

2 The Lindon City Council held a regularly schedule meeting on **Tuesday, May 1, 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: Mark L. Walker, Mayor, ProTem

10 **PRESENT**

10 Mark L. Walker, Mayor, ProTem
11 Matt Bean, Councilmember
12 Randi Powell, Councilmember
13 Jeff Acerson, Councilmember
14 Ott H. Dameron, City Administrator
15 Kathryn Moosman, City Recorder

ABSENT

James A. Dain, Mayor
Bret Frampton, Councilmember

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

18 **DISCUSSION** – *The Mayor and City Council met in a Work Session with Kristin
20 Colson, Finance Director, to hear a report on current year data and discuss issues and
21 concerns for Fiscal Year 2012-2013.*

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23 Mayor ProTem Walker welcomed Kristin Colson, Finance Director, to the work
24 session. Mrs. Colson was in attendance to report on current year data and discuss budget
25 issues. Mrs. Colson began her presentation by explaining that she will be covering the
26 tentative budget and added this is the first draft, so it is very rough, and all of the detail is
27 not included for the budget issues at this time. Mrs. Colson reported that these budget
28 issues are basically the items that come up every year. She then went on to discuss the
29 budget items for 2012-13. She further noted that more information will be presented
30 throughout the budget process.

- 32 1. Proposed Utility Rate Increases:
33 a. Water – CPI.
34 b. Sewer – 12% increase (as proposed during the bonding process).
35 c. Garbage – unknown at this point (waiting on Allied Waste).
36 d. Storm Water.
37 2. Proposed Payroll Issues:
38 a. CPI increase.
39 b. Merit Increase.
40 3. Increase in cost of employee insurance benefits.
41 4. Request for additional personnel – Police officer to fill position that was
42 previously approved that has been vacant and a Program Coordinator at
43 the Community Center (part time).
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45 Mr. Dameron stated that this is the tentative budget that will be voted on tonight
46 and further noted there is plenty of time for updates, questions and input. Mr. Dameron

2 advised the councilmembers as they go over the budget by line item to contact him or
Mrs. Colson with any questions they may have. Mrs. Colson reiterated that these are
rough budget numbers. Mr. Dameron also stated the insurance bid numbers will come in
4 towards the end of May. Mr. Dameron added that these budget numbers include an
increase in Fire and EMS (partnership with Orem City) of \$20,000.

6 Mrs. Colson then discussed the proposed "Care Tax." She explained that the
"Care Tax" is the Cultural Arts and Recreation Enrichment (CARE) tax and is an
8 adaptation of Utah's option for funding for botanical, cultural, recreational, and
zoological organizations or facilities. Mrs. Colson noted the purpose of the (CARE) tax
10 is to enhance the quality of life of Lindon's citizens. She went on to say the adoption of a
(CARE) tax would enhance public financial support of Lindon's recreational facilities, as
12 well as cultural organizations owned or operated by institutions or private nonprofit
organizations, without jeopardizing the city's financial standing.

14 Mrs. Colson further explained that State Code defines the tax for a first class
county in detail and also discusses the election process to pass the tax. She went on to
16 say the (CARE) tax would be voted on during a general or municipal election on the
ballot. If approved, the tax would be levied for 10 years, after which it may be
18 reauthorized for another 10 years. Mrs. Colson noted the City would get the tax payer
revenue which would be based on sales tax reports from 2010-2011 fiscal year sales
20 taxes; the (CARE) tax would generate an additional \$350,000. Mrs. Colson added that
the adoption of the (CARE) tax would mean that the city would not be subsidizing the
22 recreation fund as much which would make more funds available for the city's UTOPIA
obligations. Mr. Dameron asked the council if they would like to have more discussion
24 on the (CARE) tax issue. The Council was in agreement to bring the issue forward for
more discussion.

26 Mayor ProTem Walker then thanked Mrs. Colson for the update and expressed
his appreciation for the great work she provides to the City.

28 **REGULAR SESSION** – 7:00 p.m.

