

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, January 19,**
4 **2016, beginning at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100
North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Jeff Acerson, Mayor

Pledge of Allegiance: Spencer Doxey

10 Invocation: Carolyn Lundberg

12 **PRESENT**

Jeff Acerson, Mayor

14 Randi Powell, Councilmember

Matt Bean, Councilmember

16 Van Broderick, Councilmember

Carolyn Lundberg, Councilmember

18 Adam Cowie, City Administrator

Cody Cullimore, Chief of Police

20 Kathryn Moosman, City Recorder

ABSENT

Jacob Hoyt, Councilmember

- 22 1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.
- 24 2. **Presentations/Announcements** –
- 26 a) **Mayor/Council Comments** – There were no announcements at this time.
- 28 b) **Presentation: Lindon Character Connection.** This item was cancelled as
the representative was not in attendance.
- 30 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council
32 meeting of January 5, 2016 were reviewed.

34 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES
OF THE CITY COUNCIL MEETING OF JANUARY 5, 2016 AS AMENDED OR
CORRECTED. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE
36 VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER POWELL AYE

38 COUNCILMEMBER BEAN AYE

COUNCILMEMBER BRODERICK AYE

40 COUNCILMEMBER LUNDBERG AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

42

- 44 4. **Consent Agenda** – No items.

44

- 46 5. **Open Session for Public Comment** – Mayor Acerson called for any public
comment not listed as an agenda item.

2 There were several residents and boy scouts in attendance who addressed the
Council at this time as follows:

4 **Reed Paxman:** Are there any plans for a Lindon City community library?

6 Councilmember Lundberg stated there are currently no plans for a city library at this
time, however there is a resident reimbursement plan (50%) for Orem and Pleasant Grove
8 city libraries.

10 **Vernon Christensen:** Why was the library reimbursement decreased last year?

12 Councilmember Broderick stated the Council tries to maximize every tax dollar and
spend those funds in the appropriate places to try to make ends meet. Mr. Paxman asked
14 how much the reimbursement cost the city. Mr. Cowie stated that it saved the city
approximately \$10,000 a year; he will look up the exact number. Councilmember
Lundberg added the Council carefully looks at little “tweaks” to save money as the city
16 has a huge road deficit. When looking at the number of people who use the library
reimbursement they had to consider some changes to subsidize. Mayor Acerson
18 commented that it is a conceptual “tightening up” to generalize more funding of roads.
Councilmember Lundberg added that the Council didn’t want to eliminate the
20 reimbursement entirely but took a little from different areas. Mr. Cowie stated the
reimbursement expenditures were almost \$30,000 and with the amended budget it is
22 down to \$16,000 so it is quite a significant amount.

24 **Spencer Darcy:** Are there any plans for upgrading the fire house? Councilmember
Powell stated there are plans to put in a brand new fire station along with a police
26 department directly across the street from the City Center; the hope is it will go out to bid
in a week and a half. Councilmember Lundberg pointed out that the Council has been
28 prudent to do this as economically as possible as to not raise taxes. Mayor Acerson
encouraged the scouts to take a tour when the public safety building is completed;
30 hopefully by next December.

32 **Hezekiah Bowden:** Are there any plans to install lighted deer crossing signs? Mr. Cowie
stated there are currently no plans to install deer crossing signs. Councilmember Powell
34 asked if there have been problems with deer to facilitate a need for signs. Mr. Bowden
confirmed there has been problems with deer. Mayor Acerson commented that we have
36 developed in the deer habitat (foothills) so they will be in yards etc. He would suggest
keeping our eyes open and be watchful for them but they need a place to live as well.
38

40 **Drew Penrod:** Does the city receive enough support from the scouts for desired service
and are there certain Eagle projects with a higher demand? Mayor Acerson stated the
demand ebbs and flows depending on the time of year, but there may be more
42 opportunities to facilitate projects than in other times. Councilmember Lundberg
mentioned that the Parks and Recreation Director, Heath Batman would love to have
44 scout troops involved with the new adoption program, i.e., adopt a park, trail, and trees,
clean-up projects etc. She noted this would be a great way to get the scouts involved.
46

2 Councilmember Powell noted that she is impressed with the Scouts asking
important questions tonight and expressed that she is very proud of them. Mayor Acerson
4 thanked the scouts for their questions and called for any further public comment.
Hearing none he moved on to the next agenda item.

