

2 The Lindon City Council held a regularly schedule meeting on **Tuesday, April 17, 2012**  
3 **beginning with a Work Session at 6:30 p.m.** in the Lindon City Center, City Council  
4 Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:30 p.m.

8 Conducting: James A. Dain, Mayor

10 **PRESENT**

10 James A. Dain, Mayor  
11 Matt Bean, Councilmember  
12 Mark L. Walker, Councilmember –arrived 6:45  
13 Randi Powell, Councilmember  
14 Jeff Acerson, Councilmember  
15 Ott H. Dameron, City Administrator  
16 Kathryn Moosman, City Recorder

**ABSENT**

Bret Frampton, Councilmember

18 The work session began at 6:30 p.m.

20 **DISCUSSION** – *The Mayor and City Council met in a Work Session with Cody*  
21 *Cullimore, Chief of Police, to hear a report on current year data and discuss issues and*  
22 *concerns for Fiscal Year 2012-2013.*

24 Mayor Dain welcomed Cody Cullimore, Chief of Police, to the work session.  
25 Chief Cullimore was in attendance to report on the past year data and statistics. Chief  
26 Cullimore began his presentation by stating in the reporting period from April 1, 2011 to  
27 April 1, 2012, the Lindon City Police Department received 9,236 calls for service, which  
28 is down from 9,944 in 2010 and generated 4,674 cases, down from 4,816 in 2010.  
29 During this same period, the Police Department initiated 2,713 traffic stops, issued 1,743  
30 traffic citations, investigated 314 traffic accidents and arrested 52 drunk or drugged  
31 drivers. In addition, officers physically arrested 637 other criminals and successfully  
32 resolved 434 animal control calls.

34 Chief Cullimore reported that Lindon does not have a lot of violent crimes  
35 committed in the city, but does have a lot of property crimes. He further noted Lindon  
36 City's major crime index total is 122. Lindon compares almost exactly with the Lone  
37 Peak Police Department which serves the cities of Alpine and Highland, whose index is  
38 123. For comparison, other area cities rated as follows, Orem City at 1,190, Provo at  
39 1,365, Pleasant Grove at 255, and American Fork at 491. Chief Cullimore noted that  
40 substance abuse incidents are some of the most common offenses which the Department  
41 investigates. There were 263 drug, alcohol, or tobacco cases; 136 of those cases involved  
42 the use, abuse, manufacture or distribution of illegal drugs. There were 57 cases of  
43 domestic violence incidents last year, which is a lot for a city the size of Lindon; but that  
44 number is down 36% from last year. Chief Cullimore noted that domestic violence is one  
45 of the most underreported crimes, so the actual number is probably a lot higher. Chief  
46 Cullimore reported that traffic is the number one complaint from citizens regarding speed  
and the number of cars on the road. Chief Cullimore noted there are more residential

burglaries of which the majority are happening in the daytime when people are at work, but there are still less than 50 per year. Chief Cullimore also reported this is the first year since being a Department there has not been a fatal traffic accident in Lindon.

Mayor Dain asked if it would be possible to track the use of the defibrillators and if there is a code in place for defibrillators. Chief Cullimore stated that the Fire Department would document if the defibrillators were used on a call. Mayor Dain added it would be nice to know if a defibrillator was used to save a life. Chief Cullimore mentioned there was a 30 % jump in cases with people with chronic mental problems. Chief Cullimore noted the importance of getting families involved with these cases and utilizing the CIT (Crisis Intervention Team).

Chief Cullimore further reported that response times are down a little this year. Fire response time for a Priority 1 response was an average of 3:11 and a Priority 2 call was 5:09. Police Department Priority 1 call is at 2:07 and Priority 2 call at 3:52. Chief Cullimore noted the overall average response time is at 12:44. Chief Cullimore noted response times are down due to the heavy construction traffic on I-15 and State Street.

Chief Cullimore then discussed manpower and budge issues. He noted the most pressing budgetary concern is the very basic need to cover duty shifts within the community and the need to pay overtime. Chief Cullimore expressed his concerns of the practices of the past year and noted that tired officers can be unsafe. This issue needs to be addressed because this can be unsafe for the officer and for the community. Chief Cullimore stated the request is to add a full time position back to the original approved staffing plan to cut the overtime budget by \$40,000, and use those funds towards that position. He went on to say there would still be an increase to the overall police budget despite cuts in other areas.

Chief Cullimore further reported that the department is reaching a point now in the Department for the need for new equipment (items that have a 4 or 5 year life). He added they have a proposed budgeting rotation process for computers, video cameras, bulletproof vests etc. where they will purchase and replace a few items at a time. Chief Cullimore concluded by thanking the Mayor and Council for the great support given to the Police Department.