30 Conducting: Mark L. Walker, Mayor, ProTem
32 Pledge of Allegiance: Tom Anthony
Invocation: Jeff Acerson, Councilmember

34 **PRESENT**

36 Mark L. Walker, Mayor, ProTem
Matt Bean, Councilmember
38 Randi Powell, Councilmember
Jeff Acerson, Councilmember
40 Ott H. Dameron, City Administrator
Adam Cowie, Planning Director
42 Cody B. Cullimore, Chief of Police
Kathryn Moosman, City Recorder

ABSENT

James A. Dain, Mayor
Bret Frampton, Councilmember

44 The meeting was called to order at 7:00 p.m.
46

2 **PRESENTATION** – *The City Council will present a “Certificate of Recognition” to Murdock Hyundai of Lindon for the positive impact they have brought to our community.*

4 Mayor ProTem Walker welcomed Blake Murdock (Owner) and Paul Tew (General Manager), and Blake Murdock Jr. from Murdock Hyundai forward to recognize them for the positive impact Murdock Hyundai has brought to the community. Mr. Cowie then read the “Certificate of Recognition” that included a general history and biography of Murdock Hyundai and their subsequent location to Lindon City. Mr. Cowie noted that Murdock Hyundai has been very generous to help with monetary donations for Lindon’s annual Thanksgiving Dinner that provides food for needy families in the area. They have also assisted in the recent Little Miss Lindon pledge for donations to install Automated External Defibrillators for our local elementary schools and city police vehicles. Mr. Cowie added that in addition to the employment and financial benefits Murdock Hyundai has brought to Lindon, they have also helped to introduce thousands of people to Lindon City. Mr. Cowie noted that Murdock Hyundai of Lindon employs 75 people and there were 2,347 vehicles sold in 2011. Mr. Cowie expressed the City’s appreciation for their business and for the contributions made to Lindon. Mr. Cowie then presented the “Certificate of Appreciation” to Mr. Murdock and Mr. Tew.

20 Mr. Murdock thanked Mr. Cowie and the Council for the certificate of appreciation. Mr. Murdock expressed their gratitude for the opportunity to provide services in Lindon, and they appreciate the cooperation, support and the partnership they share with the city.

24 **PRESENATION** – *The City Council will present Kristen Colson, Finance Director, the Distinguished Budget Presentation Award. This award has been presented to Lindon City for the past six years, and it reflects honor upon Mrs. Colson, and brings great credit to the City.*

30 Mayor ProTem Walker invited Kristen Colson, Lindon City Finance Director forward. Mayor ProTem Walker then presented Mrs. Colson with the “Distinguished Budget Presentation Award.” He noted that this award has been presented to the city for the past 6 years in a row, and the award reflects Mrs. Colson’s hard work and dedication. Mayor ProTem Walker commended Mrs. Colson for a job well done and added what a great asset she is to the city.

36 **MINUTES** – The minutes of the meeting of April 17, 2012 were reviewed.

38 COUNCILMEMBER POWELL MOVED TO APPROVE THE MINUTES OF THE MEETING OF APRIL 17, 2012 AS AMENDED. COUNCILMEMBER ACERSON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

42 MAYOR PROTEM WALKER AYE
43 COUNCILMEMBER BEAN AYE
44 COUNCILMEMBER POWELL AYE
45 COUNCILMEMBER ACERSON AYE
46 THE MOTION CARRIED UNANIMOUSLY.

OPEN SESSION – Citizen Comments.

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Roy Shepherd, Lindon resident, was in attendance to address the council at this time. Mr. Shepherd thanked the council for the letter he received from Adam Cowie, Planning Director, regarding the signage and striping on State Street. Mr. Cowie then described the contents of the letter. Mr. Shepherd asked if UDOT is moving forward on the widening project. Mayor ProTem Walker noted that UDOT is moving forward, and until the widening is complete in 2013 there will continue to be issues. Mr. Shepherd thanked the council for the update and for the work they are doing for the city.

Mr. Shepherd also mentioned the increase of traffic on 400 East. Mayor ProTem Walker noted that 400 East is a busy and well traveled road. Councilmember Powell mentioned when the road over the Murdock Canal at Pleasant Grove was opened the traffic quadrupled. Mr. Shepherd also mentioned that traffic will increase when Center Street is opened and he feels the traffic will be heavier than what the city believes it will be. Mr. Shepherd also mentioned an area on 200 East and Center street going east bound where there is manmade pothole that could possibly cause damage to a vehicle. He noted there is similar pothole on 200 South. Mayor ProTem Walker stated that the Public Works Department will look into those issues. Mayor ProTem Walker thanked Mr. Shepherd for his comments and concerns.

Mayor ProTem Walker then recognized the citizens in attendance to address the animal rights issue. Mayor ProTem Walker gave a brief history on how this issue was instigated. He stated the City received some complaints regarding animal nuisance issues, and the council had the opportunity to hear the citizens in the open session at several meetings. He also stated that the Council is aware of an anonymous letter that was given to some residents regarding this issue. Mayor ProTem Walker noted the city sent the Code Enforcement Officer, a Police Officer and building officials to inspect the site on several occasions; the Utah County Health Department also inspected the area in question. Mayor ProTem Walker explained that there are a few things in the animal ordinance that may need some clarification and the council has had some discussion and has decided that they need some time to review the ordinance. Mayor ProTem Walker noted this item will move back to the Planning Commission and they will look at problem areas and have some discussion. He went on to say there will then be a public hearing held for citizens to voice their concerns and give their input and comments. The item will then come back to the City Council. Mayor ProTem Walker noted the schedule of meetings and the review process will be posted on the city website.

