

2 The Lindon City Council held a regularly schedule meeting on **Tuesday, May 21, 2013**
3 **at 7:00 p.m. beginning with a Work Session at 6:00 p.m.** in the Lindon City Center,
4 City Council Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:00 P.M. – Conducting: James A. Dain, Mayor

8 **PRESENT**

8 James A. Dain, Mayor
9 Mark L. Walker, Councilmember
10 Matt Bean, Councilmember
11 Randi Powell, Councilmember
12 Jeff Acerson, Councilmember
13 Cody Cullimore, Chief of Police
14 Adam Cowie, City Administrator
15 Hugh Van Wagenen, Planning Director
16 Kathryn Moosman, City Recorder

ABSENT

Bret Frampton, Councilmember

18 The meeting began at 6:05p.m.

20 **DISCUSSION** – Kristen Colson, Lindon City Finance Director, will present and discuss
21 issues related to the proposed 2013-14 fiscal year budget. No motions will be made on
22 these items.

24 Kristin Colson, Finance Director, was in attendance to discuss items pertinent to
25 the budget and to answer any questions the Council may have. Mrs. Colson began the
26 discussion by reviewing the 2013-14 fiscal year budget issues and giving an overview of
27 the proposed budget items followed by some general discussion by the Council.

28 **Budget Issue #1: Should Lindon City implement changes recommended in the**
30 **Salary Survey Report?**

32 Ms. Colson explained that this year Lindon City conducted a salary survey to
33 determine if the salaries of the City's employees were comparable with other cities.
34 Lindon City has historically conducted salary surveys every 3-5 years. The last survey
35 was conducted 5 years ago. Salary surveys provide useful information to attract, support
36 and retain employees. A salary survey is a standard method of finding out what other
37 organizations are paying for specific jobs or job classes.

38 The survey included eight Utah County cities: Alpine, American Fork, Highland,
39 Payson, Pleasant Grove, Saratoga Springs, Spanish Fork and Springville. The survey
40 results showed that most positions at Lindon City are paid within a 5% variance of the
41 average of their counterparts. There were, however, five positions with salaries that are
42 more than 10% below average. Ms. Colson stated that in order to bring the salaries for
43 these positions closer to the survey's averages, the positions should be moved on
44 Lindon's Pay Scale from their current range to the recommended range. Ms. Colson
45 mentioned that there is more detailed information available in the Salary Survey Report.
46 She then referenced the recommended changes as summarized below.

<u>Position:</u>	<u>Move from Range:</u>	<u>Move to Range:</u>	<u>Fiscal Impact:</u>
2 Finance Director	23	26	\$14,189
4 Clerk/Typist I	6	8	\$1,467
Parks & Rec. Dir.	21	25	\$16,112
6 Police Chief	25	27	\$12,708
Public Works Dir.	25	27	\$13,436

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10 Ms. Colson noted that differential fiscal impact would be the increase of \$57,912 in the general fund that is reflected in the Proposed Budget.

12 Ms. Colson noted that Lindon City focused the survey on full-time employees and part-time administrative staff. Ms. Colson stated that the City currently employs 45 full-time employees and 6 part-time administrative employees.

14 Ms. Colson further noted that it is also important to look at job duties and responsibilities not just job titles when deciding if salary survey information is comparable. To be comparable the jobs must have a similar level of responsibility and range of duties. Lindon City contacted eight cities in Utah County and collected information on job positions, job descriptions and salary ranges for each position. Not all job positions matched. Some cities did not have all of the job positions that Lindon City has. Lindon City staff did its best to compile the information for similar job positions. She added that the survey results are included in the staff report.

16 Ms. Colson then referenced the table showing each range’s low, median, and high salaries for Lindon City. The range medians were used to compare to survey medians in order to calculate each position’s variance from the survey averages. There are five positions recommended for repositioning on the Pay Scale. In order to find the range these positions should be moved to, the survey’s median was used to find the closest median on Lindon’s ranges. In calculating the financial impact of the recommended salary changes, the pay scale for 2012-2013 is used. Thus, the financial impact will not include cost of living or merit increases. The benefits that are impacted by an increase in salary are Social Security, Medicare and retirement.

18 Ms. Colson noted that even though the last salary survey was conducted and implemented five years ago, only five positions are in need of adjustment on Lindon City’s Pay Scale. She also referenced a table summarizing the survey results in the columns marked “Average”. Then the median salaries of Lindon City positions are compared to the median salaries of the survey results. Positions that have -10% or more variance are recommended to be repositioned on Lindon’s Pay Scale. The amounts are shown as hourly rates.

40 **Budget Issue #2: Should Lindon City provide employees with a 1.9% Cost Of Living Allowance (COLA) increase and provide for a merit step increase in January?**

42 Ms. Colson explained that the Consumer Price Index (CPI) had an average annual increase of 1.9% from April 2012 to March 2013 according to US Department of Labor. She noted that employee performance evaluations are performed annually in January at which time merit increases would be available to those who meet a predetermined

criteria. She added that historically, COLA and merit increases have provided somewhat consistent buying power for the employees and have kept salaries competitive and employee morale high. She then noted the differential fiscal impact as follows:

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	<u>COLA</u> <u>Only</u>	<u>Merit</u> <u>Only</u>	<u>COLA</u> <u>& Merit</u>
General Fund	\$62,636	\$40,775	\$98,789
Water Fund	\$2,748	\$1,974	\$4,760
Sewer Fund	\$2,046	\$1,470	\$3,544
Storm Water Fund	\$2,649	\$1,903	\$4,588
Recreation Fund	\$2,514	\$1,806	\$4,355
Citywide Totals	\$72,593	\$47,929	\$116,035

She added that both the COLA and Merit increases are reflected in the Proposed Budget.

Budget Issue #3: Should Lindon City continue to fund the insurance benefits for city employees?

Ms. Colson explained that Lindon City continues to contract with First West Benefits Solutions (FWBS) to manage the employee benefits. Staff asked FWBS to bid out the medical insurance coverage again this year. Renewal rates for Altius, who currently provides the medical insurance for employees, are estimated to increase 20%. Staff is hopeful that the bidding process will help the City to find lower rates or other plan options. Lindon City was notified by EMI, the dental insurance provider, that premiums would be increasing 4.0%. In the bidding process, FWBS received a lower bid from PEHP, lowering dental premiums 25.1%. She went on to say that two providers, Altius and PEHP, turned in competitive rates and plans and the employees met to discuss the options. After discussion with the employees, they opted to switch medical coverage to PEHP, which will save the City over \$23,000.

Ms. Colson further explained that as of July 1, 2013, the City will have 43 full-time employees, two ¾-time employees and one city council member with benefits. Lindon City has provided full-time employees a benefit allowance equal to the family premiums for the traditional medical plan and the dental plan less the determined amount for the employee participation. The amount for the employee participation changes each year by half of the percentage increase or decrease in the family medical and dental premiums. This year there is an increase of 4.77% so the employee participation will increase 2.38%.

She went on to say the overall benefit allowance increase, as determined by the increase in medical insurance premiums and offset by the increase in employee participation, is approximately 4.86% or \$808 per month for full-time employees taking medical insurance. Employees who do not participate in medical insurance through Lindon City will not receive an increase in their benefit allowance.

She then noted the Differential Fiscal Impact as follows:

2	General Fund	\$94,690
	Water Fund	\$3,121
	Sewer Fund	\$3,121
4	Storm Water Fund	\$3,121
	Recreation Fund	\$2,060
6	Citywide Total	\$106,113

8 She added that these increases are reflected in the Proposed Budget.

10 **Budget Issue #4: Should Lindon City hire a full-time water technician and change the Community Center Program Coordinator from part time to full time?**

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 14 Ms. Colson stated that the Public Works Director has requested that a full-time water technician be hired to assist in the water division. The Parks and Recreation Director have also requested that the Community Center Program Coordinator be
 16 changed from part time to full time. This would allow more time to initiate and oversee classes and activities which will be held in the Community Center.

