

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, April 20, 2010**
beginning with a Work Session at 6:30 p.m. in the Lindon City Center, City Council
Chambers, 100 North State Street, Lindon, Utah.

4 Conducting: James A. Dain, Mayor

6 **WORK SESSION** – 6:30 P.M.

8 **PRESENT**

ABSENT

10 James A. Dain, Mayor
12 Lindsey Bayless, Councilmember
Bruce Carpenter, Councilmember
14 Bret Frampton, Councilmember
Jerald I. Hatch, Councilmember
16 Mark Walker, Councilmember
Ott H. Dameron, City Administrator
18 Dan Seder, Parks & Recreation Director
Debra Cullimore, City Recorder

20 The meeting began at p.m.

22 **DISCUSSION** – *The Mayor and City Council met in a Work Session with Dan Seder,*
24 *Parks & Recreation Director, to hear a report on current year data and discuss issues*
and concerns for fiscal year 2010/2011.

26 Mr. Seder presented his report to the Council. He reviewed goals and current
28 projects in the Parks & Recreation Department. He reviewed plans for tree ring and tree
planting projects, as well as a variety of park projects. He went on to review Tree
30 Advisory Board activities, including the May 1st Arbor Day event. Mr. Seder discussed
signage for the new Community Center, and renovations and programming at the facility.
32 He discussed sports programs, and reported that the City will now be doing background
checks for all volunteer coaches for sports programs.

34 Mr. Seder went on to review plans for the upcoming Aquatics Center season. He
reported that the pool is fully staffed, and that training will start May 8th. He reviewed
36 plans for swim lesson programs, and an expanded swim team program, as well a Junior
Lifeguard program and the addition of FlowRider lessons. Events and activities planned
38 at the pool include the Channel 2 morning news show with Casey Scott, and events for
Rocky Mountain Elementary and Lindon Elementary the last week of the school year.

40 In conclusion, Mr. Seder discussed with the Council the possibility of the Make a
Wish Foundation hosting their annual “Rubber Ducky Derby” at the aquatics center on
42 August 21, 2010. The Council felt that it would be appropriate to support this worthy
cause, and that it would be an honor to host the event. Mr. Seder will follow up with the
44 event organizers and report additional details back to the Council.

46 Mayor Dain thanked Mr. Seder for his report, and his outstanding work at the
City.

2 **REGULAR SESSION** – 7:00 P.M.

3 Conducting: James A. Dain, Mayor
4 Pledge of Allegiance: Bridger Hone, Boy Scout Troop 1178
5 Invocation: Mark Walker

6 **PRESENT**

ABSENT

7 James A. Dain, Mayor
8
9 Lindsey Bayless, Councilmember
10 Bruce Carpenter, Councilmember
11 Bret Frampton, Councilmember
12 Jerald I. Hatch, Councilmember
13 Mark Walker, Councilmember
14 Ott H. Dameron, City Administrator
15 Cody Cullimore, Chief of Police
16 Debra Cullimore, City Recorder

17 The meeting was called to order at 7:13 p.m.

18
19 **PROCLAMATION** – “*Lindon City Arbor Day*” Proclamation sets May 1, 2010 as
20 *Lindon City Arbor Day* in accordance with Tree City USA requirements.

21
22 Mayor Dain read the Proclamation designating May 1, 2010 as Arbor Day in
23 Lindon City. The Arbor Day celebration will be held at Orchard Park at 9:00 a.m.

24
25 **MINUTES** – The minutes of the meeting of April 6, 2010 were reviewed.

26
27 COUNCILMEMBER MOVED TO APPROVE THE MINUTES OF THE
28 MEETING OF APRIL 6, 2010. COUNCILMEMBER SECONDED THE MOTION.
29 THE VOTE WAS RECORDED AS FOLLOWS:

30
31 COUNCILMEMBER BAYLESS AYE
32 COUNCILMEMBER CARPENTER AYE
33 COUNCILMEMBER FRAMPTON AYE
34 COUNCILMEMBER HATCH AYE
35 COUNCILMEMBER WALKER AYE
36 THE MOTION CARRIED UNANIMOUSLY.

