

2 The Lindon City Council held a regularly schedule meeting on **Tuesday, January 15,**
3 **2013 at 7:00 p.m. beginning with a Work Session at 6:00 p.m.** in the Lindon City
4 Center, City Council Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:00 p.m.

8 Conducting: James A. Dain, Mayor

10 **PRESENT**

10 James A. Dain, Mayor
12 Mark L. Walker, Councilmember
12 Matt Bean, Councilmember
14 Randi Powell, Councilmember
14 Jeff Acerson, Councilmember
16 Adam Cowie, Planning Director
16 Cody Cullimore, Chief of Police
18 Kathryn Moosman, City Recorder

ABSENT

Bret Frampton, Councilmember

20 The work session was called to order at 6:07 p.m.

22 **WORK SESSION** - *The Mayor and City Council will meet in a work session for a tour
of the Lindon City Fire Station located at 35 West 60 North, Lindon.*

24 The Mayor and City Council met for a work session at the Lindon Fire Station for
26 a tour of the facility located at 35 West 60 North. Chief Gurney and four on call firemen
28 were in attendance to conduct the tour which started with their living quarters where they
30 informed the Council as to the Fire Department daily activities and needs etc. Chief
Gurney then directed the Council from the living quarters to proceed with the tour of the
Fire Station. Chief Gurney noted within the next few months he will also give the
Council a tour of a completed fire station in Orem.

32 After touring the facilities, the Mayor and Council expressed their appreciation to
34 Chief Gurney and the Fire Department for the service they provide to the city, and noted
that their department has become an integral part of the community.

36 The work session was adjourned at 6:55 p.m.

38 **REGULAR SESSION** – 7:00 P.M.

40 Conducting: James Dain, Mayor
40 Pledge of Allegiance: Chief Cody Cullimore
42 Invocation: Bret Frampton, Councilmember

44 **PRESENT**

44 James A. Dain, Mayor
46 Mark L. Walker, Councilmember
46 Bret Frampton, Councilmember

ABSENT

Matt Bean, Councilmember
2 Randi Powell, Councilmember
Jeff Acerson, Councilmember
4 Adam Cowie, City Administrator
Hugh Van Wagenen, Associate Planner
6 Cody Cullimore, Chief of Police
Kathryn Moosman, City Recorder

8
The meeting was called to order at 7:05 p.m.

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MAYOR PRO-TEM RECOGNITION – By direction of the Mayor and City Council,
12 the appointment of a Mayor Pro-Tem will be rotated quarterly among the Council
members. Councilmember Jeff Acerson will assume the duties of Mayor Pro-Tem for
14 January through March of 2013.

16 Mayor Dain welcomed the Councilmembers and then addressed their Mayor Pro-
Tem assignments. Mayor Dain asked if there were any questions or comments regarding
the assignments. Hearing none he moved on to the next agenda item.

18
MINUTES – The minutes of the regular meeting of the City Council of December 18,
20 2012, were reviewed.

22 COUNCILMEMBER FRAMPTON MOVED TO APPROVE THE MINUTES
OF THE REGULAR MEETING OF DECEMBER 18, 2012 AS AMENDED OR
24 CORRECTED. COUNCILMEMBER POWELL SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

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

32
OPEN SESSION – Citizen Comments.

34
Mayor Dain called for any public comment. There were no public comments.

36
MAYOR/COUNCIL COMMENTS/REPORT – Mayor Dain asked Councilmember
38 Acerson if he has had any contact with the Legislature. Councilmember Acerson
confirmed that he has been in contact with Senator Valentine. Mayor Dain also discussed
40 a meeting that was held regarding the Lindon City Justice Court. There was then some
general discussion regarding this issue. Mayor Dain commented that this issue needs to
42 be monitored. He also pointed out that there are a lot of nuances that everyone would
need to get familiar with. Adam Cowie stated that he will schedule a work session to
44 discuss this issue and invite Judge Bullock to attend.

46 Mayor Dain commented that he has been contacted by a group by the name of
“Love, Give, Utah” which is an organization that wants to give back to the community

2 and contribute as a non profit organization similar to the United Way. He noted that this
group is asking the city to post information on the city website or insert with the utility
4 bill. Mayor Dain stated that he feels it would be best to wait, as he does not want the two
organizations to have to compete.

6 Councilmember Powell extended her thanks to the Daily Herald for the placement
in the paper about the fitness class event that was held at the Community Center.
Councilmember Powell also mentioned the “Blue Denim Gala” to be held on the 25th of
8 January. She then gave information regarding the Gala to Audra Rasmussen, reporter for
the Daily Herald.

