

2 The Lindon City Council held a regularly scheduled meeting on beginning with a Work  
Session at 6:00 p.m. on Tuesday, May 18, 2010 in the Lindon City Center, City Council  
Chambers, 100 North State Street, Lindon, Utah.

4 **WORK SESSION** – 6:00 p.m.

6 Conducting: James A. Dain, Mayor

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 L. Walker, Councilmember  
Ott H. Dameron, City Administrator  
18 Jamie Bennee, Finance Director  
Debra Cullimore, City Recorder

20 The meeting began at 6:05 p.m.

22 **DISCUSSION** – The Mayor and City Council met in a Budget Work Session to discuss  
24 issues for fiscal year 2010/2011.

26 Mr. Dameron introduced Don Garlitz of First West Benefits, the City’s healthcare  
28 provider. He invited Mr. Garlitz to give an overview of proposed insurance options for  
employees for the coming year. Mr. Garlitz explained that his office has worked with  
City staff in an effort to maintain a strong benefits package with minimal budget impacts.  
30 He went on to review three health insurance options. Option one is a traditional  
insurance plan with a \$750/\$1500 deductible with no associated health savings account.  
32 Option two is a high deductible health plan with a \$3,500/\$7,000 deductible. Option  
three is a high deductible health plan with a \$1,200/\$2,400 deductible. Option two and  
34 option three have associated health savings accounts which the City will contribute to.  
Following discussion, the Council felt that the three options should be presented to  
36 employees.

38 Mr. Dameron invited City Engineer, David Thurgood, to present information  
regarding utility enterprise funds and potential utility rate increases. He discussed fund  
balances in the water, sewer and storm water funds, as well as the impact of capital  
40 improvements on those balances. He noted that the water fund had significantly less  
expense during the previous year due to vacant positions and a reduction in associated  
42 salary and benefit costs. The Council also discussed the allocation of administrative costs  
from the enterprise funds to the General Fund. Councilmember Carpenter noted the need  
44 to monitor enterprise funds closely in order to maintain a healthy fund balance and  
manage capital improvements without the need for significant fee increases.

Mr. Dameron noted that the City Council approved an annual increase based on the Consumer Price Index (CPI) for utility rates several years ago. Mr. Thurgood stated that he did not have exact figures available relative to fee increases, but that he anticipates recommending an increase equal to the CPI.

Mr. Thurgood stated that due to costs associated with construction of a new sewer pump station and the sewer plant expansion, a significant sewer rate increase may be necessary. Councilmember Carpenter inquired as to whether impact fees are set appropriately to cover necessary expansion to utility systems as growth occurs. Mr. Thurgood stated that impact fees are set at an appropriate rate, but that due to the slowing of development impact fees are not being collected at a rate which will offset the immediate costs to the City at this time. Recommendations for appropriate fee increases will be made to the Council prior to adoption of the final budget.

Mr. Dameron invited Finance Director, Jamie Bennee, to present the four budget issues under consideration by the Council. The Council discussed budget issues as follows:

- **Budget Issue #1 – Should the City continue to fund the health insurance/dental insurance premiums for employees?** The Council felt that based on the benefits and costs presented by Mr. Garlitz, the benefits packages and costs were within budget expectations and should be funded by the City as presented.
- **Budget Issue #2 – Should the City fund health insurance/dental insurance benefits for City Council Members?** The Council discussed the history of this benefit for City Councilmembers, and the practice of communities of similar size in offering such benefits. The Council discussed this issue and possible alternatives to either offering or not offering this benefit, but did not come to a consensus regarding appropriate action. This issue will be discussed further during upcoming Budget Public Hearings.
- **Budget Issue #3 – Should the City increase culinary water, sewer and storm water fees based on the CPI?** Mr. Thurgood will finalize recommendations for utility rate increases based on the CPI.
- **Budget Issue #4 – Should the City continue to fund the 4.5% 401k contribution regardless of employee contributions?** The Council felt that based on the recommendations of the Budget Committee, the City should pay a matching 401k contribution to employees up to 4.5% of the employee's salary. Mayor Dain noted that this is not intended to save the City money, but is meant to encourage employees to participate in their retirement savings.

An additional Budget Works Session was scheduled for Monday, May 24<sup>th</sup> at 7:00 a.m. to continue discussion of specific budget items.

**REGULAR SESSION** – 7:00 P.M.

Conducting: James A. Dain, Mayor  
Pledge of Allegiance: Anita Priddis  
Invocation: Jerald Hatch

**PRESENT**

**ABSENT**

2 James A. Dain, Mayor  
Lindsey Bayless, Councilmember  
4 Bruce Carpenter, Councilmember  
Bret Frampton, Councilmember  
6 Jerald I. Hatch, Councilmember  
Mark L. Walker, Councilmember  
8 Ott H. Dameron, City Administrator  
Adam Cowie, Planning Director  
10 Cody Cullimore, Chief of Police  
Debra Cullimore, City Recorder

12 The meeting was called to order at 7:15 p.m.

14 **PRESENTATION** – A “Certificate of Environmental Stewardship” from Rocky  
16 Mountain Power, related to the Blue Sky Challenge held last year will be given to the  
Mayor and Council.

18 Mr. Dameron stated that Rocky Mountain Power representatives were unable to  
20 attend the meeting. Mr. Dameron presented the Certificate of Environmental  
Stewardship to Mayor Dain. He noted that according to Rocky Mountain Power, the  
22 participation of Lindon residents in the Blue Sky Challenge program was equal to the  
benefit of planting 120 trees in the City.