Mayor ProTem Walker confirmed his feelings that this discussion will not explode the whole ordinance but rather tweak it in certain areas for clarification. Mayor ProTem Walker noted there has been some insinuation that the council is against animals, but that is not true, and the council wants to resolve this issue. Mayor ProTem Walker added that this community grew as an animal community and was very rural. Mayor ProTem Walker added that the city did a survey and 85% of citizens agreed that animal rights are an important aspect to living in Lindon, and that tells the council how the residents feel. Mayor ProTem Walker added that the council is moving forward now with the process to look at the ordinance, and this is just a matter of making changes for clarification that the council will vote on. At this time, Mayor ProTem Walker asked for any public comment or questions.

2 Craig Stouffers, Lindon resident, addressed the council. Mr. Stouffers noted that
he received a copy of the anonymous letter given to neighboring residents. He voiced his
concerns that the letter indicated that the council was in favor of eliminating animal
4 rights. Councilmember Powell expressed her feelings, and stated that it is her impression
from her fellow councilmembers, to her knowledge, that they love the ordinances that are
6 in place here in Lindon and the fact that we can have animals here in Lindon. She further
stated, in her opinion, the council would do about any thing to protect the rights of the
8 citizens to have those rights. Councilmember Powell stated the ordinance may need
some tweaking in the language because it can be confusing, and there may be a question
10 if you are in compliance or not, and it needs to be clarified. Councilmember Powell
noted the purpose of the ordinance is to establish the fact that you have the opportunity to
12 maintain animals and you also have the opportunity to be free from nuisances of animals
as well. Councilmember Powell then expressed her feelings that she would do anything
14 to ensure that animal rights are maintained, and she would hope that Lindon will never
face what neighboring cities have had to face. Councilmember Powell voiced her
16 opinion that she absolutely does not want animal rights removed in Lindon and she feels
the other councilmembers share the same sentiment as well. Mayor ProTem Walker
18 commented that there seems to be extremes in regards to the letters and emails received
that are painting a picture that is not there. He went on to say the Council wants to make
20 the right decisions to make both parties happy, but there is no doubt there are issues on
both sides.

22 Leanne Whetten, Lindon resident, then addressed the council. She asked the
council what the right course of action is to make the corrections if there is an issue in her
24 neighborhood. Mr. Dameron stated to contact the city and fill out a form and the code
enforcement official will investigate the issue. Mrs. Whetten expressed her opinion that
26 if a resolution could have come more quickly, things would not have gotten out of hand
and feelings may not have become so inflamed. Mayor ProTem Walker stated that Gary
28 Hoglund is the code enforcement officer, and he has been to the site several times and is
doing what he can on his end. Mrs. Whetten noted she can appreciate the need for
30 clarification in the ordinance and it sounds like the right way to go. Mayor ProTem
Walker commented that as the city continues to grow these things need to be clarified,
32 because there is an interpretation problem. Councilmember Powell stated what is needed
is clarification in the ordinance and there is not a plan for anything radical; this will help
34 to prevent future problems. Mrs. Whetten added that the regulations are on the website,
and if you are going to move to Lindon the buyer should know that there are animals and
36 animal rights exist in Lindon.

38 Lewis Cox, attending resident, noted he became alarmed by the anonymous letter
and wanted to make sure he understands what the process is and what is happening; he
feels comfortable with what the City Council is doing, and he feels the council is
40 handling this issue correctly. Mayor ProTem Walker stated that the Council needs the
time for review and to do this correctly. Sara Cox added that animals aren't just non-
42 working vehicles or inanimate objects we are talking about, these are living creatures and
not disposed of easily. She added if something is radically enforced it could create a
44 situation that may compromise the well being of the animals themselves, which would be
unfortunate. Mrs. Cox noted she would hope that part of discussion will include the
46 reason that people have animals is because they love them. Another thing she would like

2 the council to consider in the discussion would be the issue of leased properties that are
adjacent to home owner property, which means the homeowner has control over more
4 acreage than what is owned. She also inquired if this issue would affect the animal count,
and if neighbors were not aware that the field was leased and filed a complaint what
6 would the process be. Councilmember Acerson stated that the city code enforcement
officer would check to see if the property was leased and the property owner would be
8 contacted if there was a complaint; he added that animal rights go with the property
whether it is owned or leased property.