Mayor Dain then thanked Chief Cullimore for the presentation and expressed his appreciation for the great work he and his department provides to the City.

**REGULAR SESSION** – 7:00 p.m.

Conducting: James A. Dain, Mayor  
Pledge of Allegiance: Hannah Sanders, Little Miss Lindon Attendant  
Invocation: Bret Frampton, Councilmember

**PRESENT**

James A. Dain, Mayor  
Mark L. Walker, Councilmember  
Bret Frampton, Councilmember  
Matt Bean, Councilmember  
Randi Powell, Councilmember  
Jeff Acerson, Councilmember

**ABSENT**

Ott H. Dameron, City Administrator  
2 Adam Cowie, Planning Director  
Cody B. Cullimore, Chief of Police  
4 Kathryn Moosman, City Recorder

6 The meeting was called to order at 7:07 p.m.

8 **SWEARING IN CEREMONY** – *Mayor Dain will administer the Oath of Office for new judges on the Lindon City Youth Court.*

10  
12 Mayor Dain invited John Lloyd to introduce the new judges on the Lindon City Youth Court. Officer Lloyd invited new members Chandler Harris, Addison Hunsaker and Austin Baker forward. Officer Lloyd then read a brief biography on each member. 14 Officer Lloyd also recognized Mindy Zobell, with the Lindon City Police Department, as the new Lindon City Youth Court Advisor. Mayor Dain then administered the oath of 16 office to the new Youth Court judges and Youth Court Advisor. Mayor Dain congratulated the new Youth Court judges and advisor and expressed his appreciation for 18 their willingness to serve.

20 **RECOGNITION AND INTRODUCTIONS** – *The Little Miss Lindon Royalty for 2012 will be introduced to the Mayor and Council. The outgoing Little Miss Lindon Royalty will be 22 recognized for their outstanding representation of Lindon City for the past year.*

24 Little Miss Lindon, Taryn Christensen, addressed the Mayor and Council on behalf of the Little Miss Lindon Royalty. She expressed her thanks for the support and 26 encouragement they have given to the Little Miss Lindon Royalty during the past year. She also expressed her admiration and gratitude to Joy Nelson and Traci Stone, who have 28 worked so hard to make the Little Miss Lindon Program such a positive experience. She further expressed thanks to the families of the Royalty who have sacrificed their time to 30 allow them to participate in so many different functions. Miss Christensen also expressed her gratitude to her attendants, Dresden, Hannah, Maddie and Mariah, who shared the 32 amazing experience with her. She noted that they stand here tonight a little older and more confident with memories and friendships that will last a lifetime. She added they 34 have been given so many opportunities to serve the community and to use their skills for leadership and service throughout the past year.

36 Miss Christensen, along with her attendants, then presented the Mayor and Council with the awards and tokens given to the 2011 Little Miss Lindon Royalty 38 throughout the past year. The Little Miss Lindon Royalty also presented the Mayor and Council with an appreciation gift as a token of their appreciation. Miss Christensen then 40 presented the 2012 Little Miss Lindon Royalty to the Mayor and Council; Queen, Lindsey Southard and her attendants, Hailey Brimhall, Shanalee Spinder, Kaitlyn 42 Whittingham, and Elizabeth Barzeele.

44 Mayor Dain thanked the Little Miss Lindon Royalty for doing a remarkable job in representing the City in such a positive manner. Mayor Dain also welcomed the new Little Miss Lindon Royalty and stated they will be great representatives for Lindon City. 46

2 **PROCLAMATION** – “Lindon City Arbor Day” Proclamation to set May 5, 2012 as Lindon  
City Arbor Day in accordance with Tree City USA requirements.

4 Mayor Dain read the Arbor Day Proclamation setting May 5<sup>th</sup> as “Lindon City  
Arbor Day.” He noted that two trees will be planted in recognition of Arbor Day at  
Creekside Park on May 5<sup>th</sup> at 9:00 a.m. and breakfast will be served.

6 **MINUTES** – The minutes of the meeting of April 3, 2012 were reviewed.

8  
10 COUNCILMEMBER WALKER MOVED TO APPROVE THE MINUTES OF  
THE MEETING OF APRIL 3, 2012 AS CORRECTED. COUNCILMEMBER  
ACERSON SECONDED THE MOTION. THE VOTE WAS RECORDED AS  
12 FOLLOWS:

14 COUNCILMEMBER WALKER                    AYE  
COUNCILMEMBER FRAMPTON                AYE  
16 COUNCILMEMBER BEAN                    AYE  
COUNCILMEMBER POWELL                    AYE  
18 COUNCILMEMBER ACERSON                AYE  
THE MOTION CARRIED UNANIMOUSLY.

