

2 The Lindon City Council held a regularly schedule meeting on **Tuesday, August 21,**
3 **2012 beginning at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100
4 North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 p.m.

7 Conducting: Randi Powell, Mayor Pro Tem

8 Pledge of Allegiance: Brady Liechty, Troop 1215

9 Invocation: Jeff Acerson, Councilmember

10 **PRESENT**

11 Mark L. Walker, Councilmember

12 Bret Frampton, Councilmember

13 Matt Bean, Councilmember

14 Randi Powell, Councilmember

15 Jeff Acerson, Councilmember

16 Ott H. Dameron, City Administrator

17 Adam Cowie, Planning Director

18 Kathryn Moosman, City Recorder

10 **ABSENT**

11 James A. Dain, Mayor

19 The meeting was called to order at 7:00 p.m.

20
21 **PRESENTATION** – The Mayor Pro Tem and City Council will recognize Kristen
22 Colson, Finance Director, with a plaque for her successful efforts in obtaining the
23 Certificate of Achievement for Financial Reporting (CAFR). Mayor Pro Tem Powell
24 invited Ms. Colson forward for the presentation. Mr. Dameron noted this is the 4th year
25 that Lindon City has received the award, and stated this award is very detailed and not all
26 cities obtain this award. Mayor Pro Tem Powell added that Ms. Colson is a very valuable
27 asset to the City and her efforts are greatly appreciated.

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29 **MINUTES** – The minutes of the regular meeting of the City Council of July 17, 2012
30 were reviewed.

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33 COUNCILMEMBER ACERSON MOVED TO APPROVE THE MINUTES OF
34 THE MEETING OF JULY 17, 2012. COUNCILMEMBER FRAMPTON SECONDED
35 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

36 COUNCILMEMBER WALKER AYE

37 COUNCILMEMBER FRAMPTON AYE

38 COUNCILMEMBER BEAN AYE

39 COUNCILMEMBER POWELL AYE

40 COUNCILMEMBER ACERSON AYE

41 THE MOTION CARRIED UNANIMOUSLY.

42
43 **OPEN SESSION** – Citizen Comments.

44 Mayor Pro Tem Powell called for any public comment. Boyd Walker, Lindon
45 resident, approached the Council. Mr. Walker noted his concerns with an issue of
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2 vehicles being parked on the streets for businesses in residential areas, and asked if there
is some way to eliminate this situation. Mr. Walker also voiced his concerns about a very
4 dangerous area on State Street where the highway narrows to two lanes. He stated that
there are safety concerns and he fears there will be an accident. Councilmember Walker
6 commented that UDOT will be making improvements and lane changes on State Street,
but it has been postponed until next year. He added that Mr. Cowie has been in contact
8 with UDOT regarding this issue. Councilmember Frampton asked Mr. Walker if there is
a specific area where he has seen off street parking. Mr. Walker stated that on 400 North
10 and 400 East he has observed vehicles that park straight in, with horse trailers etc. He
reiterated that the city should keep the street free of cars. Chief Cullimore stated that it is
12 legal for vehicles to be parked on the street if it is not more than 48 consecutive hours,
with the exception of the winter months for snow removal. Mr. Walker then thanked the
Council for their time and consideration in this matter.

14 Franklin West, Lindon resident, addressed the Council regarding an issue with the
grass dying at Fryer Park. Mr. West noted that he appreciates the park and would not like
16 to see the city have to go to the trouble and expense to put in new grass. Councilmember
Bean stated that he believes it is a water pressure issue. Mr. Dameron noted that the
18 public works department has been investigating the problem and they have not come to a
solution yet. Mr. Dameron added they will contact Mr. Franklin as soon as they have an
20 answer. Mr. West stated that the community appreciates what the city has done with the
park and that they enjoy it very much.

22 Patrick Liechty, Lindon resident, addressed the Council. He noted that he and his
family enjoy the park and trails and commented that he has noticed that they are planning
24 on paving the canal throughout and they are very excited about that. He also mentioned
that extending the trail to the lake will be a great asset for the citizens.