10 Mayor ProTem Walker added that Councilmember Bean will take the comments
and information heard tonight to the Planning Commission for discussion. Adam Cowie,
12 Planning Director, noted that code enforcement deals with the property owners and if any
issues come up with leased property they will work directly with the owner and code
enforcement will handle any grievances or complaints.

14 Allen Cox, attending resident commented that he is confused as to what the real
problem is and whether or not this is really a wording confusion issue or if someone had
16 a problem and that is why the issue has been brought up. Councilmember Powell noted
that in her opinion the ordinance has always been confusing. She added she has history
18 with the animal ordinance because her property was one of the catalysts why the
ordinance was changed and adopted in 2001. Councilmember Powell went on to say it
20 was a long process and the city spent a lot of time in reviewing the issues and they tried
to accommodate the different interests of the residents. Councilmember Powell noted the
22 ordinance is very random and the number of animals needs to be clarified the most. She
reiterated the need for clarification in the ordinance has been needed for a long time. She
24 stated that it was not this particular issue that caused the problem in needing to revisit and
address the ordinance.

26 Mr. Cox then asked what exactly caused the anonymous letters to be sent out,
because normally something so radical is caused by a single situation. Councilmember
28 Bean commented one of the reasons the letter was written was because of comments
made from some residents on the west side of Lindon who were fearful that the process
30 was moving too quickly. Councilmember Bean voiced his opinion that the tone of the
letter is unfortunate because there are many statements that are untrue. He appreciates
32 the fact that Lindon citizens cared enough about their community to draft a letter, but it is
unfortunate that they did not have the correct information. He added he feels their intent
34 was to get other citizens on board with them, and make sure this process didn't move
forward without the right kind of input. Councilmember Bean noted he appreciates the
36 purpose, but many of the statements in the letter do not reflect at all what the council has
already discussed. Councilmember Acerson stated that it is safe to say the intent of this
38 Council is to continue to have animal rights in Lindon. The Council voiced their support
in agreement of that statement.

40 Mayor ProTem Walker thanked the residents for their comments and input. He
noted residents should attend the meetings if they want to get involved and listen to what
42 is being said. Mr. Cowie added that a tentative work session regarding this issue will be
held on May 22nd after which there will be direction from the Planning Commission and
44 then a public hearing will be held. Mr. Dameron noted the meeting schedule will be on
the website.

2 Mayor ProTem Walker asked if there were any other public comments. Hearing
none he moved on to the next agenda item.

4 **MAYOR'S COMMENTS/REPORT** – Mayor Dain was absent.

6 **CONSENT AGENDA** –

8 No items.

10 **CURRENT BUSINESS** –

12 1. **Review and Action** – *License Agreement – Central Utah Water Conservancy*
14 *District*. This is a request by CUWCD for the City Council's review and approval
of a license agreement between Lindon City and CUWCD which fulfills the
16 condition of approval for a conditional use permit to install a 60" water pipeline
through the west side of the city.

18 Adam Cowie, Planning Director, opened the discussion by stating this item is a
follow up to a Conditional Use Permit that was approved by the City Council to install a
20 60" water pipeline that will carry water from wells in Vineyard to cities in western Utah
County and beyond. Mr. Cowie noted the aqueduct will be installed along the same
22 route as the future Vineyard Connector. He added the CUWCD are close to starting the
project and they will be working with the Lindon City Public Works department on
24 traffic control and construction of the project in west Lindon. Mr. Cowie then showed a
map of the pipeline route.

26 Mr. Cowie further explained the license agreement was required as a condition of
approval of the conditional use permit granted by the city. He went on to say the
28 agreement has been reviewed by the city attorney and staff; they recommend that the
Council approve the agreement and give the Mayor the authorization to sign the
30 document. Mr. Cowie added this action will help protect the rights of the City.

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

34 COUNCILMEMBER BEAN MOVED TO APPROVE THE LICENSE
AGREEMENT WITH THE CENTRAL UTAH CONSERVANCY DISTRICT AND
36 GIVE THE MAYOR THE AUTHORITY TO SIGN. COUNCILMEMBER POWELL
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

44 2. **Review and Action** – *Special Use Permit – Forest Service*. This is a request by
staff for the City Council's review and approval of a "special use permit" from the
46 Uinta-Wasatch-Cache National Forest which allows continued use of the national

2 forest lands by Lindon City for our water collection systems and access and
maintenance on the road in Dry Canyon. An annual fee of \$72.84 is required.

