

2 The Lindon City Council held a regularly schedule meeting on **Tuesday, May 7, 2013 at**
3 **7:00 p.m. 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. – Conducting: James A. Dain, Mayor

8 **PRESENT**

8 James A. Dain, Mayor
9 Mark L. Walker, Councilmember
10 Bret Frampton, Councilmember
11 Matt Bean, 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

Randi Powell, Councilmember

18 The meeting began at 6:10 p.m.

20 **DISCUSSION** – *Heath Bateman, Parks and Recreation Director, was in attendance to*
21 *discuss city wide improvement schedules and priorities for future park amenities.*
22 *Additional information regarding Lindon View Park, Lindon baseball, facility rental fees*
23 *and potential CARE tax funding uses will also be discussed. No motions will be made on*
24 *these items.*

26 Mr. Bateman opened the discussion by giving an overview of a meeting held with
27 the citizens surrounding Lindon View Park that was held on Thursday, May 11th. He
28 noted they discussed the plans for the completion of the remaining property at the park.
29 He further noted that after discussion regarding privacy fencing, natural areas, buffer
30 zones, parking lots and restroom lights always on; the biggest concern of the residents
31 was a privacy fence and traffic concerns. Mr. Bateman stated that the citizens gave input
32 and comments on where to place the play areas. He then referenced the plat map that City
33 Engineer, Mark Christensen drafted. There was then some general discussion regarding
34 the plat map. Mr. Bateman stated that a preconstruction bid meeting was held for bids to
35 improve and finish the field with the sprinklers and sod. He added that they will go as far
36 as they can with sod with this years budget. He went on to say that they may be able to
37 get the sprinklers in for \$30,000, but nothing can be done until mid July. He added that
38 another meeting will be held in September with the citizens to discuss issues and get
39 input on moving forward. Mayor Dain suggested planting evergreens for a buffer rather
40 than installing a new fence, which would be less money and would do more to enhance
41 the park. Mayor Dain also stated that the bottom line is to use what is in this year's
42 budget and then may need another \$20,000 to finish at a later date. Mayor Dain directed
43 Mr. Cowie to obtain exact budget numbers from the Finance Director.

44 Mr. Bateman then referenced the Parks Prioritization Schedule. He noted most
45 items come directly from the parks and recreation master plan which the Council
46 adopted. He further noted that the items are listed in the master plan order but also in

order of need. There was then some lengthy discussion regarding the parks prioritization schedule.

Don De St. Jeor approached the Council at this time for discussion on the Lindon Baseball Program. Mr. De St. Jeor stated that he is requesting approval for the following items:

1. Approval to build a batting cage.
2. Approval and financing to install a donated scoreboard.
3. City to prep fields for baseball games.
4. \$50 per team for league fees (total fee \$350).
5. \$500 in cash donation.
6. Approval to put in a cement pad for the concessions stand.

After some discussion, Mayor Dain stated the City will approve the items requested above except the approval to put in a cement pad for the concessions stand. The Council directed Mr. De St. Jeor to use the existing concessions stand. He added that the City will include \$1,000 in the budget yearly and also prep the fields. Following discussion the Council was also in support of holding two tournaments per summer at the ball fields. Mr. De St. Jeor thanked the Mayor and Council for their continued support of the baseball program.

Mr. Bateman then mentioned a letter received from a young resident who lives in the Fieldstone Development. Mr. Bateman noted the youth is requesting soccer goals for the neighborhood park. The Council was in agreement to allow Mr. Bateman to look into the cost of purchasing goals for the soccer field.

Mr. Bateman then mentioned the issue of waiving reservation fees. Mr. Cowie stated that this item will be brought back to the Council as an agenda item at a later meeting. Mayor Dain then thanked Mr. Bateman for his presentation and service to the city. He called for any further discussion or comments. Hearing none he moved on to the next agenda item.