26 Mayor Pro Tem Powell then called for any further public comments. Hearing
none she moved on to the next agenda item.

28
MAYOR'S COMMENTS/REPORT – Mayor Dain was absent. Mayor Pro Tem
30 Powell reported that Lindon Days was a great success. She also noted that the fireworks
show at the park was perhaps the best fireworks Lindon Days has had. Mayor Pro Tem
32 Powell also expressed her appreciation to all those who participated and volunteered to
make Lindon Days such a big success this year.

34
CONSENT AGENDA –
36 No items.

38
CURRENT BUSINESS –

- 40 1. **Public Hearing** – *Surplus Property (Resolution #2012-11-R)*. The City Council
42 will hear public comment and possibly act to approve a resolution declaring
certain property of the city as surplus and approving the disposition of the listed
44 property. This declaration does no include real property.

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

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6 Ott Dameron, City Administrator, opened the discussion by explaining this action
is needed to surplus the main pavilion at the city center park. He went on to explain that
staff is in the process of putting the plans together to replace the pavilion. Mr. Dameron
8 further noted that the old pavilion has been declared as surplus property. Mr. Dameron
noted that the Council needs to approve it as surplus property to move forward with the
10 project. He added that this option of disposal is to have a contractor do the labor on the
removal, yet also be able to use the steel. Councilmember Acerson commented that this
12 is a good option, as it will allow someone to use the material and also accomplish what
the city needs as far as the removal. Mr. Dameron stated that the minimum bid is \$500 to
14 offset the costs.

16 Mayor Pro Tem Powell inquired what the time frame is for the new pavilion to go
in. Mr. Dameron replied that the pad has to be removed and a new pad installed by the
end of October. He added that the pavilion will then be erected over the next few months
18 and be operational by spring. He added that the pavilion is budgeted for and the park
impact fees will cover the costs.

20 Mayor Pro Tem Powell called for further discussion or questions from the
Council or any public comments. Hearing none she called for a motion.

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

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28 COUNCILMEMBER ACERSON MOVED TO APPROVE RESOLUTUION
#2012-11-R DECLARING SURPLUS PROPERTY. COUNCILMEMBER BEAN
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

- 36
38 2. **Review and Action** – *Interstate Gratings – Release of Guarantor (Resolution
#2012-12-R)*. This is a request be Interstate Gratings for the Council’s
consideration for adoption of a resolution approving the release of Ohio Gratings,
40 Inc. as a guarantor of amounts payable under a loan agreement between
Westridge Investments LLC, Wells Fargo Bank N.A., and Lindon City; approving
42 the form of a release agreement and an amendment to the loan agreement; and
related matters.

44
46 Mr. Dameron opened the discussion by stating this item is a request by Interstate
Gratings to release one of the guarantors on an industrial development bond sponsored by

2 the city in 2008. He noted that with an industrial development bond the city is not at risk
4 financially at all, and this action will help the developer to sponsor and serve as a conduit
6 for the bond, which gives the bond tax exempt status. Mr. Dameron further discussed
8 that the bond went to the State Board and then Wells Fargo bought the bond, who is the
10 sole holder of the bond. The city allows this to happen because there are no risks to the
12 city, and it allows jobs to be created and there is an increase in valuation of property. Mr.
14 Dameron further explained that the company is asking that one guarantor be released (out
16 of three), of which Wells Fargo has already been approved as the sole bond holder. He
18 went on to say this is somewhat of a formality for the city to release this bond. He added
20 that there are no financial implications to the city, and the bank would foreclose on the
22 property if they failed to pay.

24 Mayor Pro Tem Powell called for any further discussion from the Council.
Hearing none she called for a motion.

26 COUNCILMEMBER FRAMPTON MOVED TO APPROVE RESOLUTION
28 #2012-12-R INTERSTATE GRATINGS RELEASE OF GUARANTOR.

30 COUNCILMEMBER ACERSON SECONDED THE MOTION. THE VOTE WAS
32 RECORDED AS FOLLOWS:

34 COUNCILMEMBER WALKER AYE

36 COUNCILMEMBER FRAMPTON AYE

38 COUNCILMEMBER BEAN AYE

40 COUNCILMEMBER POWELL AYE

42 COUNCILMEMBER ACERSON AYE

44 THE MOTION CARRIED UNANIMOUSLY.

- 26 3. **Review and Action** – *Lease of Police Officers Fleet Vehicles (Resolution #2012-*
28 *13-R)*. This is a request by Chief Cullimore for approval of a resolution
30 approving entering into a lease agreement with Zion’s First National Bank for the
32 lease of our police officers’ fleet vehicles for the next two years.

