

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, February 2,**
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: Ott Dameron

7 Invocation: Bret Frampton

8 **PRESENT**

ABSENT

9 James A. Dain, Mayor
10 Lindsey Bayless, Councilmember
11 Bruce Carpenter, Councilmember
12 Bret Frampton, Councilmember
13 Jerald I. Hatch, Councilmember
14 Mark L. Walker, Councilmember
15 Ott H. Dameron, City Administrator
16 Adam Cowie, Planning Director
17 Debra Cullimore, City Recorder

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

19 **PRESENTATION** – Representatives from the I-15 Core Team were present to discuss
20 the I-15 reconstruction project.

21 UDOT representatives were experiencing technical difficulties in setting up their
22 presentation. Mayor Dain suggested that the Council move on with other business and
23 come back to the presentation. Councilmembers agreed to move ahead with the agenda.

24 **MINUTES** – The minutes of the meeting of January 19, 2010 were reviewed.

25 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE MINUTES
26 OF THE MEETING OF JANUARY 19, 2010. COUNCILMEMBER HATCH
27 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

28 COUNCILMEMBER BAYLESS AYE
29 COUNCILMEMBER CARPENTER AYE
30 COUNCILMEMBER FRAMPTON AYE
31 COUNCILMEMBER HATCH AYE
32 COUNCILMEMBER WALKER AYE

33 THE MOTION CARRIED UNANIMOUSLY.

34 **OPEN SESSION** –

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

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MAYOR’S COMMENTS/REPORT –

Mayor Dain reported that Assistant City Planner, Woodworth Mataele, made a presentation to Mountainland Association of Governments regarding a Community Development Block Grant application submitted by the City. The City is requesting \$200,000 in funding to offset the cost of remodeling the Senior Citizens Center portion of the new Community Center. Mayor Dain complimented Mr. Mataele on his presentation, and expressed confidence that the City will be awarded at least a portion of the requested grant funds.

A Mayor’s Open House will be held February 23rd at the home of John Rosenberg. Mayor Dain invited two Councilmembers and City Staff to attend with him.

The annual City Council Retreat will be held February 20th. The Council will discuss a variety of City-wide issues, particularly the budget for the coming year.

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CONSENT AGENDA –

No items.

UDOT PRESENTATION -

Todd Jensen and Jeff Dupais of UDOT were prepared for their presentation at this time. Mr. Jensen reported that the contract for the project has been awarded to Provo River Constructors, which consists of a consortium of partner companies and a variety of subcontractors who specialize in different aspects of the project. He noted that the team is a good combination of national and international strength as well as a strong local presence, which is expected to stimulate local employment.

Mr. Jensen explained that the contractor was selected based on their response to three main criteria, including the scope of the project within the established budget, traffic maintenance plans during construction, and proposed schedule for completion of the project. The original budget allocated through the Legislature in 2008 provided \$2.63 billion in funding. Budget changes in 2009 reduced to funding to \$1.725 billion. However, the contractor has committed to a project scope which exceeds original plans, with improvements extending from Lehi Main Street to Spanish Fork Main Street, including reconstruction of 10 freeway interchanges and improvements to 55 bridge structures.

Mr. Jensen went on to review the project scope and construction plan. He noted that UDOT required a 30 year pavement design, and that Provo River Constructors has committed to a 40 year pavement life, and a 75 year life for all structures. The project is designed to accommodate projected traffic flows through 2030 at a “D” service level. Mr. Jensen noted that the contractor will work with city Master Plans to accommodate any future streets plans. Construction is scheduled to begin in approximately April 2010, with completion anticipated by December 2012.

Mr. Jensen also explained that a Public Information Coordinator will be assigned to each segment of the project to work with neighboring businesses and property owners. Mr. Dameron expressed concern regarding freeway access into the Home Depot area during construction. Mr. Jensen stated that two consecutive interchanges will not be

2 closed at any time during the project, which should allow reasonable freeway access to
adjacent businesses. He noted that the 1600 North off ramp is scheduled for closure for
4 approximately 60 days, but adequate notice of the closure will be provided to area
businesses, residents and visitors.

