

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, March 16,**  
3 **2010,** beginning with a Work Session at 6:30 p.m. in the Lindon City Center, City  
4 Council Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:30 P.M.

8 Conducting: James A. Dain, Mayor

10 **PRESENT**

**ABSENT**

12 James A. Dain, Mayor  
13 Lindsey Bayless, Councilmember  
14 Bruce Carpenter, Councilmember  
15 Bret Frampton, Councilmember  
16 Jerald I. Hatch, Councilmember  
17 Mark L. Walker, Councilmember  
18 Ott H. Dameron, City Administrator  
19 Don Peterson, Public Works Director  
20 Debra Cullimore, City Recorder

22 The meeting began at 6:40 p.m.

24 **DISCUSSION** - *The Mayor and City Council met in a Work Session with Don Peterson,*  
25 *Public Works Director, to discuss issues and concerns, including proposed capital*  
26 *projects for fiscal year 2010/2011.*

28 Public Works Director, Don Peterson, was present for this discussion with the  
29 Council. He presented a prioritized list of street overlay projects which can be completed  
30 within the established budget.

31 Mr. Peterson reported on salt used during winter storm events. He stated that  
32 approximately 200 tons of salt was left from last year, and that if no additional winter  
33 storm events occur this year, there will be approximately 300 tons left over to start the  
34 season next year.

35 Mr. Peterson then presented a list of streets crack seal projects. He stated that  
36 ideally, these projects will be completed in the early spring before the asphalt heats up.  
37 Later in the year as the street surface heats up it will expand and tighten the seal. He  
38 stated that there is \$80,000 budgeted for crack seal projects.

39 Mr. Peterson reported on the water meter change out program which was started  
40 last year. Approximately 30 older meters have been changed out for new meters.  
41 Additional change outs will be completed in the coming year. He noted that the new  
42 meters appear to be reading more accurately, and that a portion of the cost of the new  
43 meters is expected to be recovered in more accurate billing for water usage.

44 Mr. Peterson requested that the Council consider re-bidding the 150 East water  
45 line project. He explained the existing line is a four inch line, and that an eight inch line  
46 is needed to accommodate necessary water pressure. He noted that bids were accepted  
last summer for the project, but that costs were higher than the City felt comfortable with

2 at that time. He noted that if the project is re-bid, costs may be lower than the bids  
submitted last year.

4 Mr. Peterson went on to report on storm water projects, including cleaning of the  
main ditch from Lakeview Drive south through the Terry property. The clean up project  
6 will extend to State Street when it is completed. Mr. Peterson also reported that the City  
has been in contact with resident Verl Cook regarding piping of areas of ditch located on  
his property to mitigate flooding concerns and better accommodate storm water flows.  
8 Mr. Cook has expressed his willingness to allow the piping project to be completed.

10 Mr. Peterson went on to review sewer projects for the coming year, including  
repair of infiltration areas. He noted that the pipes can be repaired without digging them  
up. He also reported that two sewer lift stations are in need of repair. Station #1 on  
12 Geneva Road and Center Street and Station #2 located in the Martin Snow development.  
He noted that Station #2 will eventually be abandoned as additional sewer system  
14 improvements are completed in the future.

16 Councilmember Walker observed that it may be less costly to complete streets  
projects now before oil prices rise during the summer months. Mr. Dameron explained  
that the projects can not be completed until after the start of the budget year July 1<sup>st</sup>.

18 Mayor Dain thanked Mr. Peterson for his report and for his work and the work of  
Public Works personnel in the City.

20 **REGULAR SESSION** – 7:00 P.M.

22 Conducting: James A  
24 Pledge of Allegiance: David Redding – Boy Scout  
Invocation: Bruce Carpenter

26 **PRESENT**

**ABSENT**

28 James A. Dain, Mayor  
30 Lindsey Bayless, Councilmember  
Bruce Carpenter, Councilmember  
32 Bret Frampton, Councilmember  
Jerald I. Hatch, Councilmember  
34 Mark L. Walker, Councilmember  
Ott H. Dameron, City Administrator  
36 Don Peterson, Public Works Director  
Debra Cullimore, City Recorder

38 The meeting was called to order at 7:05 p.m.

40 **LITTLE MISS LINDON RECOGNITION** – *The Little Miss Lindon Royalty for 2010*  
42 *will be introduced to the Mayor and Council. The outgoing Little Miss Lindon Royalty*  
*will be recognized for their outstanding representation of Lindon City for this past year.*  
44

46 The 2009 Little Miss Lindon Royalty, Kadryn Jones, Kyra Crenshaw, Louisa  
Matheny, Clara McCurdy and Haley Pennock were present at the meeting. Miss Jones

2 thanked Mayor Dain and the Council for their support during 2009. She noted that the  
3 Royalty enjoyed being a part of events that took place during the year, including the  
4 ribbon cutting and grand opening of the aquatics center. She reported that the 2009  
5 parade float, titled “Do You Believe in Magic?” won awards at four parades around the  
6 valley.

