

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, January 19,**
3 **2010**, beginning at 7:00 p.m. in the Lindon City Center, City Council Chambers, 100
4 North State Street, Lindon, Utah.

5 Conducting: James A. Dain, Mayor
6 Pledge of Allegiance: James Dain
7 Invocation: Bruce Carpenter

8 **PRESENT**

9 **ABSENT**

10 James A. Dain, Mayor
11 Lindsey Bayless, Councilmember
12 Bruce Carpenter, Councilmember
13 Bret Frampton, Councilmember – *arrived 7:15*
14 Jerald I. Hatch, Councilmember
15 Mark L. Walker, Councilmember
16 Ott H. Dameron, City Administrator
17 Adam Cowie, Planning Director
18 Cody Cullimore, Chief of Police
19 Debra Cullimore, City Recorder

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

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23 **REPORT/DISCUSSION** – Representative Stephen E. Sandstrom will be present to
24 discuss legislative priorities for the upcoming session of the Utah Legislature.

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26 Representative Sandstrom had not yet arrived at the meeting. Mayor Dain
27 suggested that the Council move on with other items of business, and hear from
28 Representative Sandstrom when he arrived.

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30 **MINUTES** – The minutes of the Regular Meeting of January 5, 2010 were reviewed.

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32 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE MINUTES OF
33 THE MEETING OF JANUARY 5, 2010. COUNCILMEMBER CARPENTER
34 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

35 COUNCILMEMBER BAYLESS AYE
36 COUNCILMEMBER CARPENTER AYE
37 COUNCILMEMBER HATCH AYE
38 COUNCILMEMBER WALKER AYE

39 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

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41 **OPEN SESSION** –

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43 Mayor Dain called for comments from any audience member who wished to
44 address an issue not listed as an agenda item. There was no public comment.

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12 **MAYOR'S COMMENTS/REPORT** –

Mayor Dain reported that the contractor has been chosen to complete the I-15 Core project. The project was planned to extend from American Fork Main Street to Provo Center Street. Available funding will allow the project to extend from Lehi Main Street to Spanish Fork within the established budget. Mr. Dameron noted that UDOT will report to the Council on the project during the February 2, 2010 meeting.

Mayor Dain also noted that he recently met with new Pleasant Grove Mayor, Bruce Call. He stated that it was a beneficial meeting, and that he anticipates a good working relationship between Lindon and Pleasant Grove during the coming years.

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16 **CONSENT AGENDA** –

No Items.

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34 **CURRENT BUSINESS** –

1. **Review and Action** – *Interlocal Agreement for the Provo Reservoir Canal Rights-of-Ways Greenway*. This item was continued from the meetings of December 1, 2009 and December 15, 2009. It is a request by Mayor Dain for the City Council's review and approval of the Interlocal Agreement for the Provo Reservoir Canal Rights-of-Ways Greenway. This is commonly known as the agreement for the Murdock Canal Trail. The agreement is between Utah County and the various cities bordering the Murdock Canal.

Mayor Dain stated that he received word from Utah County representatives earlier in the day that the agreement was not ready for approval. He called for a motion to continue this item.

COUNCILMEMBER CARPENTER MOVED TO CONTINUE THE INTERLOCAL AGREEMENT FOR THE PROVO RESERVOIR CANAL RIGHTS-OF-WAY GREENWAY. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Councilmember Walker inquired as to why this agreement, which includes a financial commitment from the City, is being considered prior to the budget process for the coming year. Mayor Dain explained that this agreement has been under consideration for some time, and that it is necessary to get the agreements with cities in place for the county to move ahead with the project. He noted that budget impacts to the City can be discussed when the final agreement is ready for review prior to approval. Councilmember Walker stated that he felt the budget process should be completed prior to the City entering into the agreement.

2. **Review** – *Comprehensive Annual Financial Report (CAFR)*. This is a request by staff for the Mayor and Council's review of the completed Comprehensive Annual Financial Report (CAFR). During the meeting of December 15, 2009, the

2 Council accepted the City's annual financial audit report for the fiscal year
2008/2009. The Audit is one section of the CAFR. Jamie Bennee, Finance
Director, and Michael Stoddard, Auditor, will be present for this report.