4 Mr. Cowie explained that this is a request by staff to authorize the Mayor to sign a
“Special Use Permit” allowing the use of National Forest lands in the
6 Uinta/Wasatch/Cache National Forest. He went on to say this is a renewal and will go
through the process to allow the city access in Dry Canyon at the “Curly Springs”
8 collection point to feed to the secondary and culinary water systems, and will also give
access rights to a gated road for maintenance. Mr. Cowie further explained there will be
10 an annual fee of \$72.84 that will be assessed for the permit beginning January 1, 2013.
He added the permit will be valid for 20 years (2032).

12 Mayor ProTem Walker called for any comments or discussion. Hearing none, he
called for a motion.

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16 COUNCILMEMBER ACERSON MOVED TO APPROVE THE FOREST
SERVICE SPECIAL USE PERMIT AND GIVE THE MAYOR AUTHORITY TO
SIGN. COUNCILMEMBER BEAN SECONDED THE MOTION. THE VOTE WAS
18 RECORDED AS FOLLOWS:

20 MAYOR PROTEM WALKER AYE
COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
22 COUNCILMEMBER ACERSON AYE

24 THE MOTION CARRIED UNANIMOUSLY.

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3. **Review and Action** – *Waiver of Fees Request – Utah County*. This is a request by
Richard J. Nielson, Public Works Director for Utah County, to waive any and all fees and
water share requirements associated with the building of the Lindon View Trailhead
28 along the Murdock Canal Trail. This trailhead will include a pavilion and restrooms
located at approximately 250 North 780 East. The city will be purchasing the property
30 from the Provo River Water Users to use as a park.

32 Adam Cowie, Planning Director, opened the discussion by explaining this item is
a request by Richard Nielson, the Public Works Director for Utah County, to waive any
34 fees and water share requirements associated with the building of the Lindon View
Trailhead along the Murdock Canal Trail. He noted that other communities have waived
36 any impact fees for the permits. He added the City has entered into preliminary
negotiations with Provo River Water Users for purchasing and taking the ownership of
38 the ground.

40 Mr. Cowie explained that there will be an asphalt trail that will run 26 miles from
Provo Canyon to the point of the mountain. He added there will also be an adjacent area
for horse use and other multi-uses. Mr. Cowie noted this will be a nice amenity for the
42 county and will also plug into the Provo River Trail. Councilmember Acerson
commented this will be an added enhancement to our trail system with the pavilion,
44 restroom, parking etc. Mayor ProTem Walker asked if there were any questions or
comments. Hearing none he called for a motion.

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COUNCILMEMBER ACERSON MOVED TO APPROVE THE WAIVER OF FEES REQUEST BY UTAH COUNTY. COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

MAYOR PROTEM WALKER AYE
COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
COUNCILMEMBER ACERSON AYE

THE MOTION CARRIED UNANIMOUSLY.

4. **Review and Action** – *Partial Reimbursement of Accessory Apartment Parks & Recreation Impact Fees (Resolution #2012-7-R)*. This is a request by several City Council members to consider a partial reimbursement of the accessory apartment Parks and Recreation Impact Fees. Seven accessory apartment building permit applications were processed at the higher fee from the time the City Council lowered the parks and recreation impact fee. A reimbursement of \$500 for each application will be considered.

Mr. Dameron opened the discussion by stating there have been 7 permits processed at the higher accessory apartment parks and recreation impact fee from the time the Council lowered the fees. He went on to say this issue was brought to the council's attention by residents who paid the higher fee of \$4,000. This past year, in 2011, the Council lowered the fee on accessory apartments to \$1,500 per unit. Mr. Dameron noted that several owners who paid the higher fee have requested consideration for reimbursement. Mr. Dameron further noted the City Council had discussed partial reimbursement of allowing a \$500 reimbursement. Councilmember Acerson commented that the intent of lowering the fee was to encourage residents to comply with the city ordinance; he added this is a sign of good will on the part of the Council. There was then some general discussion between the council regarding the reimbursement of accessory apartment impact fees. Mayor ProTem Walker asked if there were any further comments. Hearing none he called for a motion.

COUNCILMEMBER BEAN MOVED TO APPROVE THE PARTIAL REIMBURSEMENT OF ACCESSORY APARTMENT PARKS & RECREATION IMPACT FEES (RESOLUTION #2012-7-R) IN THE AMOUNT OF \$500.00 AND GIVE THE MAYOR AUTHORITY TO SIGN. COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

MAYOR PROTEM WALKER AYE
COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
COUNCILMEMBER ACERSON AYE

THE MOTION CARRIED UNANIMOUSLY.

5. **Review and Action** – *Tentative Budget, Fiscal Year 2012/2013*. Staff will distribute the Tentative Budget document for fiscal year 2012/2013, which includes the RDA budget. Staff requests the Council accept/approve the Tentative Budget and schedule work sessions during the month of May for discussions of issues related to the new fiscal year budget.