6 Mr. Jensen encouraged the City to contact the project team with any questions or
concerns. Mayor Dain thanked Mr. Jensen and Mr. Dupais for their presentation.

8 **CURRENT BUSINESS** –

- 10 1. **Public Hearing** – *Pear Tree Estates Residential Subdivision*. The City Council
will hear public comment and possibly act to approve the Pear Tree Estates
12 Residential Subdivision, 8 lots, in the R1-20 zone at 100 West 600 North
(between Locust Avenue and 100 West). The Planning Commission
14 recommended approval with no conditions.

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

20 Victor Hansen, Engineer for the project, was present as the representative for this
application. Mr. Cowie explained that this is a request by Shirl Tomlinson representing
22 Huggard Development LLC for a major subdivision in the R1-20 zone at approximately
600 North Locust Avenue. The proposed subdivision will include the existing Huggard
24 home on lot #1, and seven additional lots on 600 North. The existing canal along the
property line will be enclosed, and a twenty foot easement will be maintained for the
26 ditch. The applicant is also installing fencing along the Cook property line. Mr. Cowie
noted that the subject property is currently an orchard, and that the applicant intends to
28 sell the improved lots. Proceeds from the sale will be donated to an undisclosed charity.

30 Mr. Cowie reviewed street frontage improvements which will be completed as
part of the project. He explained that the Cook home is not part of the project, but that
the City has asked that the section of curb, gutter and sidewalk improvements be
32 completed in front of the Cook home as part of this project in order to connect existing
sidewalk and sidewalk which will be completed as part of this project. The developer has
34 requested that the City participate in completing off-site improvements not associated
with the subdivision application, including installing sidewalk and reconstruction of the
36 existing ADA ramp. Estimates for the City's portion as requested by the developer are
approximately \$8,800. The Council discussed the possibility of completing only
38 necessary sidewalk improvements, noting that there is not a requirement to bring the
existing ADA ramp into compliance with current standards at this time, as it was built to
40 existing standards at the time it was constructed.

42 Councilmember Walker inquired as to whether the City typically participates in
such improvements. Mr. Dameron explained that the developer can not be required to
complete these off-site improvements as a condition of approval for this subdivision
44 application. He noted that the City has participated in completion of improvements in
similar situations. He observed that if the City chooses not to participate in completion of
46 the improvements, there is no trigger in the future to require the improvements. Mayor

2 Dain noted that completing the section of improvements as part of a larger project will
3 save the City money overall, and will complete typical improvements on that corner.
4 Following further discussion, the Council felt that it would be appropriate for the City to
5 complete sidewalk improvements in front of the Cook home, but to complete ADA ramp
6 upgrades in compliance with the established schedule for those improvements. The
7 approximate cost of sidewalk improvements only was estimated at \$4,500.

8 Mr. Cowie noted that the Planning Commission discussed the possibility of
9 including a trail connection as part of this subdivision. Following discussion, the Council
10 felt that the trail connection would not benefit this development, and could not be
11 required.

12 Mayor Dain called for public comment regarding this application. There was no
13 public comment. He called for a motion to close the Public Hearing.

14 COUNCILMEMBER CARPENTER MOVED TO CLOSE THE PUBLIC
15 HEARING. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL
16 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

18 Mayor Dain called for further comments or discussion from the Council. Hearing
19 none, he called for a motion. Mr. Dameron suggested separate motions for the
20 subdivision application and the City's participation in completion of sidewalk
21 improvements in front of the Cook home.