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

Pledge of Allegiance: Clark Bailey, Scout Troop 260
Invocation: Bret Frampton, Councilmember

PRESENT

James A. Dain, Mayor
Mark L. Walker, Councilmember
Bret Frampton, Councilmember
Matt Bean, Councilmember
Jeff Acerson, Councilmember
Cody Cullimore, Chief of Police
Adam Cowie, City Administrator
Hugh Van Wagenen, Planning Director
Kathryn Moosman, City Recorder

ABSENT

Randi Powell, Councilmember

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

2 **2. Presentations/Announcements –**

4 **a) Mayor/Council Comments** – Mayor Dain mentioned a request by
6 Councilmember Powell (who was not in attendance) to note that
8 volunteers are needed for Lindon Days. He added to contact Adam Cowie
10 or Councilmember Powell for more information. Mayor Dain also
12 mentioned the Arbor Day Celebration that will be held on May 18th which
14 will be held in conjunction with the ribbon cutting of the Murdock Canal
Trail Celebration. The dedication ribbon cutting will begin in Orem and
move to Lindon at 9:00 a.m. at the Lindon View Trailhead just off of 400
north. 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.

16 **b) Recognition** – *Tree City USA Award Recognition.*
18 Heath Bateman, Parks and Recreation Director, was honored for his
20 efforts in helping Lindon City obtain the 2012 Tree City USA award from
the Arbor Day Foundation. Mayor Dain noted that this is Lindon’s eighth
year to receive this national recognition. Mr. Bateman noted that to be
recognized the city must have a Tree Board or department, a tree care
ordinance, an annual forestry or tree budget of at least \$2 per capita for
trees, preservation, tree planting and maintenance and must also hold an
annual Arbor Day celebration. Mr. Bateman added that it is a lot of work
but the trees help to beautify the City. Mr. Bateman noted that the Arbor
Day celebration will be held on May 18, 2013 at the Lindon View Park at
9:00 a.m.

28 **c) Presentation** – *Little Miss Lindon Recognition.*
30 The outgoing 2012 Little Miss Lindon Royalty was in attendance to
32 present the new 2013 Little Miss Lindon Royalty to the Mayor and City
Council. 2012 Little Miss Lindon Queen, Lindsey Southard, spoke to the
Council on behalf of her attendants, Hadley Brimhall, Elizabeth Barzeele,
34 Kaitlyn Whittigham, an Shanalee Spinder, thanking the Mayor and
Council for the opportunity to serve Lindon City and the community and
what a great learning experience it was for all of the girls. She then
36 presented the new Little Miss Lindon Queen Aurora Nelson and her
38 attendants, Carissa Horman, Shayleigh Stueck, Ella Omdahl, and
Elayndria Cuevas to the Council. Mayor Dain thanked the outgoing
40 Royalty for their exceptional service to the community and welcomed the
new Royalty stating that they will also be great representatives of the City.

42 **e) Presentation** – *2012 Lindon City Teaching Excellence Award*
44 *Recipient Recognition.*
46 Teachers who received \$100 education grants from Lindon City were in
attendance to present a brief description of how they used their grant

award in their schools. The following teachers were in attendance to address the Council: Jo Dee Mickelsen, from Timpanogos Academy, (also spoke for several teachers from her school that were not able to attend), Rebecca Wright from Lindon Elementary, Lisa Johnson from Aspen Elementary and Ashley Fosse from Karl G. Maeser Academy. The teachers gave a brief presentation on how they utilized their grant award on various projects. They expressed their appreciation to the Mayor and Council for the awards and noted that a small amount can make such a big difference in the classroom. Mayor Dain thanked the teachers for their presentations and expressed his appreciation to them for their exemplary service to the students and the community.

f) **Presentation** – *Lakeside Power Plant Construction Update.*

Bob Van Engelenhoven, with PacifiCorp, and Kathy Hoffman with Rocky Mountain Power, were in attendance to give a presentation to the City Council regarding the status of the Lakeside Power Plant construction project located in Vineyard, adjacent to 200 South and 2000 West in Lindon. Mr. Van Engelenhoven noted that the site is approximately 60 acres located in Vineyard. He noted that the plant is a natural gas fired electrical generator. He further noted that Lakeside #1 will be online in 2007 – output is 548 megawatts and Lakeside #2 will be online in 2014 – output is 645 megawatts (nominal), with the total station output at almost 1200 megawatts. Mr. Van Engelenhoven stated that construction on the project began in 2011. Mr. Van Engelenhoven then showed aerial and progress photos of project development year by year. He noted that they have an approved landscaping plan from Vineyard City; he will follow up with Mr. Cowie regarding the landscaping buffer along 200 south.

