

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, March 17,**
3 **2009,** beginning with a Work Session at 6:30 p.m. in the Lindon City Center, City
4 Council Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:30 p.m.

8 **PRESENT**

8 **ABSENT**

10 Eric Anthony, Councilmember
10 H. Toby Bath, Councilmember
12 Lindsey Bayless, Councilmember/ Mayor ProTem
12 Bruce Carpenter, Councilmember
14 Jerald I. Hatch, Councilmember
14 Ott H. Dameron, City Administrator
16 Don Peterson, Public Works Director
16 Debra Cullimore, City Recorder

James A. Dain, Mayor

18 The meeting began at 6:35 p.m.

20 **Budget Discussion** – *The Mayor and City Council met in a Work Session with Don*
21 *Peterson, Public Works Director, to discuss issues and concerns, including project*
22 *funding requests, for fiscal year 2009-2010.*

24 Public Works Director, Don Peterson, was present for this discussion. Mr.
25 Peterson explained that capital projects have been delayed this year due to budget
26 constraints, and that his budget discussion will be limited to some possible adjustments in
27 the fee schedule. He reviewed a comparison of cemetery fees from neighboring
28 communities, and asked the Council to consider whether an adjustment to cemetery fees
29 should be considered based on fees charged by other municipalities. He noted that
30 opening and closing fees reflect actual costs for manpower and equipment. Mr. Peterson
31 asked the Council to also consider a possible increase to disinterment fees. The Council
32 will discuss and consider possible adjustments to cemetery fees as the budget process
33 moves forward.

34 Mr. Peterson went on to discuss deposits for hydrant water usage valves. He
35 noted that the current deposit charged is \$500, and that the actual replacement cost of a
36 valve is \$975. He explained that contractors use the valves during development projects,
37 and that the valve allows access to water, and also monitors the amount of water usage
38 for billing.

39 Councilmember Carpenter noted that as a deposit, the increase should not
40 represent a hardship, due to the fact that the deposit is refundable if the equipment is
41 returned in good condition. Mr. Peterson noted that the deposit would not be refunded if
42 the equipment were not returned, or if it were returned with damage.

43 Councilmember Anthony asserted that it is not typical practice to charge full
44 replacement cost as a deposit. He suggested that the \$500 deposit remain in place, but
45 that the full \$975 full replacement cost be charged in the event that equipment is not
46 returned or is damaged beyond repair. Following further discussion, it was the general

2 feeling of the Council that an increase to this fee be considered during upcoming budget discussions.

4 Mr. Peterson went on to discuss fees charged to fill private residential swimming pools using high volume water hydrants. He stated that the current \$170 fee does not cover actual manpower costs. He stated that this is a service offered by the City, but 6 suggested that the fee be adjusted to make the service somewhat less attractive and discourage over use of the service.

8 Mr. Peterson reiterated that most capital projects have been postponed this year. He observed that the City is on schedule with capital projects, and that the delay should not present any significant concerns. He noted that the current focus of the Public Works 10 Department is the aquatics center. He noted that a community planting day has been scheduled for May 2nd to plant flowers and shrubs and install sod. He suggested that the 12 annual Arbor Day celebration be held on April 25th. Councilmember Anthony expressed concern that the Tree Advisory Board was not more involved in planning the tree 14 planting events. Councilmember Bayless suggested that since final details regarding landscaping at the aquatics center are unclear at this time, that Arbor Day events be 16 planned at Squaw Hollow Park. Arbor Day and other planting events will be discussed further at future meetings. 18

20 **REGULAR SESSION** – 7:00 p.m.

22 Conducting: Lindsey Bayless, Mayor ProTem
Pledge of Allegiance: Kyle Allred, Boy Scout Troop 127
24 Invocation: Eric Anthony

26 **PRESENT**

ABSENT

28 Eric Anthony, Councilmember
H. Toby Bath, Councilmember
30 Lindsey Bayless, Councilmember/Mayor ProTem
Bruce Carpenter, Councilmember
32 Jerald I. Hatch, Councilmember
Ott H. Dameron, City Administrator
34 Adam Cowie, Planning Director
Cody Cullimore, Chief of Police
36 Debra Cullimore, City Recorder

James A. Dain, Mayor

38 The meeting was called to order at 7:05 p.m.

40 Councilmember Bayless excused Mayor Dain from the meeting. She explained that he was at home recovering from a minor injury.