37 **OPEN SESSION** –

38
39 Mayor Dain called for comments from any audience member who wished to
40 address an issue not listed as an agenda item. There was no public comment.

41
42 **MAYOR’S COMMENTS/REPORT** –

2 Mayor Dain welcomed several new businesses to Lindon, including the Bella Art
4 Gallery, The Smoking Apple, Murdock Hyundai, AmBank and Magleby's Fresh. He
noted that several of the businesses will be holding ribbon cutting ceremonies in the
coming weeks.

6 **CONSENT AGENDA** –

8 No items.

10 **CURRENT BUSINESS** –

- 12 1. **Presentation** – *“Drill Down For Safety” Report*. This is a presentation given by
14 Chief Cody Cullimore and Jo Anna Larsen about the 2009 “Drill Down for
Safety” event. They will also discuss plans for the upcoming “Drill Down for
Safety” event in September 2010.

16
18 Chief Cody Cullimore and Jo Anna Larsen were present for this discussion with
the Council. Chief Cullimore noted that the First Annual Drill Down for Safety Event
which was held September 11, 2009. Chief Cullimore observed that the nationally
20 recognized 2009 event was extremely successful, with 78% of Lindon residents
participating in the drill. He stated that planning is underway for the 2010 drill.

22 Chief Cullimore also noted that the City received a \$1,000 award as part of the
national recognition. The award money will be combined with additional City funds and
24 used to purchase a ham radio to be used as a base station during emergency events when
other methods of communication are affected. This will address one area of deficiency
26 which was identified in the 2009 drill.

28 Ms. Larsen and Chief Cullimore presented information and photographs which
recapped the 2009 event. They reported that the first drill was designed to test
communications during an emergency event, and that the upcoming drill will go one step
30 further in testing the ability to report injuries and damage, and test response of resources
to specific locations based on prioritized need. The theme of this year's drill will be
32 “Preparing to Recover.” They reviewed goals for the 2010 drill as follows:

- 34 • Increase overall participation
- Add complexity
- 36 • Address special needs populations
- Include businesses in planning and practice
- 38 • Work with neighboring systems
- Receive national recognition for the second year
- Have increased media involvement
- 40 • Have CERT involvement
- Encourage individual family emergency plans
- 42 • Improve data gathering

44 Mayor Dain and the Council expressed support for the upcoming drill, and
appreciation to Chief Cullimore and Ms. Larsen, as well as other committee members
present in the audience, for their dedication to this project and the well being of the City.
46

2 2. **Discussion** – *Request by Karl G. Maeser Preparatory Academy.* The Mayor and
3 Council have received a request from the Karl G. Maeser Preparatory Academy to
4 use the Red Church/Community Center building to house students for a period of
5 time beginning August 15, 2010 until the school’s new building is completed.
6 The school anticipates the new facility being completed by approximately
7 October 31, 2010. Staff has contacted LDS Church officials to get their
8 interpretation of the agreement between the City and the Church to determine if
9 this use is allowable. The officials response is that this use is compatible with the
10 “civic/community” uses established in the purchase agreement. The date of
11 transfer of the building to the City is still somewhat in doubt. In addition, the
12 City’s Chief Building Official is concerned about the change of use which could
13 trigger additional fire code and building requirements.

14 Steve Whitehouse, Erin Preston and Gary were present as representatives for this
15 discussion. Mr. Dameron explained that this item is for discussion only at this time. If
16 the Council feels that it would be appropriate to consider the proposed agreement to
17 allow use of the Community Center facility, it will be brought for consideration at a
18 future City Council meeting.

19 Mr. Dameron explained that the Karl G. Maeser Preparatory Academy has
20 requested use of the Community Center on a temporary basis to accommodate their
21 expanded student body until the new school facility is completed in the fall. Mr.
22 Whitehouse explained that students are already enrolled for the 2010/2011 school year,
23 and that the size of the student body is doubling. He clarified that if a facility is not
24 available to house the students until the permanent facility is completed, students will
25 enroll in others schools, reducing anticipated funding for the new facility.