Mr. Van Engelenhoven then noted the following coordination efforts, work in progress and upcoming activities as follows:

Coordination Efforts:

- UDOT Vineyard Connector
- Orem, Lindon, Vineyard (Lindon Heritage Trail)
- US Army Corp. of Engineers (wetlands on the site)
- USFW – June Sucker Habitat in Lindon in Hollow Creek
- Utah Dept. of Environmental Quality
- Central Utah Water Conservancy District

Work in Progress:

- Combustion Turbines
- Heater/Steam Generators
- Steam Turbine, (generator being assembled)
- Cooling Tower Complete
- Steam Turbine Building Complete
- Steel Mill Substation

- Switchyard

Upcoming Activities:

- Complete the Stacks
- Energize Steel Mill Substation
- Energize Lakeside Switchyard
- Begin Start-up Activities
- First Fire Combustion Turbines – Fall 2013
- Startup and Testing
- Project in Service Mid 2014

There was then some general discussion regarding the presentation. Mayor Dain thanked Mr. Van Engelenhoven and Ms. Hoffman for the valuable information and presentation. He called for any further questions or comments. Hearing none he moved on to the next agenda item.

3. **Approval of Minutes** – The minutes of the regular meeting of the City Council of April 16, 2013 were reviewed.

COUNCILMEMBER FRAMPTON MOVED TO APPROVE THE MINUTES OF THE MEETING OF APRIL 16, 2013. COUNCILMEMBER ACERSON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

4. **Consent Agenda** – No items.

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

Mayor Dain called for any public comment not listed as an agenda item. Amanda Rowley approached the Council. She voiced her concerns regarding the upcoming Concept Review agenda item (Ivory Homes Subdivision) located behind Somewhere Inn Time. Mayor Dain stated that Ms. Rowley will have the opportunity to comment at that time.

Chris Bailey then addressed the Council. Mr. Bailey stated that he lives on 1025 East and 200 South. He mentioned his concerns regarding parking during Lacrosse games at Oak Canyon Jr. High School. Mr. Bailey stated that it is difficult to cross safely at the new crosswalk because of the parked cars. He would encourage parking at the Jr. High parking lot instead of 200 South due to safety reasons. Mayor Dain commented that the property is owned by Alpine School District. Mayor Dain then directed Mr. Cowie to contact the principal at Oak Canyon Jr. High to let him know that there is a concern with a safety issue. Chief Cullimore noted that he will have Officer John Lloyd contact the principle.

2 Mayor Dain called for any further public comment. Hearing none he moved on to
the next agenda item.

4 **CURRENT BUSINESS**

6 6. **Discussion** – *Utah State Legislators Introductions and Updates*. State Legislators
7 who represent part or all of Lindon City, including Senator Margaret Dayton,
8 Representative Val Peterson and Representative Keven Stratton, will be present to
9 introduce themselves to the City Council and answer questions regarding significant
10 legislative issues from the past session. Other State matters affecting Lindon City
may also be discussed. Senator Valentine will attend the March 21st Council meeting
for a similar discussion.

12 Mayor Dain opened the discussion by welcoming Senator Dayton to the meeting.
14 Senator Dayton expressed her appreciation for being invited and noted that she is glad to
serve on the Utah State Senate and very happy to represent Lindon City as part of her
16 District. Senator Dayton stated that she is very pleased with the last legislative session.
She noted that she is happy to report that they balanced the budget without raising taxes
18 and also increased to education. She noted that Utah County has really benefited because
they have kept a lot of people employed. She also reported that the I-15 project is
20 complete. Senator Dayton also mentioned that funding for Utah Valley University is a
great thing that affects Utah County. She added that all at the Legislature are united in
22 the commitment to UVU and noted that at least 70 % of the students in Utah County
attend UVU. There is a huge influx of students and UVU is the fastest growing school in
24 Utah. In spite of the challenges financially, funding for new classrooms was obtained, as
there is currently inadequate building space; they were also able to close some of the
26 discrepancy in the funding. Senator Dayton noted that UVU has less of a percentage of
state funding per dollar than any other schools in the system.

28 Senator Dayton further reported that some good things happened for Utah County
and we are well represented. There are about 10 new legislators from Utah County this
30 year, and many of whom are tuned in and she feels we are in a good situation that is
going well. Senator Dayton then asked if there were any questions or comments.