6 **CURRENT BUSINESS**

- 8
- 10 6. **Review & Action** – **Vehicle Lease Agreement, Resolution #2016-4-R.** The
City Council will review and consider a request by Chief Cody Cullimore to
12 approve Resolution #2016-4-R allowing the Mayor and Staff to execute a
future lease agreement for replacement of two (2) existing police vehicles.
14 Zions Bank requires a resolution to verify funding approval prior to
preparing final lease documents. Annual estimated cost of the lease for both
vehicles is approximately \$12,500 per year.

16

18 Adam Cowie, City Administrator, opened the discussion by explaining Zions
Bank requires a resolution prior to preparing final documents for the police vehicle lease
20 renewal and the lease on two police vehicles is near the end of its term. He noted that
staff is requesting that the Council approve this resolution and to also allow the Mayor to
22 sign the final lease documents once all the details from the dealership and Zions Bank are
received. He noted this will be a similar lease that has been done in previous years and is
24 standard procedure. He explained the funds for lease renewal on two new vehicles have
been budgeted for this fiscal year and the additional lease renewals for the remainder of
the other police vehicles are planned for next fiscal year.

26 Chief Cullimore mentioned this is the best approach to maintain the vehicles at
the best economical cost. Councilmember Lundberg asked if there is a warranty on the
28 vehicles with the leasing. Chief Cullimore confirmed there is a warranty which covers all
repairs other than tires, windshields etc. He noted there are now over 35 agencies that
30 lease as it is a cost effective way to maintain the vehicles. Chief Cullimore explained
they go through Ken Garff dealership and Zions Bank that limit the lease to 50 vehicles
32 and below to get the two year lease. He added that it includes the emergency equipment
(lights, sirens, etc.) and also the wraps on the vehicles.

34 Mr. Cowie stated that two years ago there was a change with the state auditor as
they are now requiring us to capitalize the full expense whenever we assume a new debt
36 obligation. It looks as if we are purchasing the vehicles in this current fiscal year, but the
only thing we are making is the lease payment. The full assumed debt obligation has to
38 be accounted for in the year we take on the lease, so the next fiscal year it will appear that
there is a significant debt increase on the public safety budget line item. He stated this
40 issue will be further discussed at the budget kickoff meeting.

42 Councilmember Lundberg asked about possibility of implementing a canine
program with the police department. Chief Cullimore confirmed they looked into a canine
44 program in 2013/14 and found the initial startup was over \$30,000, even with a donated
dog, so it is a substantial investment. He noted that neighboring agencies allow them to use
their services with no charge and noted it may be something to consider in the future.

46 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion.

2 COUNCILMEMBER POWELL MOVED TO APPROVE RESOLUTION
2016-4-R WITH NO CONDITIONS. COUNCILMEMBER BEAN SECONDED THE
4 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER POWELL AYE
6 COUNCILMEMBER BEAN AYE
COUNCILMEMBER BRODERICK AYE
8 COUNCILMEMBER LUNDBERG AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

- 10
12 **7. Review & Action – Support for Adoption of 2015 International Energy
Conservation Code (IECC) and Other Air Quality Enhancements for Utah,
14 Resolution #2016-5-R.** The City Council will review and consider a request by
Mayor Acerson and the Mountainland Association of Governments Executive
16 Council to approve Resolution #2016-5-R showing support for the State
Legislature to adopt the 2015 International Energy Conservation Code (IECC)
18 which contains more energy efficient building code requirements that will assist
in reducing air pollution from homes and buildings.