26 Ms. Preston explained that there has been some delay in securing funding, which
27 has delayed the start of the project. However, construction is expected to begin in the
28 next few weeks, with the facility being completed by the end of October 2010. She stated
29 that they anticipate needing use of the City facility for seven to eight weeks.

30 Councilmember Carpenter observed that school construction projects routinely go
31 past the anticipated finish date. Ms. Preston stated that this is the fifth charter school
32 project she has been associated with, and that all have been completed on schedule. She
33 expressed confidence in the anticipated construction schedule.

34 Councilmember Walker inquired as to whether a date has been finalized for the
35 City to take ownership of the building from the LDS Church. Mayor Dain stated that the
36 date has not been finalized, which makes committing to this request somewhat difficult.
37 Councilmember Walker inquired as to when the school would need to occupy the
38 building. Mr. Whitehouse stated that classes are scheduled to begin September 7, 2010.
39 He stated that the school will not make any physical modifications to the building, but
40 will use the facility ‘as is’ until the permanent facility is completed. He explained that
41 the school will provide a shuttle between the City building and the school facility on
42 State Street for any students who have a need to travel between the two locations.

43 Mr. Dameron noted that the Chief Building Official, Phil Brown, has expressed
44 some concern regarding possible safety requirements necessary for a school facility. Ms.
45 Preston stated that she will discuss necessary improvements with Mr. Brown, but that the

2 based on information obtained from the state risk management office they do not
anticipate extensive improvements will be necessary.

4 The Council went on to discuss the student body of the school and the academic
accomplishments of students. The representatives explained that the school is overseen
by the State Office of Education.

6 Following further discussion, the Council felt that coming to an agreement with
the school to allow use of the Community Center on a temporary basis would be feasible,
8 provided the City takes ownership of the building by the time it is needed by the school.
Mayor Dain noted that allowing this temporary use would represent a sacrifice for
10 residents as it will delay use of the facility by the community. However, he recognized
that this appears to be a legitimate need. He expressed appreciation that the school
12 decided to stay in Lindon for its permanent location. Mr. Whitehouse expressed
appreciation to the City for the professionalism of staff and officials in addressing this
14 issue. The Council will consider a formal agreement to allow this proposed use of the
building at a future meeting.

- 16
18 3. **Review and Action** – *Appointment of Lindon City Board of Adjustments*. This is
a request by Mayor Dain for the City Council’s consent and approval of the
appointment of Glen Mitchell to the Lindon City Board of Adjustments.

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22 Mayor Dain reported that Glen Mitchell has agreed to serve on the Board of
Adjustments. He called for comments or discussion. Hearing none, he called for a
motion.

24
26 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE
APPOINTMENT OF GLEN MITCHELL TO SERVE ON THE LINDON CITY
BOARD OF ADJUSTMENTS. COUNCILMEMBER BAYLESS SECONDED THE
28 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

30 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
COUNCILMEMBER FRAMPTON AYE
32 COUNCILMEMBER HATCH AYE
COUNCILMEMBER WALKER AYE

34 THE MOTION CARRIED UNANIMOUSLY.

- 36 4. **Review and Action** – *Amendments to City-Wide Fee Schedule. (Resolution*
38 *#2010-10-R)* This is a request by Don Peterson, Public Works Director, to amend
the City-Wide Fee Schedule for the installation fee for a one inch water meter
from \$275 to \$325. This recommendation is made after considering current costs
40 to the City. In addition, a request by Dan Seder, Parks and Recreation Director to
add “Group Rates” for group sizes of 25 to 100+, and to change the Private Rental
42 of the FlowRider from \$300 per hour to \$200 per hour to encourage use of this
amenity.

44
46 Mr. Dameron explained that the proposed amendment to the cost of a one inch
water meter is the result of an increased cost to the City. Other proposed fees are based

on recommendations from Dan Seder, Parks and Recreation Director, to address specific uses at the aquatics center. Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER BAYLESS MOVED TO APPROVE PROPOSED AMENDMENTS TO THE CITY-WIDE FEE SCHEDULE. 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.

