

2 The Lindon City Council held a regularly schedule meeting on **Tuesday, December 4,**  
3 **2012 beginning with a Work Session at 6:00 p.m.** in the Lindon City Center, City  
4 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  
11 Mark L. Walker, Councilmember  
12 Matt Bean, Councilmember  
13 Randi Powell, Councilmember  
14 Jeff Acerson, Councilmember  
15 Adam Cowie, Planning Director  
16 Cody Cullimore, Chief of Police  
17 Kathryn Moosman, City Recorder

**ABSENT**

Bret Frampton, Councilmember

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

20 **PRESENTATION** - *The Mayor and City Council will meet in a work session with Cody*  
21 *Cullimore, Chief of Police, for a presentation and discussion on safety during a public*  
22 *meeting.*

24 Mayor Dain welcomed Cody Cullimore, Chief of Police, to the work session.  
25 Chief Cody Cullimore thanked the Council for the opportunity to present a presentation  
26 on safety during a public meeting. He then showed videos of different situations  
27 involving violence in public meetings. Chief Cullimore then discussed the building  
28 layout, security and safety during public meetings involving different scenarios if there  
29 was an incident. There was then some general discussion between Chief Cullimore and  
30 the Council regarding safety at public meetings.

31 The Mayor and Council thanked Chief Cullimore for the presentation and the  
32 valuable information.

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

36 **REGULAR SESSION** – 7:00 P.M.

38 Conducting: James Dain, Mayor  
39 Pledge of Allegiance: Seth Cowie  
40 Invocation: Matt Bean, Councilmember

42 **PRESENT**

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

**ABSENT**

2 Matt Bean, Councilmember  
3 Randi Powell, Councilmember  
4 Jeff Acerson, Councilmember  
5 Ott H. Dameron, City Administrator  
6 Adam Cowie, Planning Director  
7 Cody Cullimore, Chief of Police  
8 Kathryn Moosman, City Recorder

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

10 **RECOGNITION**– *City Administrator, Ott Dameron will be recognized for his nearly 18*  
11 *years of dedicated service as Lindon City Administrator.*

12  
13 Mayor Dain invited Mr. and Mrs. Dameron forward at this time. Mayor Dain  
14 expressed his appreciation to Mr. Dameron for his years of service to the city. Mayor  
15 Dain also thanked Mrs. Dameron for her support. He noted that Mr. Dameron is retiring,  
16 and tonight is his last formal City Council meeting. He then commented on the many  
17 projects and accomplishments achieved under Mr. Dameron’s tenure. He noted that four  
18 Mayors are in attendance tonight that served with Mr. Dameron along with many staff  
19 members, family and friends to honor him. Mayor Dain stated that Mr. Dameron has left  
20 a legacy to Lindon City and his dedicated service will be forever remembered and he will  
21 be missed. Mayor Dain then presented a gift in commemoration of his retirement to Mr.  
22 Dameron on behalf of the citizens and employees of Lindon City.

23 Mr. Dameron then introduced his family members who were in attendance. Mr.  
24 Dameron also expressed his appreciation and gratitude to the Mayor, Council, staff and  
25 all who were in attendance for their support and service over the years. Mr. Dameron  
26 also congratulated Adam Cowie for his new position and stated that he will be a great  
27 City Administrator.

28  
29 **SWEARING-IN CEREMONY**– *Newly hired City Administrator, Adam Cowie will be*  
30 *sworn in to his newly appointed position by Mayor Dain.*

31  
32 Mayor Dain invited Adam Cowie forward. Mayor Dain then administered the  
33 oath of office to Mr. Cowie. Mayor Dain congratulated and introduced Mr. Cowie as the  
34 new Lindon City Administer and commented that Mr. Cowie is well deserving of this  
35 position and will be a great administrator. Mr. Cowie introduced his family who was in  
36 attendance. He thanked the Mayor, Council and staff for their support and he is grateful  
37 to be a part of Lindon City and appreciates the opportunity to serve.