2 Mr. Dameron opened the discussion by explaining the tentative budget is just an
estimate, and the process will be ongoing. The budget will be adjusted until the council
4 approves the budget in June. Mr. Dameron noted they are waiting on the bid for health
care which should be in by the end of May. He went on to say these figures will vary
6 right up until the time the City Council approves the budget. Mr. Dameron further
discussed there will be two public hearings on the budget in June. Mr. Dameron noted
8 that tonight is just the approval of the tentative budget and the setting of a date for at least
one work session to discuss the issues related to the budget. Councilmember Acerson
10 inquired if each department comes to the work session with the City Council. Mr.
Dameron confirmed that the Department heads will be in attendance to address any
12 questions from the City Council regarding budget requests. Mayor ProTem asked if there
were any further discussion. Hearing none he called for a motion.

14 COUNCILMEMBER ACERSON MOVED TO APPROVE THE TENTATIVE
BUDGET FOR FISCAL YEAR 2012/2013 AND SET MAY 15, 2012 AT 6:00 P.M. AS
16 A WORK SESSION DATE. COUNCILMEMBER BEAN SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
18 MAYOR PROTEM WALKER AYE
COUNCILMEMBER BEAN AYE
20 COUNCILMEMBER POWELL AYE
COUNCILMEMBER ACERSON AYE
22 THE MOTION CARRIED UNANIMOUSLY.

24 6. **Review and Action** – *City Park Name Change (Resolution #2012-8-R)*. This is a
request by several City Council members to consider changing the name of the
26 “Squaw Hollow Debris Basin Park” to “Citizenship Park.”

28 Mr. Dameron noted that this request for a city park name change was requested
by Ben Nolte at the last council meeting. Mr. Nolte asked the council to consider
30 changing the name of “Squaw Hollow Debris Basin Park” to “Citizenship Park.” Mr.
Dameron noted this action was primarily justified by a signed petition and donations of
32 citizen’s time and equipment. Councilmember Bean commented that it is true that a lot
of citizens have been involved in all of our parks in some form or level of involvement,
34 but this appears to be unique among our parks. He went on to say that he feels the very
least the council can do is acknowledge that this park needs some recognition that the
36 primary use will be as a park more than a debris basin. Councilmember Bean noted that
he thinks this action will lessen the concerns about setting a precedent setting problem
38 with changing park names. Mayor ProTem asked if there were any further comments.
Hearing none he called for a motion.

40 COUNCILMEMBER ACERSON MOVED TO APPROVE (RESOLUTION
42 #2012-8-R) CHANGING THE NAME OF “SQUAW HOLLOW DEBRIS BASIN
PARK” TO “CITIZENSHIP PARK” WITH THE CONDITION THAT EMERGENCY
44 SERVICES BE NOTIFIED OF THE NAME CHANGE. COUNCILMEMBER
POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS
46 FOLLOWS:

2 MAYOR PROTEM WALKER AYE
3 COUNCILMEMBER BEAN AYE
4 COUNCILMEMBER POWELL AYE
5 COUNCILMEMBER ACERSON AYE
6 THE MOTION CARRIED UNANIMOUSLY.

7 **COUNCIL REPORTS** –

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9 **COUNCILMEMBER POWELL** – Councilmember Powell expressed her thanks to
10 Chief Cullimore for the invitation to attend the “Nova Graduation.” She noted that
11 “Nova” is a great program and she enjoyed the experience and appreciated the
12 opportunity to get to know the program better. Councilmember Powell reported that she
13 would like to submit Stephen Anderson as a candidate to serve on the Historic
14 Preservation Commission; she noted Mr. Anderson is very excited at the prospect of
15 serving. She also mentioned Ray Palmer as a possible candidate to serve on the
16 commission.

17 At this time Mayor ProTem Walker asked two audience members in attendance if
18 they had any comments they needed to address to the Council. Lori Kay Banks stated
19 that she was in attendance with her son for a school class requirement. She also indicated
20 she felt it may be beneficial for her to attend the meeting in case there was any discussion
21 from her neighbors on the issue of her steers. Mrs. Banks’ son commented that he has
22 been taking notes of the meeting, and is particularly interested in the discussion on the
23 animal ordinance because of the issue with his family’s steers. He also noted that he has
24 discovered there are a lot of things going on in Lindon that he has not been aware of. He
25 also commented that he is glad he attended the meeting and thanked the council for the
26 opportunity to participate. Mayor ProTem Walker suggested checking the city website
27 for information to keep informed of city issues and upcoming events. Mrs. Banks noted
28 that her son just turned 18 and is a new Eagle Scout.