22 COUNCILMEMBER WALKER MOVED TO APPROVE THE PEAR TREE
23 ESTATES RESIDENTIAL SUBDIVISION PRELIMINARY PLAT.
24 COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE VOTE WAS
25 RECORDED AS FOLLOWS:

26 COUNCILMEMBER BAYLESS	AYE
27 COUNCILMEMBER CARPENTER	AYE
28 COUNCILMEMBER FRAMPTON	AYE
29 COUNCILMEMBER HATCH	AYE
30 COUNCILMEMBER WALKER	AYE

31 THE MOTION CARRIED UNANIMOUSLY.

34 COUNCILMEMBER CARPENTER MOVED TO APPROVE CITY
35 PARTICIPATION IN COMPLETION OF SIDEWALK IMPROVEMENTS ON THE
36 COOK PROPERTY, BUT THAT ADA RAMP IMPROVEMENTS NOT BE
37 COMPLETED AT THIS TIME, CONTINGENT UPON A FINAL BID APPROVED BY
38 THE PLANNING DIRECTOR. COUNCILMEMBER HATCH SECONDED THE
39 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

40 COUNCILMEMBER BAYLESS	NAY
41 COUNCILMEMBER CARPENTER	AYE
42 COUNCILMEMBER FRAMPTON	AYE
43 COUNCILMEMBER HATCH	AYE
44 COUNCILMEMBER WALKER	AYE

45 THE MOTION CARRIED (4-1).

2 2. **Public Hearing** – *Ordinance Amendments to Lindon City Code Chapter 17.12*
4 *“Document Submission and Review” and 17.19 “Land Use Fee Schedule.”*
6 (Ordinance #2010-1-O) This is a request by staff for the Mayor and Council’s
8 review and approval of the amendments to the LCC Chapters 17.12 “Document
10 Submission and Review” and 17.19 “Land Use Fee Schedule.” The Planning
12 Commission recommended approval following review at four meetings.

14 COUNCILMEMBER CARPENTER MOVED TO OPEN THE PUBLIC
16 HEARING. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL
18 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

20 Mr. Cowie explained that this is a review of amendments to LCC 17.12 and
22 17.19. Language referencing site plan development has been removed from these
24 sections and incorporated into a new section, LCC 17.17, which has not been forwarded
26 from the Planning Commission to the City Council at this time. Councilmember
28 Carpenter noted that if amendments before the Council are approved tonight, there will
30 technically be no ordinance governing site plan development until section 17.17 is
32 approved. He suggested the Council discuss the proposed ordinance revisions and
34 approve the ordinance as a Consent Agenda item when section 17.17 is approved. The
36 Council agreed that this action would be appropriate.

38 Mr. Cowie reviewed proposed ordinance changes. He noted that language
40 referencing repealed sections will be removed. Language has been added to the
42 ordinance which references the Development Manual. References to the City Council
44 and Planning Commission have been changed to ‘land use authority’ to make the
46 ordinance consistent with Utah law.

 Mr. Cowie went on to review proposed time frames to file extension requests for
approved subdivisions. He stated that proposed revisions include a total of twelve
months total extension time, which can be applied to the preliminary plat, the final plat,
or a combination of both plats, not to exceed the maximum twelve months. He noted that
if all approvals and extension periods expire, an applicant would be required to reapply
and comply with any new ordinances since the original approval.

 Mayor Dain called for public comment. There was no public comment. He
called for further comments or discussion from the Council. Hearing none, he called for
a motion.

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

 COUNCILMEMBER BAYLESS MOVED TO APPROVE ORDINANCE
#2010-1-O AS A CONSENT AGENDA ITEM AT A FUTURE MEETING.
COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

COUNCILMEMBER BAYLESS	AYE
COUNCILMEMBER CARPENTER	AYE

COUNCILMEMBER FRAMPTON AYE
2 COUNCILMEMBER HATCH AYE
COUNCILMEMBER WALKER AYE
4 THE MOTION CARRIED UNANIMOUSLY.