38  
39 **MINUTES** – The minutes of the regular meeting of the City Council of November 20,  
40 2012, were reviewed.

41  
42 COUNCILMEMBER ACERSON MOVED TO APPROVE THE MINUTES OF  
43 THE REGULAR MEETING OF NOVEMBER 20, 2012 AS AMENDED.  
44 COUNCILMEMBER WALKER SECONDED THE MOTION. THE VOTE WAS  
45 RECORDED AS FOLLOWS:  
46

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

8 **OPEN SESSION** – Citizen Comments.

10 Mayor Dain called for any public comment. Heath Bateman, Parks and  
12 Recreation Director addressed the Council at this time. Mr. Bateman presented a  
handmade quilt (valued at \$800) that was made by the “Basting Buddy Club” in  
14 appreciation for using the Senior/Community Center. Mr. Bateman suggested that the  
quilt be raffled off at the upcoming “Blue Denim Gala” silent auction. He noted that the  
money from the quilt will be used to fund programs at the Community Center.

16 **MAYOR’S COMMENTS/REPORT** – Mayor Dain reported that the Thanksgiving Day  
18 Dinner at the Community Center was a big success, and over 500 people were in  
attendance for the annual event. He added that this tradition seems to be favorably  
20 received by the residents and the public. Mayor Dain thanked all of the volunteers and  
sponsors who made this traditional event possible. He further stated that the dinner is  
22 funded strictly from donations from community members and merchant sponsors and  
reiterated that no tax payer money is used for this event. Mayor Dain also mentioned that  
24 the 19<sup>th</sup> Annual Tree Lighting Ceremony was held on December 3<sup>rd</sup> at the Community  
Center and was well attended. Mayor Dain stated that this event is also a wonderful  
26 Lindon tradition.

28 **CONSENT AGENDA** –  
No items.

30 **CURRENT BUSINESS** –

32 At this time, Mayor Dain called for a motion to adjust the agenda to move item #5  
to the first item on the agenda.

34  
36 COUNCILMEMBER POWELL MOVED TO ADJUST THE AGENDA TO  
MOVE AGENDA ITEM #5 TO THE FIRST AGENDA ITEM. COUNCILMEMBER  
FRAMPTON SECONDED THE MOTION. THE VOTE WAS RECORDED AS  
38 FOLLOWS:

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

2           5. **Review and Action** – *License Renewal for 7-Eleven Corporation*. The City  
3           Council will review and possibly act to approve a beer license renewal due to  
4           transfer of ownership of the business.

5           Mr. Cowie opened the discussion by stating that the applicant has submitted all  
6           paperwork required and the business license will be issued as soon as the Council  
7           approves the renewal. Mr. Cowie noted that by ordinance, when a business changes  
8           hands, ownership needs to be re-verified prior to the license being issued.

9           Mayor Dain called for any discussion from the Council. Hearing none he called  
10          for a motion.

11          COUNCILMEMBER FRAMPTON MOVED TO APPROVE THE LICENSE  
12          RENEWAL FOR 7-ELEVEN CORPORATION. COUNCILMEMBER ACERSON  
13          SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

14          COUNCILMEMBER WALKER            AYE  
15          COUNCILMEMBER FRAMPTON         AYE  
16          COUNCILMEMBER ACERSON           AYE  
17          COUNCILMEMBER BEAN             AYE  
18          COUNCILMEMBER POWELL           AYE

19          THE MOTION CARRIED UNANIMOUSLY.

20          *Councilmember Walker made statement that he voted for approval on the above motion  
21          but noted that there is a conflict of interest involved as he was a former owner of the  
22          subject business.*

23          Mayor Dain noted that the agenda order will now continue from agenda item #1.

24          1. **Public Hearing Continued** – *Ordinance Amendment – Lindon City Code, Title 6  
25          (Animal Ordinance)*. The City Council will hear public comment and possibly act  
26          to approve an amendment to LCC, Title 6 (Animal Ordinance). The Planning  
27          Commission has met several times over the past few months and made extensive  
28          updates to help clarify the current language in the ordinance. This item was  
29          continued from the meeting of September 18, 2012, October 16, 2012 and  
30          November 20, 2012.