29 Mrs. Banks further commented that she had sent an email that expressed her
30 gratitude to the council for listening and supporting her family on the issue with the
31 steers. She also stated that they will be taking the steers to the fair tomorrow and they
32 will be gone for a period of time; and hopefully her children will reap some rewards this
33 week. Mayor ProTem Walker inquired if Mrs. Banks felt that things will quiet down in
34 the neighborhood now that the steers are gone. Mrs. Banks replied that is what she is
35 hoping for. She also noted one of her concerns has been that at some point the neighbors
36 would come and talk to them about what their specific concerns are regarding this issue.
37 She went on to say, she was surprised to see this issue take the course that it did, and her
38 hope is that at some point this whole situation will quiet down; but it seems to have
39 grown into more of an issue that just the steers. She commented that they do care about
40 their neighbors, and they would hope at some point in time the neighbor’s feelings will
41 change towards them, but they haven’t seen that change yet. Mayor ProTem Walker
42 commented that he wants Mrs. Banks to understand that the Council is trying to do what
43 they can on their end, but a lot will depend on what happens on their end also. Mrs.
44 Banks commented that the way things were handled by the neighbors, she is very
45 apprehensive that there will be any change. She noted that she has thought about taking
46 the neighbors some home-baked goods, or inviting them over for dinner etc., or if there

2 was something they could do to make things better. She added it is hard when you feel
you have tried to reach out, but then you feel as if someone has slapped you across the
face.

4 Mayor ProTem Walker asked Mrs. Banks if they plan on having the steers again
and when they would start. Mrs. Banks confirmed they plan on having the steers again
6 and noted the steers have to be tagged by the 25th of January, but they usually bring them
down a few days before that date. She further noted that the steers always go to the fair
8 the first weekend in May. Mrs. Banks also mentioned that throughout this situation
someone had brought up the issue of her corral not being large enough for the animals.
10 Mrs. Banks also noted that approximately half of her coral is over the concrete driveway.
She inquired if there will be some discussion included with the code being changed that
12 would indicate her property may not currently fit into the code. Councilmember Powell
stated that as she recalls the past discussions, the council may look at the future to see if
14 that should be part of the dialogue. Councilmember Powell gave an example of a home
with a large footprint (swimming pool, sports court, large shop etc.) that may not leave a
16 lot of room to keep animals, and even though the homeowner may qualify in square
footage by county records, they probably shouldn't have a horse. She went on to say this
18 issue should be looked at, but that does not mean it is going to happen; but it at least
needs some discussion and that is what this whole process is about. She further noted
20 that in Mrs. Banks situation the issue is the definition of how many animals are allowed,
and that has been the problem. Councilmember Powell added this is an issue, not only in
22 Mrs. Banks' case, but with others as well, as far as how many of what animals are
allowed, and this is what needs to be clarified so everyone is on the same page.

24 Mrs. Banks stated that part of their misunderstanding was that they understood the
code stated they could have 2 steers. She further noted that they also understood that
26 other parts of the code stated "under continuous basis", which means anything for a year
or more (18 months) in other parts of the code but not necessarily with animals. She
28 went on to say, where the code said "on a non-continuous basis" they thought this
particular code meant that would be on a strictly continuous basis, where they saw it as
30 being 3 ½ months out of the year instead of the year (or 18 months). Councilmember
Powell asked Mrs. Banks what weight they tag the steers at. Mrs. Banks replied they
32 bring them in at approximately 1,000 lbs. Councilmember Powell noted they are just
finishing them off at that point. Mrs. Banks stated they are not just finishing them off
34 and she added the steers are already large when they purchase them from the Riverbed
Ranch. Councilmember Powell asked if they are broadcasting the steers or pasturing
36 them someplace else and bringing them in for the last 100 days. Mrs. Banks confirmed
that statement.

38 Mayor ProTem Walker then thanked Mrs. Banks for her comments and stated that
it is important now for her to stay informed throughout this process. Councilmember
40 Powell suggested to Mrs. Banks to be a part of the process as the council goes through
the upcoming process. Mrs. Banks inquired how long the process will take. Mr.
42 Dameron noted it will take up to two months once it starts. Mayor ProTem Walker added
he feels the council wants to get this done and get it over with. He added if she has any
44 questions to not hesitate to call the City. Mayor ProTem Walker then turned the time
back over to Councilmember Powell for the remainder of her report.

