

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, June 2, 2015,**
4 **at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100 North State Street,
Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Jeff Acerson, Mayor
Pledge of Allegiance: Jessie Beck, Miss Pleasant Grove
10 Invocation: Matt Bean, Councilmember

12 **PRESENT** **ABSENT**

Jeff Acerson, Mayor
14 Matt Bean, Councilmember
Randi Powell, Councilmember
16 Van Broderick, Councilmember
Jacob Hoyt, Councilmember
18 Carolyn Lundberg, Councilmember
Adam Cowie, City Administrator
20 Cody Cullimore, Chief of Police
Kathy Moosman, City Recorder

- 22
- 24 1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.
 - 26 2. **Presentations/Announcements** –
 - 28 a) Mayor/Council Comments – There were no comments at this time.
 - 30 b) Presentation –Representatives from the Miss Pleasant Grove Royalty and
Miss Strawberry Days Royalty were in attendance to present information
regarding the upcoming Strawberry Days festival to be held June 15th – 20th in
Pleasant Grove.

32 Jessie Beck, 2015 Miss Pleasant Grove, presented general information about the
34 upcoming Strawberry Days festival and introduced her attendants who each
mentioned an individual event as follows:

- 36 • Ciera McCurdy – Huck Finn Days
- Brittany Beagley – Concert in the Park
- 38 • Jessica Matheson – Baby Contest
- Eliza Shumway – Mammoth Parade

40 Ms. Beck then turned the time over to the Rodeo Royalty to present details of the
Strawberry Days Rodeo.

42 Bailey Noble, 2015 Strawberry Days Rodeo Queen, introduced her attendants,
Victoria Hall and McKell Wall. They presented information about the Strawberry
44 Days Rodeo noting the Rodeo starts at 7:00 pm and is held Wednesday through
Saturday with many fun events including Mutton Bustin and Wednesday night
46 being “Tough Enough to Wear Pink” night and of course the bull riding and a
great fireworks show. They invited the Council out to the Rodeo noting it is a

2 very fun event for the entire family. Ms. Beck thanked the Council for all the
3 support Lindon shows to the pageant and to the program. They also presented the
4 Mayor and Council with a strawberry cheesecake and invited them out to attend
5 all the festivities. Mayor Acerson thanked the Royalty for the invitation and the
6 cheesecake noting the Council always looks forward to the Strawberry Days
7 Celebration.

- 8
9
10 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council
of May 19, 2015 were reviewed.

12 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES
13 OF THE REGULAR CITY COUNCIL MEETING OF MAY 19, 2015 AS AMENDED.
14 COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

16 COUNCILMEMBER POWELL AYE
17 COUNCILMEMBER BEAN AYE
18 COUNCILMEMBER BRODERICK AYE
19 COUNCILMEMBER HOYT AYE
20 COUNCILMEMBER LUNDBERG AYE
21 THE MOTION CARRIED UNANIMOUSLY.

- 22
23 4. **Consent Agenda** – No consent items.

- 24
25 5. **Open Session for Public Comment** – Mayor Acerson called for any public
26 comment not listed as an agenda item. There were several residents in
27 attendance to address the council at this time as follows:

28
29 **Mark Walker:** Mr. Walker was in attendance to address the Council at this time. He
30 began by thanking the Mayor and Council for their service and for the time and effort
31 they put into serving the City. Mr. Walker voiced his concerns regarding changes with
32 sewer and water and how they currently gauge the sewer rate based on culinary water
33 usage; he noted he has previously spoken with Adam Cowie, City Administrator
34 concerning this issue. Mr. Walker noted that he has a swimming pool at his residence
35 and the culinary water used in April (when he filled his pool). He mentioned with the
36 evaporation factor, he is getting charged for sewer but it is for water that did not go into
37 the sewer as the water actually evaporated. He noted the usage is pretty consistent all year
38 until it gets to the use in April.

39 Mr. Walker expressed that this is a concern to him not only morally because he
40 doesn't get a benefit from but it, but it may be a legal issue also. He is just asking the
41 Council to take look at this issue and consider some options. He is not sure what the right
42 thing is to do about it and what the answers are, but he feels it needs to be addressed. Mr.
43 Walker pointed out this is not an issue of paying for the water but rather paying for the
44 sewer usage.