42 **MINUTES** – The minutes of the Regular Meeting of March 3, 2009 were reviewed.
44

2 COUNCILMEMBER HATCH MOVED TO APPROVE THE MINUTES OF
THE MARCH 3, 2009 MEETING. COUNCILMEMBER BATH SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

4 COUNCILMEMBER ANTHONY AYE
COUNCILMEMBER BATH AYE
6 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
8 COUNCILMEMBER HATCH AYE
THE MOTION CARRIED UNANIMOUSLY.

10
12 **OPEN SESSION** –

Councilmember Bayless called for comments from any resident present who
14 wished to address an issue not listed as an agenda item. There was no public comment.

16 **MAYOR'S COMMENTS/REPORT** –

18 Councilmember Bayless reported that pool construction is on schedule for
opening early summer. A community sod laying project and planting project will be held
20 at the pool as the opening date nears. The grand opening is currently scheduled for May
30, 2009.

22
24 **CONSENT AGENDA** –

No items.

26
28 **CURRENT BUSINESS** –

- 30 1. **Review an Action** – *Permit to “Enter and Construct” – UTA Frontrunner*
Commuter Rail. This is a request by UTA for approval of a permit to enter and
32 construct a portion of the Frontrunner Commuter Rail project through property
owned by Lindon City. This property is located in the Geneva Resort Park along
34 the existing railroad tracks. UTA is requesting a 35’ wide strip of property along
the east boundary of the park be sold to them. The sale requires a public hearing,
36 but UTA is ready for construction. By approving the “Permit to Enter and
Construct” UTA can proceed with the Frontrunner project.

38 Steve Meyer, Manager of Engineering and Construction for the FrontRunner
commuter rail project, was present as the representative for this item. Mr. Cowie
40 explained that the subject property is part of the future planned Geneva Resort Park,
which is identified as a medium priority on the City’s Master Plan. The City anticipates
42 development of the park in approximately the 11 to 20 year range. The City currently
owns the property, and allows the US Forest Service to use the property to graze horses.
44 The park area consists of approximately 17.64 acres. After the proposed UTA property
purchase, the remaining park area would be 16.1 acres. Mr. Cowie stated that staff does
46 not feel that the UTA property purchase would represent a substantial burden on future

uses in the park. The property would be used to expand the commuter rail system, as well as to provide additional right-of-way area for future expansion of the north/south line.

Councilmember Bayless asked if the property would also provide a commuter rail stop. Mr. Cowie explained that UTA is currently negotiating with Vineyard to purchase property for a station, and that an additional station will be located near American Fork Main Street, with several other stations located throughout the valley.

Mr. Cowie presented photographs of the subject property. He explained that UTA is proposing purchase of a 35 foot strip of property along the east boundary of the park, which will not create a significant impact to park use.

Mr. Dameron invited Mr. Meyer to address the Council. Councilmember Anthony inquired as to how payment for the property is received. Mr. Meyer explained that a property appraisal is obtained, after which payment is made to the City. Councilmember Anthony asked if purchase and construction are planned within the next 60 to 90 days. Mr. Meyer confirmed that if approved, purchase will be completed in the next 60 to 90 days. Mr. Cowie stated that the property was appraised at \$322,000, which is the amount of the purchase price offered by UTA.

Councilmember Bath asked about the impact of this property purchase on the Lindon Heritage Trail project in the area. Mr. Cowie explained that expansion of the trail will be funded in 2012, and that construction of the Vineyard Connector road should be underway at that time as well. Mr. Cowie noted that the planned pedestrian crossing associated with the trail would be removed as part of the Vineyard Connector project, and that it does not seem reasonable to complete the pedestrian crossing. Mr. Cowie also noted that the City has communicated with Utah County regarding expansion of the trail located on the west side of the park area, and that creating and maintaining necessary trail connections is part of the overall plan for the area.

Councilmember Carpenter suggested that Mr. Meyer explain the FrontRunner project to audience members who may be unfamiliar with this particular transportation system. Mr. Meyer explained that UTA currently operates two rail systems. The Trax system is a smaller system, which runs on electricity. FrontRunner is a diesel system which currently carries three passenger cars, with an anticipated expansion to four cars as this southern extension is completed. The FrontRunner system runs approximately 74 trains daily, with stops located at five to seven mile intervals. The Utah Valley expansion will provide several stops, and will provide northbound and southbound service to commuters in the morning and afternoon commute hours.