2 Councilmember Powell continued to report that the Lindon Days committee has
4 adopted a theme for this year's Lindon Day's activities. The theme for the 2012 Lindon
6 Days will be "Where Community Begins." She added the Lindon Days committee is still
8 looking for volunteers for several different activities for Lindon Days. Councilmember
Powell also reported that the Community Center Advisory Board is growing. She added
the next Advisory Board meeting is next Thursday and they are continuing to move
forward. Councilmember Powell also stated they have future plans for the possible use
of the intern decorator at the community center.

10 **MAYOR PROTEM WALKER** – Mayor ProTem Walker reported this Saturday, May
12 5th is the Arbor Day celebration at Creekside park at 9 a.m. He noted that there will be
14 two (2) trees planted in commemoration of Arbor Day and a free breakfast will be served.
Mayor ProTem Walker reported that he will attend a meeting tomorrow with Chief
16 Cullimore and Officer John Lloyd to finalize the Memorial Day service plans at the
cemetery to be held at 9:00 a.m. Mayor ProTem Walker noted he also attended the
North County Animal Shelter meeting and everything is going smoothly there; they also
gave him the solid budget.

18 **CHIEF CULLIMORE** – Chief Cullimore expressed his appreciation to Councilmember
20 Powell for attending the Nova Graduation, and noted she did a great job. Chief
Cullimore reported that the Y.E.S. class is coming up on May 17th and he will be teaching
22 the class. Chief Cullimore also noted that the Y.E.S. class has been changed from being
held monthly to every other month.

24 **COUNCILMEMBER BEAN** – Councilmember Bean noted an item on the project
26 tracking list, the concept review for "Goodfellows" that came before the Planning
Commission. Councilmember Bean commended the Planning Commission for doing a
28 great job at looking at all of the issues that come before them. Councilmember Bean
commented that he feels the recognition of businesses is a great way of contributing back
30 to the community. Councilmember Bean also reported that "GoodFellows" is thinking of
expanding significantly, and the commission looked at all of the options to make the
32 current code work for them to be able to continue their business in Lindon.
Councilmember Bean added that the Council may see "GoodFellows" coming as an
34 agenda item, and their addition could involve several hundred new jobs. Councilmember
Powell added that the letters of appreciation that were sent out to local businesses as
36 having a positive effect in the community. Councilmember Bean commented that
Lindon's "sister" cities will try to lure businesses away, so the council should do
38 everything that can be done to keep the business base here in Lindon; he added that there
is a fine balance there.

40 **COUNCILMEMBER ACERSON** – Councilmember Acerson reported that he has had a
42 lot of people mentioning the Center Street crossing issue and has received a lot of
comments regarding this issue.

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46 **COUNCILMEMBER FRAMPTON** – Councilmember Frampton was absent.

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4 **ADMINISTRATOR'S REPORT** –

6 Mr. Dameron reported on the following items.

- 8 1. The Council reviewed the Project Tracking List.
- 10 2. The Arbor Day celebration will be held on Saturday, May 5, 2012 at 9:00 a.m. Breakfast will be served and they will be planting 2 trees.
- 12 3. The Utah Valley Convention Center open house will be held on May 12th. Everyone is encouraged to attend.
- 14 4. Mr. Dameron noted that he and Councilmember Powell met with the manager at Walmart. He added that the Walmart Manager is very supportive of volunteer efforts. Councilmember Powell and Heath Bateman will attend an employee meeting at Walmart and speak with the employees. Mr. Dameron noted that the City can get paid for this volunteer effort and this is a good opportunity.
- 16 5. Mr. Dameron mentioned the follow up on a suggestion of expanding the membership of the Community Center Advisory Board from 6 to 9. This will have to be done with a public hearing to change the ordinance.
- 18 6. Mr. Dameron gave the council copies of the comments received via the website regarding the crossing at center street.
- 20 7. Mr. Dameron gave the council copies of the rules and procedures.
- 22 8. Mr. Dameron discussed the \$100,000 bike and pedestrian study which will go through the Wasatch Front Cities.
- 24 9. Mr. Dameron noted the copy of the transit academy in the council packets.
- 26 10. Mr. Dameron mentioned a discussion held in the engineering meeting regarding narrowing the width of Center Street as it crosses the Murdock Canal and making it 50 ft. instead of 66 ft. right of way to canal drive. Mark Christensen, City Engineer, is recommending the width change.

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

34 MAYOR PROTEM WALKER AYE
COUNCILMEMBER BEAN AYE
36 COUNCILMEMBER POWELL AYE
COUNCILMEMBER ACERSON AYE
38 THE MOTION CARRIED UNANIMOUSLY.

40 **ADJOURN** –

42 COUNCILMEMBER BEAN MOVED TO ADJOURN THE MEETING AT
9:07 P.M. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
44 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Approved – May 15, 2012

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Kathryn Moosman, City Recorder

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James A. Dain, Mayor