20 **OPEN SESSION** – Citizen Comments.

22  
24 Bryce Burns, co-owner of Wolf Mountain Products, approached the Council. Mr.  
Burns commented that 6 weeks ago he was approached by Willy Blocker and Gerald  
Garbe of the Canopy Group. Mr. Burns stated they have expressed an interest in creating  
26 a community garden, and he noted they have set aside some ground and have worked  
with the city staff to obtain a temporary permit for tap water. He added that they also  
28 approached another local business, Mitchell Excavation, asking them to participate. Mr.  
Burns commented that he is glad to help build the community in these tough economic  
30 times. Mr. Burns further explained they will be making 40-50 (5x50) plots of grounds for  
people to sign up to have their own garden area. He went on to say the area has been  
32 graded and Wolf Mountain is donating the soil conditioner and clay buster for the project.  
Mr. Burns noted the location is by the Canopy buildings north of the Home Depot. Mr.  
34 Burns asked for the City’s help in advertising this project by putting it on the website and  
in the newsletter etc.

36 Mr. Burns stated that 300 yards of soil conditioner and clay buster will be dumped  
and spread with loaders and they will also till the ground. He went on to say that once  
38 the piping is in and people sign up they will make the lots available. The main line trench  
is currently dug and they will cut the laterals in and put the PVC pipe in. Mr. Burns  
40 stated they will use secondary water. Mr. Burns added that the people will supply their  
own plants and seeds. Councilmember Walker suggested putting up signs indicating the  
42 use of secondary water for safety purposes. Mr. Burns noted that a non-profit entity will  
be set up, and they will also need a link for the website if possible. He noted that Mr.  
44 Cowie has their contact information. Mr. Burns concluded that currently there are 42  
plots but they are willing to expand with demand. Mr. Burns then expressed his  
46 appreciation to the Mayor and Council and thanked them for their support and noted he  
truly feels a sense of community here in Lindon.

2 Heidi Demarco, with Mountainlands Association of Governments, Aging and  
Family Services Division, was in attendance to address the Council. She expressed her  
4 thanks to the Mayor and Council for hosting the H.E.A.T. program for the past 6 months  
at the Community Center. She noted their last day at the Community Center will be  
6 April 27<sup>th</sup>. Ms. Demarco stated the Community Center Staff has been great to work with  
and have been very helpful; they have really appreciated the opportunity. She went on to  
8 say the program had a huge turnout, and they completed over 3,500 applications in Utah  
County. She went on to say that over 1.1 million dollars have been awarded to help pay  
10 power and gas bills for 7,500 families. Ms. Demarco then presented a check to the city  
in appreciation for the support from the City. Ms Demarco noted the program spent 105  
12 days at the Community Center and Lindon has been very accommodating.  
Councilmember Powell commented she feels this is a great program and there is a real  
14 need for these benefits for families in need. Ms. Demarco concluded by noting the  
department is planning on a second year with the H.E.A.T. program and they will be  
working through the Department of Workforce Services.

16 Craig Harvey, Lindon resident, approached the Council. He addressed the  
situation with the steers that has been previously discussed before the Council. He noted  
18 that he and his neighbors are serious about the code violations that still exist regarding  
the steers. He did state that 2 cows have been removed from the location, but there are  
20 still offensive odors, flies and unsanitary conditions. Mr. Cowie gave an update and  
reported that he met with the property owner and took some photos of the site and  
22 observed the coral area. He also spoke with an adjacent neighbor to the south, who  
indicated that the cows are not a nuisance. Mr. Cowie stated that he observed what he  
24 expected to see with the keeping of cows in a smaller enclosure. He went on to say that  
he is getting conflicting reports from neighbors. Councilmember Acerson noted this  
26 issue is a question of compliance with the ordinance at this point. Mr. Harvey added that  
everyone but the neighbor to the south is in opposition of the cows. Mr. Cowie noted  
28 that Phil Brown, Building Official, and Gary Hoglund, Code Enforcement Officer, along  
with another staff member and a police officer visited the site and has performed multiple  
30 inspections and they were all in agreement that the situation is not ideal but it is in  
conformance with the ordinance. Mr. Cowie noted that he prepared a memo with  
32 potential changes to the ordinance that is included in the Council packets for review.