6 3. **Review and Action** – *Amendments to the City-Wide Fee Schedule – Cemetery*
7 *Fees.* This is a request by the Cemetery Sexton, Don Peterson, for the Mayor and
8 Council’s review and approval of changes to the City-Wide Fee Schedule relating
9 to Cemetery Fees. The requests are to include a separate fee for cremation burials
10 and to change the fee for burials after regular hours.

12 Cemetery Sexton and Public Works Director, Don Peterson, was present for this
13 discussion with the Council. He explained that the vast majority of funeral burials can be
14 completed during regular hours. However, a small percentage of funerals run into the
15 afternoon hours, which results in overtime pay for Public Works employees assigned to
16 the funeral. Mr. Peterson is requesting that the \$275 fee charged for weekend and
17 holiday burials be applied to burials which require staffing after 3:30 p.m. on weekdays
18 in order to cover the City’s cost.

19 Mr. Peterson also noted that the frequency of cremation burials is increasing. He
20 stated that he has been charging the fee established for infant burials for cremation
21 burials, which does not cover the City’s cost. He requested that a fee of \$200 be
22 established for weekday cremation burials, with an additional \$250 fee for weekend,
23 holiday and evening cremation burials.

24 Mayor Dain called for comments or discussion from the Council. Hearing none,
25 he called for a motion.

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27 COUNCILMEMBER BAYLESS MOVED TO APPROVE AMENDMENTS TO
28 THE CITY-WIDE FEE SCHEDULE TO INCLUDE A \$275 FEE FOR EVENING
29 BURIALS, A \$200 FEE FOR CREMATION BURIALS, AND AN ADDITIONAL \$250
30 FEE FOR WEEKEND, HOLIDAY OR EVENING CREMATION BURIALS.
31 COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS
32 RECORDED AS FOLLOWS:

33 COUNCILMEMBER BAYLESS AYE
34 COUNCILMEMBER CARPENTER AYE
35 COUNCILMEMBER FRAMPTON AYE
36 COUNCILMEMBER HATCH AYE
37 COUNCILMEMBER WALKER AYE
38 THE MOTION CARRIED UNANIMOUSLY.

40 4. **Review and Action** – *Lindon City Literacy Program Volunteers.* This is a
41 request by staff for approval of the list of volunteers for the Lindon City Literacy
42 Program. By approving the volunteers, Lindon’s liability insurance carrier will
43 cover them at no additional cost to the City.

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45 Mr. Dameron explained that in order for the City’s liability insurance carrier,
46 URRMA, to provide coverage for the literacy program volunteers, the City Council must

2 approve the participants. Volunteers are; Tina Vella, Susan Holyoak, Lloyd Christiansen,
3 Jim Hamilton, Sharon Wilkins, Lois Nelson, Tina Mueller, Mary Hasler, Kristine
4 Colledge, Nicole Kohlert, and Jerry Rapier. Mr. Dameron noted that there is no
5 additional cost to the City for this coverage. Mayor Dain called for comments or
6 discussion from the Council. Hearing none, he called for a motion.

7 COUNCILMEMBER HATCH MOVED TO APPROVE THE LITERACY
8 PROGRAM VOLUNTEER LIST. COUNCILMEMBER BAYLESS SECONDED THE
9 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

10 COUNCILMEMBER BAYLESS AYE
11 COUNCILMEMBER CARPENTER AYE
12 COUNCILMEMBER FRAMPTON AYE
13 COUNCILMEMBER HATCH AYE
14 COUNCILMEMBER WALKER AYE
15 THE MOTION CARRIED UNANIMOUSLY.