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 20 Ms. Colson noted the fiscal impact and the amounts below reflect salaries and benefits with COLA and Merit increases for these positions.

22	<u>Water Technician</u>	
	Water Fund	\$63,991
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	<u>Program Coordinator</u>	
26	Recreation Fund	\$41,706

28 Ms. Colson stated the Budget Committee recommended that Lindon City
 30 postpone filling these requests and the amounts are **NOT** reflected in the Proposed Budget.

32 **Budget Issue #5: Should Lindon City increase Water, Sewer and Storm Water utility rates?**

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 36 Ms. Colson explained that the City Engineer recommends that these utility rates be increased annually using the Consumer Price Index (CPI) in order to cover the rising costs associated with operating and maintaining the systems. The average annual CPI
 38 increase from April 2012 to March 2013 is 1.9%. She noted that the City Engineer completed a review of the Sewer utility rates as part of the sewer bond process. The
 40 analysis concluded that Lindon City should increase sewer rates in order to cover the bond payments. Ms. Colson stated the recommended increase for 2013-2014 is 15%. This
 42 is the final increase to cover bond payments and future increases will be at the CPI rate.

44 She noted the recommended rate changes are listed below along with the 2012/2013 rates.

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Utility	2012-2013 Rates	Recommended 2013-2014 Rates
Water (1" meter)		
Below North Union Canal		
Base	\$15.41	\$15.70
Usage	\$1.27 / kgal	\$1.29 / kgal
Above North Union Canal		
Base	\$16.35	\$16.91
Usage	\$1.30 / kgal	\$1.34 / kgal
Upper Foothills		
Base	\$25.20	\$26.14
Usage	\$1.55 / kgal	\$1.63 / kgal
Sewer		
Base	\$14.19	\$16.32
Usage	\$2.55 / kgal	\$2.93 / kgal
Storm Water (per ESU)	\$4.75	\$4.84

(kgal = 1000 gallons; ESU = Equivalent Service Unit, i.e. a single family home)

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She then referenced the monthly increase on an average resident's utility bill (below North Union Canal) would be as follows:

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Water	\$0.45
Sewer	\$5.17
Storm	\$0.09
Add'l Tax	<u>\$0.34</u>
Total	\$6.05

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Differential Fiscal Impact as follows:

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Water Fund	\$20,970
Sewer Fund	\$177,000
Storm Water Fund	\$7,580

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These changes are reflected in the Proposed Budget and the revised Fee Schedule.

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Budget Issue #6: Should Lindon City increase Garbage and Recycling rates?

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Ms. Colson then explained that Lindon City charges residents for garbage and recycling collection. The rates are determined by three factors as follows:

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1. Allied Waste's collection rates
2. Allied Waste's fuel surcharge (variable)
3. North Pointe Solid Waste Transfer Stations tipping fees (based on varying weights).

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Ms. Colson explained the rates that Lindon City charges residents on their utility bills for garbage and recycling services were evaluated this year. She added that staff

found that the City is not collecting enough from customers to cover costs on additional garbage cans and this deficiency was being compensated by excess revenue from recycling containers.

She went on to say that Allied Waste Services is requesting a CPI increase of 2.1% on the garbage and recycling collection services for Lindon City. This rate was last increased 1.5% in July 2012 (they had requested a 3.0% increase). The increase applies only to Allied Waste's collection rates as their fuel surcharge is re-evaluated monthly.

Ms. Colson further explained that the North Pointe Solid Waste Transfer Station is also increasing their fees. Their per ton tipping fee will increase \$2.50, going from \$29/ton to \$31.50/ton. With these fee increases and the rate evaluation, the following rate changes are recommended.

<u>Service</u>	<u>2012-2013 Rates</u>	<u>Recommended 2013-2014 Rates</u>	<u>Change</u>
Garbage - First Can	\$9.58	\$9.90	\$0.32
Garbage - Each Add'l Can	\$4.94	\$7.32	\$2.38
Recycling - Each Can	\$4.79	\$4.13	(\$0.66)

Differential Fiscal Impact: An estimated increase in revenue and expenses of approximately \$11,000 is reflected in the Proposed Budget.

Ms. Colson then reviewed the proposed fee schedule changes.

Mayor Dain then thanked Ms. Colson for her presentation and exemplary service to the City. He called for any further discussion or comments. Hearing none he concluded the work session at 7:00 p.m.

REGULAR SESSION – 7:00 P.M. – Conducting: James A. Dain, Mayor

Pledge of Allegiance: Olivia Burnett, Youth Court Member

Invocation: Matt Bean, Councilmember

PRESENT

ABSENT

James A. Dain, Mayor

Mark L. Walker, Councilmember

Bret Frampton, Councilmember – arrived 7:20

Randi Powell, Councilmember

Matt Bean, Councilmember

Jeff Acerson, Councilmember

Adam Cowie, City Administrator

Cody Cullimore, Chief of Police

Hugh Van Wagenen, Planning Director

Kathryn Moosman, City Recorder

1. **Call to Order/Roll Call** – The meeting was called to order at 7:10 p.m.

2. **Presentations/Announcements** –

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- 4 a) **Mayor/Council Comments** – Mayor Dain recognized Planning Director, Hugh Van Wagenen, for hard work in nominating the Community Center for the Heritage Award. Councilmember Walker reported that the Memorial Day celebration will be held at the cemetery on Monday, May 27th at 9:00 a.m. He added that 25 new names will be added to the monument this year. Councilmember Powell mentioned that volunteers are still needed for Lindon Days.
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- 12 b) **Recognition** – *Lindon City Youth Court members*. The Mayor and Council recognized the Lindon City Youth Court at this time. Office John Lloyd was in attendance to introduce the three outgoing members of the Youth Court. Office Lloyd presented the members with a certificate of recognition for their outstanding service to the community. Office Lloyd and Mindi Zobell then introduced the four incoming members of the Youth Court and read a brief biography on each new member. Mayor Dain then administered the Oath of Office to the new members. Mayor Dain congratulated all of the Youth Court members and thanked them for their willingness to serve.
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- 22 c) **Recognition** – *Distinguished Budget Presentation Award*. The Mayor and Council recognized Lindon City Finance Director, Kristen Colson, for her efforts in obtaining the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA) for fiscal year 2011-12 Lindon City Budget. Mayor Dain noted that certain criteria must be met in order to achieve this award and he expressed his appreciation for her hard work and service to the City.
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30 Mayor Dain called for any further questions or comments. Hearing none he moved on to the next agenda item.

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- 34 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council of May 7, 2013 were reviewed.

36 COUNCILMEMBER WALKER MOVED TO APPROVE THE MINUTES OF THE MEETING OF MAY 7, 2013 AS AMENDED. COUNCILMEMBER ACERSON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

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

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5. **Open Session for Public Comment** –

Mayor Dain called for any public comment not listed as an agenda item. Angie Hendrickson, Lindon Days Chairman, approached the Council at this time. Ms. Hendrickson mentioned that a Grand Marshal needs to be selected for the Lindon Days celebration. She added that she has a tentative schedule for the Lindon Days events and would like to present it to the Council so they can pick the events they would like to attend. She noted that the theme for this year’s celebration is “City of Service”. Mayor Dain stated that there is time set aside during the administrators report to discuss these issues. Mayor Dain called for any further public comment. Hearing none he moved on to the next agenda item.