7 Miss Jones then presented the 2010 Little Miss Lindon Royalty as follows: Little  
8 Miss Lindon, Lindsay Savage, and attendants McKenzie Bunker, Sydney Romero, India  
9 Severe and Lindsey Poulton.

10 Mayor Dain thanked the outgoing Royalty for their help with many projects  
11 during their year of service. He commented that the girls make a big difference at many  
12 events during the year. He congratulated them on a job well done. The Mayor also  
13 congratulated the new Royalty, and expressed that he is looking forward to working with  
14 them during the coming year.

15 **RECOGNITION** – *The Mayor and City Council will recognize the efforts of Jamie  
16 Bennee, Finance Director for receiving the Distinguished Budget Award for Lindon City.  
17 Mrs. Bennee’s work reflects great credit upon herself and Lindon City. The award is  
18 presented by the Government Finance Officers Association.*

19 Mayor Dain presented the Distinguished Budget Award to Finance Director,  
20 Jamie Bennee. He noted that the City budget must be found proficient in four specific  
21 areas in order to achieve the award. The Mayor congratulated Ms. Bennee on her  
22 achievement and thanked her for her work in the City.

23 **PRESENTATION** – *The Mayor and City Council will formally present the Utah  
24 Recreation and Parks Association “Outstanding Facility Award” to Dan Seder, Parks  
25 and Recreation Director. This award is given for the Lindon Aquatics Center.*

26 Mayor Dain presented the “Outstanding Facility Award”, presented by the Utah  
27 Parks and Recreation Association, to Parks and Recreation Director, Dan Seder. Mayor  
28 Dain congratulated Mr. Seder for this achievement, and thanked him for his work in the  
29 City.

30 **MINUTES** – *The minutes of the Regular Meeting of March 2, 2010 were reviewed.*

31 COUNCILMEMBER HATCH MOVED TO APPROVE THE MINUTES OF  
32 THE MEETING OF MARCH 2, 2010. COUNCILMEMBER WALKER SECONDED  
33 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

39 THE MOTION CARRIED UNANIMOUSLY.

40 **OPEN SESSION** –

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

4 **MAYOR'S COMMENTS/REPORT** –

6  
8 Mayor Dain reported on financial obligations related to the Murdock Trail  
enclosure project. He noted that the City had anticipated using Parks and Trails Impact  
Fee revenue to pay the City's portion of the project. However, a federal funding source  
10 which is designated for pollution mitigation projects, such as trails, has been identified,  
and City funds are not expected to be expended for this project.

12 **CONSENT AGENDA** –

14 No items.

16 **CURRENT BUSINESS** –

- 18  
20 1. **Review and Action** – *Approval of HOME and CHDO Funding Allocation.*  
(Resolution #2010-5-R) The Mayor and Council will consider approval of a  
Resolution authorizing the use of Lindon City's allocation of the projected  
22 HOME and CHDO funds administered through the Utah Valley Consortium of  
Cities and County.

24  
26 Mr. Dameron explained that approval of a Resolution relative to the City's  
HOME and CHDO funds is done annually to allow the revenue to be consolidated with  
other city and county funds to work on projects cooperatively. Councilmember Hatch  
28 explained that the Housing Consortium Board makes decision on funding projects where  
the need is greatest throughout the county. Mayor Dain called for further comments or  
30 discussion. Hearing none, he called for a motion.

32 COUNCILMEMBER FRAMPTON MOVED TO APPROVE RESOLUTION  
#2010-5-R AUTHORIZING THE USE OF LINDON CITY'S 2010 ALLOCATION OF  
34 HOME FUNDS AND COMMUNITY HOUSING DEVELOPMENT ORGANIZATION  
FUNDS TO ASSIST IN THE DEVELOPMENT OF AFFORDABLE HOUSING  
36 PROJECTS AND SERVICE CENTERS LOCATED IN UTAH COUNTY AND  
SETTING AN EFFECTIVE DATE. COUNCILMEMBER HATCH SECONDED THE  
38 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BAYLESS AYE  
40 COUNCILMEMBER CARPENTER AYE  
COUNCILMEMBER FRAMPTON AYE  
42 COUNCILMEMBER HATCH AYE  
COUNCILMEMBER WALKER AYE  
44 THE MOTION CARRIED UNANIMOUSLY.