- 16
- 17 5. **Review and Discussion** – *Interlocal Agreement, Orem City and Lindon City for*
18 *Waste Water Treatment.* This is a request by staff for a review and discussion of
19 a revised Interlocal Agreement between Lindon and Orem for waste water
20 treatment. The discussion will also include the anticipated Waste Water
21 Treatment Plant Expansion and Lindon’s obligation related to the expansion.
22 Orem received a no interest loan through State of Utah using federal stimulus
23 monies for the expansion which will save over \$6 million in interest costs.
24

25 Chris Tschirki, Water Resources Division Manager for Orem Public Works
26 Department, was present for this discussion with the Council. City Attorney, Brian
27 Haws, and City Engineer, David Thurgood, were also present. Mr. Dameron explained
28 that Lindon City and Orem City entered into a waste water treatment agreement in 1976.
29 The agreement has been updated and revised periodically since that time. The proposed
30 agreement requires Lindon’s participation in pending expansion to the waster water
31 treatment facility, and additional updates are also being considered in proposed revisions.

32 Mr. Dameron invited Mr. Tschirki to review plans for the expansion, and the
33 details of the funding source which has been secured for the project. Mr. Tschirki
34 explained that Orem applied for funding for this project through the Department of Water
35 Quality using federal stimulus funds. Orem City was awarded \$11.9 million in funding
36 in the form of a 0% interest loan which must be repaid over a twenty year period. He
37 noted that bond counsel has reported that the cities could have expected to pay 4% to 5%
38 interest on the bond market, and that the 0% loan will result in a savings of \$5 million to
39 \$7 million which would have been paid in interest over the life of the bond.

40 Mr. Tschirki went on to discuss water treatment facilities in Florida and Georgia
41 with new technology which create “Class A” solids, which can be used in a variety of
42 ways such as fertilizer for home gardens. Recycling in this manner reduces the cost of
43 bio-solid disposal which is currently taken to the landfill. Mr. Tschirki stated that the
44 Orem facility will be the first facility in the state of Utah to use this patented process. He
45 noted that this new technology was a significant factor in securing the interest free
46 funding for the project. In addition to bio-solid processing upgrades, the facility will use

methane gas to heat water that is used repeatedly in the process. He noted that the facility will have a back up natural gas supply, but that the facility is expected to produce adequate methane gas to complete the process without using the natural gas.

Mr. Tschirki went on to review the bid process for the project. He stated that 13 general contractors were represented at the pre-bid meeting held on January 13, 2010. The bid has since been awarded to Hills Construction as the low bidder. After several adjustments, the net bid amount is approximately \$12 million. Mr. Dameron explained that Orem City has agreed to make up the shortfall between the bid amount and bond revenue with available reserve funds. Lindon City and Vineyard Town will pay back their portion of those funds on a five year repayment schedule based on the terms of the service agreement between the cities.

Councilmember Walker noted that Lindon is responsible for 19% of costs associated with the expansion. He inquired as to whether that percentage is based on population or other factors. Mr. Tschirki explained the percentage formula is based on build out service area and population. The formula considers the amount of hydraulic capacity needed to go from current flows to estimated build out flows.

Councilmember Frampton inquired as to whether funds have been budgeted to cover this expenditure. Councilmember Carpenter explained that costs will be paid from the Sewer Enterprise Fund, which currently has a fund balance. He noted that it may be appropriate to consider an increase in impact fees or other sewer fees to cover this increased cost without depleting the Sewer Fund. Mr. Dameron noted that there is adequate revenue in the Sewer Fund to cover the first payment as well as Lindon's portion of loan closing costs. Subsequent payments will begin in February 2011.

Mayor Dain asked if the new facility will process phosphates. Mr. Tschirki stated that bio nutrient removal processes will be included in this facility. He stated that the existing facility is at capacity for bio-oxygen demand, but the expansion project is expected to double that capacity.

Mr. Dameron suggested that the Council review elements of the agreement other than the expansion. Mr. Thurgood observed that the last amendments to the agreement were completed in March 2004. Proposed revisions include the new lift station the will lift from the 1200 West line. The agreement also addresses the cost sharing formula, including possible future expansion. Updated capacity limits are also addressed in proposed revisions. Mr. Dameron noted that it may be appropriate for the Council to evaluate costs associated with the agreement and determine whether current fees will cover expenses or whether rate or fee adjustments may be necessary. He noted that all repayment from Lindon will be interest free. Lindon will repay supplemental funds paid by Orem to cover the shortfall between bond revenues and actual expenses over a five year period. The repayment period for the bond will be 20 years.