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CURRENT BUSINESS

6. **Discussion** – *Utah State Legislators Introductions and Updates.* Utah State Senator John Valentine, who represents a portion of Lindon City, will be present to introduce himself to the City Council and answer questions regarding significant legislative issues from the past session. Other State matters affecting Lindon City may also be discussed. Senator Dayton, Representative Peterson, and Representative Stratton attended the May 7th Council meeting for a similar discussion.

Mayor Dain opened the discussion by welcoming Senator John Valentine to the meeting. Senator Valentine expressed his appreciation for being invited to meet with the Lindon City Council to discuss several issues that intersect between the partnership with the city and the state. He noted that in the last legislative session he saw some intersection points between the cities and the state that are important to address with the cities that he represents, Orem, Lindon, Pleasant Grove, American Fork, Cedar Hills, Highland and Alpine. Senator Valentine stated that this is a partnership and we are all in this together and some of the issues he will talk about tonight are from the State’s perspective on issues, but they also affect the cities. He noted there are two tax issues that are going to have to be faced in this intersection between the cities and the state.

1. **Gasoline Tax** – There has not been a gasoline tax increase in 17 years, yet the number of cars we are driving and the number of road miles and the gas efficiencies have all gone against us as far as maintaining the roads, both in the B&C road funds and in the cities A funds. He noted at this point he does not advocate a decline of not having a gasoline tax increase but we are about due for one. He noted the issue will be do we share with the B&C road funds or not. He added that the gas tax may not be the only way to raise money to fix the roads but is the only gain right now. He went on to say that somewhere along the line we need to decide how we maintain the roads. Do we continue to use general funds, as the gas tax barely pays for the maintenance of the roads? Senator Valentine stated the gasoline tax is an issue where a partnership will be needed, but we need to make certain the cities are not lost in that debate and they should receive their share of the B&C road funds if there is an increase.

2 2. **Property Tax** – Senator Valentine noted that he refers to specifically the property
3 tax when there was a Truth in Taxation protest to a potential increase. He noted
4 that cities have had struggles with the operation of their budgets that brings into
5 focus a real problem that we have in the way the Truth in Taxation Law is written.
6 Once the final certified rate based upon the adopted budget, it starts a series of
7 events and time frames. Those time frames however, are not in enough time to
8 actually get a successful petition drive to be voted on in the November year of the
9 budget. If there is a stay you cannot increase your budget for that year or the next
10 year and it is frozen in the budget for a two (2) year period even though the
11 protest on the truth in taxation was in the prior year. He noted the bill he had last
12 year would consolidate the time periods to give a guarantee to both the citizens
13 and to the city that the vote would occur in the year when the protest occurred.
14 He proposed to fix the time frame so the vote would occur in the year that the
15 petition was filed to allow more time to get it done, but he forgot about one
16 problem; the federal government has a requirement to send absentee ballots 30
17 days in advance of the election which mean 45 days for overseas voters so the
18 timelines would not work. Consequently, he had to pull the bill for this session
19 and come up with another solution. He proposed being able to vote in the same
20 year in which you have the petition rather than two years out. He noted that he is
21 will to listen to any ideas or suggestions from the cities on how to solve this
22 problem. Senator Valentine stated that we will have to continue to work on this
23 issue as a city and a state as a partnership.

24 3. **Land and Property Rights and RDA's** – Senator Valentine noted that property
25 rights are an issue that keeps coming up and we will continue to see pressure from
26 citizens on land rights and zoning rights and on redevelopment agencies. Senator
27 Valentine noted that he has been called a lot from certain portions of his Senate
28 District regarding this issue; but there have not been any calls from Lindon in his
29 26 years in the senate which shows that Lindon is doing good things. This issue
30 will continue to come up and if there are any issues that may affect Lindon to
31 please let him know.

32 4. **Water (Senate Bill 109)** – Senator Valentine stated that Senate Bill 109 was a
33 difficult issue and became so convoluted that no one could understand it in the
34 end. When the bill came back from the house there were so many things in the bill
35 that it became impossible to understand. Water is a limited resource in Utah and
36 we have more legal paper water than actual water. Water will be a pinch point for
37 development and economic growth and for our way of living.

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39 Senator Valentine mentioned there are three (3) issues that need to be focused on that
40 emerged out of Senate Bill 109 as outlined below:

- 41 a) Forfeiture. How does the State Engineers office and the Courts
42 interact on the issue of forfeiture? Who makes the decision on non-
43 use of water, the State Engineer or the Court? Does the State
44 Engineer have the authority to take away water rights? It turns out
45 in the end the proper balance is the forfeiture fact finding should be
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initiated by engineer's office and then make a recommendation, and if the parties agree, it is done and if parties do not agree they have 30 days that the agreed party can appeal to the court. The courts would then have the ultimate decision for forfeiture. The State of Utah recognizes that water is a property right.

b) City Rights of Holding on to Water – Cities can hold water up to 40 years as reserve before facing forfeiture. Cities have to have the ability to bank water rights and he will fight for these rights. The Executive Water Task Force has been directed in looking at rational ways of allocating water resources.

c) Shareholder Rights – Where do the shareholders have the right to use their water? The goal is to have shareholder rights to move water rights from the historic service area to an area outside of the historic service area. The water companies have a legitimate concern over these carriage problems. How do we balance the rights of the shareholders vs. the irrigation companies? This issue will have tradeoffs in whatever happens in Senate Bill 109.

There was then some general discussion between the Council and Senator Valentine on the above referenced issues. Mayor Dain brought up the issue of the justice court. He stated that the city is going in the hole to process a DUI and other cases through the court and the city is subsidizing the court. Senator Valentine stated that he is no longer on the judiciary committee so he does not have any information regarding this issue but he would be happy to schedule a time to speak with Judge Bullock.

Senator Valentine stated that he appreciates the Council's work in the City and appreciates the opportunity to meet for discussion. Mayor Dain expressed this appreciation to Senator Valentine for coming and for representing Lindon so well. Mayor Dain called for any further discussion from the Council. Hearing none he moved on to the next agenda item.

7. **Review and Action** – *Minor Subdivision: Marian Estates – 611 E. Center Street.*

This is a request by Kurt & Kerrie Fisher for approval of a two (2) lot minor subdivision to be known as Marian Estates and located in the R1-20 zone. The Planning Commission recommended approval of the subdivision.

Hugh Van Wagenen, Planning Director, opened the discussion by explaining that Mr. Leifson is in attendance representing the applicants, Kurt and Kerrie Fisher. Mr. Leifson is requesting approval on a two (2) lot minor subdivision located at 611 East Center Street. The subdivision is located in the Single Family Residential zone where minimum lot square footage is 20,000 square feet (R1-20). Mr. Van Wagenen explained that this subdivision's two lots will have frontage on different streets (Center Street and 100 North) but both frontages are already improved with curb, gutter and sidewalk. The lot on Center Street has an existing home and the vacant lot on 100 North already has utilities stubbed to it. He added the improvements were done when the Stableridge

Subdivision was developed. Mr. Van Wagenen stated there is also sufficient street frontage length on both lots and both meet the 20,000 square foot lot minimum. Mr. Van Wagenen commented that there is no public utility easement on the west side of Lot #1 due to an existing shed and the application meets all applicable ordinances and staff has no concerns. There was then some general discussion regarding this minor subdivision application.

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

COUNCILMEMBER FRAMPTON MOVED TO APPROVE THE TWO LOT MINOR SUBDIVISION KNOWN AS MARIAN ESTATES. COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

8. **Concept Review** – *Osmond Senior Living: 175 N. State Street*. This is a request by Jared Osmond of Osmond Senior Living to review a proposed 40-50 bed assisted living senior facility in the building currently known as Somewhere Inn Time. No motions will be made on this item.