45 Mayor Acerson commented he brought this issue up to the Council several weeks
46 ago as he has had some of the same issues. Mr. Cowie stated this new system was
implemented in September of this year averaging 4 months over the winter months.

2 Councilmember Powell suggested a minimal registration/licensing fee be implemented to
4 cover residents with pools and to help cover any administrative costs. Mr. Walker agreed
that maybe a licensing fee may work.

6 Mr. Cowie mentioned this may also include watering livestock and questioned
where you draw the line. He suggested looking at credits on the utility bill on the monthly
8 charge. Mayor Acerson stated this would need to be done to ensure it is fair to all citizens
as well as the city. Mr. Walker stated he feels the Council can come up with something
10 that will be fair and work for everyone. Following some additional discussion Mr. Cowie
stated he will contact the City Engineer about some different options and ideas and bring
it back before the Council.

12 **Christian Christensen** (Troop 1171): Mr. Christensen inquired about trails in the
14 foothills and if Lindon is considering adding a system of mountain biking and running
trails like Pleasant Grove recently approved.

16 Mayor Acerson stated Lindon has the Bonneville Shoreline trail, the Heritage
18 Trail and also the Murdock trail. Mr. Cowie noted that most of the Lindon East bench is
owned by the Forest Service. He added that the Forest Service has worked over the years
20 to reclaim that property from illicit trail use and maybe Pleasant Grove has a different
plan they are working on. Mr. Cowie stated that nothing beyond the current trails are
22 planned. Councilmember Hoyt pointed out that the biggest obstacle is that Lindon does
not own the land. Mayor Acerson suggested that Mr. Cowie contact the Pleasant Grove
24 Ranger District to ask about this issue. Mr. Cowie noted they meet with the Ranger
District annually and he will approach them about this issue and see what their future
26 plans are.

28 **Richard Flynn:** Mr. Flynn commented that he uses and likes his Utopia service and
asked about the recent Macquarie deal and inquired what the plan with Utopia is to make
30 the investment cash flow positive.

32 Mayor Acerson stated the Macquarie deal is out of the picture and most of the
interlocal agreement cities chose not to go with them because of the required monthly fee
that would be charged to residents over a 30 year period. Mayor Acerson stated they are
34 still working in the right direction for positive cash flow and Utopia is closer to breaking
even since their inception. Mr. Cowie stated there are currently no new investors,
36 buyouts or big plans. Mr. Flynn asked if the position of the Council is that Utopia can be
sustainably managed without further capital investment. Mayor Acerson stated the
38 Council is hopeful that is the case. Councilmember Lundberg commented that the best
option is adding subscribers throughout the participating cities and also marketing
40 aggressively. Mayor Acerson pointed out that Lindon has the highest take rate of service
out of the participating cities.

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

44 **CURRENT BUSINESS**

2 6. **Review & Action** – *Property & Liability Insurance Services*. Lindon has
4 solicited bids from three insurance providers for its property and liability
6 insurance coverage. A selection committee has reviewed bid proposals and
8 interviewed representatives from Utah Risk Management Mutual Association
 (URMMA), Utah Local Governments Trust (ULGT), and Olympus Insurance.
 Staff will review findings of the proposals and their various coverage options and
 costs. The City Council will make final selection for these services.

10 Mr. Cowie opened the discussion by giving a brief summary of this agenda item
12 explaining in June 2014 the City Council gave its one year required notice to URMMA
14 so that it could bid out property and liability services. He noted that bids were solicited
16 and interviews of the three firms have been completed by the selection committee made
18 up of the Mayor, Councilmember Bean, the City Administrator, Finance Director, Chief
20 of Police, and City Attorney. He pointed out that URMMA is a pooled group of 16
22 municipalities in Utah. Mr. Cowie also mentioned that ULGT is a pooled group of 217
 Cities & Towns, 12 Counties, and 322 Special Service Districts within the State of Utah.
 He noted that Olympus Insurance is a more traditional commercial carrier that represents
 several Utah cities and special service districts as well as other entities outside of Utah.
 Mr. Cowie stated that a copy of the original bid solicitation requirements are included in
 the packets. Mr. Cowie then summarized the proposed coverages and costs followed by
 some general discussion.