Councilmember Carpenter inquired as to the time frame for the project. Mr. Meyer stated that UTA hopes to have the system fully operational by 2012. He explained that the expansion is approximately 20-25% complete at this time, but that the completion date is somewhat dependent on the economy, since the main funding source is sales tax revenue. He noted that it is the intent of UTA to complete the project in time to provide transportation alternatives during the I-15 reconstruction project.

Mr. Cowie clarified that the business before the Council at this time is a "Permit to Enter and Construct," which will allow the project construction to proceed prior to final sale of the property. He explained that the property purchase requires a Public Hearing prior to final Council action.

2 Mr. Cowie noted that an angled storm drainage pipe was installed by UTA in the
Lindon Hollow Ditch drainage area. He stated that revised plans submitted by UTA
4 show a straight pipe which will be installed. Mr. Cowie stated that a straight pipe will be
necessary to accommodate storm drainage flows and minimize maintenance concerns.
6 Mr. Meyer explained that the Department of Natural Resources does not want the natural
storm channel disturbed more than necessary. He stated that a permit to realign the
8 drainage channel using a straight pipe will be obtained from the Department of Natural
Resources, and the straight pipe is expected to be installed prior to spring run-off flows.
10 Councilmember Carpenter asked if Mr. Meyer would have any objection to including a
requirement that straight pipe be installed in the motion to approve this permit. Mr.
Meyer expressed no objection to this requirement.

12 Councilmember Bayless observed that this agreement to allow UTA to proceed
with the project prior to final sale of the property should be based on a clear intent of
14 UTA to finalize the property purchase. Mr. Cowie stated that the City has received
substantial documentation from UTA indicating a clear intent to purchase the property.

16 Councilmember Bayless called for questions from the audience. Sam Clift, a Boy
Scout present in the audience, asked Mr. Meyer if an alternative right-of-way alignment
18 on the east side of the existing tracks might not create less of an environmental impact.
Mr. Meyer explained that environmental impacts were studied extensively in 2002. He
20 noted that the alternative alignment suggested by Mr. Clift would be significantly more
costly, and that it is necessary to carefully weigh impacts with associated costs.

22 Councilmember Bayless inquired as to what action will be taken to mitigate safety
concerns resulting from the location of the railway adjacent to a pedestrian walkway. Mr.
24 Meyer explained that a six foot chain link fence will be installed along the railway to
protect pedestrians. In addition, Operation Lifesaver will conduct educational programs
26 at every school along the corridor prior to beginning operations to make children aware
of potential dangers.

28 Councilmember Bayless called for further comments or discussion. Hearing
none, she called for a motion.

30
32 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE UTAH
TRANSIT AUTHORITY PERMIT TO ENTER AND CONSTRUCT IN THE AREA OF
THE GENEVA RESORT PARK BASED ON THE UNDERSTANDING THAT UTA
34 WILL FINALIZE THE PURCHASE OF THE PROPERTY, AND WITH THE
CONDITION THAT THE PERMANENT CULVERT PIPE INSTALLED AT THE
36 LINDON HOLLOW DITCH DRAINAGE AREA BE STRAIGHT.

COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS
38 RECORDED AS FOLLOWS:

40 COUNCILMEMBER ANTHONY AYE
COUNCILMEMBER BATH AYE
COUNCILMEMBER BAYLESS AYE
42 COUNCILMEMBER CARPENTER AYE
COUNCILMEMBER HATCH AYE

44 THE MOTION CARRIED UNANIMOUSLY.

2 2. **Review and Action** – *Development Agreement – Murdock Hyundai Real Estate*
3 *LLC, Miller Family Real Estate, LLC, Lindon City and the Lindon City*
4 *Redevelopment Agency.* This is a request by the parties listed above the for the
5 City Council’s approval of a development agreement which outlines the
6 stipulations required for the Murdock Hyundai new car dealership to locate in
7 Lindon City on the property previously housing Larry H. Miller used cars.