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

34          Adam Cowie, Planning Director, opened the discussion by stating this is a  
35          continued public hearing to review an ordinance amendment to Lindon City Code  
36          Chapter 6, Animal Ordinance. The proposed changes will help to clarify the current  
37          language within the ordinance. Mr. Cowie noted a suggestion from Chief Cody  
38          Cullimore that was added into the ordinance from the last meeting: State License  
39          Requirements that regulate animals, referring to wild and exotic animals.

2 Mr. Cowie then explained the changes made since the last presentation are highlighted, and the underlined wording is new language. Mr. Cowie then reviewed the substantial issues by page for discussion as follows:

4 Page 17: Clarification of animal enclosure.

Page 18: Clarification on setbacks.

6 Page 22: Tables: change stating that the area enclosures are “per animal”. Also the numbers of pheasants and turkeys were increased.

8 Page 23: Discussion on “whether goats” and noted that goats are currently defined in the ordinance, so it will be reference as to neutered male or female only.

12 Mr. Cowie noted that he has not received any more written responses from citizens since the last meeting. Mr. Cowie then referenced the tables, animal allowances and restrictions. There was then some lengthy discussion about the amount of animals on the tables and possibly changing some of the numbers. Mayor Dain directed Mr. Cowie to look at the top three most popular large animals and also the small, medium and large categories, and to possibly move sheep (no rams) into the small species category. Mr. Cowie stated that he will adjust the percentages and bring it back to the next meeting. Mayor Dain commented that the he feels the Council is ready to come to a conclusion on the animal ordinance at the next meeting. Mayor Dain called for any public comment. LoriKaye Banks expressed her appreciation to the Council for taking the time and consideration with the ordinance to make sure it is correct and that everyone’s needs are met.

24 Mayor Dain called for further public comments or discussion from the Council. Hearing none he called for a motion.

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

30 COUNCILMEMBER ACERSON MOVED TO CONTINUE ORDINANCE AMENDMENT, LINDON CITY CODE, TITLE 6 (ANIMAL ORDINANCE). COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

32 COUNCILMEMBER WALKER AYE  
36 COUNCILMEMBER FRAMPTON AYE  
COUNCILMEMBER ACERSON AYE  
38 COUNCILMEMBER BEAN AYE  
COUNCILMEMBER POWELL AYE

40 THE MOTION CARRIED UNANIMOUSLY.

- 42 2. **Public Hearing** – *Ordinance Amendment – Lindon City Code, Chapter 17.4.050 (Lot Frontage) Ordinance #2012-17-O.* The City Council will hear public  
44 comment and possibly act to approve an amendment to LCC, Chapter 17.44.050 dealing with minimum frontage requirements for lots accessed from a  
46 hammerhead turn-around. The Planning Commission recommended approval.

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

6 Hugh Van Wageningen, Associate Planner, opened the discussion by explaining that  
this item is a city initiated change to LCC 17.44.050 to reduce the minimum frontage  
8 requirement for lots accessed from a hammerhead turn-around. Mr. Van Wageningen  
explained that currently, city code does not specifically address lot frontage for lots  
10 accessed from a hammerhead turnaround, and by default would require 50' of frontage.  
He noted that in the original design of the hammerhead turnaround, it is apparent that this  
12 issue was overlooked as 50' of frontage does not appear to be feasible if multiple lots  
access the same turnaround. Mr. Van Wageningen added that after discussion on the issue  
14 with the city engineer, staff is recommending that a 20' minimum frontage be approved  
for lots accessing hammerhead turnarounds. He then referenced the attached draft. He  
16 also noted that the Planning Commission recommends a minimum frontage of 25' for a  
hammerhead turnaround. There was then some discussion regarding the proposed  
18 frontage for lots accessing hammerhead turnarounds.