Mr. Van Wagenen explained this item is a request by Jared Osmond of Osmond Senior Living to review a proposed 40-50 bed assisted living senior facility on the property currently known as Somewhere Inn Time. He noted that a concept review is an opportunity for an applicant to pitch an idea before the Planning Commission and City Council and get feedback; he added that this is an informal presentation with no application materials required from the applicant. The Council is in no way committing to an approval or denial for a future application based on this review as no motion is required as part of this review.

Jared Osmond was in attendance to address the Council. He gave a quick overview of his concept review of a Senior Living Facility proposed in the Somewhere Inn Time building. He noted they are under contract with the Somewhere Inn Time Building and will close between 30 to 60 days and everything is on line to move forward. He stated that they have a facility in Cedar Hills where they charge less and have more amenities and they plan to do the same type of facility in Lindon.

Mr. Osmond commented that the senior population is growing and so is the need for assisted living facilities. He added that the Somewhere Inn Time building provides a perfect fit for their concept. They are proposing a 40-50 unit facility, which is a manageable size. Mr. Osmond stated there may be a Phase II development made at a later date for Independent Living that would also be kept in the realm of the current zoning laws. He then presented his PowerPoint presentation. There was then some general discussion by the applicant and the Council regarding this item.

2 Mr. Osmond stated that the proposed facility will blend in architecturally and will
3 have some great amenities. He then thanked the Council for their time and consideration.
4 Mayor Dain called for any further comments or discussion. Hearing none he moved on
5 to the next agenda item.

6 9. **Review and Action** – *Purchase of Real Property: 323 N. 135 W.* The City Council
7 will review and take action on a proposed purchase of 4,864 sq/ft of real property
8 valued at \$24,75.76 from R&R Land and Properties, LC in order to make the city-
9 owned parcel at 319 N. 135 W. large enough to be sold as a conforming residential
10 building lot in the R1-20 zone.

12 Mr. Van Wagenen opened the discussion by stating this is a request for the City
13 Council to approve a land purchase of 4,864 square feet from R and R Land and
14 Properties, LC (RaNae Brereton) for the price of \$24,757.76 and other associated costs
15 estimated to be approximately \$1,000.00. He noted that if the associated costs exceed
16 \$1,000, staff will request authorization to expend the necessary funds, using appropriate
17 discretion. Mr. Van Wagenen explained that the land purchase is located at 319 North
18 135 West and will add required square footage to the lot in order to meet the 20,000
19 square foot minimum for a building lot in the R1-20 zone. There was then some general
20 discussion regarding the property purchase.

21 Mayor Dain called for any further comments or questions from the Council.
22 Hearing none he called for a motion.

24 COUNCILMEMBER ACERSON MOVED TO APPROVE THE PURCHASE
25 OF REAL PROPERTY. COUNCILMEMBER POWELL SECONDED THE MOTION.
26 THE VOTE WAS RECORDED AS FOLLOWS:

27 COUNCILMEMBER WALKER AYE
28 COUNCILMEMBER FRAMPTON AYE
29 COUNCILMEMBER BEAN AYE
30 COUNCILMEMBER POWELL AYE
31 COUNCILMEMBER ACERSON AYE

32 THE MOTION CARRIED UNANIMOUSLY.

34 10. **Review and Action** – *Plat Amendment: Bishop Corner Plat B - 319 N. 135 W.* This is
35 a request by Lindon City Corporation for approval of a plat amendment to two (2)
36 lots in the Bishop Corner Plat A Subdivision. This amendment will modify the lot
37 lines so that both lots meet the required 20,000 square foot minimum area for lots in
38 the R1-20 zone. No new lots will be created. The Planning Commission
39 recommended approval of the plat amendment.

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41 Hugh Van Wagenen opened the discussion by noting that the City purchased Lot
42 #2, on where an old LDS tithing house is located, in the anticipation that the building
43 would be restored and used as a public meeting space or a museum. He noted that it was
44 not intended to be a building lot and that is why Lot #2 does not have the required 20,000
45 square feet. However, with the procurement of the Community Center, the tithing house
46 was deemed surplus to City needs.

2 Mr. Van Wagenen further explained that in order to sell Lot #2 as a buildable lot,
it was necessary for the City to purchase the requisite square footage from the owner of
4 Lot #1. Fortunately, there is enough square footage available to meet the 20,000 square
feet for both lots as required by the zone. Lot #2 will no longer be a "Public Area" as
6 indicated on the current plat. He noted that the application meets all applicable
ordinances. Mr. Van Wagenen mentioned that the Planning Commission voted 6-1 in
8 favor of this plat amendment; however, Commissioner Lundberg voiced her concerns that
the Old Tithing House was going to be demolished and therefore voted against the
10 motion to approve. Mayor Dain pointed out that as this property is marketed there are
some things about this lot that make it more valuable than a raw lot as it has sewer and
12 water connections, secondary connections etc. There was then some additional
discussion regarding this agenda item.

14 Mayor Dain called for any further comments or questions from the Council.
Hearing none he called for a motion.

16 COUNCILMEMBER POWELL MOVED TO APPROVE THE PLAT
AMENDMENT REQUEST TO BISHOP CORNER PLAT A IN ORDER TO CREATE
18 BISHOP CORNER PLAT B. COUNCILMEMBER FRAMPTON SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

26
28 11. **Review and Action** – *Bid Award for State Street Water Line Replacement*. This is a
request by staff for the Council's review and approval of the bid award for the
30 replacement of 1,050 ft of water line located on State Street between Gillman Lane
and approximately 300 North. Three bids were received. Staff recommends awarding
32 the bid to the low bidder, Skip Dunn and Sons Excavating, with a bid of \$97,903.59.

34 Mr. Cowie referenced an attached letter from Mark Christensen, City Engineer,
stating that they have tabulated the bids submitted for the bid award for the State Street
36 Water Line Replacement. Mr. Cowie noted that in the letter Mr. Christensen states that
the "Our Opinion of Construction Cost" for the project is \$115,543.25. This cost is less
38 than the bid limit established by the Utah State Code, which gives the City the option of
bidding by invitation only. He further stated three bidders were invited to bid on the
project and all three attended the pre-bid meeting and submitted their bids. Mr. Cowie
40 noted the low bidder was Skip Dunn and Sons Excavating with a bid coming in at
\$97,903.59, which is \$17,639.66 (15.27%) lower than the Opinion. Mr. Cowie stated that
42 Mr. Christensen feels this is a quality bid. Mr. Cowie added that Skip Dunn and Sons
Excavating have successfully completed projects for Lindon City in the past and they are
44 recommending that the City accept their bid and award them the project. The letter
further states that JUB Engineers have prepared the Notice of Award that is included

2 along with the bid tabulation and they will proceed in accordance with the direction given
3 by the Council.

4 Mr. Cowie then referenced a map depicting the area for replacement of which
5 1,050 feet is in need of replacement. He added that this project is a bit of a rush as we
6 need to get ahead of the State Street project which will start in mid-June. There was then
7 some general discussion regarding the bid award. Mayor Dain called for any further
8 comments or questions from the Council. Hearing none he called for a motion.