34 Mr. Dameron noted this action item is for the lease renewal for the police
36 vehicles. He added that Chief Cullimore’s vehicle is on a different cycle which was
38 renewed in March. Mr. Dameron stated that this is the first step to allow the process of
40 leasing the new vehicles and turning the old vehicles back in. Councilmember Walker
42 commented that he would like to see the difference between a 2 and 3 year lease and hear
44 the pros and cons. Chief Cullimore stated that the Ken Garf Dealership indicated that the
costs are almost exactly the same with a 2 year vs. a 3 year lease. Chief Cullimore noted
they are also going with the eco-boost engines this year. He added if they went with a 3
year lease the resale would be less along with the additional expense on maintenance.
Councilmember Walker stated that he would feel comfortable with more information to
address the citizens about this issue and to be able to inform them of the process. Chief
Cullimore stated that he would be happy to meet with Councilmember Walker to discuss
the issue. Mr. Dameron noted that this will be the third cycle, and is done every 2 years.
He added that the process works well.

46 Mayor Pro Tem Powell called for any further discussion from the Council.
Hearing none she called for a motion.

COUNCILMEMBER FRAMPTON MOVED TO APPROVE RESOLUTION
#2012-13-R LEASE OF POLICE OFFICERS FLEET VEHICLES.

COUNCILMEMBER WALKER 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.

4. **Review and Action** – *Bids Received – Culinary Water Service Changes and Pressure Reducing Valves Stations Project.* This is a request by staff to reject all bids received for this project. All bids were substantially higher than the engineer’s estimate and higher than the amount budgeted for the project. The project parameters will now be re-engineered, and the project can be re-advertised at a later date.

Mr. Dameron noted that this is a budgeted project in the water fund needing completion this year. He added that this issue was previously discussed in the engineering meeting. Mr. Dameron explained that this project will reduce the pressure on the west side and change some of the service lines for customers on 400 west. Mr. Dameron noted that the bids came in much higher than anticipated. Mr. Dameron further noted that the recommendation is to reject all bids and direct the engineer and public works director to re-evaluate the project and re-bid the project at a later date.

Mayor Pro Tem Powell called for any further discussion from the Council. Hearing none she called for a motion.

COUNCILMEMBER WALKER MOVED TO DENY THE CULINARY
WATER SERVICE CHANGES AND PRESSURE REDUCING VALVES STATIONS
PROJECT AND RE-BID AFTER RE-EVALUATION BY THE CITY ENGINEER
AND PUBLIC WORKS DIRECTOR. 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.

5. **Review and Action** – *Ratification – Property Acquisition Agreement.* This is a request by Mayor Dain for the City Council’s review and ratification of an agreement for property acquisition for the widening and improvement along an area at 775 East Center Street.

2 Mr. Dameron opened the discussion by stating this item has been a project that
3 Mayor Dain has been working on for several weeks; negotiating with property owners in
4 trying to acquire more property for the Center Street connection. He noted this will allow
5 for curb, gutter and sidewalk continuously on the north side of the street. Mr. Dameron
6 noted that many of the public comments received are safety related and this would
7 remedy the situation. He added that the agreement has been signed by the property
8 owner and the mayor, with the intent to take the action to ratify the agreement. Mark
9 Christensen, City Engineer, has been heavily involved with this issue and he has been in
10 conversation with other property owners also.