Mayor Dain called for any public comment. David Meine, property owner,  
20 addressed the Council at this time. Mr. Meine stated that he would like to see the  
hammerhead turnaround go through. Mayor Dain called for any further public comments  
22 or discussion from the Council. Hearing none he called for a motion.

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

28 COUNCILMEMBER BEAN MOVED TO APPROVE ORDINANCE  
AMENDMENT TO LINDON CITY CHAPTER 17.44.050 LOT FRONTAGE  
30 (ORDINANCE #2012-17-O). COUNCILMEMBER FRAMPTON SECONDED THE  
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

32 COUNCILMEMBER WALKER AYE  
COUNCILMEMBER FRAMPTON AYE  
34 COUNCILMEMBER ACERSON AYE  
COUNCILMEMBER BEAN AYE  
36 COUNCILMEMBER POWELL NAY

THE MOTION CARRIED FOUR TO ONE.

- 38  
40 3. **Review and Action** – *Meine Subdivision Plat A –36 South 300 East*. This is a  
request by David Meine for approval of a minor subdivision in order to create a  
42 hammerhead turnaround access point for two parcels at 36 South 300 East. The  
new subdivision plat will be titled Meine Plat A. The subject properties are  
44 located in the Single Family Residential Zone (R1-20). The Planning  
Commission recommended approval.

2 Hugh Van Wagenen, Associate Planner, opened the discussion by stating this is a  
request by David Meine for approval of a minor subdivision in order to create a  
4 hammerhead turnaround access point for two parcels at 36 South 300 East. He noted that  
the new subdivision will be titled Meine Plat A. He further noted that the subject  
properties are located in the single family residential zone (R1-20).

6 Mr. Van Wagenen further explained that this one lot subdivision will dedicate  
land to Lindon City in order for a hammerhead turnaround to be constructed as required  
8 per Fire Code. He went on to say that in anticipation of the required turnaround at his  
location, the street Master Plan was recently updated to reflect the future construction of  
10 the hammerhead turnaround. He added that currently 300 East dead ends as a stub street  
at the southeast corner of Mr. Meine's property at 36 South 300 East. Mr. Van Wagenen  
12 noted that the southwest corner of the Eggett property also has frontage along 300 East at  
the stub, although the main access to that lot is from Center Street.

14 Mr. Van Wagenen stated that the future hammerhead will allow for the possible  
construction of a home on the Meine property and give the Eggett property the possibility  
16 of subdividing into two buildable lots at a future date. He noted that because there is a  
possibility that the Eggett property could be further subdivided, its boundaries are not  
18 included in this plat. Mr. Van Wagenen then showed aerial photos of the subject  
properties. He noted that the utility stubs will be provided into the lots to accommodate  
20 future development. He added that there is currently an agricultural barn with an issued  
permit and a fire hydrant at the end of the street. Mr. Van Wagenen also noted in order  
22 for the building department to issue a permit for a dwelling there needs to be an improved  
turnaround installed. He added that with the prior approved ordinance change the lot will  
24 meet the minimum 25 ft. of frontage and minimum lot size. There was then some general  
discussion between Mr. Van Wagenen and the Council regarding this issue.

26 Mr. Meine commented that when he bought the lot in 2007 he understood that the  
road was going to go through, so for him to build the barn he brought in stubs for himself  
28 and the Eggett's, including culinary water, irrigation water, and the City had him build  
the other half of the street, which cost him \$58,000 to complete the work. He noted that  
30 he really needs to be able to sell this property or to put a spec home on the property. He  
added that he and the Eggett's have had some discussions and the Eggett's have been  
32 very gracious regarding this issue. Mr. Meine also inquired about compensation or  
reimbursement from the City because of costs he has incurred to build the road etc.  
34 There was then some general discussion between Mr. Eggett and Mr. Meine and the  
Council regarding this issue.