10 Councilmember Acerson inquired who is in charge of the road striping on the
streets inside Wal-Mart. He pointed out that the striping on the inlet leading into the
12 Wal-Mart parking lot has faded and the driving routes are unclear. Chief Cullimore
replied that it is the responsibility of Wal-Mart and noted that he will speak with their
14 security.

16 **CONSENT AGENDA** –
No items.

18 **CURRENT BUSINESS** –

- 20
- 22 1. **Review and Action** – *Appointments to the Lindon City Redevelopment Agency.*
This is a request by staff for the Council’s formal action to reconstitute the RDA
with the Mayor and Councilmember’s serving as Board members of the Lindon
24 City Redevelopment Agency.

26 Mr. Cowie opened the discussion by stating that this is a request by staff for the
Council’s formal approval to reconstitute the Lindon City Redevelopment Agency with
28 the Mayor serving as Chairman and the Council serving as Board Members of the RDA.
Mr. Cowie noted that this action needs to be taken to make the appointments official.
30 Mayor Dain called for any discussion from the Council. Hearing none he called for a
motion.

32

COUNCILMEMBER WALKER MOVED TO APPROVE THE
34 APPOINTMENTS OF THE MAYOR AS CHAIR AND COUNCILMEMBERS AS
BOARD MEMBERS TO THE LINDON CITY REDEVELOPMENT AGENCY.
36 COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

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

- 44
- 46 2. **Review and Action** – *Appointments to the Lindon City Municipal Building
Authority.* This is a request by staff for the Council’s formal action to reconstitute

2 the MBA with the Mayor and Councilmember's serving as Board members of the
Lindon City Municipal Building Authority.

4 Mr. Cowie opened the discussion by stating that this is a request by staff for the
Council's formal approval to reconstitute the Lindon City Municipal Building Authority
6 with the Mayor as President and the Council serving as Board Members of the MBA.
Mr. Cowie stated that this action needs to be taken to make the appointments official.
8 Mr. Cowie noted that the MBA is a bonding mechanism used for the funding of public
buildings. Mayor Dain called for any discussion from the Council. Hearing none he
10 called for a motion.

12 COUNCILMEMBER FRAMPTON MOVED TO APPROVE THE
APPOINTMENTS OF THE MAYOR AS PRESIDENT AND COUNCILMEMBERS
14 AS BOARD MEMBERS TO THE LINDON CITY MUNICIPAL BUILDING
AUTHORITY. COUNCILMEMBER WALKER SECONDED THE MOTION. THE
16 VOTE WAS RECORDED AS FOLLOWS:

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

24 **Adjourn the meeting of the Lindon City Council and convene the Lindon City
Redevelopment Agency–**

26
28 COUNCILMEMBER POWELL MOVED TO ADJOURN THE MEETING OF
THE LINDON CITY COUNCIL AND CONVENE THE LINDON CITY
REDEVELOPMENT AGENCY AT 7:31 P.M. COUNCILMEMBER ACERSON
30 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
CARRIED.

32
34 BOARDMEMBER WALKER MOVED TO ADJOURN THE MEETING OF
THE LINDON CITY REDEVELOPMENT AGENCY AND RECONVENE THE
MEETING OF THE LINDON CITY COUNCIL AT 7:39 P.M. BOARDMEMBER
36 POWELL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE
MOTION CARRIED.

38
40 3. **Review and Action** – *Council Member Assignments*. Mayor Dain will present
any proposed assignment changes for Councilmembers for the calendar year
2013.

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44 Mayor Dain commented that he did not receive any comments or changes from
the Councilmembers regarding existing assignments. Councilmember Powell questioned
if she is unable to attend a function would she call the second in line or if it is only for
46 mayor pro tem. Mayor Dain confirmed that it is correct protocol to contact the second in

line if unable to attend a function or event. Mr. Cowie commented that he is not aware of the Utah Valley Economic Development Association and believes that this assignment has been carried over from a previous list and he is not sure that if the organization still exists. The Council was in agreement to strike the item from Councilmember Acerson's assignments.

Mayor Dain asked Councilmember Bean about the Housing Consortium and if they had been holding meetings. Councilmember Bean stated that he had contacted them and they stated they would put him on an email list, and he will check with them again. Mayor Dain inquired if the Council needs to appoint Jerald Hatch each year. Mayor Dain directed Mr. Cowie to check into this issue. Mayor Dain called for any comments or discussion from the Council. Hearing none he called for a motion.