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6 Finance Director, Jamie Bennee, and the City's Auditor, Mike Stoddard, were
present for this discussion with the Council. Mr. Stoddard explained that the CAFR
includes a Letter of Transmittal, which is a forward looking projection of the City's
8 finances. Ms. Bennee read portion of the letter of transmittal which indicates that sales
tax revenues have declined due to the nationwide economy, but because of good financial
10 decisions made by the City there is an optimistic outlook for future finances.

12 The Council went on to discuss economic indicators and projections for a
nationwide economic recovery. Mr. Stoddard noted that while there is some evidence of
an economic turnaround, it is too early to determine whether the economic crisis is
14 ending.

16 Councilmember Walker asked Mr. Stoddard to comment on at least one good
financial decisions the City has made, as well what he feels is the biggest concern related
to City finances. Mr. Stoddard stated that the environment of internal control and the
18 high level of integrity shown by staff and officials is the City's biggest asset. He
observed that the dramatic drop in sales tax revenues the City has experienced in recent
20 years is the biggest challenge. He noted that the economy slowed at the same time the
City increased the level of Public Safety service for residents, which has created a
22 financial challenge. Mr. Stoddard observed that the high level of integrity and financial
responsibility shown by the Mayor and City Council prompted them to respond to the
24 situation quickly and decisively to meet the fiscal challenge using cost cutting measures
and implementing a necessary property tax increase. He noted that the City has closely
26 monitored the economy on their financial situation, and has responded appropriately.

28 Councilmember Walker observed that increasing taxes during financially trying
times adds to the burden of residents. Councilmember Frampton noted that it will be
necessary for the City to be cautious with any new debt in the coming years. He
30 observed that the level of service in the City is excellent, but that any new debts should
be carefully considered until the economy recovers.

32 Mr. Stoddard noted that responsibility for the financial statements is being
gradually shifted from the auditor to the City. He explained that over coming years, the
34 City will take on an increasing level of responsibility to complete more of the report, with
the auditor being responsible only to audit the reports generated by the City. He
36 complimented Ms. Bennee on her work in completing the CAFR.

38 **REPORT/DISCUSSION** –

40 Representative Sandstrom arrived at the meeting at this time. Mayor Dain invited
him to join the Council at the front of the room. Rep. Sandstrom stated that he is pleased
42 to represent the community of Lindon. He noted that Lindon residents are engaged and
informed about the political process.

44 Rep. Sandstrom went on to review issues before the legislature during this
session, including changes to concealed carry laws, the Utah State Retirement System,
46 education and budget issues. He observed that decisions made by the Legislature this

2 year will be driven in large part by the budget. He noted that the finances of the state
4 have been affected much the same as finances of cities during the economic downturn,
6 and that there is little or no excess revenue to fund capital projects. He clarified that the
8 state is financially sound due to the efforts of prudent law makers and financially
10 conservative policies. He noted that several bills for various tax increases will be
12 considered during the session, including the cigarette tax, reinstating the sales tax on
14 food, and a corporate tax on healthcare providers.

8 Councilmember Walker inquired as to why state law limits the amount of revenue
10 cities can have in a 'rainy day fund.' He observed that if the City had been allowed to
12 save money during financially good years, those funds could be used to offset the drop in
14 sales tax revenue during this economic downturn. Rep. Sandstrom stated that he is
16 unsure of the reasoning behind the financial restriction which allows cities to maintain
18 only a certain percent of their budget, but assured the Council he will research the issue
20 further.

16 Mayor Dain thanked Rep. Sandstrom for his time in meeting with the Council.
18 Rep. Sandstrom wished the Mayor and Council luck in meeting budget challenges, noting
20 that all government entities are facing the same challenge.

- 24 3. **Report** – *Lindon City Curbside Recycling Benefit/Cost Analysis*. This is a report
26 prepared by BYU Executive MPA students, including Lindon Planning Director,
28 Adam Cowie, showing the benefits and costs of various options for Lindon City's
30 Curbside Recycling program.

24 Mr. Cowie, along with fellow students from the Masters of Public Administration
26 program at Brigham Young University, presented a study they completed as a project for
28 an economics course. The project studied the curbside recycling program currently used
30 in Lindon City, and made comparisons to other communities with similar programs. The
purpose of the analysis was to evaluate the benefit of the current program and
participation rates, as well as to compare the benefits and costs of opt-in, opt-out and
mandatory recycling programs.