34 Mr. Cross, neighboring resident, then approached the Council. He stated that he  
also spoke to the neighbor to the south. Mr. Cross stated the neighbor indicated he was  
36 distraught that the cows were there and was not aware there would be so many cows and  
the problems associated with them. Mr. Cross added that within the last three days he has  
had 50 lb. bricks thrown over his fence on the south side. Mr. Cross added that he  
38 appreciates the efforts the city has made so far, but it does not remedy the situation; there  
are still flies and odors which pose a health hazard. Councilmember Powell reiterated  
40 that the animal ordinance needs to be defined and clarified. There was then some general  
discussion regarding possible changes to the animal ordinance. Councilman Acerson  
42 stated there needs to be a solution that takes into consideration all parties involved and  
that is the goal.

44 Mrs. Banks, owner of the cows, was also in attendance to address the council.  
Mrs. Banks commented that the steers have been washed, and what may look like feces  
46 are most likely black hair and dirt. She also noted they have blocked the edges of the

2 coral. Mrs. Banks stated that it is her understanding, from the neighbor to the south, that  
3 Mr. Cross had put debris in his yard from putting up a fence, so what was put into Mr.  
4 Cross's yard was his own debris. Mrs. Banks noted they have worked hard to be in  
5 compliance with the ordinance and she noted that the fair starts the first of May and the  
6 cows will be removed at that time. She added that the steers are not currently being fed  
7 any grain, only hay. Councilmember Walker asked Mrs. Banks if she would be opposed  
8 to taking the remaining cows to where the other cows are located in order to get past May  
9 1<sup>st</sup> as to give the council the time required to review the proposed ordinance changes.  
10 Mrs. Banks stated she would be very willing to move the cows, to help make this issue go  
11 away if possible, but the children that tend the cows cannot drive and so that would not  
12 be an option. She added that they have been cleaning the pens twice as often and  
13 spraying for flies, and she reiterated that all she is asking for is 2 more weeks until the  
14 steers leave. Mrs. Banks also stated that Mr. Cross did not come directly to her to speak  
15 of this issue before talking to other neighbors and filing a complaint with the city; he did  
16 not speak with her husband until a month ago when she was out of town.

17 Mr. Cross stated that he is not so worried about the 2 weeks until the cows leave,  
18 but the fact remains that the smells and the flies are the issue, and this problem has been  
19 going on for 3 years now. Mr. Cross then referenced the correspondence received from  
20 the city, and noted that the city has not taken any action to have the area cleaned up.

21 Mrs. Banks stated that she personally took letters to all of her neighbors, and  
22 asked if there were issues they would like to address with her regarding the steers. She  
23 went on to say it poses an issue when the neighbors take another avenue first without  
24 communicating that there is a problem. Mrs. Banks added she wants the opportunity to  
25 address the particular issues more aggressively to alleviate the animosity between her and  
26 the neighbors. Mayor Dain observed that Mrs. Banks is stating that is willing to address  
27 the fly and odor problems associated with 2 steers. Mrs. Banks confirmed that statement.  
28 Mayor Dain stated that the Council will be reviewing and defining the ordinance.

29 John Zumbrennen, Lindon resident, then approached the council. He noted  
30 several observations that he would like to address to the council. Mr. Zumbrennan  
31 mentioned that last summer he noticed two city employees doing weed control during  
32 business hours at Pheasant Brook Park. He went on to say that one employee was sitting  
33 on the bleachers, the other was using a spray canister to take care of the weeds. He noted  
34 it is hard for government to control costs. Mr. Zumbrennen stated that he did call the city  
35 and asked to review the employee handbook. Mr. Zumbrennen added that he feels the  
36 city employees do a pretty good job, but he did suggest the challenge of making more  
37 with less. He also stated that employee turnover at the city is very low which suggests to  
38 him the need to hold the line on employee salaries and wages. Mr. Zumbrennen also  
39 suggested adding a "turnover factor" section to the employee handbook. He also  
40 suggested that the city work under a budget that does not raise the mill levy and utility  
41 bills but addresses the ability to fund government services through the sales tax. Mr.  
42 Zumbrennen noted another observation is in the area of cost control. He brought up the  
43 issue of employees taking city vehicles home, he feels it is unnecessary unless it is for on  
44 call business. He added he feels all city vehicles should have markings, including all  
45 police department vehicles. Mr. Zumbrennen voiced his concerns that there is a fine line  
46 between city use and personal use on vehicles and perhaps the city should consider  
installing GPS trackers in the vehicles.

