

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, March 15,**
3 **2011** beginning at 6:30 p.m. in the Lindon City Center, City Council Chambers, 100
4 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:30 p.m.

8 Conducting: James A. Dain, Mayor

10 **PRESENT**

ABSENT

12 James A. Dain, Mayor
13 Lindsey Bayless, Councilmember
14 Bruce Carpenter, Councilmember
15 Bret Frampton, Councilmember
16 Jerald I. Hatch, Councilmember
17 Mark L. Walker, Councilmember
18 Ott H. Dameron, City Administrator
19 Adam Cowie, Planning Director
20 Phil Brown, Chief Building Official
21 Cody Cullimore, Chief of Police
22 Debra Cullimore, City Recorder

24 The meeting began at 6:39 p.m.

26 **DISCUSSION** - The Mayor and City Council will meet in a work session with Phil
27 Brown, Chief Building Official, and Adam Cowie, Planning Director, to hear a report on
28 current year data and discuss issues and concerns for Fiscal year 2011/2012.

30 Mr. Cowie presented a report regarding activities during the previous year. The
31 Planning and Building Departments processed 30 land use applications and 169 building
32 permits during the 2009-2010 fiscal year. The majority of projects in the commercial
33 zone were remodel projects and tenant finishes, with two new commercial projects being
34 completed.

36 Mr. Brown and Mr. Cowie reviewed revenues and expenditures for the previous
37 year, noting that revenue has increased from the previous year. Seven building permits
38 have been issued this calendar year. The building department anticipates a number tenant
39 improvement projects during the coming year as previously constructed office warehouse
40 units are occupied. Revenues are expected to increase slightly this year over the previous
41 year, with revenue to date exceeding the previous year figures by approximately \$6,000.

42 Mr. Brown and Mr. Cowie went on to review staffing. They noted that Code
43 Enforcement Officer, Gary Hognlund, is currently responsible for duties in both code
44 enforcement and building inspections. The Building Inspector position vacated by the
45 retirement of Ken Johnson has not been filled at this time. Mr. Cowie noted that the
46 Planning Department experienced an increase in expenditures in previous years due to the
47 addition of the Assistant Planner position, and moving the Administrative Secretary and

2 Receptionist positions which were previously split between the Planning and Building
3 Departments fully under the Planning Department for accounting purposes.

4 Councilmember Carpenter noted that expenditures typically exceed revenues in
5 the Planning and Building Departments. He inquired as to whether the development fee
6 structure was equitable to the City and to developers. Mr. Cowie noted that the City
7 charges less than actual costs for most development services. He stated that fees charged
8 by Lindon are mid-range as compared to other municipalities, and that it is the intent of
9 the City to provide quality services without excessive development costs.

10 Mr. Brown went on to review Code Enforcement information. He stated that Mr.
11 Hoglund would be happy to give a report to the Council at any time. Councilmember
12 Bayless reported on several code violations she has observed. She will forward details to
13 Mr. Hoglund for follow up.

14 Mr. Brown suggested that the Council consider an exception to parks and trails
15 impact fees for accessory apartments. He noted that the cost associated with the impact
16 fee may discourage residents from establishing legal accessory apartments. The Council
17 may consider a possible impact fee exception for accessory apartments at a future
18 meeting.

19 **REGULAR SESSION** – 7:00 p.m.

20 Conducting: James A. Dain, Mayor
21 Pledge of Allegiance: B.J. Frampton, Boy Scout
22 Invocation: James A. Dain

23 **PRESENT**

23 **ABSENT**

24
25 James A. Dain, Mayor
26 Lindsey Bayless, Councilmember
27 Bruce Carpenter, Councilmember
28 Bret Frampton, Councilmember
29 Jerald I. Hatch, Councilmember
30 Mark L. Walker, Councilmember
31 Ott H. Dameron, City Administrator
32 Adam Cowie, Planning Director
33 Cody Cullimore, Chief of Police
34 Debra Cullimore, City Recorder

35 The meeting was called to order at 7:11 p.m.

36 **MINUTES** - The minutes of the regular meeting of March 1, 2011 will were reviewed.