32 Mayor Dain mentioned a couple of topics of concern to the city. One issue of
importance is what happens when the City issues a DUI and what it costs the City. Mayor
34 Dain noted the spreadsheet prepared by Mr. Cowie regarding this issue (Senator Dayton
received a copy). Senator Dayton stated that Senator Valentine would be better informed
36 to answer this issue as he is on the Courts and Corrections committee. Mr. Cowie noted
that Senator Valentine will be attending the May 21st Council Meeting. There was then
38 some general discussion regarding the justice courts.

40 ***Representative Stratton and Representative Peterson arrived at 8:00 p.m.*

42 Mayor Dain welcomed Representative Stratton and Representative Peterson to the
meeting at this time. Representative Stratton commented that the legislature didn't raise
44 taxes and they balanced the budget in the last legislative session. Councilmember Bean
asked if the legislature looks at per student funding as a model and how to get to a point
46 when there is some equity for higher education. Representative Peterson replied that they

will put this issue on the August meeting and take a hard look at equity issues this year. He noted that they ran some funding models and for UVU that model could be anywhere from 30 to 50 million dollars. He added that there are commitments to look at this issue this year as there are some inequities there.

Senator Dayton commented on the League of Cities and Towns. There was an issue this year that caused some division with a water issue dealing with the Supreme Court. The League had a certain position on this water issue (Senate Bill 109) and multiple Mayors called and it ended up being an acrimonious issue; it is disappointing that the leagues has lost some credibility and were divided (regarding water issues). She stated that it is important to get back to the League on this issue as to have a united voice and be equally represented. Bottom line is it should be clear who is in charge of water legislation, the judiciary or legislative branch.

Senator Dayton stated that she appreciates the Council's work in the City and appreciates the opportunity to meet and interface with the Council. She added that the whole state benefits when the different branches of government work together. Mr. Cowie inquired if there is a communication avenue that is more effective for the city to go through other than the League. Representative Stratton suggested obtaining the cell numbers of the Mayor and Councilmember's.

Mayor Dain thanked the Legislators for coming and for representing Lindon so well. Mayor Dain called for any further discussion from the Council or public comment. Hearing none he moved on to the next agenda item.

7. **Concept Review** – *Ivory Homes Subdivision – 70 North 400 West*. This is a request by Kyle Honeycutt of Ivory Homes to review a proposed subdivision development located at 70 North and 400 West. Discussion will focus on a potential master planned road proposed to extend the subdivision south and east to 40 North. No motions will be made on this item.

Hugh Van Wagenen, Planning Director, opened the discussion by stating this is request by Ivory Homes to review a development located at 70 North and 400 West (formerly owned by the Cullimore family). Mr. Van Wagenen noted that Mr. Honeycutt has met with the Development Review Committee on several occasions but would like the Council's opinion on stubbing a road in preparation for development on an adjacent property to the east, which is controlled by one entity. Mr. Van Wagenen explained that the subdivision concept showing the proposed road is in the council packets. He went on to say that if the stubbed road is approved by the City, a master planned road that connects to 40 South or State Street would have to be adopted as part of the general plan. He further explained that a temporary turnaround would be required at the end of the road with the current development (assuming development of the adjacent property would happen at a future date). Mr. Van Wagenen stated if a master planned road is not added to the general plan, Ivory Homes may proceed with constructing a cu-de-sac road on their property. This would result in a different lot configuration because the city standards require that a cul-de-sac road be 650 feet or less. He noted that if there is no through road, the adjacent property would have no access for future development, remaining essentially landlocked with no street frontage (due to the length limit on the cul-de-sac roads). He noted that this is only a Concept Review with no action needed.

2 Kyle Honeycutt addressed the Council at this time. Mr. Honeycutt passed out a
diagram of the “court slope.” He then discussed the court slope options and potential road
4 options. He noted that from Ivory Homes prospective how the area gets worked out
between the different owners is beyond their timetable to negotiate and figure out. He
6 noted that many of the owners are in attendance and can comment. From a good
neighbor prospective they would like to make it work for everyone. Mr. Honeycutt noted
they will be submitting a preliminary plat map that will show the storm drainage. There
8 was then some general discussion regarding this concept review.