COUNCIL REPORTS –

COUNCILMEMBER CARPENTER – Councilmember Carpenter invited Chief Cullimore to report on Police Department activities. Chief Cullimore reported on plans for the Veterans Memorial at the City cemetery, firearms training for the City Council, and elementary school NOVA graduation events. He also reminded the Council that the Clean Out the Cabinets drug take back and destruction event is scheduled for Saturday May 24th from 10:00 a.m. to 3:00 p.m. at Lindon Wal Mart. He reported that the Timp Trail Marathon event will pass through the foot hills of Lindon on May 22nd. Officers will assist with any necessary traffic control for the event.

Chief Cullimore also reported on a serious traffic accident which occurred on State Street earlier in the day. The accident resulted in severe injuries to a teacher at Aspen Elementary. Mr. Dameron passed along appreciation from the father of a young driver who was involved in an accident several weeks ago. The father reported to Mr. Dameron that Lindon Police Officers were extremely compassionate and kind to his daughter during incident.

COUNCILMEMBER FRAMPTON – Councilmember Frampton reported that the Tree Advisory Board is finalizing plans for the May 1st Arbor Day Celebration. He expressed thanks to the Board and Dan Seder for their work on this project.

COUNCILMEMBER WALKER – Councilmember Walker reviewed plans for the Memorial Day Flag Ceremony. He also reported that he will be contacting a resident regarding chairing Lindon Days events.

MAYOR DAIN – Mayor Dain reported that an agreement is being finalized for a donation to the City which will help fund the Veterans Memorial monument, improvements for the Senior Citizens Center and several park improvements.

COUNCILMEMBER BAYLESS – Councilmember Bayless reported on information she received while attending the Utah League of Cities and Towns Conference in St.

George the previous week, including General Plan recommendations and long term economic planning.

COUNCILMEMBER HATCH – Councilmember Hatch reported on a meeting he attended at the landfill the previous day regarding technology which uses waste materials to generate electricity. He suggested that the Council meet with the group to discuss the technology and process at a later date.

ADMINISTRATOR’S REPORT –

Mr. Dameron reported on the following items:

1. The Council reviewed the Project Tracking List.
2. The Planning Commission approved a Conditional Use Permit for Blackball Performance Cycle repair shop in the LI zone.
3. The Metropolitan Water District has mailed letters to property owners along the aqueduct right-of-way regarding enforcement of restrictions and clearing of the right-of-way.
4. Jeff Southard has indicated that he is willing to serve another term on the Board of Adjustments. Mayor Dain will send a letter to Mr. Southard re-appointing him.
5. The Budget Committee will meet Monday, April 26th at 4:00 p.m.
6. Mr. Dameron asked Councilmember Carpenter to report on the Field Trip to the Hollow Ditch trail area which several Councilmembers attended. Councilmember Carpenter reported that there are several places along the trail route where considerable shoring and retention would be necessary to facilitate the trail. He suggested that it may be necessary to consider purchasing additional property to relocate the trail in the future, or negotiating a trail easement with the property owner. The Army Corp of Engineers will contact the developer regarding wetlands preservation requirements in the area.
7. Staff met in DRC with representatives of Wolf Mountain regarding unresolved issues associated with the Conditional Use Permit for this business. The business has been notified that their Conditional Use is subject to revocation if the issues are not adequately addressed. The business owners have committed to tarping the wood piles on the site in an effort to eliminate material blowing onto neighboring properties. If the issue is not resolved, the Planning Commission will review the Conditional Use for possible revocation. The business owners have requested a review by the City Council. However, the Planning Commission is the land use authority for Conditional Uses. The only action the City Council could take would be to refer the issue back to the Planning Commission for action.
8. Speaking at the Utah League of Cities and Towns Conference, the City’s financial advisor, Jason Burningham, strongly recommended that municipalities implement long range debt policies. Mr. Dameron noted that the City has several policies related to debt management. He suggested that

the policies be consolidated into one comprehensive policy. This issue will be discussed at future meetings as policies are drafted.

9. Economic outlook information is available each month on the Utah League of Cities and Towns website.

COUNCILMEMBER HATCH MOVED TO APPROVE THE PAY VOUCHERS. 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.

ADJOURN –

COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE MEETING AT 9:30 P.M. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – May 4, 2010

Debra Cullimore, City Recorder

James A. Dain, Mayor