COUNCILMEMBER ACERSON MOVED TO APPROVE THE COUNCILMEMBER ASSIGNMENTS FOR CALENDAR YEAR 2013 AS DISCUSSED. COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER	AYE
COUNCILMEMBER FRAMPTON	AYE
COUNCILMEMBER ACERSON	AYE
COUNCILMEMBER BEAN	AYE
COUNCILMEMBER POWELL	AYE

THE MOTION CARRIED UNANIMOUSLY.

4. **Public Hearing** – *Surplus Property (Resolution #2012-1-R)*. The City Council will hear public comment and possibly act to approve a resolution declaring certain property of the city as surplus and approving the disposition of the listed property. This declaration does not include real property.

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

Adam Cowie, City Administrator, opened the discussion by stating this is a request by staff for the Council's approval of a resolution declaring certain property of the city as surplus and to approve the disposition of the listed property. Mr. Cowie noted that that the surplus items will be auctioned at the Blue Denim Gala Fundraiser to be held on January 25th. Mr. Cowie noted that the senior auction will be held on the Wednesday before the Blue Denim Gala.

COUNCILMEMBER WALKER MOVED TO CLOSE THE PUBLIC HEARING. COUNCILMEMBER ACERSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

COUNCILMEMBER FRAMPTON MOVED TO APPROVE RESOLUTION #2013-1-R SURPLUS PROPERTY. COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE
2 COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER ACERSON AYE
4 COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
6 THE MOTION CARRIED UNANIMOUSLY.

8 5. **Review and Action** – *Appointment of City Administrator, Adam Cowie to the*
10 *Utah Risk Management Mutual Association (URMMA) and also to the Utah*
12 *Telecommunication Open Infrastructure Agency (UTOPIA) Board of Directors.*
This is a request by staff for the Council’s formal action to appoint Adam Cowie,
Lindon City Administrator, as a member of the Board of Directors to URMMA
and UTOPIA.

14 Mr. Cowie noted that the Council needs to take formal action to appoint him as a
16 board member on the URMMA and UTOPIA boards. Mr. Cowie also suggested
appointing Hugh Van Wagenen as an alternate to attend UTOPIA meetings in Mr.
18 Cowie’s absence. Councilmember Frampton will be the UIA alternate for
Councilmember Acerson. Mr. Cowie noted that he will bring information to the next
20 meeting to take action to appoint alternates to the boards. Mayor Dain called for any
comments from the Council. Hearing none he called for a motion.

22 COUNCILMEMBER ACERSON MOVED TO APPROVE THE
24 APPOINTMENT OF CITY ADMINISTRATOR ADAM COWIE TO THE URMMA
AND UTOPIA BOARD OF DIRECTORS. COUNCILMEMBER FRAMPTON
26 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER WALKER AYE
28 COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER ACERSON AYE
30 COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
32 THE MOTION CARRIED UNANIMOUSLY.

34 6. **Executive Session** – *The Lindon City Council may enter into a closed session to*
36 *discuss potential litigation (UCA-52-4-204)).*

COUNCILMEMBER ACERSON MOVED TO ENTER INTO THE
38 EXECUTIVE SESSION AT 7:55 P.M. FOR THE PURPOSE OF DISCUSSING
REASONABLY IMMINENT LITIGATION. COUNCILMEMBER FRAMPTON
40 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
CARRIED.

42 COUNCILMEMBER ACERSON MOVED TO ADJOURN THE EXECUTIVE
44 SESSION AND RECONVENE THE REGULAR CITY COUNCIL MEETING AT
9:45 P.M. COUNCILMEMBER WALKER SECONDED THE MOTION. ALL
46 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

COUNCIL REPORTS –

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4 **COUNCILMEMBER POWELL** – Councilmember Powell reported on the upcoming
6 Blue Denim Gala Fundraiser. She presented the gala flyer and a letter that she has
8 provided to the businesses which includes the Community Center Advisory Board
10 mission statement. She noted that there will be fun things happening at the Gala,
12 including the live and silent auctions and the “Little Taste of Lindon”. Councilmember
14 Powell reported that only Lindon businesses were approached to participate in the Gala.
16 Councilmember Powell commented that it is her hope that this Gala will be an event that
will continue every year. Councilmember Powell noted that Magleby’s, Wise Guys Pizza
and Wallaby’s are participating along with several other local businesses. She added that
the organs and the donated quilt will also be live auction items. Councilmember Powell
stated that the Gala will start at 6:00 p.m. and will wind down around 8:00 p.m. She
noted that they will hold the Senior auction on Wednesday, January 23rd at 12:00 noon at
the Community Center. Councilmember Powell noted that the bid cards are \$3 which
includes a discount coupon to Sport Clips.