32 Sue Mortensen presented information regarding the history of recycling in
34 Lindon. She stated that in 2004 when discussion began, Waste Management encouraged
36 the City to implement a mandatory recycling program. The City chose an opt-in program
38 which is still in place, with 24% of households currently participating. Ms. Mortensen
noted that cost to the City decreases with a higher level of participation due to a reduction
in solid waste tipping fees. She presented a chart showing a comparison of Lindon's
recycling program as compared to other Utah municipalities. She noted that Lindon is at
the median point in both cost and participation.

40 Chad Jasperson reviewed costs which were assigned to all areas of a recycling
42 program, including a cost for resident's time when participating in the program, and a
44 cost for space to store the recycling can. He explained that when the dollar value
46 assigned as a participation cost is calculated, the sum of costs and the sum of benefits
results in a negative net benefit. He noted that as participation rates increase, the benefit
to the City increases while the participation benefit for residents decreases. The findings
of the study indicated that mandatory programs increase the monetary benefit and
decrease the net benefit.

2 Councilmember Carpenter inquired as to whether the analysis considered the cost
to society of depletion of resources, etc. Mr. Jasperson stated that a cost was assigned to
4 residents 'willingness to pay' and that the study attempted to try and capture the social
benefit of recycling.

6 Eric Graves made the following recommendations based on the results of the
study:

- 8 • The City should issue a Request for Proposals for an opt-out service.
- An annual opt-out period should be provided.
- 10 • A recycle container should be offered at a lower cost than a second trash
can as a disincentive for using a second can rather than recycling.
- Further studies should be conducted to evaluate administrative costs.
- 12 • The City should consider an 'in-house' recycling program rather than
contracting with an outside company.

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16 The Council went on to discuss rate structures in various cities, as well as other
cost cutting measure such as recycling of yard waste during summer months rather than
18 placing grass clippings and similar materials in trash containers. The students noted that
there is not a sense of urgency to recycle in Utah, as there is adequate space for a number
of additional landfills in unpopulated areas.

20 The Council thanked the panel for their presentation.

- 22 4. **Review** – *Lindon City Website*. This is a request by Debra Cullimore, City
Recorder, to demonstrate to the Mayor and Council how to navigate the City's
24 website and its contents.

26 Ms. Cullimore reviewed information available on the City website. She noted
that information which is commonly requested by residents is readily available from
28 direct links on the home page. She reviewed information regarding each City
department, economic development, police department programs, and community
30 information. She encouraged Councilmembers to inform her of inaccuracies on the
website, or to make suggestions for additional information which would be beneficial to
32 residents.

- 34 5. **Review** – *Healthy Living Milestones Slide Show*. This is a request by
Councilmember Lindsey Bayless and Planning Director Adam Cowie for the
36 Council's review of a slide show of Lindon's initiatives for healthy living which
they presented at the 2009 Utah Chapter of the American Planning Association
38 Conference.

40 Mr. Cowie and Councilmember Bayless made a presentation which outlined
healthy lifestyle practices and programs in place in Lindon. The presentation covered the
42 benefits of the existing trail system, as well as plans for future expansion. Lindon City
currently provides 10.96 acres of park space per 1,000 residents, which far exceeds the
44 national recommendation of 4 acres per 1,000 residents. The presentation also gave an
overview of the Healthy Lindon Committee, foothill preservation, wetlands preservation,
46 and community involvement and programs.

2 **COUNCIL REPORTS –**

4 **COUNCILMEMBER FRAMPTON –**

6 Councilmember Frampton reported that Engineering Coordination meeting was
7 very informative. He noted that the Tree Advisory Board will meet in February, and that
8 he will report to the Council after the meeting.

10 **COUNCILMEMBER WALKER –**

12 Councilmember Walker reported that he met with Mr. Dameron and Finance
13 Director, Jamie Bennee to review questions he had regarding the budget. He thanked Mr.
14 Dameron for his time, and noted that the meeting was very beneficial.

15 Councilmember Walker also reported that he met earlier in the evening with the
16 Historic Preservation Commission. The Commission discussed the possibility of moving
17 the annual Christmas Tree Lighting to the new community center next year. The
18 Commission also discussed starting improvements to the Historic Tithing House when
19 funds become available.

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21 **COUNCILMEMBER CARPENTER –**

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23 Councilmember Carpenter reported that the Legislative Policy Committee met
24 earlier in the day. The Committee discussed proposed changes to the Utah Retirement
25 System, which are expected to be implemented for new hires in July, 2011.