36 Mayor Dain stated that there is an agreement in place for the Council's approval  
tonight and inquired if the Eggetts are in approval of the plat presented before the  
38 Council based on the conditions. Mrs. Eggett replied that they are in approval more or  
less. She went on to say that it appears that what the city had approved first was a bigger,  
40 wider section than what is now showing on the plat. Mr. Cowie showed the diagram and  
explained the extent of the dedicated street right of way, easements and future  
42 improvements. Mr. Meine asked for confirmation of the turnaround size. Mr. Cowie  
confirmed that the approved turnaround is 20 ft. of asphalt with 2 ft. of curb/gutter  
44 combination. Mr. Cowie also stated that with the approval of the previous ordinance  
amendment tonight all current requirements are met.

2 Councilmember Powell inquired if there will be red striping required. Mr. Cowie  
3 confirmed that everything on the hammerhead turnaround area will be red striped with  
4 the requirement of three additional off street parking spaces. Mayor Dain called for  
5 further discussion. Hearing none he called for a motion.

6 COUNCILMEMBER WALKER MOVED TO APPROVE MEINE  
7 SUBDIVISION PLAT A. COUNCILMEMBER FRAMPTON SECONDED THE  
8 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

9 COUNCILMEMBER WALKER AYE  
10 COUNCILMEMBER FRAMPTON AYE  
11 COUNCILMEMBER ACERSON AYE  
12 COUNCILMEMBER BEAN AYE  
13 COUNCILMEMBER POWELL AYE  
14 THE MOTION CARRIED UNANIMOUSLY.

15 4. **Public Hearing** – *Zoning Map Amendment- 370 North State Street, (Ordinance*  
16 *#2012-18-O)*. This is a request by Kevin G. Long, representing Chili Dips LLC,  
17 for approval of a zone change from CG to CG-A on 1.37 acres of property located  
18 at 370 North State Street (formerly Alpine Power Sports). If approved the change  
19 would allow for used automobile sales to occur at the property. The Planning  
20 Commission recommended approval.  
21

22 COUNCILMEMBER ACERSON MOVED TO OPEN THE PUBLIC  
23 HEARING. COUNCILMEMBER WALKER SECONDED THE MOTION. ALL  
24 PRESENT VOTED IN FAVOR. THE MOTION CARRIED  
25

26 Hugh Van Wagenen, Associate Planner, opened the discussion by explaining that  
27 this item is a request by Kevin G. Long who represents Chili Dips LLC, for approval of a  
28 zoning change from CG to CG-A on 1.37 acres of property located at 370 North State  
29 Street (formerly Alpine Power Sports). He added that if approved, the change would  
30 allow for used automobile sales to occur on the property as a permitted use. He further  
31 stated that no other change in permitted uses on the property will occur if the zoning map  
32 amendment is approved.

33 Mr. Van Wagenen then showed photos of the zoning map displaying the proposed  
34 lot along with aerial photographs of the site. He also presented photos from State Street.  
35 Mr. Van Wagenen noted that this is a legislative amendment allowing the City Council  
36 broad discretion while considering the requested change. He went on to say that the three  
37 other CG-A zones along State Street were recently created to allow used auto sales to  
38 continue around existing used auto sales businesses. He added that staff has no specific  
39 recommendations regarding the proposed request. Mr. Van Wagenen noted that the  
40 Planning Commission recommended approval of this amendment. He added that the  
41 Commissioners agreed that selling used automobiles on this parcel would not be a  
42 significant leap from its most recent use.