Mr. Tschirki noted that an emergency repair reserve account in the amount of \$220,000 will be maintained. Participating cities will be required to replenish any funds used from that account based on the same percentage formula as other aspects of the agreement.

Mr. Dameron explained that final amendments to the agreement were not ready for approval at this meeting. He noted that due to the scheduled bond closing date on February 16, 2010, it will be necessary to schedule a Special Meeting prior to the next regular City Council meeting to review and approve the final agreement. The Special

Meeting was scheduled for Thursday, February 11, 2010 at 5:00 p.m. The Council will take final action on this agreement at that meeting.

6. **Review and Discussion** – *Revised Waste Collection Agreement with Allied Waste*. This is a request by staff for a review and discussion of a revised Waste Collection Agreement with Allied Waste. The Council directed that negotiations be held between the City and Allied Waste to determine if the contract should be extended. A draft agreement is ready for review.

Gordon Raymond of Allied Waste was present for this discussion. Mr. Haws also participated in this discussion. Mr. Dameron explained that the current contract with Allied Waste will expire in the near future. Following discussion on previous occasions, the Mayor and Council directed staff to negotiate revisions to the agreement with Allied Waste rather than taking bids from competing companies for a new contract.

Mr. Dameron invited Mr. Haws to review the primary changes to this existing agreement. Mr. Haws reviewed specific changes, including a listing of acceptable materials for recycling. The agreement establishes a right for residential trash collection, but does not obligate commercial uses to contract with Allied Waste for services. The agreement also sets hours of operation, requires established collection routes, and prohibits collection across boundary lines in neighboring communities during collection of Lindon trash, as it will result in an increase in tipping fee costs for the City. Mr. Haws noted that the agreement is for a five year time period, with an option to extend at the end of the five years.

Councilmember Carpenter asked for suggestions as to ways to control litter along the sides of the streets leading to the transfer station, particularly along 200 South. Mr. Raymond stated that drivers make an effort to cover and contain their loads, but that it is not possible to completely eliminate blowing trash from trucks or from the transfer station. Councilmember Hatch noted that funds are available from the transfer station to assist with clean up. Mr. Dameron stated that T.A.G. crews also do clean up along 200 South periodically.

Mr. Raymond went on to review possible fee scenarios which would encourage recycling as opposed to second trash cans. He noted that 33% of Lindon residents currently have a second trash can. Mayor Dain observed that while the City wants to encourage recycling, it would not be appropriate to increase rates. Councilmember Walker noted that particularly since a sewer rate increase may be necessary to cover expenses associated with the sewer facility expansion, it would not be appropriate to consider a garbage rate increase as well. Mr. Raymond stated that it is possible to structure rates to encourage recycling while staying within current cost to residents.

Councilmember Carpenter noted that in cost comparisons with other cities, some cities, including Pleasant Grove, are charged a lower rate. He inquired as to the reasoning behind specific rate structures. Mr. Raymond explained that a number of factors are taken into consideration for each agreement, including items such as free service for City facilities, number of second containers, density and size.

Councilmember Carpenter asked if the agreement allows re-negotiation of fees by either party. Mr. Raymond stated that the proposed agreement does not include specific

language, but that he is comfortable with the working relationship between the City and Allied Waste, and that he is sure issues could be worked out as they arise.

The Council went on to discuss the fuel surcharge structure, and whether a percentage or a flat rate structure would be preferable. Mr. Haws noted that the agreement the City has been operating under did not include a provision to allow Allied Waste to request fee periodic fee increases. The proposed agreement includes language which will allow Allied Waste to request fee increases, but also provides the City with the authority to approve or deny the requested increase.