2 Mayor Dain asked Mr. Zumbrennen for clarification on his comments regarding  
3 turnover, and if he was suggesting there be more employee turnover in the city. Mayor  
4 Dain pointed out that there is more than wages involved for employees staying with their  
5 employer long term; there is management, the people they work with, council, staff etc.  
6 Mr. Zumbrennen replied that without any turnover, that means the wages are adequate  
7 and there should not be any new raises. Mr. Dameron commented that there have been  
8 no employee wage increases in over 3 years. Mayor Dain also stated the council has  
9 looked at the sales tax carefully to see if raises could be incorporated this year.  
10 Councilmember Frampton commented that everyone feels frustrated with government  
11 spending, not just on a local level, and that spending needs to be watched carefully, and  
12 he added he feels the council has done that. Councilmember Walker assured Mr.  
13 Zumbrennen that the topic of wages and increases are discussed every year at the retreats  
14 and every budget meeting. Councilmember Bean indicated that most businesses do not  
operate with a required or expected turnover rate in place.

15 Councilmember Acerson stated that citizen feedback is important to the city.  
16 Councilmember Powell noted that all expenses are watched carefully and signed off on,  
17 not just by council but by staff as well, she noted that she agrees with Councilmember  
18 Acerson that the council appreciates the observations and input from citizens. Mayor  
19 Dain commented that good financial management in cities requires that core services  
20 should be funded by a very stable tax source (property tax); he noted that Lindon City  
21 relies on sales tax more than property tax. Mr. Zumbrennen suggested modifying and  
22 addressing turnover and to hold the line on salaries, and to also be concerned with the  
price of gas used by city vehicles and to mark all city vehicles.

23 Ben Nolte, Lindon resident, was in attendance to propose renaming Squaw  
24 Hollow Debris Basin Park to Citizenship Park. Mr. Nolte stated he would also like to  
25 place a rock at the park in the style of the Canberra rock. He would like to ensure that the  
26 name change would fit on the rock. He also noted he received signatures from the  
27 surrounding neighbors who are in agreement for the name change. Mr. Cowie  
28 mentioned that the parks are named randomly or after subdivisions where the parks are  
29 located. Mr. Nolte further discussed that a lot of people have donated time and services  
30 with approximately \$15,000 donated, so the name would reflect the efforts of the citizens.

31 There was then some debate that this change could set a precedent for other  
32 residents or groups to propose name changes of parks for various reasons. Mr. Nolte  
33 stated they have been doing some fund raising and asked the council for permission to  
34 have a tournament at the park. Mayor Dain and the council were in agreement that it  
35 would be permissible to have a fund raising tournament at the park. Mayor Dain stated  
36 that there seemed to be enough support from the council to put this item to a resolution  
37 for the next meeting on May 1<sup>st</sup>.

38 Ray Palmer then approached the council regarding the impact fees he paid for his  
39 accessory apartment. Mr. Palmer stated he paid the fees about two years ago and the cost  
40 was \$4,000. The impact fee on accessory apartments has since been reduced to \$1,500.  
41 Mr. Palmer noted he has discussed this item previously with city staff. Mr. Dameron  
42 noted that there is information regarding the impact fees in the council packets.

43 Mayor Dain asked if there were any other public comments. Being none he  
44 moved on to the next agenda item.  
45  
46

2 **MAYOR'S COMMENTS/REPORT** – Mayor Dain passed out invitations to the  
Freedom Festival Association Mayor's Breakfast to the councilmembers. He noted that  
all are welcome to attend.

4 **CONSENT AGENDA** –

6 No items.

8 **CURRENT BUSINESS** –

- 10
- 12 1. **Plat Amendment** – *Castle Park Subdivision, Plat "A"*. This is a request by Amy  
and Eric Barzeele for approval of a plat amendment for the Castle Park  
development. The applicant is proposing some minor adjustments to property  
14 lines, an adjacent off-street parking lot, and driveway approach at 110 South Main  
Street. The Planning Commission recommended approval with no conditions.

16

18 Mayor Dain welcomed the applicants, Eric and Amy Barzeele. Adam Cowie,  
Planning Director, opened the discussion by stating the applicants are requesting to  
expand their property boundaries and amend their subdivision plat. Mr. Cowie explained  
20 this proposed plat amendment is a re-plat of the Lindon Treasury subdivision to be  
renamed Castle Park subdivision Plat "A". Mr. Cowie then showed the plan showing the  
22 boundaries. Mr. Cowie noted all setbacks have been met, and new plat boundaries  
extend out to the street but will be addressed in the next agenda item. Mr. Cowie stated  
24 that this plat amendment is pretty straightforward and there are not any concerns from  
staff.

26 Mr. Cowie then showed photos of the new proposed boundaries. He added this action  
will allow them to use some additional parking, and they will also relocate a dumpster to  
28 a better location for their business. Mr. Cowie added the Planning Commission  
reviewed the application and site plan and recommended approval. Mr. Cowie noted  
30 there are no concerns from staff.