9
10 COUNCILMEMBER ACERSON MOVED TO AWARD THE 2013 STATE
11 STREET WATER LINE REPLACEMENT PROJECT TO THE LOW BIDDER, SKIP
12 DUNN AND SONS EXCAVATING, WITH A BID OF \$97,903.59 AND AUTHORIZE
13 STAFF TO PROCEED WITH FINALIZING THE PROJECT. COUNCILMEMBER
14 WALKER SECONDED THE MOTION. THE VOTE WAS RECORDED AS
15 FOLLOWS:

16 COUNCILMEMBER WALKER	AYE
17 COUNCILMEMBER FRAMPTON	AYE
18 COUNCILMEMBER BEAN	AYE
19 COUNCILMEMBER POWELL	AYE
20 COUNCILMEMBER ACERSON	AYE

21 THE MOTION CARRIED UNANIMOUSLY.

22 12. **Review and Action** – *Resolution #2013-9-R, CARE Tax Notice of Intent*. The City
23 Council will review and take action on Resolution #2013-8-R to notify the Utah
24 County Commission of the City of Lindon’s intent to submit an opinion question to
25 Lindon residents regarding whether Lindon should impose a citywide 0.1% (one tenth
26 of one percent) sales and use tax to fund cultural, recreational and zoological facilities
27 and botanical, cultural, and zoological organizations in Lindon City. This tax is
28 commonly referred to as a CARE, RAP, or ZAP tax.

29
30 Mr. Cowie opened the discussion by referencing a letter submitted to the Utah
31 County Commissioners noting that the Lindon City Council has passed a Resolution
32 (#2013-9-R) declaring Lindon’s intent to submit an opinion question to Lindon voters as
33 to whether the City should impose a citywide sales and use tax of 0.1% to fund cultural,
34 recreational, and zoological facilities and botanical, cultural, and zoological organizations
35 in Lindon City (sometimes referred to as a “CARE” tax). Mr. Cowie noted that State law
36 requires Lindon City to give Utah County notice of its intent to submit the opinion
37 question to Lindon voters. He added that State Code then provides Utah County sixty
38 days from receipt of the notice to provide Lindon with either:

- 39 1. A resolution stating that the County Commission is not seeking to impose a
40 countywide “CARE” tax, under Part 7 of Chapter 12, Title 59 of the Utah Code or
 - 41 2. A written notice that the County Commission will submit an opinion question to
42 county residents regarding the imposition of a countywide “CARE” tax.
- 43

44
45 There was then some general discussion regarding the CARE Tax notice of intent.
46 Mr. Cowie state that the CARE Tax would be put on the ballot in the November election.

2 Mayor Dain inquired if a work session is needed. Mr. Cowie confirmed that a
work session would be beneficial. Mayor Dain called for any further comments or
questions from the Council. Hearing none he called for a motion.

4
6 COUNCILMEMBER POWELL MOVED TO APPROVE RESOLUTION #2013-
9-R; NOTIFYING THE UTAH COUNTY COMMISSION OF LINDON'S INTENT TO
SUBMIT AN OPINION QUESTION TO LINDON RESIDENTS REGARDING
8 WHETHER LINDON SHOULD IMPOSE A CITYWIDE 0.1% SALES TAX AND USE
TAX TO FUND CULTURAL, RECREATIONAL AND ZOOLOGICAL FACILITIES
10 AND BOTANICAL, CULTURAL, AND ZOOLOGICAL ORGANIZATIONS IN
LINDON CITY. COUNCILMEMBER BEAN SECONDED THE MOTION. THE
12 VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE

14 COUNCILMEMBER FRAMPTON AYE

COUNCILMEMBER BEAN AYE

16 COUNCILMEMBER POWELL AYE

COUNCILMEMBER ACERSON AYE

18 THE MOTION CARRIED UNANIMOUSLY.

20 13. **Public Hearing** – *Review of Proposed Budget for Fiscal Year 2013-2014.* The City
Council will receive public comment on the proposed city budget for fiscal year
22 2013-2014, including the allocation of revenue from the water, sewer, storm water,
and other enterprise funds to the general fund. The tentative budget was adopted on
24 April 16, 2013. Additional budget committee meetings and public work sessions have
been held where budget issues were discussed. Staff will present issues associated
26 with the proposed budget, including changes to the city-wide fee schedule, and
receive direction from the Council. This is the first of two public hearings to be held
28 on the budget. A public hearing for the adoption of the final budget is scheduled for
June 4, 2013.

30
32 COUNCILMEMBER WALKER MOVED TO OPEN THE PUBLIC HEARING.
COUNCILMEMBER FRAMPTON SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

34
36 Ms. Colson opened the discussion by giving an overview of the proposed budget
for fiscal year 2013-2014. She noted that the tentative budget was adopted by the
Council on April 16, 2013. Ms. Colson then presented the proposed budget by issue
38 number as follows:

40 **Budget Issue #1 – Should Lindon City implement changes recommended in the
Salary Survey Report?**

42
44 Ms. Colson explained that this year Lindon City conducted a salary survey to determine
if the salaries of the City's employees were comparable with other cities. Lindon City has
historically conducted salary surveys every 3-5 years. The last survey was conducted 5
46 years ago. Salary surveys provide useful information to attract, support and retain

employees. A salary survey is a standard method of finding out what other organizations are paying for specific jobs or job classes.

She noted the survey included eight Utah County cities: Alpine, American Fork, Highland, Payson, Pleasant Grove, Saratoga Springs, Spanish Fork and Springville. The survey results showed that most positions at Lindon City are paid within a 5% variance of the average of their counterparts. There were, however, five positions with salaries that are more than 10% below average.

Ms. Colson stated that in order to bring the salaries for these positions closer to the survey's averages, the positions should be moved on Lindon's Pay Scale from their current range to the recommended range. Ms. Colson mentioned that there is more detailed information available in the Salary Survey Report. She then referenced the recommended changes as summarized below.

<u>Position:</u>	<u>Move from Range:</u>	<u>Move to Range:</u>	<u>Fiscal Impact:</u>
Finance Director	23	26	\$14,189
Clerk/Typist I	6	8	\$1,467
Parks & Rec. Dir.	21	25	\$16,112
Police Chief	25	27	\$12,708
Public Works Dir.	25	27	\$13,436

Ms. Colson noted that differential fiscal impact would be the increase of \$57,912 in the general fund that is reflected in the Proposed Budget. Ms. Colson noted that Lindon City focused the survey on full-time employees and part-time administrative staff. Ms. Colson stated that the City currently employs 45 full-time employees and 6 part-time administrative employees.

Ms. Colson further noted that it is also important to look at job duties and responsibilities not just job titles when deciding if salary survey information is comparable. To be comparable the jobs must have a similar level of responsibility and range of duties. Lindon City contacted eight cities in Utah County and collected information on job positions, job descriptions and salary ranges for each position. Not all job positions matched. Some cities did not have all of the job positions that Lindon City has. Lindon City staff did its best to compile the information for similar job positions. She added that the survey results are included in the staff report.

Ms. Colson then referenced the table showing each range's low, median, and high salaries for Lindon City. The range medians were used to compare to survey medians in order to calculate each position's variance from the survey averages. There are five positions recommended for repositioning on the Pay Scale. In order to find the range these positions should be moved to, the survey's median was used to find the closest median on Lindon's ranges. In calculating the financial impact of the recommended salary changes, the pay scale for 2012-2013 is used. Thus, the financial impact will not

include cost of living or merit increases. The benefits that are impacted by an increase in salary are Social Security, Medicare and retirement.

Ms. Colson noted that even though the last salary survey was conducted and implemented five years ago, only five positions are in need of adjustment on Lindon City’s Pay Scale. She also referenced a table summarizing the survey results in the columns marked “Average”. Then the median salaries of Lindon City positions are compared to the median salaries of the survey results. Positions that have -10% or more variance are recommended to be repositioned on Lindon’s Pay Scale. The amounts are shown as hourly rates.

Mayor Dain called for any public comments. Jim Slade, Lindon resident asked about the benefits and salary breakdown. Mayor Dain explained the breakdown to Mr. Slade.