24 Mr. Cowie also gave a brief history explaining since 1985 the city’s experience
26 with URMMA has been exceptional. He stated after going through a lot of questions and
28 follow-up meetings and reviewing pricing, the committee’s recommendation for selection
30 largely comes down to an issue of potential costs savings for the City. He mentioned that
32 each bid varies on coverage limits, exclusions, deductibles, etc. He noted that based on
34 these coverages and services offered, and the quoted premiums for those coverages, the
36 committee recommends that the Utah Local Governments Trust (ULGT) be selected to
38 provide these services and that the City select their proposed \$10 million liability
40 coverage with a \$10,000 deductible for property claims. He noted this option provides
42 similar coverage to what is currently provided to the City with a potential annual savings
44 of approximately \$7,000 to \$13,000 (depending on losses).

46 Mr. Cowie mentioned in the last 3 years there has only been one property claim
 that would have exceeded the \$10,000 deductible amount so it is rare to have incidents
 that are that significant enough to where we can’t cover it on our own. He went on to say
 an instance that will have an impact regardless of who we go with is some payments that
 are owed to URMMA as they are primarily a self-insured model where they cover
 catastrophic losses up to a certain dollar amount to be paid back over a 5 year, no interest,
 period (i.e., Flygare claim). Mr. Cowie then reviewed the most significant pros and cons
 of each bid followed by some general discussion by the Council. He mentioned several
 appealing aspects of the ULGT is they have a very large pool, they are experienced, they
 offer lower costs, and they have a Board.

 Mr. Cowie commented if the Council chooses to move forward with the ULGT
 tonight he would ask that they include in the motion to give the Mayor the authorization
 to sign the contracts for them to follow through with the underwriters on the insurance.
 He noted at the next meeting they will sign the interlocal agreement that the City

2 Attorney has already reviewed and is comfortable with to become a member of the Trust
that would be adopted with a Resolution. Mr. Cowie stated the coverage is ready to go
4 following signatures and will be in place by July 1, 2015.

6 The Council then directed Mr. Cowie to express their thanks and appreciation to
URMMA for their work and service for the City. Mayor Acerson commented that they
have provided great customer service and it has been a great relationship. He noted they
8 had conversations with URMMA and he feels that they understand this decision is
financially based and not based on their service.

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

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14 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE UTAH
LOCAL GOVERNMENTS TRUST (ULGT) TO PROVIDE LIABILITY INSURANCE,
PROPERTY INSURANCE, AND RISK MANAGEMENT SERVICES STARTING
16 JULY 1, 2015 AND SELECT THE 10 MILLION DOLLAR LIABILITY COVERAGE
WITH A \$10,000 DEDUCTIBLE PLAN PER THEIR PROPOSED BID AND GIVE
18 THE MAYOR THE AUTHORIZATION TO SIGN. COUNCILMEMBER POWELL
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

20 COUNCILMEMBER POWELL AYE
COUNCILMEMBER BEAN AYE
22 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
24 COUNCILMEMBER LUNDBERG AYE
THE MOTION CARRIED UNANIMOUSLY.

26
28 **7. COUNCIL REPORTS:**

30 **Councilmember Powell** – Councilmember Powell gave an update on the employee pool
party. Mayor Acerson stated he met with several businesses and there is the possibility of
32 participation with the City in funding employee recognition on a monthly basis and to
honor them at employee events. He added if we can be proactive and continue to develop
relationships that would be beneficial; he feels we can move forward knowing the funds
34 are forthcoming. Councilmember Powell mentioned they are planning a luau theme for
the party and will be serving Kailua pork. She also reminded the Council if they can
36 come early to help set up and serve that would be great.