32 Mayor Dain asked if there were any comments or questions. Hearing none he  
called for a motion.

34 COUNCILMEMBER ACERSON MOVED TO APPROVE THE PLAT  
AMENDMENT FOR CASTLE PARK SUBDIVISION PLAT "A".

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

38 COUNCILMEMBER WALKER AYE  
COUNCILMEMBER FRAMPTON AYE  
40 COUNCILMEMBER BEAN AYE  
COUNCILMEMBER POWELL AYE  
42 COUNCILMEMBER ACERSON AYE  
THE MOTION CARRIED UNANIMOUSLY.

- 44
- 46 2. **Public Hearing** – *Street Vacation – Main Street between State Street and 200  
South*. This is a city initiated item to request a vacation of a portion of Main

2 Street between State Street and 200 South to reflect a narrowing of the street from  
a major collector to a local street. This action is consistent with the recently  
4 adopted Lindon Street Master Plan. The Planning Commission recommended  
approval with no conditions.

6 COUNCILMEMBER FRAMPTON MOVED TO OPEN THE PUBLIC  
HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL  
8 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

10 Mr. Cowie explained that this is a city initiated action item and will include a  
vacation of a portion of Main Street. He went on to say this issue came through as part of  
12 the general plan street map and was approved as part of the amended map. This action  
tonight will adopt the vacation of the street. Mr. Cowie noted that currently the street is  
14 a major collector road and this action will change the right of way from 66' to 54' which  
will make it an arterial street instead of a collector street and will accommodate vehicles.  
16 Mr. Cowie added they are proposing to vacate 6 feet on each side of Main Street with the  
appropriate easements still retained by the City. He noted the City Engineer will evaluate  
18 utility placements. Mr. Cowie added there is an issue with stormwater in one area and  
noted a special improvement district is something that is being evaluated.

20 Mayor Dain called for any public input. Hearing none he called for a motion to  
close the public hearing.

22

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

26

Councilmember Powell noted the importance of making sure that 45 degree  
28 parking will not be utilized (as per code). Mr. Cowie stated that 45 degree parking is not  
permitted. Councilmember Acerson stated that issue is already addressed through the  
30 City Engineer.

32 Mayor Dain called for any comments or discussion. Hearing none, he called for a  
motion.

34 COUNCILMEMBER FRAMPTON MOVED TO APPROVE THE STREET  
VACATION ON MAIN STREET BETWEEN STATE STREET AND 200 SOUTH.  
36 COUNCILMEMBER WALKER SECONDED THE MOTION. THE VOTE WAS  
RECORDED AS FOLLOWS:

38 COUNCILMEMBER WALKER                    AYE  
COUNCILMEMBER FRAMPTON                AYE  
40 COUNCILMEMBER BEAN                    AYE  
COUNCILMEMBER POWELL                   AYE  
42 COUNCILMEMBER ACERSON                AYE  
THE MOTION CARRIED UNANIMOUSLY.

44

46 3. **Review and Action** – *Agreement for Acquisition of “Utility Easement and  
Drainage Easement” between Lindon City and PacifiCorp.* This is a request by  
staff for the Mayor and Council’s review and approval of the Agreement for

2 Acquisition of “Utility Easement and Drainage Easement” between Lindon City  
and PacifiCorp for the installation of a culvert across PacifiCorp property. This is  
4 required for the completion of the Lindon Hollow Creek re-alignment project.  
The cost is \$4,890.00 with Lindon’s share being \$1,594.14. Orem City and  
6 Pleasant Grove City also share in this cost.

8 Adam Cowie, Planning Director, opened the discussion by explaining this  
easement has taken 2 ½ years to develop with PacifiCorp. He went on to say this  
10 easement will allow the city to install a culvert as part of the Lindon Hollow Creek  
relocation project. Mr. Cowie then showed a map depicting the area. Mr. Cowie noted  
12 that the cost will be split jointly with Orem and Pleasant Grove based on the agreed  
stormwater percentage; which is mainly liability and insurance requirements. Mr.  
14 Cowie noted the draft copies are in the council packets and Orem City will send the  
original back to the city.

16 Mayor Dain asked if there were any questions or comments. Being none he  
called for a motion.

18 COUNCILMEMBER WALKER MOVED TO APPROVE THE AGREEMENT  
FOR ACQUISITION OF UTILITY EASEMENT AND DRAINAGE EASEMENT  
20 BETWEEN LINDON CITY AND PACIFICORP AND GIVE THE MAYOR THE  
AUTHORITY TO SIGN. COUNCILMEMBER POWELL SECONDED THE  
22 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

24 COUNCILMEMBER WALKER	AYE
COUNCILMEMBER FRAMPTON	AYE
COUNCILMEMBER BEAN	AYE
26 COUNCILMEMBER POWELL	AYE
COUNCILMEMBER ACERSON	AYE
28 THE MOTION CARRIED UNANIMOUSLY.	