8 Mr. Cowie explained that the City has negotiated an agreement with Larry H.
9 Miller Auto and Murdock Hyundai. He stated that Murdock Hyundai is planning to
10 relocate to the existing Larry H. Miller site which was previously occupied by a used car
11 dealership. The site is located immediately west of the Lexus and Mercedes dealerships
12 near the freeway. The City has negotiated with Murdock Hyundai to allow the dealership
13 to occupy the one acre storm water detention basin area currently owned by the City.

14 Mr. Cowie noted that the Council is considering a Quit Claim Deed for the
15 property, as well as a Development Agreement between all three parties. He noted that
16 the basin was dedicated to the City by Larry H. Miller Auto approximately two years ago.
17 The area will continue to function as a detention basin for the time being. The basin will
18 eventually be converted to an underwater detention system with the same capacity as the
19 current system.

20 Councilmember Bayless asked if the City Engineer is comfortable with the
21 underwater detention proposal. Mr. Cowie stated that the Engineer feels that the concept
22 is feasible, but review of technical documents prior to construction will be necessary.

23 Mr. Cowie went on to review the financial aspects of the agreement. He
24 explained that the City will receive a minimum of \$62,000 in annual sales tax revenue
25 from the dealership. Fifty percent of any amount over the \$62,000 which is generated
26 will be paid to the City, with the remaining 50% being held in reserve to pay for future
27 improvements to the storm water detention system. If improvements are not completed
28 in five years, all money held in reserve would revert back to the City, and the agreement
29 would expire. The City Engineer estimates the cost of underground improvements at
30 approximately \$400,000. The agreement does not include above ground improvements,
31 such as pavement and lighting.

32 Mr. Dameron noted that Councilmember Anthony and Councilmember Bath were
33 involved in negotiating this agreement. Councilmember Bath observed that Hyundai
34 continues to be successful in the current economic climate, and that financial projections
35 for the company are very positive. Councilmember Carpenter asked when the company
36 anticipates being operational on this site. Councilmember Bath stated that they hope to
37 be operational in Lindon by June 1, 2009.

38 Councilmember Anthony stated that he was impressed with the openness and
39 forthrightness exhibited by Hyundai representatives during the negotiation process. He
40 reiterated that the business continues to grow in the current economy, and is expected to
41 generate tax revenue for the City quickly. He stated that meetings were very cooperative
42 and positive.

43 Mr. Dameron noted that the agreement was prepared by City Attorney, Brian
44 Haws, and has been reviewed by Murdock Hyundai and Larry H. Miller representatives.
45 Minor suggestions and changes have been incorporated into this final draft.

2 Councilmember Anthony inquired as to whether financial terms are clearly stated
in the agreement. Mr. Dameron stated that financial terms are outlined clearly.
4 Councilmember Anthony observed that none of the money for future improvements
comes out of existing coffers, and that all revenue for this project will come from positive
6 growth. He noted that this agreement provides an opportunity for the City to regain some
financial momentum.

8 Mr. Cowie noted that Murdock Hyundai is planning to complete some remodeling
of the existing building to accommodate the new dealership. He stated that approval of a
new site plan will not be necessary, and that all changes can be completed through the
10 building permit process.

12 Councilmember Bayless inquired as to what will happen to the existing trees on
the perimeter of the basin. Mr. Cowie stated that all landscaping requirements, including
sod, fencing and trees, will be met on the site when improvements are completed.

14 Councilmember Bayless noted that Hyundai anticipates an increase in sales at this
site. She called for further comments or discussion. Hearing none, she called for a
16 motion.

18 COUNCILMEMBER ANTHONY MOVED TO APPROVE THE QUIT CLAIM
DEED FOR THE DETENTION BASIN AREA TO MURDOCK HYUNDAI AND
20 AUTHORIZE THE MAYOR TO SIGN THE ASSOCIATED DOCUMENTS.
COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS
22 RECORDED AS FOLLOWS:

24 COUNCILMEMBER ANTHONY	AYE
COUNCILMEMBER BATH	AYE
COUNCILMEMBER BAYLESS	AYE
26 COUNCILMEMBER CARPENTER	AYE
COUNCILMEMBER HATCH	AYE
28 THE MOTION CARRIED UNANIMOUSLY.	