20 Mr. Cowie led this discussion by stating Mayor Acerson attended a Mountainland
Association of Governments (MAG) meeting in which the majority of the members
22 supported a request by Mayor Curtis of Provo to be more proactive in promoting air
quality improvements throughout the Wasatch Front by consideration of a resolution
24 (included in the staff report). MAG, Utah County, Utah County Health Department, and
some local businesses are members of the Utah Valley Clean Air Task Force. The task
26 force actively evaluates and implements solutions to reduce air pollution during the
inversion season. He noted over the last two years the task force has encouraged residents
28 of Utah Valley to reduce automobile emissions.

30 Mayor Acerson explained in his Council of Governments (COG) meeting Mayor
Curtis informed them that Provo City was deemed (through a recent poll) as having the
worst air in the country which can create or increase adverse health conditions. Mayor
32 Acerson stated Mayor Curtis presented this information to the Council of Governments
(within Utah County) in an effort to propose and support an initiative or pledge to move
34 forward as civic leaders to lead out in good practices and common sense to bring
awareness to be more sensitive to the air quality. He noted as a State we are also looking
36 at a Governor's initiative to pledge support through a resolution that would encourage us
to seek out best practices which will bring awareness and sensitivity in making good
38 decisions to protect the air that we breathe.

40 Mr. Cowie noted the task force is also looking for solutions to reduce pollution
from homes and buildings, which studies show account for up to 39% of the pollutants in
the air. The task force has determined that one way to reduce potential pollutants from
42 homes and buildings is to adopt more energy-efficient building codes. The task force has
asked MAG member cities, including Lindon, to support adoption of the 2015
44 International Energy Conservation Code as part of a planned update to the state building
code by the Utah legislature in the upcoming legislative session. Mr. Cowie stated the
46 Chief Building Official from Lindon indicated this code update is being evaluated by
State building code committees and expects some version of it to be adopted this

2 summer. He noted the Chief Building Official did not oppose the resolution supporting
the building code changes.

4 Councilmember Lundberg asked if this will bring awareness to current and
existing development for adopting new standards. Mr. Cowie stated in talking with the
6 Lindon City Building official, Phil Brown, he indicated that the current code revision is
something the State is currently looking at. Mr. Cowie explained these are Utah specific
8 code updates based on recommendations that are being contemplated for adoption this
summer. He went on to say there are also anticipated reductions in additional
10 requirements for insulation and potential requirements for heating mechanisms for new
construction and costs associated that may be mandated. Mr. Cowie further explained that
12 Provo City indicated, in their estimation, the increased costs that may be imposed by the
code updates may be paid back to the consumer (homeowner) within 2 to 3 years. It is
14 anticipated that most of this will happen regardless and there may be higher energy
requirements that will come out as part of the new code update. He noted this action
16 doesn't bind the city in any way but encourages the State Legislature to adopt the code.

18 Councilmember Broderick stated these codes are updated every 3 years and they
do affect commercial and residential development. He agrees we all want clean air, but he
researched this issue today and from the numbers he has seen he believes it will increase
20 the cost of new homes and thinks it may take longer than a few years to pay back the
homeowner. Councilmember Broderick also noted there is some flexibility to builders on
22 how they achieve their energy rating index score. He stated it is anticipated, with the new
revisions, it will add \$1,700 to the cost of a typical new home and with the other method
24 it will add about \$3,000 to the cost of a new home.

26 Councilmember Powell expressed that she is also for clean air and good
stewardship but has concerns that this may be a gateway to government overreach. Mr.
Cowie pointed out these codes are updated regularly through the State and are brought to
28 the Council for adoption because the State has adopted them; it is a regularly updated
industry. There was then some general discussion regarding this issue. Councilmember
30 Broderick stated he is not against this action as he likes the idea of being energy efficient,
but he feels he needs more information and details at this point. He also questioned if the
32 market should drive mandated energy conservation. Councilmember Lundberg agrees she
also has questions regarding enforcement. Mayor Acerson stated this will just bring
34 greater awareness of how people can personally impact the community.