2           2. **Review and Action** – *Adoption of an Electronic Meeting Policy. (Resolution*  
3           *#2010-6-R).* The Mayor and Council will consider the adoption of an Electronic  
4           Meeting Policy.

5           Mr. Dameron explained that adoption of this policy will give the Council the  
6           ability to allow Councilmembers to participate in meetings electronically by telephone or  
7           other means. Mayor Dain noted that he does not anticipate that electronic meeting  
8           participation would be used often, but that it would provide the means necessary to  
9           conduct a meeting in an emergency situation. Councilmember Carpenter observed that it  
10          may eliminate that need to cancel a particular meeting due to lack of a quorum if a  
11          Councilmember was available to participate in the meeting electronically. Mayor Dain  
12          called for further comments or discussion. Hearing none, he called for a motion.

13          COUNCILMEMBER BAYLESS MOVED TO APPROVE RESOLUTION  
14          #2010-6-R ADOPTING AN ELECTRONIC MEETING POLICY AND SETTING AN  
15          EFFECTIVE DATE. COUNCILMEMBER WALKER SECONDED THE MOTION.  
16          THE VOTE WAS RECORDED AS FOLLOWS:  
17          COUNCILMEMBER BAYLESS            AYE  
18          COUNCILMEMBER CARPENTER         AYE  
19          COUNCILMEMBER FRAMPTON         AYE  
20          COUNCILMEMBER HATCH             AYE  
21          COUNCILMEMBER WALKER           AYE  
22          THE MOTION CARRIED UNANIMOUSLY.

23          3. **Review and Action** – *Interlocal Cooperation Agreement – CDBG Program.*  
24          *(Resolution #2010-7-R).* This is a request by staff for the Mayor and Council’s  
25          review of a proposed agreement between Lindon City and Utah County for the  
26          administration of the CDBG program.  
27          28

29          City Attorney, Brian Haws, was present to discuss this agreement with the  
30          Council. Mayor Dain explained that this agreement would create a process for applying  
31          for and receiving CDBG funds. He clarified that under the current application process,  
32          the majority of CDBG funds have been allocated to Orem, Provo and Utah County. The  
33          proposed process of applying for funding through Utah County is expected to benefit  
34          cities who have had difficulty being approved for funding. Mr. Haws stated that the  
35          agreement is a three year commitment, with the option to opt out or renew the agreement  
36          for another three years at the end of the initial three year period. Councilmember  
37          Carpenter observed that combining funding countywide will provide opportunities for  
38          communities to complete better projects than each city is able to do individually. Mayor  
39          Dain called for further comments or discussion. Hearing none, he called for a motion.  
40

41          COUNCILMEMBER CARPENTER MOVED TO APPROVE RESOLUTION  
42          #2010-7-R AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL  
43          AGREEMENT BETWEEN LINDON CITY AND UTAH COUNTY RELATING TO  
44          THE CONDUCT OF THE COMMUNITY DEVELOPMENT BLOCK GRANT  
45          PROGRAM FOR FEDERAL FISCAL YEARS 2011, 2012 AND 2013 AND  
46

SUCCESSIVE THREE YEAR PERIODS THEREAFTER AND SETTING AN  
EFFECTIVE DATE. COUNCILMEMBER BAYLESS 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.

4. **Review and Action** – *Appointment to North Utah Valley Animal Shelter Board of Directors.* This is a request by staff for appointment of Councilmember Mark L. Walker to the Board of Directors of NUVAS.

Mr. Dameron explained that Councilmember Walker has agreed to represent Lindon City on the North Utah Valley Animal Shelter Board of Directors. The Council expressed appreciation to Councilmember Walker for his willingness to serve in this capacity. Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER BAYLESS MOVED TO APPROVE THE  
APPOINTMENT OF COUNCILMEMBER WALKER TO SERVE ON THE NORTH  
UTAH VALLEY ANIMAL SHELTER BOARD OF DIRECTORS, WITH A VOTE OF  
THANKS FOR HIS WILLINGNESS TO TAKE THIS ASSIGNMENT.  
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.