10 Mayor Dain called for public comment. The following residents in attendance
addressed the Council at this time as follows:

12 **Lynn Croft:** Mr. Croft noted that he owns six acres of property in the area and would
like to see the cul-de-sac extend and go through.

14 **Sonja Johnson:** Ms. Johnson stated that she has not objections if the asphalt extends
16 and if there is a road access.

18 **Renee Hornbeck –** Ms. Hornbeck noted that she lives on 40 South which is such a
small street and the increase in traffic is a big concern. Ms. Hornbeck stated that she
20 would like to see the road connect to State Street instead of 40 South.

22 **Amanda Rowley:** Ms. Rowley commented that 40 South would have to be re-designed
to allow for the additional traffic flow as the road is really narrow.

24 **Paula Prestwich:** Ms. Prestwich commented that there are currently no sidewalks on
26 40 South and she has concerns for the safety of the kids going to the bus stop. She
added that sidewalks would be a great help.

28 **Mike Walker:** Mr. Walker inquired how many homes are proposed. Mr. Van Wagenen
30 replied Ivory Homes are proposing to build roughly 12 homes.

32 **Scott Farrer:** Mr. Farrer stated that he owns the property that intersects 40 South and
he is open to this idea but they are a long way from drawing it on a master plan; at this
34 point he wouldn’t want to see it on the master plan. Mr. Farrer stated at this time he
would not consent and there is a timing issue.

36 **Andy Farrer:** Mr. Farrer questioned if the first phase of the Ivory development is
38 allowed do you allow the second phase also without the road going all the way through
and go against the ordinance.

40
42 Mr. Cowie noted that there are benefits of having a through street is pedestrian
connectivity and Ivory Homes is willing to provide a connection to the trail which will
provide a safe route under State Street through the tunnel. There was then some
44 discussion on the possibility and options of widening 40 South.

2 Mayor Dain mentioned that this concept is for review only and no motion will be
made tonight. He noted that there are three options as follows: 1) go back to 600 Ft. 2)
4 put it on the master plan 3) an ordinance change.

6 Mr. Van Wagenen confirmed the above options. Mr. Honeycutt stated that after
working in other cities 600 ft. is relatively short. Councilmember Bean discussed that 600
8 feet is short, he suggested looking at other cities for emergency services with an adequate
turnaround and then explore it further. Mr. Van Wagenen stated from a connectivity point
10 it is something to look at. Mr. Cowie noted that the feedback they received from the
emergency services provider is that an extension is not a huge issue as long as they have
12 an adequate turnaround. Mayor Dain stated the options are an ordinance change or the
discussion of an easement unless the owners come to an agreement.

14 Mayor Dain called for any further comments or discussion from the Council.
Hearing none he moved on to the next agenda item.

16 8. **Public Hearing** – *Ordinance #2013-3-O: LCC Appendix A – Standard Land Use*
18 *Table*. The Council will review and take action on a proposed city initiated ordinance
change to LCC Appendix A, Standard Land Use Table. Multiple changes to
20 permitted, conditional, and non-permitted uses are recommended by the Planning
Commission.

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

26 Hugh Van Wagenen, Planning Director, opened the discussion by stating that
there have been several meetings of the Planning Commission with much discussion on
28 this ordinance. He explained that Appendix A concerns permitted land uses within the
various zones of the city. He added that minor changes to the introductory section of the
30 Appendix along with several changes regarding the Standard Land Use (SLU) Table
permissions have been proposed. He added that these updates will bring Appendix A
32 into accordance with other sections of the code and add clarity to the permitted land uses
within the city.

34 Mr. Van Wagenen further explained that after a thorough review of the entire
Appendix and SLU Table, the Planning Commission unanimously recommended the
36 proposed changes to the City Council. He noted that only the recommended changes
have been included, as opposed to the entire ordinance for review. Mayor Dain
38 commented that this item seems pretty straightforward. Councilmember Bean was
agreement with this statement.