37
38 COUNCILMEMBER HATCH MOVED TO APPROVE THE MINUTES
39 OF THE REGULAR MEETING OF MARCH 1, 2011. COUNCILMEMBER WALKER
40 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

41 COUNCILMEMBER BAYLESS AYE
42 COUNCILMEMBER CARPENTER AYE
43 COUNCILMEMBER FRAMPTON AYE

2 COUNCILMEMBER HATCH AYE
3 COUNCILMEMBER WALKER AYE
4 THE MOTION CARRIED UNANIMOUSLY.

6 **OPEN SESSION** - Citizens comments

8 Mayor Dain called for comments from any audience member who wished to
9 address an issue not listed as an agenda item. There was no public comment. Chief
10 Cullimore invited a number of Boy Scouts present in the audience to attend the Y.E.S.
11 community education class which will be held Thursday, March 17, 2011 at 6:30 p.m.

12 **MAYOR'S COMMENTS/REPORT** -

14 Mayor Dain commented on the importance of recognizing the blessing and
15 freedoms we enjoy living in the United States of America. He thanked Chief Cullimore
16 for his efforts in preparing the City and residents to respond to an emergency event, such
17 as the devastating earthquake which recently occurred in Japan. He observed that the
18 people of Japan are in the thoughts and prayers of the world at this time.

20 **CONSENT AGENDA** –

22 No Items

24 **CURRENT BUSINESS**

- 26 1. **Review and Action** – *Plat Amendment – Lindon Hills Residential Subdivision,*
27 *Plat “G”.* This is a request by Gary Worthington for approval of a re-plat of
28 three existing subdivision lots into a new Lindon Hills Residential Subdivision,
29 Plat “G”, 3 lots, in the R1-12 zone at 813 East 400 North, and 425 North and 427
30 North on 835 East. The Planning Commission recommended approval with no
31 conditions.

32
33 Gary Worthington was present as the representative for this application. Mayor
34 Dain explained that as the architect for the new Worthington home which will be
35 constructed on the subject property, it would be appropriate for him to recuse himself
36 from this discussion. Mayor Dain turned the meeting over to Mayor Pro-Tem,
37 Councilmember Walker, and excused himself from the Council Chambers.

38 Mr. Cowie explained that Mr. Worthington is the owner of two of the subject
39 parcels. The third parcel is owned by Clayton Jones. This application is for a re-plat of
40 three parcels which will amend the existing property lines. Mr. Cowie presented the
41 existing plat lines. He noted that all three properties meet square footage requirements,
42 and existing and future dwellings will meet all setback and frontage requirements. Mr.
43 Cowie stated that there are no staff concerns related to this application.

44 Councilmember Walker asked Mr. Worthington if he had any additional
45 comments. Mr. Worthington had no comments. Councilmember Walker called for
46 further comments or discussion from the Council. Hearing none, he called for a motion.

2 COUNCILMEMBER HATCH MOVED TO APPROVE THE LINDON HILLS
RESIDENTIAL SUBDIVISION PLAT "G" PRELIMINARY PLAT.

4 COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

6 COUNCILMEMBER BAYLESS AYE

COUNCILMEMBER CARPENTER AYE

COUNCILMEMBER FRAMPTON AYE

8 COUNCILMEMBER HATCH AYE

COUNCILMEMBER WALKER AYE

10 THE MOTION CARRIED UNANIMOUSLY.

12 Mayor Dain returned to the Council Chambers at this time. He publicly thanked
14 Mr. Worthington for his generous contribution of pies and rolls in support of the
community Thanksgiving dinner through his business, Kneaders. Mr. Worthington
commented that it was their pleasure to participate in the dinner.

- 16
- 18 2. **Discussion** – *Economic Development in Lindon City*. This is a request by staff
for the Mayor and Council's review and discussion of potential economic
development incentives which could be offered by the city to help spur economic
20 growth. This is in follow-up to a discussion held by the Council in the recent
Retreat.