36 Councilmember Powell voiced her reservations and concerns regarding the
vagueness or impliedness, outside of the building aspect, that this may be a gateway.
Councilmember Broderick stated this is specifically building energy codes. Mayor
38 Acerson pointed out he brought this issue to the Council for discussion and to make a
decision one way or the other. He noted he appreciates Councilmember Broderick's
40 research efforts and it sounds like he may need more time to gather additional
information. Mayor Acerson expressed that the bottom line is that it is better for us to
42 govern ourselves and move in a good direction vs. having the State or Federal
Government mandate things. Councilmember Broderick asked Mr. Cowie if Mr. Brown
44 has looked at the increased inspection costs and how it would impact Lindon City. Mr.
Cowie replied that Mr. Brown has not done any in depth research on this but his general
46 feeling is that this will be adopted even though some of the details are still up in the air.
Councilmember Bean commented if this item is going to be continued he feels there

2 could be other concerns unless we read what the code says even though it might be
difficult to understand as the language is related to the building industry. Councilmember
4 Powell stated she is not opposed to this resolution but she has concerns with the
vagueness in some of the language. Councilmember Lundberg stated she is very
6 favorable to these types of conservation efforts as she has implemented things in her
personal family, but she also has concerns about what comes from government
8 requirements and if there is an economic impact; she would like to hear those arguments.
Mr. Cowie stated he will have further discussion with Phil Brown and Gary Hoglund to
10 gather more information and bring this issue back to the Council. Following some
additional discussion Mayor Acerson called for a motion.

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COUNCILMEMBER BRODERICK MOVED TO CONTINUE RESOLUTION
14 2016-5-R FOR THE OPPORTUNITY TO GATHER MORE INFORMATION ON THE
IECC 2015 CODE REQUIREMENTS. COUNCILMEMBER BEAN SECONDED THE
16 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER POWELL AYE
18 COUNCILMEMBER BEAN AYE
COUNCILMEMBER BRODERICK AYE
20 COUNCILMEMBER LUNDBERG AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

22

8. COUNCIL REPORTS:

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Councilmember Bean – Councilmember Bean mentioned since Rob Smith, with Alpine
26 School District didn't come to the Council meeting tonight, as scheduled, and if he
doesn't re-schedule within a couple of weeks he would suggest that the Council consider
28 putting the discussion of the sale of the city owned homes back on the agenda. Mr. Cowie
questioned if it is worth waiting on that issue until the new building is complete as to
30 evaluate the parking situation. Councilmember Bean stated he does not have a lot of
confidence in Alpine School Districts timeline and it is possible we may not see them for
32 months. If we feel that we may need more parking then he doesn't want to push it but he
would like to wait and see after the bids come in to make a decision, but he is fine with
34 that option. Mr. Cowie stated, realistically speaking, if we had the opportunity he would
like to see the pool operate for a season to see how the flow works with parking etc.
36 before selling; the parking situation will be chaotic during construction. Councilmember
Bean stated he is fine with that option. There was then some additional discussion
38 regarding this issue.

Councilmember Powell – Councilmember Powell reported she attended the Lindon City
40 Youth Court swearing in last week noting that Officer Campbell will be a great with the
kids this year. She mentioned this was her first time involved with the youth court and it
42 appears it will be a very positive experience. She also reported that she attended and
spoke at the Nova Graduation along with Chief Cullimore noting the kids have a great
44 rapport with Officer Campbell. Councilmember Powell also reported she attended a
Women's Legislative Council meeting today with Councilmember Lundberg where
46 Mayor Acerson spoke on the "State of Lindon" and did a great job representing the city.