40 Mr. Van Wagenen mentioned that Councilmember Powell recently contacted staff
with concerns over the regulation of trampoline parks within the city. Mr. Van Wagenen
42 explained that currently, such a facility is permitted in the CG zones, LI zone, and
conditionally permitted in the R&B zone. He went on to say the nothing regarding
44 liability insurance, safety measures, etc. is regulated by the city. Mr. Van Wagenen noted
that he is mentioning this issue in this meeting so the Council can have time to consider

2 further regulation of such facilities. There was some general discussion regarding the
changes to the Standard Land Use Table.

4 Mayor Dain called for any public comments. Hearing none he called for a motion
to close the public hearing.

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

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

12 COUNCILMEMBER WALKER MOVED TO APPROVE ORDINANCE #2013-
14 3-O; THE PROPOSED CHANGES TO LINDON CITY CODE APPENDIX A –
STANDARD LAND USE TABLE WITH THE CONDITION THAT THERE BE NO
16 CHANGES TO CHURCHES, SYNAGOGUES AND TEMPLES. COUNCILMEMBER
FRAMPTON SECONDED THE MOTION. THE VOTE WAS RECORDED AS
18 FOLLOWS:

20 COUNCILMEMBER WALKER AYE
22 COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER BEAN AYE
COUNCILMEMBER ACERSON AYE

24 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

26 9. **Public Hearing** – *Ordinance #2013-4-O: LCC Title 18, Sign Ordinance.* The
Council and Staff will review and take action on a proposed city initiated changes to
28 the City Sign Ordinance amending provisions found within LCC Section 18.02.050
“Prohibited Signs”, 18.03.020 “Definitions” and 18.03.030 “Specific Regulations by
30 Sign Type”. The Planning Commission recommends approval of the ordinance
changes.

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

36 Hugh Van Wagenen, Planning Director, opened the discussion by stating that
currently, signage on awnings and marquees is expressly prohibited by Lindon City
38 Code, changes to LCC 18.02.050, 18.03.020 and 18.03.030 will permit signage on
awnings and marquee signs. He explained that the new ordinance language addresses
40 location, size, etc. of the signage being considered for approval. Mr. Van Wagenen noted
after a thorough review, the Planning Commission unanimously recommended the
42 proposed changes to LCC Title 18 Signs to the City Council. There was then some
general discussion regarding the changes to Title 18. Mayor Dain mentioned a memo
44 given to him from Councilmember Powell regarding back lit awnings, noting that she is
in agreement of back lit awnings.

2 Mayor Dain called for any further public comments. Hearing none he called for a motion to close the public hearing.

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

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

10 COUNCILMEMBER BEAN MOVED TO APPROVE ORDINANCE #2013-4-O
12 THE PROPOSED CHANGES TO LINDON CITY CODE TITLE 18, SIGNS.
COUNCILMEMBER ACERSON SECONDED THE MOTION. THE VOTE WAS
14 RECORDED AS FOLLOWS:

16 COUNCILMEMBER WALKER AYE
COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER BEAN AYE
18 COUNCILMEMBER ACERSON AYE

20 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

22 10. **Review and Action** – *Utah Infrastructure Agency Assessments/Report*. On February
27, 2013 the City Council approved Resolution #2013-5-R authorizing payment of
24 monthly operations assessment loans to the Utah Infrastructure Agency (UIA) in
order to eliminate such expenses from being funded by UIA bond proceeds. The
loans are to be repaid to Lindon with interest being charged the same as the PTIF
26 interest rates at time of repayment. Per the Council’s direction, progress reports will
be presented and reviewed prior to payment of additional assessments beyond April
28 213. The Council will review UIA/UTOPIA performance reports and give staff
direction in regards to payment of assessment invoices received for the months of
30 May and June 2013 in the amount of \$11,162.00 per month.

32 Adam Cowie, City Administrator, opened the discussion by noting an attached
UIA/UTOPIA performance report from March and April of 2013. He noted that net
34 customers increased from 10,843 at the beginning of March to 10,937 at the end of April
(net increase of 94 accounts). Mr. Cowie further explained that UIA projected no
36 decrease in the monthly operations assessment amounts until approximately one year
after the approval of the operations assessments and new bonds were issued for
38 construction. Mr. Cowie went on to say that the next round of approved bonding for
continued build-out of the network is expected to close in mid-June of 2013. He added
40 that subsequent marketing and construction of the network is expected to follow shortly
afterward, and it is not anticipated hat areas within the City will be constructed as part of
42 this next phase.