22

24 Mr. Cowie presented information regarding possible incentives to encourage
economic development, specifically along the 700 North commercial corridor. He
presented incentive programs which are offered in other municipalities, as well as
26 mechanisms which can be used to provide tax incentives, such as Urban Renewal Areas,
Redevelopment Areas (RDA), and Economic and Community Development Areas. The
28 City currently has three RDA Districts, the State Street RDA, the Geneva Road RDA and
the Gateway RDA. RDAs require participation by all affected taxing entities. Some other
30 redevelopment mechanisms do not require participation of all taxing entities.

32 Mr. Cowie suggested that incentive packages could be site specific or business
specific. Certain incentives could be offered for any permitted use, while additional
incentives could be considered for specific uses which could accelerate associated
34 commercial development.

36 Councilmember Walker inquired as to whether developers typically contact the
City about possible incentives. Mr. Cowie stated that the City has been contacted on
several occasions by third parties inquiring as to possible incentive packages. Mr.
38 Dameron noted that the City has not historically offered or considered incentives for
businesses to locate in Lindon. However, given the recent economic downturn, it seems
40 reasonable to consider some type of incentives which could encourage economic
development.

42 Councilmember Bayless expressed concern regarding control of what type of use
is able to take advantage of incentives, and whether they will offer some type of public
44 improvement and be compatible in the City. Mr. Cowie stated that incentive programs
could be written to include specific standards which businesses would be required to
46 meet in order to qualify for incentives. Mr. Cowie also noted that technical assistance

2 programs, such as engineering and surveys, could be offered. The City could provide
opportunities for Industrial Development Bonds for specific business as another incentive
mechanism.

4 The Council felt that use of incentives may be appropriate in certain
circumstances, and will consider options for specific incentive packages at a future
6 meeting.

- 8 3. **Review and Action** – *Appointments to the Lindon City Planning Commission.*
This is a request by Mayor Dain for the City Council’s consent and approval of
10 the appointment of Carolyn Lundberg and Del Ray Gunnell, and the
reappointment of Ron Anderson and Sharon Call to the Lindon City Planning
12 Commission.

14 COUNCILMEMBER CARPENTER MOVED TO RE-APPOINT RON
ANDERSON AND SHARON CALL TO AN ADDITIONAL THREE YEAR TERM ON
16 THE PLANNING COMMISSION, AND TO APPOINT CAROLYN LUNDBERG TO
THE PLANNING COMMISSION FOR A THREE YEAR TERM BEGINNING APRIL
18 2011 AND TO APPOINT DEL RAY GUNNELL TO THE PLANNING COMMISSION
FOR A THREE YEAR TERM BEGINNING MAY 2011. COUNCILMEMBER
20 BAYLESS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

22 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
24 COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER HATCH AYE
26 COUNCILMEMBER WALKER AYE
THE MOTION CARRIED UNANIMOUSLY.

- 28 4. **Review and Action** – *Appointments to the Lindon City Tree Advisory Board.*
This is a request by Mayor Dain for the City Council’s consent and approval of
30 the appointment of Ben Platt to the Lindon City Tree Advisory Board.

32 COUNCILMEMBER FRAMPTON MOVED TO APPOINT BEN PLAT TO
SERVE AS A MEMBER OF THE TREE ADVISORY BOARD BEGINNING APRIL
34 2011. COUNCILMEMBER WALKER SECONDED THE MOTION. THE VOTE
36 WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BAYLESS AYE
38 COUNCILMEMBER CARPENTER AYE
COUNCILMEMBER FRAMPTON AYE
40 COUNCILMEMBER HATCH AYE
COUNCILMEMBER WALKER AYE
42 THE MOTION CARRIED UNANIMOUSLY.

- 44 5. **Review and Action** – *Appointments to the Lindon City Community Center
Advisory Board.* This is a request by Mayor Dain for the City Council’s consent

2 and approval of the appointment of Ilene H. Olsen, Jon Bayless and Bill Vincent
to the Lindon City Community Center Advisory Board.

4 COUNCILMEMBER BAYLESS MOVED TO APPOINT JON BAYLESS,
6 ILENE H. OLSEN AND WILLIAM VINCENT TO SERVE AS MEMBERS OF THE
COMMUNITY CENTER ADVISORY BOARD, WITH TERMS OF OFFICE IN
8 COMPLIANCE WITH CITY ORDINANCE TO BE ESTABLISHED AT A LATER
DATE. COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

10 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
12 COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER HATCH AYE
14 COUNCILMEMBER WALKER AYE
THE MOTION CARRIED UNANIMOUSLY.