5. **Review and Action** – *Employee Temporary Reclassification.* This is a request by staff for the Mayor and Council’s consideration of approval for a temporary reclassification of an employee who is currently working “out of class.”

Mr. Peterson explained that Water Superintendent, Dennis Kendall, has been out of work for several months following back surgery. Jason Parker has assumed Mr. Kendall’s duties, as well as his own responsibilities. Mr. Parker is currently the only staff member assigned to the Water Department, and has been working hard to accomplish all the necessary tasks, including meter change outs, meter reading, water shut offs, locating lines and necessary maintenance.

Mr. Peterson recommended that due to the responsibilities of his assignment at this time, that Mr. Parker be temporarily reclassified from pay range 13 step 5 to range 13 step 9, with his current pay of \$16.75 per hour increasing to \$18.66 per hour. The

2 proposed pay increase would be retroactive to January 9, 2010 when Mr. Parker assumed  
the additional responsibilities, and would continue until Mr. Kendall returns to work.  
4 Mayor Dain called for further comments or discussion. Hearing none, he called for a  
motion.

6 COUNCILMEMBER HATCH MOVED TO APPROVE TEMPORARY  
RECLASSIFICATION FOR JASON PARKER FROM RANGE 13 STEP 5 TO RANGE  
8 13 STEP 9 RETROACTIVELY TO JANUARY 9, 2010 AND TO CONTINUE UNTIL  
DENNIS KENDALL RETURNS TO WORK. COUNCILMEMBER FRAMPTON  
10 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

12 COUNCILMEMBER BAYLESS AYE

12 COUNCILMEMBER CARPENTER AYE

12 COUNCILMEMBER FRAMPTON AYE

14 COUNCILMEMBER HATCH AYE

14 COUNCILMEMBER WALKER AYE

16 THE MOTION CARRIED UNANIMOUSLY.

- 18 6. **Review and Action** – *Interlocal Cooperation Agreement – UTOPIA. (Resolution*  
20 *#2010-8-R)*. This is a request by Councilmember Carpenter for the Mayor and  
Council’s review of a proposed agreement between Lindon City and UTOPIA for  
22 financial support to resolve a legal dispute. Lindon is being asked to provide up  
to \$9,176.36.

24 Councilmember Carpenter explained that UTOPIA, an organization of cities  
joined through an Interlocal Agreement to provide telecommunications infrastructure,  
26 may be involved in legal action. He noted that as this is pending litigation, he is not at  
liberty to discuss the details at this time. The proposed agreement would require the  
28 City’s financial participation in the cost of litigation, but would also make the City a  
beneficiary of any positive outcome of the legal action. The agreement obligates the City  
30 to financial participation in an amount not to exceed \$9,176.36.

32 Councilmember Frampton noted that Mr. Haws had expressed some concern  
regarding Lindon’s approval of this agreement prior to other larger participants making a  
financial commitment to this action. Mr. Haws stated that all of the larger municipalities  
34 have signed the agreement, and that he has no significant concern with the City  
participating in the agreement. Mayor Dain called for further comments or discussion.  
36 Hearing none, he called for a motion.

38 COUNCILMEMBER CARPENTER MOVED TO APPROVE RESOLUTION  
#2010-8-R AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL  
40 AGREEMENT BETWEEN LINDON CITY AND THE UTAH  
TELECOMMUNICATIONS OPEN INFRASTRUCTURE AGENCY (UTOPIA)  
42 RELATING TO THE LIMITED PURPOSE OF PURSUING RESOLUTION OF A  
LEGAL DISPUTE AND SETTING AN EFFECTIVE DATE. COUNCILMEMBER  
44 HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

46 COUNCILMEMBER BAYLESS AYE

46 COUNCILMEMBER CARPENTER AYE

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

6 **COUNCIL REPORTS** –

8 **COUNCILMEMBER BAYLESS** – Councilmember Bayless reported that General Plan  
Committee meetings have been delayed, but will start on March 23<sup>rd</sup>. She noted that the  
10 existing General Plan is not in need of major amendments, so the majority of  
recommendations from the Committee will likely be envisioning of the future for the  
12 benefit of future generations.

Councilmember Bayless also reported that she and Chief Cullimore recently met  
14 with Salt Lake County personnel to discuss a program they have implemented called  
“One Small Change.” The Healthy Lindon Committee may consider implementing the  
16 program over the summer. A ‘kick off’ day for the program is being considered on  
National Trails Day, June 5<sup>th</sup> with a community trail walk. She noted that the program is  
18 in the early stages of planning, and she will report as planning progresses.