30 COUNCILMEMBER BATH MOVED TO APPROVE THE DEVELOPMENT
AGREEMENT BETWEEN LARRY H. MILLER AUTO, MURDOCK HYUNDAI AND
32 LINDON CITY AND AUTHORIZE THE MAYOR TO SIGN THE ASSOCIATED
DOCUMENTS. COUNCILMEMBER HATCH SECONDED THE MOTION. THE
34 VOTE WAS RECORDED AS FOLLOWS:

36 COUNCILMEMBER ANTHONY	AYE
COUNCILMEMBER BATH	AYE
COUNCILMEMBER BAYLESS	AYE
38 COUNCILMEMBER CARPENTER	AYE
COUNCILMEMBER HATCH	AYE
40 THE MOTION CARRIED UNANIMOUSLY.	

42 Mr. Dameron noted that this approval also requires action from the Lindon City
Redevelopment Agency. Councilmember Bayless called for a motion to adjourn City
44 Council meeting and convene the RDA.

2 COUNCILMEMBER HATCH MOVED TO ADJOURN THE REGULAR CITY
3 COUNCIL MEETING AND CONVENE THE MEETING OF THE LINDON CITY
4 REDEVELOPMENT AGENCY AT 7:51 P.M. COUNCILMEMBER ANTHONY
5 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
6 CARRIED.

7 BOARDMEMBER CARPENTER MOVED TO ADJOURN THE MEETING OF
8 THE LINDON CITY REDEVELOPMENT AGENCY AND RECONVENE THE
9 REGULAR CITY COUNCIL MEETING AT 7:53 P.M. BOARDMEMBER
10 ANTHONY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE
11 MOTION CARRIED.

- 12
- 13 3. **Review and Approval** – *Public Safety Impact Fee Analysis Proposal*. This is a
14 request by staff and Lewis Young Robertson & Burningham (LYRB) for the City
15 Council’s approval of the proposal of LYRB for the conducting of an analysis of
16 the Public Safety Impact Fee for Lindon City. This impact fee would help the
17 City with the costs of a new Fire Station/Police Station in the future.

18

19 Mr. Dameron explained that this proposal which will be prepared by LYRB will
20 be the first step in establishing a public safety impact fee schedule. All proceeds from the
21 fee will go toward completing a new public safety building, which will be located on
22 property owned by the City south of the City Center.

23 Councilmember Bayless noted that this action will not approve the impact fee, but
24 only the analysis to determine appropriate impact fees. Councilmember Carpenter
25 explained that this analysis is a required part of the process to implement a new impact
26 fee, and will allow the City to determine how to apply the fee fairly.

27 Councilmember Anthony asked if the agreement with LYRB specifies a not-to-
28 exceed amount. Mr. Dameron verified that the cost of services for this analysis will not
29 exceed \$15,249. He clarified that the cost for completing the analysis is reimbursable
30 from the proceeds of the impact fee.

31 Councilmember Bayless asked Mr. Dameron to give an overview of the impact
32 fee structure to audience members. Mr. Dameron explained that impact fees are charged
33 against new development in the City to help pay for new facilities which will be
34 necessary to meet the needs of the growing community. He explained that a variety of
35 impact fees are currently used to meet the financial needs of expanding services as the
36 City grows. Councilmember Hatch noted that impact fees distribute costs for facilities
37 and services fairly among existing residents and new residents.

38 Councilmember Bayless called for further comments or discussion. Hearing
39 none, she called for a motion.

40

41 COUNCILMEMBER BATH MOVED TO APPROVE COMPLETION OF THE
42 PUBLIC SAFETY AND CAPITAL FACILITIES PLAN AND IMPACT FEE
43 ANALYSIS BY LEWIS, YOUNG, ROBERTSON AND BURNINGHAM IN AN
44 AMOUNT NOT TO EXCEED \$15,249. COUNCILMEMBER HATCH SECONDED
45 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

46 COUNCILMEMBER ANTHONY AYE

COUNCILMEMBER BATH AYE
2 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
4 COUNCILMEMBER HATCH AYE
THE MOTION CARRIED UNANIMOUSLY.

6
8 **Review and Action** – *Resolution Encouraging the Utah State Legislature to Utilize the*
9 *Current Transportation Funding Distribution Formula For Any Increase to the State*
10 *Wide Gas Tax (Resolution #2009-7-R).* This is a request by Councilmember Carpenter for
11 the City Council’s approval of a resolution sponsored by the Utah League of Cities &
12 Towns to encourage the State Legislature to use the current transportation funding
distribution formula for any increase to the state wide gas tax.