BUDGET ISSUE #1:

THE STRAW POLL VOTE WAS RECORDED AS FOLLOWS:

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

Budget Issue #2 – Should Lindon City provide employees with a 1.9% Cost of Living Allowance (COLA) increase and provide for a merit increase in January?

Ms. Colson explained that the Consumer Price Index (CPI) had an average annual increase of 1.9% from April 2012 to March 2013 according to US Department of Labor. She noted that employee performance evaluations are performed annually in January at which time merit increases would be available to those who meet a predetermined criteria. She added that historically, COLA and merit increases have provided somewhat consistent buying power for the employees and have kept salaries competitive and employee morale high. She then noted the differential fiscal impact as follows:

	<u>COLA</u> <u>Only</u>	<u>Merit</u> <u>Only</u>	<u>COLA</u> <u>& Merit</u>
General Fund	\$62,636	\$40,775	\$98,789
Water Fund	\$2,748	\$1,974	\$4,760
Sewer Fund	\$2,046	\$1,470	\$3,544
Storm Water Fund	\$2,649	\$1,903	\$4,588
Recreation Fund	\$2,514	\$1,806	\$4,355
Citywide Totals	\$72,593	\$47,929	\$116,035

She added that both the COLA and Merit increases are reflected in the Proposed Budget.

2 Mayor Dain called for any public comments. Jim Slade inquired what the merit increase
4 is. Mr. Cowie responded informing Mr. Slade the merit increase is based on the salary
6 range and essentially can move up based on the evaluation. He added that supervisors
have a year end annual performance evaluation and if the employee meets the threshold
they will get the merit increase. Councilmember Powell mentioned that the City has
great department heads that perform the evaluations.

8 **BUDGET ISSUE #2:**

THE STRAW POLL VOTE WAS RECORDED AS FOLLOWS:

10	COUNCILMEMBER WALKER	AYE
	COUNCILMEMBER BEAN	AYE
12	COUNCILMEMBER FRAMPTON	AYE
	COUNCILMEMBER ACERSON	AYE
14	COUNCILMEMBER POWELL	AYE

16 **Budget Issue #3 – Should Lindon City continue to fund the insurance benefits for
city employees?**

18 Ms. Colson explained that Lindon City continues to contract with First West Benefits
20 Solutions (FWBS) to manage the employee benefits. Staff asked FWBS to bid out the
22 medical insurance coverage again this year. Renewal rates for Altius, who currently
24 provides the medical insurance for employees, are estimated to increase 20%. Staff is
26 hopeful that the bidding process will help the City to find lower rates or other plan
28 options. Lindon City was notified by EMI, the dental insurance provider, that premiums
would be increasing 4.0%. In the bidding process, FWBS received a lower bid from
PEHP, lowering dental premiums 25.1%. She went on to say that two providers, Altius
and PEHP, turned in competitive rates and plans and the employees met to discuss the
options. After discussion with the employees, they opted to switch medical coverage to
PEHP, which will save the City over \$23,000.

30 Ms. Colson further explained that as of July 1, 2013, the City will have 43 full-time
32 employees, two ¾-time employees and one city council member with benefits. Lindon
34 City has provided full-time employees a benefit allowance equal to the family premiums
36 for the traditional medical plan and the dental plan less the determined amount for the
employee participation. The amount for the employee participation changes each year by
38 half of the percentage increase or decrease in the family medical and dental premiums.
This year there is an increase of 4.77% so the employee participation will increase
2.38%.

40 She went on to say the overall benefit allowance increase, as determined by the increase
42 in medical insurance premiums and offset by the increase in employee participation, is
44 approximately 4.86% or \$808 per month for full-time employees taking medical
insurance. Employees who do not participate in medical insurance through Lindon City
will not receive an increase in their benefit allowance.
She then noted the Differential Fiscal Impact as follows:

	General Fund	\$24,506
2	Water Fund	\$808
	Sewer Fund	\$808
4	Storm Water Fund	\$808
	Recreation Fund	<u>\$533</u>
6	Citywide Total	\$27,463

8 Ms. Colson noted that these increases will be reflected in the Final Budget. Mayor Dain called for any public comments. There were no public comments.

10

BUDGET ISSUE #3:

12 THE STRAW POLL VOTE WAS RECORDED AS FOLLOWS:

	COUNCILMEMBER WALKER	AYE
14	COUNCILMEMBER BEAN	AYE
	COUNCILMEMBER FRAMPTON	AYE
16	COUNCILMEMBER ACERSON	AYE
	COUNCILMEMBER POWELL	AYE

18

Budget Issue #4 – Should Lindon City hire a full-time water technician and change the Community Center Program Coordinator from part time to full time?

20

22 Ms. Colson stated that the Public Works Director has requested that a full-time water technician be hired to assist in the water division. The Parks and Recreation Director has also requested that the Community Center Program Coordinator be changed from part time to full time. This would allow more time to initiate and oversee classes and activities which will be held in the Community Center.

28 Ms. Colson noted the fiscal impact and the amounts below reflect salaries and benefits with COLA and Merit increases for these positions.

30	<u>Water Technician</u>	
	Water Fund	\$63,991
32		
	<u>Program Coordinator</u>	
34	Recreation Fund	\$41,706

36 Ms. Colson stated the Budget Committee recommended that Lindon City postpone filling these requests and the amounts are **NOT** reflected in the Proposed Budget. Mayor Dain called for any public comments. There were no public comments.

40 **BUDGET ISSUE #4:**

THE STRAW POLL VOTE WAS RECORDED AS FOLLOWS:

42	COUNCILMEMBER WALKER	NAY
	COUNCILMEMBER BEAN	NAY
44	COUNCILMEMBER FRAMPTON	NAY
	COUNCILMEMBER ACERSON	NAY
46	COUNCILMEMBER POWELL	NAY

Budget Issue #5 – Should Lindon City increase Water, Sewer and Storm Water utility rates?

Ms. Colson explained that the City Engineer recommends that these utility rates be increased annually using the Consumer Price Index (CPI) in order to cover the rising costs associated with operating and maintaining the systems. The average annual CPI increase from April 2012 to March 2013 is 1.9%. She noted that the City Engineer completed a review of the Sewer utility rates as part of the sewer bond process. The analysis concluded that Lindon City should increase sewer rates in order to cover the bond payments. Ms. Colson stated the recommended increase for 2013-2014 is 15%. This is the final increase to cover bond payments and future increases will be at the CPI rate.

She noted the recommended rate changes are listed below along with the 2012/2013 rates.

Utility	2012-2013 Rates	Recommended 2013-2014 Rates
Water (1" meter)		
Below North Union Canal		
Base	\$15.41	\$15.70
Usage	\$1.27 / kgal	\$1.29 / kgal
Above North Union Canal		
Base	\$16.35	\$16.91
Usage	\$1.30 / kgal	\$1.34 / kgal
Upper Foothills		
Base	\$25.20	\$26.14
Usage	\$1.55 / kgal	\$1.63 / kgal
Sewer		
Base	\$14.19	\$16.32
Usage	\$2.55 / kgal	\$2.93 / kgal
Storm Water (per ESU)	\$4.75	\$4.84

(kgal = 1000 gallons; ESU = Equivalent Service Unit, i.e. a single family home)

She then referenced the monthly increase on an average resident's utility bill (below North Union Canal) would be as follows:

Water	\$0.45
Sewer	\$5.17
Storm	\$0.09
Add'l Tax	<u>\$0.34</u>
Total	\$6.05

She noted the Differential Fiscal Impact as follows:

Water Fund	\$20,970
Sewer Fund	\$177,000
Storm Water Fund	\$7,580

Ms. Colson stated these changes are reflected in the Proposed Budget and the revised Fee Schedule. Mayor Dain called for any public comments. There were no public comments.