2 She also mentioned she will be attending the North County Outreach meeting next week.
3 She also reported that some residents reached out to her about glass recycling and if the
4 city has considered it. Councilmember Lundberg commented that she has talked with
5 Alissa Daley with Republic Services who indicated if glass recycling is implemented they
6 would have to haul it quite far and the cost is \$300 per time haul (every 2 to 3 months);
7 Pleasant Grove City offers the service. Councilmember Powell stated she would like to
8 get some numbers together and look at the contract (annually) as to have some
9 information available about the glass receptacle costs before they come back before the
10 Council. Councilmember Powell stated another resident brought up the sale of the
11 Geneva lake property (who is part of a Bird watching organization) noting the resident
12 took her on a fieldtrip regarding the grassland birds and habitat at the property. She
13 questioned if this would be a good opportunity for Lindon to use some PARC tax funds
14 to help preserve the birds and habitat for the citizens to have the opportunity to visit that
15 area; this is an intriguing thought to consider. Mayor Acerson mentioned the Commission
16 is looking at putting in an educational center at the lake.

18 **Chief Cullimore** – Chief Cullimore reported as part of the Lindon City risk management
19 program the police department held an emergency drill at the three main city facilities
20 (city center, community center and public works). He then went through the report on
21 the recent emergency drill noting that communication efforts and more practice will be
22 forthcoming. He also reported that some of his officers will be attending recent fallen
23 Officer Barney’s funeral on Monday.

24 **Mayor Acerson** – Mayor Acerson reported that he had a discussion today with former
25 Mayor Jim Dain about the lake front property. Mayor Dain wanted the Council to know
26 that he is an advocate of holding on to the property as to possibly make something good
27 out of it in the future. There was then some general discussion regarding the lake front
28 property.

30 **Councilmember Broderick** – Councilmember Broderick asked about Don Peterson’s
31 upcoming retirement and interviews for his position. Mr. Cowie stated they will advertise
32 for the position in late February and will run it through March and tentatively interview
33 in May. Mr. Cowie added they will post the position starting in the low to mid \$80’s and
34 will advertise that range to see what qualified applications are received. Councilmember
35 Broderick also mentioned he would like to look at road funding at the upcoming Budget
36 Kickoff Meeting because we now have the engineering information to prepare and come
37 up with a plan to fill the need and direction on how to appropriate the funds to facilitate
38 the road funding gap. Mr. Cowie mentioned that Pleasant Grove City had a recent
39 discussion regarding the adoption of a transportation utility fee and noted he feels there
40 will be a lot more cities considering going that direction.

42 **Councilmember Lundberg** – Councilmember Lundberg commented that Mayor
43 Farnworth mentioned at their meeting today that they have a great benefit with the Rocky
44 Mountain Power Plants and the franchise tax alone will bring in a total of 5 million. She
45 questioned if Lindon receives any financial benefit from the North Point Solid Waste
46 being located in the city and if there could be any sharing of the franchise tax. Mr. Cowie

2 stated that is not a possibility. She also mentioned that American Fork has adopted new
4 transparency and are now live streaming City Council and Commission meetings on their
website.

6 **Councilmember Hoyt** – Councilmember Hoyt was absent from the meeting.

8 **Administrator’s Report:**

Mr. Cowie reported on the following items followed by discussion.

10 **Misc. Updates:**

- 12 • January City newsletter
- 14 • March newsletter article: Councilmember Hoyt - Article due to Kathy Moosman
last week in February
- 16 • 2016 Legislative updates
- 18 • Update on Realtor fees question on ‘For Sale by Owner’ listings
- Budget committee meeting: March 29th (working lunch meeting at noon)
- Update from the Planning Commission Ivory discussion followed by discussion
- Misc. Items

20 **Upcoming Meetings & Events:**

- 22 • January 18th – City offices closed for Martin Luther King day
- 24 • January 23rd – 8am to Noon. ULGT elected official training in Provo
- February 9th at noon – Engineering coordination meeting at Public Works,
Councilmember Broderick and Mayor Acerson will attend
- 26 • February 11th at 6:00pm. – Budget kick-off meeting with a dinner/work session
- February 15th – City offices closed for Presidents Day
- 28 • March 5th at 6pm – Little Miss Lindon Pageant at Oak Canyon Jr High

30 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion to adjourn.

32 **Adjourn** –

34 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
36 AT 8:52 PM. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

38 Approved – February 2, 2016

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Kathryn Moosman, City Recorder

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Jeff Acerson, Mayor