30 4. **Review and Action** – *Appointment of Member to the Lindon City Community*  
32 *Center Advisory Board.* This is a request by Mayor Dain for the Council’s  
consent to the appointment of Ben Nolte as a member of the Community Center  
34 Advisory Board.

36 Mayor Dain commented that he has spoken with Ben Nolte and Mr. Nolte is  
happy to accept the appointment as a member to the Lindon City Community Center  
Advisory Board and is anxious to bring his ideas to the Board. Mayor Dain also noted  
38 that Rick Priddis is equally anxious to serve. Mayor Dain directed Councilmember  
Powell to contact Rick Priddis to schedule a meeting. Councilmember Powell added that  
40 she would like to increase the number of members on the Advisory Board. Mayor Dain  
directed Mr. Dameron to make the change in the number of members on the Community  
42 Center Advisory Board to 9 members.

44 COUNCILMEMBER ACERSON MOVED TO APPROVE BEN NOLTE AS A  
MEMBER OF THE LINDON CITY COMMUNITY CENTER ADVISORY BOARD.

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

COUNCILMEMBER WALKER AYE

4 COUNCILMEMBER FRAMPTON AYE

COUNCILMEMBER BEAN AYE

6 COUNCILMEMBER POWELL AYE

COUNCILMEMBER ACERSON AYE

8 THE MOTION CARRIED UNANIMOUSLY.

10 **COUNCIL REPORTS** –

12 **COUNCILMEMBER POWELL** – Councilmember Powell reported that Kevin and  
14 Lisa Gillman have resigned from the Historical Commission and names are needed for  
16 replacements. Councilmember Powell noted that Tonya Lemone has accepted the  
18 chairmanship and the Lamoreaux's are still on the Commission. Councilmember  
20 Acerson suggested Ray and Kathy Palmer as possible members. Councilmember Powell  
22 also reported that volunteers are still needed for Lindon Days. She further noted that the  
pressing issue needed from Council is a name for the Lindon Days Grand Marshall.  
Councilmember Powell noted that Ted Lott name has been suggested. Mayor Dain  
suggested Kevin and Lisa Gillman. Councilmember Walker mentioned Mr. & Mrs.  
Clifford Johnson as candidates. The council was in agreement that any of the above  
mentioned names would be good candidates for Grand Marshall.

Councilmember Powell then reported on Healthy Lindon and noted that they are  
trying to fill the Healthy Lindon Committee. She stated that if there are any suggestions  
for someone who would be interested in serving to contact her. Councilmember Powell  
noted that Tracey Whitehead is no longer working for the City, but has expressed an  
interest in serving on the Advisory Board Committee at the Community Center.  
Councilmember Powell also reported that she and Mr. Dameron met with the manager  
from Wal-Mart regarding volunteering, and noted it was a good productive meeting.  
Councilmember Powell noted an interior design student at BYU has volunteered to intern  
at the Community Center to help with choosing paint colors, curtains, artwork etc. to  
warm up the center and to give it more of a community center feel rather than a church.

34 **COUNCILMEMBER WALKER** – Councilmember Walker reported on the sales tax  
36 comparison and noted that it is up 13% from the previous year; which is moving in the  
38 right direction. Councilmember Walker also reported that he attended the Utah League  
of Cities and Towns and they presented a good conference. Councilmember Walker  
mentioned that the topic of transparency and openness was discussed and Lindon City is  
a step ahead.

40  
42 **CHIEF CULLIMORE** – Chief Cullimore reported that 120 officers from throughout the  
44 state attended the training that took place at the Community Center. Chief Cullimore also  
46 reported Tom Paul, Pleasant Grove Police Chief is retiring. A retirement Open House  
will be held on April 25<sup>th</sup> from 3:00 -7:00 in Pleasant Grove. Mike Smith is taking Chief  
Paul's position as Chief of Police. At this time, Chief Cullimore asked the Council for  
approval to send Sergeant Doug Eastman to the National Law Enforcement Institute for

2 training in Maryland. Chief Cullimore that Sergeant Eastman had to be accepted to attend  
and he noted that the institute will pay his entire way. Chief Cullimore also noted the  
4 purpose for his attendance is that he is investigating purchasing a camera system to set up  
on the west side of town to provide 24 hr. surveillance. Chief Cullimore added the grant  
6 program offered by the institute and will train him on the use and operation of the  
cameras. Chief Cullimore stated that there will be 4 cameras with a cost of around  
8 \$20,000 with a grant. The training will be from May 6-11 and he reiterated the institute  
will fully reimburse for the trip minus Sergeant Eastman's normal wage. The Council  
was in agreement to send Sergeant Eastman to the training.