BUDGET ISSUE #5:

THE STRAW POLL VOTE WAS RECORDED AS FOLLOWS:

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

Budget Issue #6 – Should Lindon City increase Garbage and Recycling Rates?

Ms. Colson explained that the City charges residents for garbage and recycling collection. The rates are determined by three factors as follows:

- ▶ Allied Waste’s Collection rates
- ▶ Allied Waste’s fuel surcharge (variable)
- ▶ North Point Solid Waste Transfer Stations tipping fees (based on varying weights)

Ms. Colson noted the rates that Lindon City charges residents on their utility bills for garbage and recycling services were evaluated this year. She noted that staff found that the City is not collecting enough from customers to cover the costs on additional garbage cans and this deficiency was being compensated by excess revenue from recycling containers.

Ms. Colson explained that Allied Waste Services is requesting a CPI increase of 2.1% on the garbage and recycling collection services for Lindon City. This rate was last increased 1.5% in July 2012 (they had requested a 3.0% increase). The increase applies only to Allied Waste’s collection rates as their fuel surcharge is re-evaluated monthly. She added that the North Pointe Solid Waste Transfer Station is also increasing their fees, and their per ton tipping fee will increase \$2.50, going from \$29/ton to \$31.50/ton. With these fee increases and the rate evaluation, the following rate changes are recommended.

<u>Service</u>	<u>2012-2013 Rates</u>	<u>Recommended 2013-2014 Rates</u>	<u>Change</u>
Garbage - First Can	\$9.58	\$9.90	\$0.32
Garbage - Each Add’l Can	\$4.94	\$7.32	\$2.38
Recycling - Each Can	\$4.79	\$4.13	(\$0.66)

Differential Fiscal Impact: An estimated increase in revenue and expenses of approximately \$11,000 is reflected in the Proposed Budget.

BUDGET ISSUE #6:

THE STRAW POLL VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER UNDECIDED
2 COUNCILMEMBER BEAN AYE
COUNCILMEMBER FRAMPTON AYE
4 COUNCILMEMBER ACERSON AYE
COUNCILMEMBER POWELL AYE

6
Mr. Cowie then referenced a memo included in the staff report regarding proposed
8 budget reductions and savings. Included in the memo is a list of items the City has
already implemented and also proposed items to implement in order to reduce
10 expenditures in both the current fiscal year and the proposed 2013-2014 budget.

12 Ms. Colson then reviewed the Lindon City Fee Schedule changes and increases by line
item followed by some general discussion.

14
Mayor Dain called for any public comments. Angie Hendrickson questioned what
16 happens with the city insurance when the affordable care act goes into effect in 2014 and
if Lindon City is considered a large employer. Ms. Colson stated that we are considered
18 a large employer even though the city has fewer than 50 full-time employees but when
you factor in the part-time employees we are considered a large employer. She added that
20 currently participation is adequate, so we don't need to revisit how much we are
participating towards employee benefits. We are looking at all of the rules to ensure we
22 are making changes that need to be made. Jim Slade had question on the cemetery fees
for Saturday burials. Ms. Colson noted that the fee is an extra \$275 for Saturday burials.
24 Mr. Slade suggested checking with other cities, as most do not allow Saturday burials and
if they do the charge is \$500.00.

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

30
Mayor Dain expressed his appreciation for all of the hard work that has been done
32 on the budget. Councilmember Walker had a question on the police department budget
and asked if he could review this issue with Ms. Colson at a later date. Councilmember
34 Walker noted that he appreciates what Ms. Colson and Mr. Cowie has done in preparing
the budget and the he also appreciates the input from the budget committee. Mayor Dain
36 called for any further comments or discussion from the Council. Hearing none he called
for a motion.

38
40 **14. Recess to Lindon City Redevelopment Agency Meeting (RDA)**

COUNCILMEMBER WALKER MOVED TO RECESS THE MEETING OF
42 THE LINDON CITY COUNCIL AND CONVENE THE MEETING OF THE LINDON
CITY REDEVELOPMENT AGENCY AT 10:20 P.M. COUNCILMEMBER
44 PPOWELL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE
MOTION CARRIED.

2 BOARDMEMBER POWELL MOVED TO ADJOURN THE MEETING OF
THE LINDON CITY REDEVELOPMENT AGENCY AND RECONVENE THE
4 MEETING OF THE LINDON CITY COUNCIL AT 10:25 P.M. BOARDMEMBER
FRAMPTON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.
6 THE MOTION CARRIED.

8 15. **Public Hearing** – *Disposal of Surplus Real Property*. The City Council will receive
public comment and take action to declare surplus real property at two locations and
10 authorize disposal of property as follows: a) Declaring as surplus and authorizing
disposal of 0.462 acres of real property located at approximately 200 North 2000
12 West. The property is being purchased by UDOT for future right-of-way along the
proposed Vineyard Connector state highway; b) Declaring as surplus and authorizing
14 disposal of 20,000 sq/ft of real property known as Bishop Corner Plat B, Lot 3,
located at 319 N. 135 W.

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

20 Mr. Cowie opened the discussion by stating that staff will outline recommended
surplus land disposal according to the attached documentation, and request authorization
22 for staff to finalize the transactions, and/or market the properties as appropriate, and
allow the Mayor to sign the final documents. Mr. Cowie noted the property has a low
24 value and nothing can be built on it as it will be a future state highway. The property is
0.462 acres of real property located at approximately 200 North and 2000 West. He then
26 noted a map depicting the property in question. Mr. Cowie explained the property is
being purchased by UDOT for future right-of-way along the proposed Vineyard
28 Connector state highway. Mr. Cowie stated that UDOT proposes paying Lindon City
\$20,352 for the Vineyard Connector parcels. The caveat is that the road may not be built
30 for 8-10 years. UDOT is asking the city to continue to keep the road open and maintain it
as best we can. There was then some general discussion regarding this agenda item.

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

36 Mayor Dain called for any further comments or discussion from the Council.
38 Hearing none he called for a motion.

40 COUNCILMEMBER WALKER MOVED TO APPROVE THE DISPOSAL OF
0.462 ACRES OF REAL PROPERTY LOCATED AT APPROXIMATELY 200 NORTH
42 2000 WEST TO UDOT, AND APPROVE DISPOSAL OF 20,000 SQ/FT OF REAL
PROPERTY LOCATED AT 319 NORTH 135 WEST, AND AUTHORIZE STAFF TO
44 FINALIZE TRANSACTIONS AND/OR MARKET THE PROPERTY AS
APPROPRIATE WITH THE MAYOR SIGNING FINAL DOCUMENTS AS

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

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

10 Mayor Dain called for motion to amend the agenda by moving agenda item #16 to
11 the end of the meeting following item #17, councilmember reports and item #18,
12 administrator's report.

14 COUNCILMEMBER POWELL MOVED TO AMEND THE CITY COUNCIL
15 AGENDA BY MOVING AGENDA ITEM #16 TO THE END OF THE MEETING,
16 FOLLOWING ITEM #17, COUNCILMEMBER REPORTS AND ITEM #18,
17 ADMINISTRATORS REPORT. COUNCILMEMBER FRAMPTON SECONDED THE
18 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

19 COUNCILMEMBER WALKER AYE
20 COUNCILMEMBER FRAMPTON AYE
21 COUNCILMEMBER BEAN AYE
22 COUNCILMEMBER POWELL AYE
23 COUNCILMEMBER ACERSON AYE
24 THE MOTION CARRIED UNANIMOUSLY.