43 Jeremy Baker then addressed the Council. He explained the intention of the use  
44 of the property. He noted his company, Auto Source Motors, is expanding to Utah  
45 County and the Lindon location is ideal for their purposes. He noted they sell between  
46



100-120 vehicles per month. He added that this expansion would be strictly for used cars sales (late model vehicles, average sale price of \$14,000 per car) at this time and noted that they plan on having around 40 vehicles as inventory on the lot at a time with some cars located in the rear of the building also. Mr. Baker stated there is sufficient lighting at the location. He added they have signed a 5 year lease and are committed to the location. Mr. Long noted this proposed operation, at the initial projection, will generate \$50,000 per year in local sales tax revenue which would be a great benefit to the city. There was then some general discussion regarding this issue. Mayor Dain inquired if boats, motorcycles and new RV's can currently be sold on State Street. Mr. Cowie confirmed that statement. There was then some lengthy discussion by the Council regarding this issue.

Mayor Dain called for any public comment or further discussion from the Council. Hearing none he called for a motion.

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

COUNCILMEMBER POWELL MOVED TO APPROVE ORDINANCE #2012-18-O ZONING MAP AMENDMENT. COUNCILMEMBER BEAN SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED FOUR TO ONE.

6. **Review an Action** – *Police Mutual Aid Agreement*. This item is a request by Chief Cody Cullimore for the City Council's review and possible approval of a Police Mutual Aid Agreement. This is an updated version to the original Mutual Aid Agreement that has been in place since the 1980's to allow cooperation and sharing of resources between police agencies.

Chief Cody Cullimore opened the discussion by stating this item is a revised Mutual Aid Agreement between all of the police agencies in Utah County that allows cooperation and sharing of resources. He stated that this agreement is important because this agreement has been in place since 1989 and Lindon has been operating under the guidelines but the Lindon City Police Department has not been officially included. Chief Cullimore added that this is an update that has been long overdue. He explained that this is a very simple agreement that states each agency will cooperate with other agencies at no charge. Chief Cullimore added that Brain Haws, City Attorney, has reviewed the agreement and feels it is in order and should be in place.

Mayor Dain called for any discussion from the Council. Hearing none he called for a motion.

COUNCILMEMBER ACERSON MOVED TO APPROVE THE POLICE  
2 MUTUAL AID AGREEMENT. COUNCILMEMBER WALKER SECONDED THE  
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

- 10  
12 7. **Review and Action** – *Agreement with the Town of Vineyard.* This item is an  
agreement between Lindon City and the Town of Vineyard for the City Council’s  
14 review and possible approval to construct and install a sewer line through a  
portion of Lindon within 600 South from Utah Lake to approximately 250 West  
in Vineyard.

16  
18 Mr. Cowie opened the discussion by explaining that this agreement with the  
Town of Vineyard will allow them to install a sewer line through a portion of Lindon  
from 600 South from Utah Lake to approximately 250 West in Vineyard. Mr. Cowie  
20 then showed a map depicting the area of discussion. Mr. Cowie noted this agreement  
will allow Vineyard to run the utilities and is a win for Lindon.

22 Mayor Dain called for any discussion from the Council. Hearing none he called  
for a motion.

24  
26 COUNCILMEMBER ACERSON MOVED TO APPROVE THE AGREEMENT  
WITH THE TOWN OF VINEYARD. COUNCILMEMBER POWELL SECONDED  
THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

- 34  
36 8. **Review and Action** – *Personnel Action Request.* This item is a request by staff  
for the City Council to hear and possibly act to approve an increase in  
38 compensation fore an employee working “out of class”.

40 Mr. Cowie explained that this item is a request by himself and Don Peterson for  
Gary Taylor, Streets Superintendent, to assume the majority of the responsibilities of the  
Public Works Director until Don Peterson returns to work in his full capacity. Mr. Cowie  
42 noted what has happened in the past with these types of situations, the Council would  
approve additional compensation for an employee working “out of class”. This action  
44 would typically provide a two-step above the current pay. He added the recommended  
two steps above Mr. Taylor’s range is \$1.73 per hour. Mr. Cowie further explained that it

is recommended that this change in pay be retroactively effective from October 11, 2012 until Mr. Peterson returns to work full-time.