11 Mayor Pro Tem Powell asked if there were any comments or questions. Hearing
12 none she called for a motion

13 COUNCILMEMBER ACERSON MOVED TO RATIFY THE CENTER
14 STREET PROPERTY ACQUISITION AGREEMENT. COUNCILMEMBER
15 FRAMPTON SECONDED THE MOTION. THE VOTE WAS RECORDED AS
16 FOLLOWS:

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

22 THE MOTION CARRIED UNANIMOUSLY.

23 **COUNCIL REPORTS** –

24 **COUNCILMEMBER POWELL** – Councilmember Powell reported on the Lindon
25 Days celebration and mentioned that the council will have a report from Tracy and Eric
26 Whitehead, Lindon Days Chairmen, in the near future. Councilmember Powell stated
27 that Angie Hendrickson is considering chairing Lindon Days next year and Tracy
28 Whitehead has agreed to stay on as an assistant. She further reported that the Lindon
29 Days committee will be meeting in October to get ready for next year. She asked for
30 feedback from the Council on Lindon Days, and to let her know of any suggestions that
31 she could relay to the committee. Councilmember Powell also suggested using pins
32 (Lindon City Councilmember) instead of the shirts that have been used in the past. The
33 use of name tags may be beneficial when needing to be visible at short notice at different
34 events.
35

36 Councilmember Powell also reported she attended a meeting with the Historical
37 Preservation Commission, and the commission suggested the possibility of having an
38 online poll for opinions of how to proceed with the tithing house. She also asked the
39 council to be thinking about options for the tithing house and give their feedback.
40 Councilmember Powell noted one suggestion was the possibility of moving the tithing
41 house to the park. Councilmember Powell stated that any discussion would be helpful
42 regarding this issue.

43 Councilmember Walker commented that he would rather see the money used for
44 Lindon City Park rather than a building that would not be utilized. Councilmember
45 Acerson asked what the costs are to wrap and move the tithing house. Councilmember
46

2 Powell stated that it would be approximately \$50,000 to move it and put it on a slab,
4 without any renovations. Councilmember Bean added that it would be beneficial to do an
6 architectural assessment on the building to see if it is unique in any way from buildings of
8 the same period. He went on to say the LDS Church has not made much effort to
10 preserve these types of buildings, and he has some concerns about putting more money
12 into it. Councilmember Acerson suggested taking some good video of the tithing house
14 that would give a history about it and archive it, and then make it available to the citizens;
16 it would be an inexpensive way to preserve the history. The Council was in agreement of
18 the possibility of doing a virtual video of the tithing house for historical purposes.
20 Councilmember Powell also noted the commission is in the process of putting stories of
22 Lindon together. Councilmember Powell also reported that LaDawn Edwards would like
24 to be on the Community Center Advisory Board. Mr. Dameron noted that he will get it
26 on the agenda.

14 **COUNCILMEMBER WALKER** – Councilmember Walker reported that he
16 appreciates the comments on Lindon Days and noted that he attended a lot of the events.
18 He also suggested that an EMT should be in attendance at the arena events as there have
20 been several incidents with injuries. Councilmember Walker mentioned that he has been
22 approached by residents about the length of Lindon Days. Councilmember Powell stated
24 that there are pros and cons to changing the duration of Lindon Days. She noted that the
26 length of Lindon Days gives people opportunities to attend and offers more options. She
28 added that there was a good turn out at the concert and movie in the park, and the
30 pinewood derby and video tournament were very successful this year. Councilmember
32 Walker noted that the Community Center offers a lot more opportunities for Lindon
34 Days.

26 Councilmember Walker also reported that he attended the Animal Shelter
28 meeting. He noted that he has been contacted by people with concerns about choosing
30 the board members; he added that he has talked to Mr. Dameron about this issue. He
32 stated that hopefully Commissioner Ellertson will come and discuss this concern.
34 Councilmember Walker also mentioned the Lindon exit signs on the freeway. He noted
36 that it appears there has been some effort regarding this issue.

32 **CHIEF CULLIMORE** – Chief Cullimore mentioned some upcoming calendar items as
34 follows: 1) August 30th the “Earthquake Lady” will do a presentation at the Community
36 Center from 5-8 p.m. 2) “Ready Your Business Training” will be held on September 5th
38 from 1-4 p.m. at the Community Center and all county businesses are invited to attend,
40 not just Lindon businesses 3) September 10th Chief Cullimore has been invited to be an
42 advisor at Hurricane City to help run the Drill Down for Safety 4) The Drill Down for
44 Safety will be held on September 17th at the City Building at 6:00 p.m.