Mr. Haws noted that the existing agreement expires on March 1, 2010, and the new agreement would run from March to March. He suggested that the new agreement be amended to run on the July 1 fiscal year cycle. The Council agreed that it would be beneficial to run the agreement with the fiscal year to better accommodate the budget cycle. Mr. Haws will make adjustments to the agreement and present it for approval at a future meeting.

COUNCIL REPORTS –

COUNCILMEMBER HATCH – Councilmember Hatch reported that following recent elections, a number of new members are serving on the landfill board. He noted that there is ongoing discussion on the board regarding UDOT projects which affect the landfill.

COUNCILMEMBER CARPENTER – Councilmember Carpenter reported on issues being addressed during the Legislative session. He noted that there are several bills with minor concerns for cities, but that the Utah League of Cities and Towns and the Legislative Policy Committee is staying abreast of those issues.

COUNCILMEMBER WALKER – Councilmember Walker reported that he met with Chief Cullimore, Officer Lloyd and Officer Sutch of the Police Department regarding Youth Court. He stated that the Youth Court program is up and running, and that he will attend a session of the proceedings to observe. He also reported that the annual Easter Egg Hunt is scheduled for April 3, 2010. Mayor Dain reminded Councilmember Walker that it is his responsibility to find a Chairperson for the Lindon Days celebration.

COUNCILMEMBER FRAMPTON – Councilmember Frampton reported that he met recently with the Veterans Memorial Committee. The memorial will not be complete for the Memorial Day Celebration. The Committee is making an effort to have it completed for September 11 Patriots Day observance. Councilmember Frampton also reported that parks maintenance bids are being reviewed, and that he will meet with the Tree Advisory Board later this month.

COUNCILMEMBER BAYLESS – Councilmember Bayless asked for feedback from the Council regarding ideas for west side development which should be considered in General Plan updates. Following some discussion, the Council expressed a general feeling that would not be opposition to a limited amount of additional residential

development in the area of the existing Creekside Meadows subdivision and surrounding areas.

ADMINISTRATOR'S REPORT –

Mr. Dameron reported on the following items:

1. The Council reviewed the Project Tracking List.
2. Maeser Academy is planning relocation to site located on 600 South.
3. UDOT has requested reimbursement from the City for an appraisal fee relative corridor preservation associated with the Black Scot Development project in 2004. Mr. Dameron will investigate further whether the City is responsible for the costs and report back to the Council.
4. An asphalt crushing business is considering an operation on the west side of the City during the I-15 Core project. The business would be request a five year temporary use. The Council will review specifics of the proposal at a future meeting.
5. The federal government has issued a list of five banks which may be experiencing financial difficulty. The bank used by the City for the majority of City business, Western Community Bank, is on the list. Mr. Dameron will meet with bank representatives to discuss the situation and determine whether there is undue risk for the City and if a change is warranted.

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

COUNCILMEMBER BAYLESS	AYE
COUNCILMEMBER CARPENTER	AYE
COUNCILMEMBER FRAMPTON	AYE
COUNCILMEMBER HATCH	AYE
COUNCILMEMBER WALKER	AYE

THE MOTION CARRIED UNANIMOUSLY.

ADJOURN THE REGULAR CITY COUNCIL MEETING AND CONVENE THE EXECUTIVE SESSION –

COUNCILMEMBER CARPENTER MOVED TO ADJOURN THE REGULAR SESSION OF THE LINDON CITY COUNCIL AND CONVENE THE EXECUTIVE SESSION AT 10:48 P.M. COUNCILMEMBER WALKER SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

COUNCILMEMBER WALKER MOVED TO ADJOURN THE EXECUTIVE SESSION AND RECONVENE THE REGULAR CITY COUNCIL MEETING AT 11:32 P.M. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

ADJOURN –

2 COUNCILMEMBER CARPENTER MOVED TO ADJOURN THE MEETING
AT 11:32 P.M. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL
4 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

6 Approved – February 16, 2010

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Debra Cullimore, City Recorder

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James A. Dain, Mayor