14 Councilmember Carpenter explained that this Resolution is being considered at
15 the request of the Utah League of Cities and Towns. He stated that the State Legislature
16 is considering various methods to pay for highway projects in the state, including an
17 increase to the statewide gas tax. He noted that typically, such revenue sources are
18 divided equitably among government entities, including the State, counties, and
19 municipalities. The intent of this Resolution is to remind State officials of current
20 practices and agreements regarding disbursement of such revenue sources.
21 Councilmember Bayless called for further comments or discussion. Hearing none, she
22 called for a motion.

24 COUNCILMEMBER HATCH MOVED TO APPROVE RESOLUTION #2009-
25 7-R ENCOURAGING THE UTAH STATE LEGISLATURE TO UTILIZE THE
26 CURRENT TRANSPORTATION FUNDING DISTRIBUTION FORMULA FOR ANY
27 INCREASE TO THE STATEWIDE GAS TAX SO THAT THE ENTIRE
28 TRANSPORTATION NETWORK MAY BENEFIT. COUNCILMEMBER BATH
29 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

30 COUNCILMEMBER ANTHONY AYE
31 COUNCILMEMBER BATH AYE
32 COUNCILMEMBER BAYLESS AYE
33 COUNCILMEMBER CARPENTER AYE
34 COUNCILMEMBER HATCH AYE
THE MOTION CARRIED UNANIMOUSLY.

36
37 4. **Review and Action** – *Aquatics Center Staffing Plan, Wage Plan, Fee Schedule,*
38 *and Hours of Operations Plan.* This is a request by Dan Seder, Parks and
39 Recreation Director, for the City Council’s review and approval of the staffing
40 plan, wage plan, fee schedule, and hours of operations plan for the City’s new
41 Aquatics Center.

42
43 Parks and Recreation Director, Dan Seder, was present to discuss this item with
44 the Council. Mr. Seder reviewed information regarding the aquatics center opening,
45 including admission rates, pay rates, staffing plan, hours of operation, concessions, grand
46 opening events, equipment purchases, and Lindon Days events.

2 Mr. Seder explained that in establishing proposed admission rates, he compared
3 fees charged at facilities in neighboring communities. Suggested admission rates are
4 graduated for children, adults, and senior citizens. Following discussion, the Council felt
5 that admission should be free for children 3 years of age and under, and for senior
6 citizens over 80 years of age. Mr. Seder noted that the intent of the fee structure is to
7 keep the facility affordable while covering the majority of expenses associated with
8 operation of the facility. The Council also felt that a \$1.00 discount on daily adult
admission should be offered to Lindon residents who present verification of residency.

9 The Council went on to discuss software programs which would track revenue
10 and usage information, as well as create season pass cards with pictures of the pass
11 holder. Mr. Seder is continuing to investigate appropriate software packages which meet
12 the needs of the City and are within budget constraints.

13 The Council discussed proposed season pass fees for residents as opposed to non-
14 residents. Following discussion, fees for residents were reduced approximately 5% from
15 proposed fees, with approximately a 25% increase for non-resident passes. Discounted
16 punch card passes were also discussed as an admission option.

17 Mr. Seder went on to present proposed fees for the FlowRider. He explained that
18 at a cost of \$20, a one hour pass on the FlowRider would also include use of the rest of
19 the facility for the day. Reservations for one hour FlowRider sessions would include a
20 maximum of 20 riders per session. Mr. Dameron noted that the FlowRider is expected to
21 generate a significant amount of revenue to cover operational costs for the aquatics
22 center. Mr. Seder stated that a discount rate for the FlowRider may be an option for
23 season pass holder, but a final determination has not been made regarding this option.

24 The Council went on to review rental rates for the facility and for the FlowRider.
25 Exclusive and non-exclusive rental rates are proposed, which would allow smaller groups
26 to share the facility for after hours rentals. Mr. Seder suggested closing the facility
27 earlier on Friday and Saturday evening to allow after hours rental. He also suggested
28 remaining open later on Monday evenings when a special family admission rate is
provided.