Mayor Dain called for any discussion from the Council. Hearing none he called for a motion.

COUNCILMEMBER POWELL MOVED TO APPROVE THE PERSONNEL ACTION REQUIREST FOR GARY TAYLOR. COUNCILMEMBER FRAMPTON 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.

9. **Review and Action** – *Personnel Policy Amendment – Resolution #2012-16-R.*

This is a request by staff for the City Council’s review and approval of certain amendments to the city’s personnel policies.

Mr. Cowie opened the discussion by explaining this action is a policy amendment to Resolution #2012-16-R to the policy and procedures manual regarding unused accrued vacation and sick leave. Mr. Cowie explained that the city has determined that the practice was not permitted by the Utah State Retirement System so this action will repeal and remove the previous resolution to adopt the current version.

Mayor Dain called for any discussion from the Council. Hearing none he called for a motion.

COUNCILMEMBER POWELL MOVED TO APPROVE THE PERSONNEL POLICY AMENDMENT (RESOLUTION #2012-16-R). COUNCILMEMBER BEAN 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.

10. **Review and Action** – *Ratification of City Administrator Agreement and Pay Scale.* This item is a request by the Mayor for the City Council to ratify and agreement and pay scale for the newly hired City Administrator.

Mayor Dain opened the discussion by explaining this is a city initiated item to have the City Council ratify the City Administrator Agreement and Pay Scale. This action will refine the original offer to fit into the city’s pay range chart, which will keep the integrity of the pay system intact and avoid any problems with the initial offer.

2 Mayor Dain called for any discussion from the Council. Hearing none he called  
for a motion.

4 COUNCILMEMBER FRAMPTON MOVED TO RATIFY THE CITY  
ADMINISTRATOR AGREEMENT AND PAY SCALE. COUNCILMEMBER  
6 WALKER SECONDED THE MOTION. THE VOTE WAS RECORDED AS  
FOLLOWS:

8 COUNCILMEMBER WALKER AYE

COUNCILMEMBER FRAMPTON AYE

10 COUNCILMEMBER ACERSON AYE

COUNCILMEMBER BEAN AYE

12 COUNCILMEMBER POWELL AYE

THE MOTION CARRIED UNANIMOUSLY.

14 **COUNCIL REPORTS –**

16 **COUNCILMEMBER POWELL** – Councilmember Powell reported that the Historical  
18 Preservation Commission has done a great job with the Tree Lighting Ceremony and it  
was a lovely evening and well attended. Councilmember Powell suggested the use of  
20 chairs or bleachers next year would be beneficial. Councilmember Powell stated that the  
recommendation from the Historical Preservation Commission is to sell the tithing house.  
22 Mr. Cowie stated that the appraisal is in the works but it will need to be replatted and go  
through the Planning Commission, be surveyed, send out notices, and hold hearings to  
24 declare the property surplus. Mr. Cowie stated that may take several months.

Councilmember Powell also stated that the Historical Commission will submit  
26 plans to utilize the main hallway in the Community Center and they hope to have it done  
before the gala, which will be held on January 25th. Councilmember Powell asked if the  
28 quilt presented tonight could be raffled at the gala. Mayor Dain commented that he  
thought it would be a great place to raffle the quilt. Councilmember Powell also reported  
30 that she attended the IHC Outreach Committee meeting. She noted that it was a really  
sobering day as they discussed the topic of suicide and then got the news of David Phan.  
32 She noted a 2010 article that states Utah is 10th in the nation of successful suicides.  
Councilmember Powell stated that as a community we need to watch and reach out to the  
34 young people who are the most vulnerable and to also stress gun safety. Chief Cullimore  
commented they have done education and public awareness for family members and have  
36 given out gun locks etc.