10 **COUNCILMEMBER BEAN** – Councilmember Bean commented on the vacation and  
12 narrowing of Main Street that was just approved. He noted that in the past, one of the  
reasons the Planning Commission left the street at an oddball width was because the  
14 commission expected that the street would always have parallel parking, despite anything  
done on interior parking at Castle Park. Councilmember Bean expressed his appreciation  
16 to the council for passing the general plan.

18 **COUNCILMEMBER ACERSON** – Councilmember Acerson reported that he met with  
Brooke Roney today at his request, regarding the Harley Davidson dealership. They  
20 discussed his concerns that the contractor, who has the responsibility of putting the white  
vinyl fence back up is not going to do it, and questioned if it needs to be put back up at  
22 all. Mayor Dain stated that UDOT is required to put the fence back up. Councilmember  
Acerson also stated that Mr. Roney would like to put rock in instead of grass.  
24 Councilmember Acerson noted these issues are just for discussion. Mayor Dain  
instructed Councilmember Acerson to have Mr. Roney contact Adam Cowie.

26 **COUNCILMEMBER FRAMPTON** – Councilmember Frampton reported that the  
28 Arbor Day Celebration will be held on May 5<sup>th</sup>. Councilmember Frampton noted they  
will be planting two trees at Creekside Park and all are welcome to attend.

30 **ADMINISTRATOR'S REPORT** –

32 Mr. Dameron reported on the following items.

- 34
- 36 1. The Council reviewed the Project Tracking List.
  - 38 2. Engineering Coordination meeting will be on April 24<sup>th</sup> at 12:00.  
Councilmember Acerson and Councilmember Frampton will attend.
  - 40 3. The City-wide spring clean up will be held from April 14<sup>th</sup> - 21<sup>st</sup>.
  - 42 4. Mr. Dameron presented a memo from Adam Cowie regarding the animal  
ordinance. Mr. Dameron directed the council to review the memo and return  
any comments, questions or suggestions to him.
  - 44 5. The Great Utah Shake was held today April 17<sup>th</sup> at 10:15 a.m.
  - 46 6. Budget Committee Meeting will be held on April 27<sup>th</sup> at 8:00 a.m. Mayor  
Dain, Councilmember Bean and Councilmember Walker will attend.
  7. Murdock Hyundai will be recognized at the council meeting on May 1<sup>st</sup>.  
Mayor Dain will be out of town for the next council meeting.

- 2 8. Lindon Park Drive Closure will start on April 23<sup>rd</sup>. The council was in  
agreement to allow businesses affected by the closure to put up their own  
directional signage.
- 4 9. Mr. Dameron mentioned Ray Palmer's impact fee for his accessory apartment.  
He noted there have been 8 permits since 2010 that paid the higher impact  
6 fees for accessory apartments. Mr. Dameron stated he will bring something  
back at the next meeting regarding this issue.
- 8 10. Mr. Dameron asked Mayor Dain if he had contacted Steve Fryer about the  
upkeep on the property. Mayor Dain stated he was unable to contact Mr.  
10 Fryer as the contact information was not valid.
- 12 11. Mr. Dameron showed a sample of the proposed marquee to be placed at the  
Community Center and possibly one at the City Center also.
- 14 12. Mr. Dameron noted he has directed Adam Cowie to prepare a memo to send  
to Roy Shepherd about UDOT signage.

16 COUNCILMEMBER POWELL MOVED TO APPROVE THE PAY  
VOUCHERS. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE  
18 VOTE WAS RECORDED AS FOLLOWS:

- 20 COUNCILMEMBER WALKER AYE
- 20 COUNCILMEMBER FRAMPTON AYE
- 22 COUNCILMEMBER BEAN AYE
- 22 COUNCILMEMBER POWELL AYE
- 24 COUNCILMEMBER ACERSON AYE
- 24 THE MOTION CARRIED UNANIMOUSLY.

26 **ADJOURN** –

28 COUNCILMEMBER FRAMPTON MOVED TO ADJOURN THE MEETING  
AT 11:00 P.M. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL  
30 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

32  
34 Approved – May 1, 2012

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Kathryn Moosman, City Recorder

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42  
44 \_\_\_\_\_  
James A. Dain, Mayor