16

COUNCIL/ADMINISTRATOR REPORTS –

18

Mr. Dameron reported on the following items;

20

1. The Council reviewed the project tracking list.

22

2. The Council reviewed the sales tax revenue report.

24

3. The bond closing for the Geneva Road sewer project is expected in approximately
the next week.

26

4. The Council reviewed the format of the Community Covenant showing support
for military families, which will be signed during the Memorial Day ceremony at
the cemetery.

28

COUNCILMEMBER BAYLESS – Councilmember Bayless had no items to report.

30

COUNCILMEMBER FRAMPTON – Councilmember Frampton reported that Don De
St. Jeor has agreed to take charge of the baseball little league program in Lindon.

32

Registration is currently under way.

34

MAYOR DAIN – Mayor Dain reported that he received a letter from the US Office of
Special Counsel regarding his endorsement of a County Commission candidate and a
possible violation of the Hatch Act. The letter indicates that no action will be taken.
Mayor Dain requested that the City Attorney review the letter and advise the Council
regarding future endorsement of candidates.

36

38

40

COUNCILMEMBER HATCH – Councilmember Hatch reported that he was informed
during a North Union Water Board meeting that snow pack is approximately 158% of
normal for the year. Water is being cleared from reservoirs to provide space for spring
run-off. He noted that there are very few repair projects planned to the North Union
system during the coming year, and that previously completed repairs are holding well.

42

44

2 **COUNCILMEMBER CARPENTER** – Councilmember Carpenter reported that the
4 2011 Utah State Legislative Session has ended, and that impact to municipalities from
new legislation is minimal. A detailed report of adopted bills is available on the Utah
League of Cities and Towns website.

6 Councilmember Carpenter and Mr. Dameron gave a report on UTOPIA activities.
UTOPIA is working to improve customer service and information functions. Stimulus
8 funds which were awarded for this project are expected to be available in approximately
eight weeks, with new construction expected to begin shortly thereafter if there are no
unforeseen issues which arise.

10 Councilmember Carpenter invited Chief Cullimore to report on Police
Department activities. Chief Cullimore reported that the open burn period will be April 1
12 through April 30, 2011. Residents are required to contact dispatch and notify them of
any burning.

14 Chief Cullimore reported on the Monument to Freedom. He stated that the
majority of the monument is in place, and that work has started on the bronze statue
16 which will be placed on top of the monument. A \$500 donation was received from a
resident toward the monument. The City will cover the cost of engraving of any names
18 prior to the dedication. Names received subsequently will be engraved on the monument
at a cost of \$25. Names of all veterans buried in Lindon cemetery have been included on
20 the memorial regardless of whether the veteran lived in Lindon.

22 **COUNCILMEMBER WALKER** – Councilmember Walker reported that planning for
Lindon Days is well under way. The Lindon Days Committee Chair, Tracey Whitehead,
24 is doing an outstanding job with the event. The Criterium Bike Race event is scheduled
for August 10th. Event organizers will contact Wadley Farms and notify them to
26 minimize conflicts with weddings or other events during the bike race.

28 Councilmember Walker also reported that the annual Easter Egg Hunt is
scheduled for April 23rd at 9:00 a.m. at the City Center Park. The event will be
advertised through the City newsletter, website and Twitter.

30
32 COUNCILMEMBER WALKER MOVED TO APPROVE THE PAY
VOUCHERS. COUNCILMEMBER HATCH SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

34 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
36 COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER HATCH AYE
38 COUNCILMEMBER WALKER AYE

THE MOTION CARRIED UNANIMOUSLY.

40 **ADJOURN** –

42
44 COUNCILMEMBER HATCH MOVED TO ADJOURN THE MEETING AT
9:00 P.M. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – April 5, 2011

2

4

6

8

Debra Cullimore, City Recorder

10

12

14

James A. Dain, Mayor