26 16. **Executive Session** – *Closed Session to Discuss Pending Litigation (UCA 52-4-240).*
27 *This item was moved to the end of the agenda.*

28
29 17. **Council Reports**

30
31 **Councilmember Powell** – Councilmember Powell reported that she attended the
32 employee “Cinco De Mayo” party and stated that it was very enjoyable and noted that
33 Lindon City has good staff and it was fun to interact. Councilmember Powell also
34 reported on the Historical Preservation Commission and noted that they are in need of
35 more members. Councilmember Powell thanked Mayor Dain for mentioning the
36 trampoline safety issue in her absence at the last meeting. She noted that she will inform
37 the IHC Out Reach Committee at the next meeting that there was some discussion by the
38 Council on this issue.

39 Councilmember Powell commended Mayor Dain for all of his hard work on the
40 Murdock Canal Trail. She noted that Mayor Dain has worked on getting the trail through
41 for the past 18 years. She also expressed her appreciation for the Tree Advisory Board.
42 Councilmember Powell turned the time over the Lindon Days Chairman, Angie
43 Hendrickson at this time. Ms. Hendrickson reviewed the Lindon Days events list with
44 the Council to determine attendance at various Lindon Days events. Ms. Hendrickson
45 then mentioned the issue of choosing the 2013 Grand Marshal for Lindon Days. After
46 some discussion by the Council it was determined to invite Boyd and Barbara Walker to

2 be the 2013 Lindon Days Grand Marshals. Councilmember Powell stated that she will contact the Walker's.

4 **Councilmember Walker** – Councilmember Walker commended Mr. Cowie's work on the document of line items of possible cuts and savings as he requested. He noted the document and format makes it easy for him to support it. He noted that he also appreciates the Department Heads for their hard work and support.

8 **Chief Cullimore** – Chief Cullimore reported on the lacrosse parking issue at Oak Canyon Junior High School. He noted that they made contact with the principal of the school and he stated that the school does not regulate the parking at all and allows it as public space. Chief Cullimore stated the parking issue is on our city street and the Lindon Police will enforce the north side red curb areas as best they can.

14 **Councilmember Bean** – Councilmember Bean reported that the Planning Commission reviewed the concept of the senior housing overlay zone. Councilmember Bean noted the senior housing concept review from Matt Gneiting will be coming in a few weeks to the City Council.

20 **Councilmember Acerson** – Councilmember Acerson reported that he attended the UTA Frontrunner training in West Valley and it was a great experience and was very well presented. He noted that it was beneficial to understand their needs and where they are going with it and noted that they represent what transportation should be.

24 **Councilmember Frampton** – Councilmember Frampton reported that he enjoyed the Arbor Day and Murdock Canal Trail opening celebrations. He expressed his appreciation for Heath Bateman and his crew. Councilmember Frampton expressed his appreciation for Don De St Jeor for doing the batting cage and for his service in helping kids in the community.

30 **Mayor Dain** – Mayor Dain reported that he met with the Board of Health. He then read a letter addressed to him and Chief Cullimore from Commissioner Whitney from the Board of Health regarding air pollution problems. Mayor Dain directed Chief Cullimore to review the letter and get back with him with some input to send to Commissioner Whitney. Mayor Dain mentioned a point of interest. He noted that as chairman of Mountainland Association of Governments he will be responsible for hosting a MAG Christmas party and summer social. He noted that he will be partnering with Pleasant Grove for the summer party and has suggested holding a dutch oven dinner and to also give tickets to the Strawberry Day's Rodeo.

40 Mayor Dain reported he will be attending the Utah lake Commission meeting on Thursday. Mayor Dain mentioned that the Arbor Day celebration and the opening of the Murdock Canal Trail was a great success. He expressed his appreciation to everyone who worked so hard to make it a success despite the rain and there was a good turnout.

Administrator's Report

46 Mr. Cowie reported on the following items:

Misc. Updates:

- 2 • Project Tracking List
- April financial reports uploaded to Google Drive finance folders.
- 4 • Grand Marshal – need to select ASAP. After some discussion it was agreed to select Boyd & Barbra Walker as the 2013 Lindon Days Grand Marshal
- 6 • Fryer clean-up: Found guilty of nuisance. Judge will waive \$1,500 fine if all clean-up done by July 1st.
- 8 • Notice printed in newspaper regarding need for permits on accessory apartments. Also printed in the city newsletter.
- 10 • Heritage Foundation award.
- Mayor’s Open House – Frampton home. Four residents attended.
- 12 • Murdock Canal Trail and Tree planting – good turn-out.
- Bond refunding update. Market not as favorable, but parameters resolution is in place and LYRB will monitor market to move forward as soon as possible if rates appear beneficial.
- 14 • Alpine has left North Pointe Solid Waste District. Contract between considered between member cities so long-term costs aren’t avoided by cities leaving district.
- 16 • Public Safety Bldg – proceed with needs assessment and conceptual site plan. See info provided by Jim Child, JRCA Architects.
- 18
- 20

Upcoming Meetings & Events:

- 22 • May 27th @ 9:00am – Memorial Day service at Lindon cemetery.
- 24 • June 3rd – June 7th, 2013 Elections filing period.
- 26 • June 11th @ Noon – Engineering meeting at Public Works. Mayor Dain, Councilmembers Walker and Acerson will attend.
- June 20th @ 6:30pm – City employee’s summer party at Aquatics Center.
- 28 • June 27th @ 6:30pm – Mayor’s Open House @ Mayor Dain residence. Adam Cowie will be out of town. Adam will check on a different date for the open house.
- 30 • Newsletter Assignment: Councilmember Powell - July newsletter article. *Due by last week in June.*
- 32 • July 16th @6pm. Council work session tour of TSSD sewer plant.
- 34 • July 11th @ 6:30pm – Mayor’s Open House. Sue Easton residence (1437 E. 80 S.) Mayor Dain, Councilmember Acerson, Councilmember Bean will attend.
- 36 • July 25th – Flow Tour at Aquatics Center
- 38 • August 3rd - 10th – Lindon Days. There will not be a City Council Meeting this week.

Future items:

- 40 • Creekside Retirement Subdivision: development agreement updates to clarify and remove moderate income housing requirements.
- 42 • Bicycle Master Plan, spring 2013.
- 44 • Review of active service military utility waivers, utility bill formatting, utility bill rates.

18. **Executive Session** – *Closed Session to Discuss Pending Litigation (UCA 52-4-240).*

COUNCILMEMBER FRAMPTON MOVED TO RECESS THE LINDON CITY COUNCIL MEETING AT 11:33 P.M. AND MOVE INTO AN EXECUTIVE SESSION. COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS

RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE

COUNCILMEMBER FRAMPTON AYE

COUNCILMEMBER BEAN AYE

COUNCILMEMBER POWELL AYE

COUNCILMEMBER ACERSON AYE

THE MOTION CARRIED UNANIMOUSLY.

COUNCILMEMBER FRAMPTON MOVED TO RECESS THE LINDON CITY COUNCIL EXECUTIVE SESSION AT 11:57 P.M. AND RE-CONVENE THE CITY COUNCIL MEETING. COUNCILMEMBER ACERSON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE

COUNCILMEMBER FRAMPTON AYE

COUNCILMEMBER BEAN AYE

COUNCILMEMBER POWELL AYE

COUNCILMEMBER ACERSON AYE

THE MOTION CARRIED UNANIMOUSLY.

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

Adjourn –

COUNCILMEMBER WALKER MOVED TO ADJOURN THE MEETING AT 12:00 P.M. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – June 4, 2013

Kathryn A. Moosman, City Recorder

James A. Dain, Mayor