29 The Council went on to review programming and associated rates for activities
30 such as swim lesson, swim team, and water aerobics classes. Mr. Seder explained that
31 any activities which are lead by an instructor would be an additional fee above admission
32 fees. The Council discussed options for providing access to the facility for merit badge
33 classes and other community activities, such as a junior lifeguard program.

34 Mr. Seder went on to present the staffing plan for the facility. He stated that he
35 expects to employ 70-90 seasonal staff members, with the majority being lifeguards.
36 Other positions would include a pool manager, head lifeguards, swim instructors and
37 cashiers. All employees will be required to be a minimum of 16 years old.

38 Mr. Seder stated that outsourcing of concessions is being investigated. He stated
39 that the Jewish Community Center located in Salt Lake City contracts with a catering
40 company to provide concession services, with 25% of the total income generated coming
41 to the City. Other options for outsourcing are also under investigation, and proposals will
42 be solicited from other food concession providers. The Council discussed whether
43 outside food or drink would be permitted inside the facility. Following some discussion,
44 the Council felt that outside food and drink would not be permitted inside the facility, but
45 that patrons could receive a hand stamp to allow re-admission to the facility. This option
46

2 would allow patrons to go to tables outside the facility and in the adjacent park area to
picnic, and then return to the pool area without additional charge.

4 Mr. Seder proposed that an Open House event be held on Memorial Day, with
Grand Opening events taking place on Saturday, May 30th. He noted that school ends on
6 May 29th, and that opening the facility for the season on May 30th would allow an
additional week for staff training and other preparations to be completed.

8 Mr. Seder also discussed Lindon Days activities which have been requested by
Lindon Days Committee Chair, Ernie Silva. Mr. Silva has requested free swimming for
10 residents during Lindon Days, using a coupon in the program guide to be redeemed for
admission. Following discussion, the Council felt that a half price admission coupon
12 would be appropriate, as the program guide is distributed in neighboring communities,
and the coupon could be used by anyone and would not be restricted to Lindon residents.
14 Mr. Silva has also proposed an event for Lindon senior citizens which would provide an
exclusive event for them from 10 a.m. to noon, followed by a lunch at tables outside the
16 fence of the facility. It was the general feeling of the Council that this would be an
appropriate event.

18 The Council went on to review budget projections for the facility. Mr. Dameron
noted that initial projections anticipated that the City would subsidize the pool budget
approximately \$80,000. Mr. Seder's projections indicate that a subsidy of approximately
20 \$20,000 is anticipated based on anticipated revenues and expenditures.

22 Councilmember Bayless called for further comments, discussion or suggestions
from the Council or staff. Hearing none, she called for a motion.

24 COUNCILMEMBER ANTHONY MOVED TO APPROVE THE AQUATICS
CENTER STAFFING PLAN, WAGE PLAN, FEE SCHEDULE, AND HOURS OF
26 OPERATION PLAN WITH AMENDMENTS AS DISCUSSED. COUNCILMEMBER
CARPENTER SECONDED THE MOTION. THE VOTE WAS RECORDED AS
28 FOLLOWS:

30 COUNCILMEMBER ANTHONY AYE
COUNCILMEMBER BATH AYE
32 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
34 COUNCILMEMBER HATCH AYE
THE MOTION CARRIED UNANIMOUSLY.

36 **COUNCIL REPORTS** –

38 **COUNCILMEMBER HATCH** – *Water, Sewer, Solid Waste, Housing Consortium.*

40 Councilmember Hatch reported on information from the Hollow Water meeting
he recently attended, including increased storm flows in the Hollow Ditch.

42 **COUNCILMEMBER BATH** – *Public Safety, Court, Building Inspections.*

44 Councilmember Bath asked Chief Cullimore to report on Police Department
46 activities. Chief Cullimore reported that a Family Support Fair would be held the

2 following evening at Oak Canyon Junior High. The event is planned for parents only,
and will include a keynote speaker and break-out classes.

4 Chief Cullimore also reported that 102 false alarm calls have been generated from
a single home under construction in the City. The property owner has been notified by
6 mail that any future false alarm calls will result in a fee charged for services.

8 Chief Cullimore stated that training with crossing guards for area schools was
held on Tuesday, March 10th. In order to address safety concerns, an unmanned cross
walk will be striped at 725 East Center Street. Red curbing at the southeast corner of
Lindon Elementary will be extended to enhance visibility in that area.