Councilmember Powell commented that LaDawn Edwards is doing a great job as
Chairman of the Community Center Advisory Board. Councilmember Powell asked that
the Councilmembers contact her with any additional ideas for the Gala. After some
discussion by the council it was agreed that the minimum bid on the pews will be \$25.
They will also be opening the Community Center on Saturday so the purchases can be
picked up. Councilmember Powell reported that the CCAB would like to add Val Killian
as a member of the CCAB. Councilmember Powell also reported that she will be unable
to attend the IHC Out Reach will be held at the hospital (education center) on January
24th at 12:00 noon. Councilmember Acerson will attend in her place.

26
28 **COUNCILMEMBER WALKER** – Councilmember Walker asked for an update on the
30 tithing house, and noted that he had talked with the neighbors and about purchasing the
32 property. Mr. Cowie noted that the appraisal has been ordered. Councilmember Walker
34 reported that he will be attending the North Valley Animal Shelter meeting last month
36 and again on January 31st. He noted that Bob Connor, member from Orem City, has
38 stepped down from the board. Councilmember Walker also reported that the shelter
currently has the ability to house 90 dog kennels and currently there are 70 dogs at the
shelter and 70 cats. He noted that the animals are held for 5 days on the average, but in
most cases they are held for a longer period. He added that overall the animal shelter is
in good shape. He also mentioned that a group from PETA may be attending an
upcoming council meeting. Councilmember Walker also reported that he attended the
meeting regarding the Justice Court, which was a good, informative meeting. He also
mentioned that the tour of the Lindon Fire Station was beneficial.

40
42 **CHIEF CULLIMORE** – Chief Cullimore reported on the upcoming Karl G. Maeser
44 School Teen C.E.R.T. Graduation to be held on Friday, January 18th. He noted that 23
teens will be graduating from the program.

46 **COUNCILMEMBER BEAN** – Councilmember Bean reported that Hugh Van Wagenen
has been chosen as the new Planning Director and will do an excellent job.

2 Councilmember Bean also reported that the Planning Commission is currently working
on a couple of issues, and noted that they are still in need of an additional Planning
Commissioner. Mayor Dain stated that he will continue to address this issue.

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6 **COUNCILMEMBER ACERSON** – Councilmember Acerson re-iterated the issue of
the road striping at Wal-Mart. Councilmember Acerson also noted that he attended the
UIA meeting.

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10 **COUNCILMEMBER FRAMPTON** – Councilmember Frampton reported that the
basketball leagues are getting busier at the Community Center. He also mentioned that
the cemetery crew does a great job. He also mentioned that the name of Kent B. Bass be
12 added to the memorial.

14 **MAYOR DAIN** – Mayor Dain had nothing to report.

16 **ADMINISTRATOR’S REPORT** –

18 Mr. Cowie reported on the following items:

1. The council reviewed the project tracking list.
2. The deadline of December 31st on the Fryer property clean-up was not met. The City
Attorney and staff met with the owner and his sons on January 3rd for discussion.
3. Hugh Van Wagenen has been selected as the new Lindon City Planning Director.
4. The vacant Associate Planner position will not be filled right now.
5. Mr. Cowie asked the Council for discussion regarding the current Lindon logo.
6. Mr. Cowie noted that a new stage at the community center will be constructed.
7. The piano in the city building council chambers will be transferred to the Community
Center in the near future.
8. Mr. Cowie presented the road closure map on the pipeline project.
9. The Blue Denim Gala auction will be held on January 25th at the Community Center.
10. Mr. Cowie presented the agenda for the upcoming retreat.
11. The CDA meeting will be held on January 18th at 8:30 am.
12. The Engineering meeting will be held on February 12th at 12:00 noon.
13. Filing for the next election is June 1st through June 15th.

34 **Upcoming Items:**

- 36 • Councilmember Acerson has newsletter article for February.
- 38 • Employee wage study.
- Differential pay still in progress.
- 40 • February 5th meeting/work session on long range road maintenance plan.
- Dennis Kendall and Jason Parker will present information on the water meter
upgrade project.
- 42 • Fire works restrictions.
- Development Agreement on Creekside Subdivision.
- 44 • Appointments of Hugh Van Wagenen, Planning Director to MAG and the Utah
Lake Committee.
- 46 • Bicycle Study.

ADJOURN –

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

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Approved – February 19, 2013

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Kathryn A. Moosman, City Recorder

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James A. Dain, Mayor