40 Chief Cullimore also reported on a near fatal accident on 700 North and State
42 Street involving a vehicle and a motorcycle. He also gave an update on the victim of the
44 accident, who is a Pleasant Grove resident.

44 **COUNCILMEMBER BEAN** – Councilmember Bean reported that the Planning
46 Commission should get the animal ordinance to the Council at the next meeting. He
48 added that he has spoken to Mr. Dameron about the North Point Solid Waste Transfer

2 Station and noted he would like to spend some time with Jerald Hatch to discuss the
operations at the transfer station.

4 **COUNCILMEMBER ACERSON** – Councilmember Acerson had nothing to report.

6 **COUNCILMEMBER FRAMPTON** – Councilmember Frampton reported that he will
be meeting with the Tree Board and will give a report at the next meeting. He also
8 reported that he has met the new employees at the Community Center and they are doing
good things and implementing new programs, and things are going well at the
10 Community Center.

12 **MAYOR DAIN** – Mayor Dain was absent.

14 **JERALD HATCH** – Jerald Hatch was in attendance to discuss operations at the North
Point Solid Waste Transfer Station as requested by Councilmember Bean. Mr. Hatch
16 answered questions from the Council regarding the process and operational procedures at
the transfer station. There was then some lengthy discussion between the council and Mr.
18 Hatch regarding this issue.

20 **ADMINISTRATOR’S REPORT** –

22 Mr. Dameron reported on the following items.

1. The Council reviewed the Project Tracking List.
- 24 2. The Senior Luau will be held at the Senior Center on August 22, 2012 at 5:00.
3. The next City Council meeting will be held on September 4, 2012.
- 26 4. The Make a Wish Foundation Rubber Ducky Derby will be held at the
Aquatics Center on August 25, 2012 at 8:00.
- 28 5. The Drill Down for Safety will be held on September 17, 2012.
6. Woody Mataele, Associate Planner, has given his resignation. His position
30 has been advertised.
7. Utah League of Cities and Towns conference will be held September 12th -14th
32 in Salt Lake City. Councilmember Frampton, Councilmember Acerson and
Councilmember Walker will attend.
- 34 8. Martin Snow will be recognized on September the 18th meeting for his
business contributions to the City.
- 36 9. Mr. Dameron reported that the Planning Commission needs an appointment
for the vacated position. He suggested emailing Adam Cowie any suggestions.
- 38 10. Mr. Dameron mentioned a revolving loan fund to help businesses along State
Street to come into compliance with the commercial code. He noted that
40 Jason Burningham, City Financially Advisor, has indicated that the RDA fund
can now be used for this purpose. The whole RDA fund can be used to create
42 a revolving load fund and then be advertised with an application etc. Mr.
Dameron asked the Council if there is an interest in this option he will bring
44 Mr. Burningham in to talk to the Council. The Council was in agreement to
to bring in Jason Burningham for discussion.

2 11. Utah League of Cities and Towns has requested recommendations for board
members. Mr. Dameron asked the Council if there was anyone who would
like to be nominated. Councilmember Acerson expressed his interest.

4 12. Mr. Dameron presented a list from Heath Bateman, Parks and Recreation
Director, of new programs being implemented at the Community Center.

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8 COUNCILMEMBER FRAMPTON MOVED TO APPROVE THE PAY
VOUCHERS. COUNCILMEMBER WALKER SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

10 COUNCILMEMBER WALKER AYE
COUNCILMEMBER FRAMPTON AYE
12 COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
14 COUNCILMEMBER ACERSON AYE
THE MOTION CARRIED.

16
18 **ADJOURN** –

20 COUNCILMEMBER FRAMPTON MOVED TO ADJOURN THE MEETING
AT 8:55 P.M. COUNCILMEMBER BEAN SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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24 Approved – September 4, 2012

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28
30 _____
Kathryn A. Moosman, City Recorder

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34 _____
Randi Powell, Mayor Pro Tem