10 Councilmember Bath requested that officers patrol Pioneer Park to watch for
motorcycles driving on the grass. Chief Cullimore noted that several calls have been
12 received regarding motorcycles and four-wheelers driving on Acerson property on the
east side of the City. Chief Cullimore inquired as to whether the Acersons had approved
14 such use of their property. Councilmember Carpenter will communicate with the
Acersons to determine whether the property is being used with their permission. Chief
16 Cullimore stated that signage can be installed on the property to discourage usage at the
property owners request.

18 **COUNCILMEMBER ANTHONY** – *Parks, Recreation, Engineering, Lindon Fair,*
20 *Newsletter.*

22 Councilmember Anthony reported that the annual Easter Egg Hunt will be held
Saturday, April 11th, at 9:00 a.m. Little Miss Lindon will participate in preparations for
24 the event, which will include approximately 2200 candy filled eggs. Mr. Seder will take
charge of the event, as Councilmember Anthony will be out of town on that day.

26 **COUNCILMEMBER CARPENTER** – *General Plan, Streets & Sidewalks, Public*
28 *Buildings.*

30 Councilmember Carpenter reported that there were no significant issues affecting
municipalities during the State Legislative Session. He reported that UTOPIA is moving
32 forward at the expected pace. Tours of the UTOPIA Mobile Command Center are
available. Councilmember Carpenter will schedule a date and time for the Council to
34 tour the facility, which will be brought to the City Center for the tour. The Council
discussed current and potential future service providers on the UTOPIA network.

36 **COUNCILMEMBER BAYLESS** – *Trails, Planning, Zoning, Board of Adjustments,*
38 *Administration.*

40 Councilmember Bayless inquired as to the time frame for installation of signage
along the Lindon Heritage Trail. Mr. Dameron stated that installation of signage is
42 planned for July 2009.

44 **ADMINISTRATOR'S REPORT** –

46 Mr. Dameron reported on the following items:

1. The Council reviewed the Project Tracking List.
2. Engineering Coordination Meeting will be held Wednesday, March 18th at noon at the Public Works Complex. Councilmember Bayless and Councilmember Carpenter will attend.
3. The aquatics center construction is on schedule. Installation of the ship wreck feature is planned in approximately two weeks. Sixty one pavers have been sold to date, with a goal of selling 1800 prior to installation in late April or early May.
4. 700 North widening is scheduled to being March 23rd.
5. Finance Director, Jamie Bennee, recently gave birth to her new daughter, Alexandria.
6. The Council will consider a Parks and Trails Impact Fee during the April 7th regular City Council meeting.

COUNCILMEMBER BATH MOVED TO APPROVE THE PAY VOUCHERS. COUNCILMEMBER ANTHONY SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER ANTHONY	AYE
COUNCILMEMBER BATH	AYE
COUNCILMEMBER BAYLESS	AYE
COUNCILMEMBER CARPENTER	AYE
COUNCILMEMBER HATCH	AYE

THE MOTION CARRIED UNANIMOUSLY.

EXECUTIVE SESSION –

COUNCILMEMBER BATH MOVED TO ADJOURN THE REGULAR CITY COUNCIL MEETING AND CONVENE THE EXECUTIVE SESSION AT 9:50 P.M. COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER ANTHONY	AYE
COUNCILMEMBER BATH	AYE
COUNCILMEMBER BAYLESS	AYE
COUNCILMEMBER CARPENTER	AYE
COUNCILMEMBER HATCH	AYE

THE MOTION CARRIED UNANIMOUSLY.

COUNCILMEMBER ANTHONY MOVED TO ADJOURN THE EXECUTIVE SESSION AND RECONVENE THE CITY COUNCIL MEETING AT 11:25 P.M. COUNCILMEMBER CARPENTER SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER ANTHONY	AYE
COUNCILMEMBER BATH	AYE
COUNCILMEMBER BAYLESS	AYE
COUNCILMEMBER CARPENTER	AYE
COUNCILMEMBER HATCH	AYE

THE MOTION CARRIED UNANIMOUSLY.

2 **ADJOURN** –

4 COUNCILMEMBER CARPENTER MOVED TO ADJOURN THE MEETING
6 AT 11:50 P.M. COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

8 Approved – April 7, 2009

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Debra Cullimore, City Recorder

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James A. Dain, Mayor