44 Mr. Cowie stated that payment of the UIA assessments are subject to Council
approval and budgetary constraints as outlined in UIA Resolution #13-01 and Lindon
City Resolution #2013-5-R. He further stated that payments made by Lindon City
46 constitute a loan which will be required to be paid back with interest per the UIA

2 Resolution. Mr. Cowie commented at this time the City has the funds available to pay
the invoiced assessments. There was then some lengthy discussion regarding this issue.

3 Mayor Dain called for any further comments or questions from the Council.

4 Hearing none he called for a motion.

6 COUNCILMEMBER BEAN MOVED TO DIRECT THE CITY TO PAY THE
7 UTAH INFRASTRUCTURE AGENCY (UIA) ASSESSMENT INVOICE FOR THE
8 MONTHS OF MAY AND JUNE 2013 IN THE AMOUNT OF \$11,162.00 PER
9 MONTH WITH THE STIPULATIONS PREVIOUSLY SET FORTH IN LINDON
10 CITY RESOLUTION #2013-5-R. COUNCILMEMBER ACERSON SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

12 COUNCILMEMBER WALKER NAY

13 COUNCILMEMBER FRAMPTON NAY

14 COUNCILMEMBER BEAN AYE

15 COUNCILMEMBER ACERSON AYE

16
17 DUE TO A TIE VOTE MAYOR DAIN VOTED WITH AN AYE VOTE TO BREAK
18 THE TIE. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

20 11. **Review and Action** – *Appointment of Board of Adjustment member.* The Council will
21 review and take action on staff’s request to re-appoint Greg Slater to the Lindon City
22 Board of Adjustment. This will be Mr. Slater’s second 5-year term on the Board.

24 Mr. Cowie referenced an attached memo from Hugh Van Wagenen requesting the
25 re-appointment of Greg Slater as a member of the Lindon City Board of Adjustment. Mr.
26 Cowie noted that Mr. Van Wagenen’s memo states that Mr. Slater is willing to serve
27 another 5-year term on the Board. He also states that Board meetings are very infrequent
28 and it would be beneficial to keep Mr. Slater on the Board so he can continue to gain
experience and provide continuity for future applications.

30 Mayor Dain called for any further comments or questions from the Council.

31 Hearing none he called for a motion.

32
33 COUNCILMEMBER BEAN MOVED TO RE-APPOINT GREG SLATER AS A
34 MEMBER OF THE LINDON CITY BOARD OF ADJUSTMENT.
35 COUNCILMEMBER ACERSON SECONDED THE MOTION. THE VOTE WAS
36 RECORDED AS FOLLOWS:

37 COUNCILMEMBER WALKER AYE

38 COUNCILMEMBER FRAMPTON AYE

39 COUNCILMEMBER BEAN AYE

40 COUNCILMEMBER ACERSON AYE

41 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

42
43 12. **Review and Action** – *Appointment of Temporary Judges (Resolution #2013-8-R).*

44 The Council will review and take action on Resolution #2013-8-R appointing
45 temporary judges for the Lindon City Justice Court in the event of recusal of the
46 regularly appointed justice court judge.

2 Mr. Cowie referenced an attached letter from City Attorney, Brian Haws,
4 requesting the appointment of temporary judges to the Lindon City Justice Court who can
6 handle conflict cases for the regularly appointed justice court judge. Mr. Cowie noted
that action is needed to pass a new resolution with updated language to include the judges
that are currently serving in Utah County. There was then some general discussion
regarding this issue.

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

10 COUNCILMEMBER BEAN MOVED TO APPROVE RESOLUTION
12 #2013-8-R APPOINTING TEMPORARY JUDGES TO THE LINDON CITY JUSTICE
COURT. COUNCILMEMBER ACERSON SECONDED THE MOTION. THE VOTE
WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

20 13. Council Reports

22 Councilmember Powell – Councilmember Powell was not present at this meeting.

24 Councilmember Walker – Councilmember Walker reported that he will not be able to
attend the Memorial Day celebration as he will be out of town. Councilmember Walker
26 noted that he received the \$400 stipend for the purchase of an electronic device for
viewing the Council reports at meetings. He noted that he will be donating the \$400
28 stipend back to the City for the volunteer dinner.