26 Councilmember Walker asked Councilmember Carpenter to explain the process
27 of paying the UTOPIA backstop funds which were recently called for payment.
28 Councilmember Carpenter stated that the City's financial obligation to UTOPIA is for
29 approximately \$308,000 which was previously paid into an escrow account. The City
30 will now be responsible to replenish the account with monthly payments starting January
31 2011.

32 Councilmember Carpenter invited Chief Cullimore to report on Police
33 Department activities. Chief Cullimore distributed reports to the Council with
34 information regarding calls for service. He noted that Lindon does not experience much
35 violent crime, but that property crimes and drug and alcohol offenses are common. He
36 noted that the Department is working on one large fraud investigation and several large
37 drug investigations. He clarified that this report does not reflect every call officers
38 receive, and that only calls which result in the creation of an incident report are included.

39 Chief Cullimore noted that the Veterans Memorial committee will meet on
40 Thursday, January 21 to discuss plans for the memorial.

41 Chief Cullimore also reported that the Police Department will be working with a
42 three county Child Abduction Response Team (CART) which will respond in the event
43 of any child abduction to cover main travel routes out of the area and provide support to
44 the reporting agency.

46 **COUNCILMEMBER HATCH –**

2 Councilmember Hatch reported that Housing Consortium meetings are held the
second Thursday of each month. Councilmember Frampton will attend those meetings.

4 **COUNCILMEMBER BAYLESS -**

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8 Councilmember Bayless suggested that the Council discuss plans for future
development on the west side of the City prior to starting the General Plan review and
update. She felt that the Council should consider whether future planning should include
10 additional residential development, or whether commercial and industrial zones should be
maintained.

12 Councilmember Bayless reported that during discussion at the previous meeting
regarding grant funding for expansion of the Lindon Heritage Trail, some concern was
14 expressed regarding the City's financial obligation for matching funds. She explained
that the City has already purchased the property for the expansion, and that the purchase
16 price will count as the City's match. No additional funding from the City will be
required.

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20 Mayor Dain requested discussion from the Council regarding senior citizens to
participate on a committee to plan programs for the Senior Citizens Center. The Council
discussed various names of community members who may be willing to help on the
22 committee. Mayor Dain will contact them to determine who is willing and available
participate.

24 **ADMINISTRATOR'S REPORT -**

26 Mr. Dameron reported on the following items:

- 28 1. The City will meet with representatives of the Southfield Irrigation Company
to discuss water share issues. Mr. Dameron will notify Mayor Dain of the
30 date and time of the meeting.
- 32 2. The Council reviewed the Project Tracking List.
- 34 3. The amended agreement with Allied Waste is ready for committee review.
The Committee will meet on January 25th at 4:00 p.m.
- 36 4. The Council reviewed the agenda for the annual budget retreat, which will be
held Saturday, February 20th at 7:30 a.m. at the Veterans Hall.
- 38 5. Vineyard Town is establishing a Redevelopment Agency. Mr. Dameron has
invited Vineyard to present their plans to Lindon officials.
- 40 6. Terms of several members of the Board of Adjustments will expire in the near
future. The Council discussed appointments or reappointments to the Board.
Mayor Dain will contact Board members and names discussed for
42 appointments to the Board.
- 44 7. Excess revenue from the bond issued through Hogan and Associates will be
adequate to make the bond payment for the next two years.
8. The Army Corp of Engineers has expressed some concern regarding the
wetlands project the City is working on with Orem City. Lindon and Orem

2 will meet to discuss a strategy for addressing the concerns of the Army Corp
of Engineers.

4 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE PAY
VOUCHERS. COUNCILMEMBER BAYLESS SECONDED THE MOTION. THE
6 VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BAYLESS AYE
8 COUNCILMEMBER CARPENTER AYE
COUNCILMEMBER FRAMPTON AYE
10 COUNCILMEMBER HATCH AYE
COUNCILMEMBER WALKER AYE

12 THE MOTION CARRIED UNANIMOUSLY.

14 **ADJOURN** –

16 COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE MEETING AT
11:00 P.M. COUNCILMEMBER WALKER SECONDED THE MOTION. ALL
18 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

20 Approved – February 2, 2010

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Debra Cullimore, City Recorder

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James A. Dain, Mayor