38 **COUNCILMEMBER WALKER** – Councilmember Walker reported that he attended  
the North Utah Valley Animal Service meeting and the Attorney stated that they are  
40 working on obtaining a sponsor at the Utah legislature to write the information regarding  
the appointing of the Districts. Councilmember Walker reported that he nominated Toby  
42 Bath to be the Vice Chair of NOVUS. Councilmember Walker added that he has been  
nominated to be on the Finance Group at NOVUS. Councilmember Walker further  
44 reported that you can now take pictures of animals taken to the shelter to identify them  
and put them immediately on the website. Councilmember Walker also mentioned any  
46 grants for food for the animal shelter would be great to have.

2 **CHIEF CULLIMORE** – Chief Cullimore had nothing to report.

4 **COUNCILMEMBER BEAN** – Councilmember Bean reported that there is still one  
6 vacancy on the Planning Commission. He noted that the name of Krishelle Travis has  
8 been mentioned.

10 **COUNCILMEMBER ACERSON** – Councilmember Acerson mentioned a comment  
12 made by a resident expressing their appreciation on how Lindon City handles the  
14 cemetery with sensitivity, concern and care. Councilmember Acerson also reported that  
16 the Utopia articles have been coming out in the newspapers.

18 **COUNCILMEMBER FRAMPTON** – Councilmember Frampton complemented Heath  
20 Bateman for the job he does and for the extra effort he puts into the programs he runs.

22 **MAYOR DAIN** – Mayor Dain mentioned a change to add to the agenda. He suggested  
24 adding the Council to the Mayor’s comments. Mayor Dain reported that he will be  
26 serving as chair of MAG next year. Mayor Dain also mentioned if there is an assignment  
28 that is not working for the council members to let him know.

30 **ADMINISTRATOR’S REPORT** –

32 Mr. Cowie reported on the following items:

- 34 1. The Council reviewed the Project Tracking List.
- 36 2. The Council reviewed the Monthly Sales Tax Report.
- 38 3. Ribbon Cutting on North County Blvd. was held on November 29<sup>th</sup>. New signs  
40 with both “North County Blvd.” and “700 North” will be installed.
- 42 4. Staff has toured the sewer plant on November 26<sup>th</sup> and it is a very clean, nice  
44 facility.
- 46 5. The Tree Lighting Ceremony was a success. There were over 250 people in  
attendance.
6. Creekside Retirement will be a discussion item at the next meeting.
7. Barbara Jones (Community Development Secretary gave her notice and has left  
the city for a new position.
8. The Planning Director position has been posted. Councilmember Bean,  
Councilmember Walker and Councilmember Acerson will sit in on the  
interviews. Hugh Van Wagenen is doing a great job in the Associate Planner  
position.
9. FYI, a building permit for Mike Smith was given temporary occupancy. Phil  
Brown has given him until April to obtain a final certificate of occupancy.
10. Gary Hoglund, Code Enforcement Officer, sent a written notice to the Fryer’s  
giving them until December 31<sup>st</sup> to comply.
11. December 6<sup>th</sup> 700 North CDA kick-off mtg. at 1:00 pm at the City Center.
12. Ott Dameron’s retirement dinner will be held on January 9<sup>th</sup> at 6:00 p.m. and the  
Open House will be held on January 10<sup>th</sup>.

Upcoming Items for the Next Meeting:

- Geneva Rd/600 South sewer project – contract modification.
- Merit increases, if approved will be effective January 1<sup>st</sup>.
- Employee Policy Manual – Differential pay updates.
- Employee Policy Manual – Social Media Policy Update (facebook).
- Auditor’s report/findings.
- Citizen initiated street lighting application.

**ADJOURN** –

COUNCILMEMBER POWELL MOVED TO ADJOURN THE MEETING AT 10:30 P.M. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – December 18, 2012

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Kathryn A. Moosman, City Recorder

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James A. Dain, Mayor