30 Chief Cullimore – Chief Cullimore reported that he has not seen the official finalized
numbers from the recently held DUI Checkpoint. However, he noted that he can report
32 that there were three (3) DUI's, (ten on warrants and some involving heroin). Chief
Cullimore noted that the checkpoint was very effective. He thanked Councilmember
34 Acerson for attending. Chief Cullimore also reported that he received a letter from the
County Health Department stating that Lindon is the only city in the county that is 100%
36 in compliance with checking for illegal sales of alcohol and tobacco. Chief Cullimore
also reported that Wal-Mart will be restriping the parking lot and will be putting up the
38 signs. Chief Cullimore mentioned that he was approached and asked to be on the
Children's Justice Advisory Board which is quite an honor.

40 Councilmember Bean – Councilmember Bean expressed his appreciation for Planning
42 Director, Hugh Van Wagenen, and noted that it is great to have Hugh to work with the
Planning Commission and he is doing a great job.

44 Councilmember Acerson – Councilmember Acerson reported that he will be attending
46 the UTA seminar on Thursday regarding transportation issues. He also mentioned that he

attended the DUI roadblock which was very informative. Councilmember Acerson noted that he will follow-up on UIA and report back to the Council.

Councilmember Frampton – Councilmember Frampton reported that the Mayor’s Open House will be held on May 16th at his residence at 6:30 p.m. Mayor Dain, Councilmember Acerson, Adam Cowie and Don Peterson will attend. He also mentioned the Arbor Day celebration to be held on May 18th which should be a fun celebration. He noted he will meet with Heath Bateman to finalize the plans. Councilmember Frampton commented that he appreciates the Council and the camaraderie with staff.

Mayor Dain – Mayor Dain mentioned that he picked up a document about substance abuse that he will review with City Attorney, Brian Haws. He also mentioned that he will be attending the 2013 Heritage Award Ceremony. Mayor Dain expressed his appreciation to Hugh Van Wagenen for his work in obtaining the Heritage Award.

Administrator’s Report

Mr. Cowie reported on the following items:

1. The Council reviewed the Project Tracking list.
2. Daily Herald “best of” issue – Lindon voted #2 “Best City to Live In” in Utah Valley.
3. Fryer clean-up status: Must complete and report back to court on April 22nd.
4. Tithing Office/re-plat and land purchase update.
5. DUI check point – report from Chief Cullimore.
6. Fire/EMS call report from Orem City. See attached reports.
7. Heritage Trail phase II. Half-way through contract period. Completion in mid-June.
 - Next phase to Utah Lake – MAG funding portion with any leftover from current contract.
8. Need Gmail address to access Google Drive.
9. CARE Tax – Timing and issues regarding promotion.

Upcoming Meetings & Events

- May 9th @ 7:00 pm in SLC. Utah Heritage Foundation – 2013 Adaptive Use Project award. Mayor Dain.
- May 16th @ 6:30 – Mayor’s Open House – Frampton residence.
- May 18th - Murdock Canal ribbon cutting/ City Arbor Day tree planting.
- May 27th – 9:00 a.m. – Memorial Day Service at Lindon Cemetery.
- June 3rd – June 7th, 2013 Elections filing period.
- June 11th – Engineers meeting at Public Works. Mayor, mark and jeff
- June 27th @ 6:30 pm, Mayor’s Open House, Dain residence,
- Newsletter assignment: Randi July newsletter article. Due by last week in June.
- July 16th - 6:00 p.m. Council work session tour of TSSD sewer plant.
- July 11th @ 6:30 pm – Mayors Open House, Sue Easton residence, 1437 E 80 S.
- July 25th – Flow Tour at Aquatics Center.

Future Items

- 2 ● Budget Hearings – May 21st and June 4th
- 4 ● Creekside Retirement Subdivision: development agreement updates to clarify and remove moderate income housing requirements.
- 6 ● Bicycle Master Plan, spring 2013.
- 6 ● Review of active service military waivers.

Adjourn –

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COUNCILMEMBER FRAMPTON MOVED TO ADJOURN THE MEETING
10 AT 10:45 P.M. COUNCILMEMBER WALKER SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Approved – May 21, 2013

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Kathryn A. Moosman, City Recorder

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James A. Dain, Mayor

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