38 Councilmember Powell also reported she attended the Utah County Outreach
meeting and noted the annual report was given. She mentioned she also had the
opportunity to have a conversation with Dr. Koop with the Alpine School District and
40 mentioned the need for a school on the west side and he was very receptive. She would
encourage everyone to spread the word that a school is needed on the west side. She also
42 inquired what is happening on 700 north as it is a mess and it would be nice to be
informed what they are doing ahead of time. Mr. Cowie stated that UDOT is doing some
44 patching and will also be doing a total overlay. She also mentioned that Locust Avenue
looks great. Mr. Cowie noted the striping will be done on Locust in a few weeks. She
46 also mentioned that the stop sign by Walmart (west of the Bank) is down again. Chief
Cullimore stated he will check into the issue. She also asked about giving limited website

2 access to Parks and Recreation Department, specifically Hannah Silvey. Mr. Cowie stated
4 that should be fine and he will follow-up with that issue.

6 **Councilmember Bean** – Councilmember Bean reported an acquaintance approached him
8 about the Planning Commission vacancy. He mentioned the Council may not appoint
10 someone for the vacancy for a while because of the pending Ivory Development. He
noted that doesn't mean the position won't eventually need to be filled. The concern is
involving someone who lives near the Ivory Development; he feels this is something to
consider over the next month for further discussion.

12 **Chief Cullimore** – Chief Cullimore thanked everyone who attended and participated in
14 the Memorial Day Celebration and the Torch Run noting they were well attended events
and went very well. He also reported that the Police Department got a surprise award
from ATEC (Spirit of the Eagle Award) for Police Departments involved with people
16 with special needs which was quite an honor.

18 **Councilmember Hoyt** – Councilmember Hoyt mentioned an available Eagle Project (in
20 conjunction with the Historic Preservation Commission) that involves making several
plaques and installing them at historic sites in the city. He noted that Jordan Cullimore,
22 Planning Associate, is overseeing the project and they would love to have a scout
participate; this is needed within the next few weeks. He also reported that the final
24 Budget Committee meeting is June 16th and reminded the Council to get any suggestions
or questions to Mr. Cowie before then.

26 **Councilmember Broderick** – Councilmember Broderick reported that he will be
attending the upcoming Engineering meeting on June 9th.

28 **Councilmember Lundberg** – Councilmember Lundberg reported there have been some
30 complaints on the "Lindon Loot" yard sale page about water retention issues on 835 East.
She noted that it would be great to let people know what systems are going to be put into
32 place and what we are working on as to inform them and keep the complaints diffused.
She also reported that staff did a great job on the party for Officer Lloyd for his service
34 with the Nova program. She also gave kudos to staff for doing a great job with
celebrating employees and staff with milestones and important events.

36 **Mayor Acerson** – Mayor Acerson reported that he attended the Mayor's breakfast in
38 Provo that was in conjunction with the Freedom Festival which was very nice. He also
mentioned that he talked to some residents about the control of weeds on the Murdock
40 Trail. He noted that Commissioner Ellertson provided the contact information from the
County to coordinate on access issues which will allow the residents to step up and take
42 care of the weeds that are adjacent to their property.

44 8. **Administrator's Report:**

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

Misc. Updates:

- 2 • May City newsletter.
- Project Tracking List.
- 4 • Deer hunting in city limits – Planning Commission is interested in possible ordinance to allow Deer Hunting within city limits (similar to Highland’s archery hunt as allowed by the DWR). Mr. Cowie asked the Council if they want staff to research this issue further.
- 6
- 8 • Is there interest in considering other high density housing developments (700 N., Washburn property, etc.).
- 10 • Mailer to be sent with utility transfer information and Aquatics Center coupons. Any questions on budget prior to final June 16th hearing.
- 12 • Misc. Items.

14 **Upcoming Meetings & Events:**

- Newsletter Assignment: Councilmember Bean – July newsletter article. *Due by last week in June.*
- 16 • June 1st – June 8th – Declaration of Candidacy filing period for three open Lindon City Council seats.
- 18 • June 9th at Noon: Engineering Coordination meeting at Public Works. Mayor Acerson and Councilmember Broderick will attend.
- 20 • June 25th at 6 pm – Employee Summer Party/Aquatics Center.
- 22 • August 3rd – 8th – Lindon Days celebration. All Council members will attend.

24 **Future items:**

- Employee Policy Manual updates.

26

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

30 **Adjourn** –

32 COUNCILMEMBER HOYT MOVED TO ADJOURN THE MEETING AT
8:15 PM. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL
34 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Approved – June 16, 2015

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Kathryn Moosman, City Recorder

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Jeff Acerson, Mayor