20 **COUNCILMEMBER HATCH** – Councilmember Hatch reported on transfer station  
training he attended earlier in the day. The training was presented by Intermountain  
22 Health Care, and provided information regarding bio-hazard type waste generated from  
health care facilities, and how to identify and handle medical waste.

24 **COUNCILMEMBER CARPENTER** – Councilmember Carpenter reported on final  
26 action taken by the State Legislature in the recently completed session. He noted that  
updates on legislation which will affect municipalities will be provided at the Utah  
28 League of Cities and Towns Convention in April.

Councilmember Carpenter also reported on UTOPIA activities, including the  
30 possibility of a joint project between UTOPIA and Google. He noted that the Chairman  
of the FCC recently made a statement regarding broadband and the vision of what type of  
32 technology is necessary to meet current demands. UTOPIA provides the vehicle for the  
type of service the Chairman felt is necessary in the current market.

34 In the absence of Chief Cullimore, Councilmember Carpenter reported that there  
were two teenage suicides in the City the previous week. One victim was a Lindon  
36 resident, the other lived in another city but committed suicide in Lindon. He noted that  
the events have had an emotional and physical impact on the officers of the Police  
38 Department, and expressed appreciation to the Police Department as well as EMS and  
fire crews for the difficult work they do every day.

40 **COUNCILMEMBER FRAMPTON** – Councilmember Frampton reported that he  
42 recently met with the Tree Advisory Board to begin planning for the annual Arbor Day  
event. He noted that approximately 100 trees will be planted in various locations around  
44 the City in the coming weeks. He also reported that plans are proceeding for the  
Veterans Memorial structure, which is expected to be completed in time for observance  
46 of Patriots Day on September 11, 2010.

2 **COUNCILMEMBER WALKER** – Councilmember Walker expressed appreciation for  
4 the opportunity to attend Engineering Coordination Meeting. He observed that there are  
a number of good projects underway in the City, particularly storm water projects.

6 Councilmember Walker reported that the Lindon Days Chair has indicated that he  
will not be available to chair the event this year. The Council discussed names of  
8 residents who may be willing to step in and take over the responsibility. He also reviewed  
plans for the annual Easter Egg Hunt.

10 Councilmember Walker reported that plans are underway for the 2010 Memorial  
Day flag ceremony. He suggested that speaking at this annual event be rotated through  
the Mayor and Council. The Mayor and Council agreed with this suggestion.

12 **MAYOR DAIN** – Mayor Dain discussed potential events for Lindon Days, including an  
14 enhanced trail ride including a campfire program and a chuck wagon dinner. He also  
discussed a potential cash donation from a Lindon resident which would help pay for the  
16 Veterans Memorial, and potentially additional improvements to the Community/Senior  
Citizens Center. Mayor Dain also reported that he has been contacted by a resident  
18 interested in hosting a Mayor’s Open House event. Plans have not yet been finalized.  
Mayor Dain has contacted Toby Bath regarding appointment to the Board of  
20 Adjustments. Mr. Bath indicated that he is not interested in serving in that capacity. The  
Council discussed names of other residents who may be willing and qualified to serve on  
22 the Board of Adjustments.

24 **ADMINISTRATOR’S REPORT** –

- 26 Mr. Dameron reported on the following items:
- 28 1. The Council reviewed the project tracking list.
  - 30 2. Councilmember Bayless will attend the Utah League of Cities and Towns  
Convention in St. George April 7, 8, 9, 2010.
  - 32 3. The annual coordination meeting with Alpine School District will be held  
Tuesday, March 30<sup>th</sup> at noon. Mayor Dain and two Councilmembers will  
attend.

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

38 COUNCILMEMBER BAYLESS	AYE
COUNCILMEMBER CARPENTER	AYE
COUNCILMEMBER FRAMPTON	AYE
40 COUNCILMEMBER HATCH	AYE
COUNCILMEMBER WALKER	AYE

42 THE MOTION CARRIED UNANIMOUSLY.

44 **ADJOURN** –

2 COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE MEETING AT  
8:38 P.M. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

4  
6 Approved – April 6, 2010

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10 \_\_\_\_\_  
Debra Cullimore, City Recorder

12  
14  
16 \_\_\_\_\_  
James A. Dain, Mayor