Lake. They also agreed to be open
30 to future discussion for a potential partnership (funding) and to look at a master plan to
do something meaningful at the property.

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

34 **Adjourn –**

36 COUNCILMEMBER POWELL MOVED TO ADJOURN THE MEETING AT
8:45 PM. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL
38 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

40 Approved – November 15, 2021

42 _____
Kathryn Moosman, City Recorder

44 _____
46 Jeff Acerson, Mayor