24 **PROCLAMATION** – A proclamation recognizing “Municipal Clerks Week” May 16  
26 through May 23 will be reviewed by the Mayor and Council.

28 Mayor Dain read the Proclamation designating the week of May 16 through May  
23, 2010 as Municipal Clerks Week in Lindon. He thanked the City Recorder for her  
30 work in the City.

32 **MINUTES** – The minutes of the Regular Meeting of May 4, 2010 were reviewed.

34 COUNCILMEMBER HATCH MOVED TO APPROVE THE MINUTES OF  
THE MEETING OF MAY 4, 2010. COUNCILMEMBER WALKER SECONDED THE  
36 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

42 THE MOTION CARRIED UNANIMOUSLY.

44 **OPEN SESSION** – Citizen Comments

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

4 **MAYOR'S COMMENTS/REPORT** –

6 Mayor Dain reviewed dates for upcoming events as follows:

- 8 1. Murdock Hyundai will hold a ribbon cutting ceremony for their Lindon location  
on May 21, 2010 at noon.
- 10 2. AmBank will hold a ribbon cutting ceremony at their Lindon location on May 24,  
2010 at 1:00 p.m.
- 12 3. A Memorial Day Flag Ceremony will be held on Monday, May 31, 2010 at 8:00  
a.m. at the City Cemetery.
- 14 4. The Aquatics Center opens for the season on Saturday, May 29, 2010 at 11:00  
a.m.

16 **CONSENT AGENDA** –

18 No items.

20 **CURRENT BUSINESS** –

- 22 1. **Report** – *I-15 Freeway Reconstruction Project Update*. Representatives from  
24 the I-15 CORE Team will be present to give the Council an update on the I-15  
reconstruction project.

26 Jeff Dupais and Dave Asay of UDOT were present for this discussion with the  
Council. Mr. Dupais stated that UDOT is using various means to communicate with the  
28 public regarding impacts of the I-15 Core project, with the project area being divided into  
three communication areas. Mr. Dupais reviewed the scope of work being done and  
30 specific improvements which will be completed as part of the project. The project will  
extend from Lehi to Spanish Fork, with improvements to all bridges and interchanges in  
32 the project area. He noted that the expected completion date is December 2012.

34 The Council pointed out possible impacts on 200 South in Lindon near the  
transfer station during bridge reconstruction in that area. Mr. Dupais will contact the  
transfer station board to discuss possible impacts and mitigation measures which could be  
36 taken.

- 38 2. **Public Hearing** – *Plat Amendment – Canberra Hills II Residential*  
40 *Subdivision, Plat "A"*. The City Council will hear public comment and  
possibly act to approve a request for Plat Amendment by Phil Call for an  
42 adjustment to a portion of a shared property line for lot 8 and lot 40 of the  
Canberra Hills II Residential Subdivision located in the R1-12 zone at 30  
44 South 1200 East and 1284 East 10 South. The Planning Commission  
recommended approval with no conditions.

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

4  
6 Phil Call was present as the representative for this application. Councilmember  
Bayless noted that she was present for review of this application by the Planning  
Commission. She stated that based on that discussion she had no concerns. Mr. Cowie  
8 presented a photograph of the subject property which showed the area of property which  
will be included in the Call property. Mayor Dain called for public comment. There was  
10 no public comment. He called for further comments or discussion from the Council.  
Hearing none, he called for a motion.

12  
14 COUNCILMEMBER CARPENTER MOVED TO CLOSE THE PUBLIC  
HEARING. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

16  
18 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE CANBERRA  
HILLS II RESIDENTIAL SUBDIVISION PLAT A PLAT AMENDMENT.  
COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE VOTE WAS  
20 RECORDED AS FOLLOWS:

22 COUNCILMEMBER BAYLESS	AYE
COUNCILMEMBER CARPENTER	AYE
COUNCILMEMBER FRAMPTON	AYE
24 COUNCILMEMBER HATCH	AYE
COUNCILMEMBER WALKER	AYE

26 THE MOTION CARRIED UNANIMOUSLY.

- 28 3. **Concept Review** – *Creekside Retirement Residential Subdivision*. This is a  
30 request by Steve Maddox for the City Council’s review and feedback  
concerning potential changes to the Creekside Retirement Residential  
32 Subdivision and Development Agreement. Mr. Maddox appeared before the  
Council on December 15, 2009 for a similar review. He now wishes to  
discuss ways to address concerns raised in the previous meeting.

34  
36 Steve Maddox was present as the representative for this Concept Review. Mayor  
Dain clarified that no action will be taken on this item, and that it is for discussion  
purposes only.

38 Mr. Cowie explained that the subject property is the Creekside retirement  
development which was approved several years ago as part of the Fieldstone Homes  
40 development. He noted that the City Council met with Mr. Maddox in December 2009 to  
discuss possible amendments to the development agreement which would allow single  
42 family home sales in the development rather than limiting sales to buyers of retirement  
age. He noted that there are two existing units completed on the site, and that all street  
44 improvements have been completed.

46 Mayor Dain commented that during discussion in December, the Council had  
expressed significant concerns regarding this proposal due to the fact that the retirement

development was a significant component of the overall development agreement. At that  
2 time, the Council also expressed significant concerns regarding street width and parking  
issues associated with this development if single family homes were permitted. He  
4 invited Mr. Maddox to address what steps he had taken to mitigate those concerns. Mr.  
Maddox asserted that there are a number of similar developments in the area which were  
6 originally designed as retirement communities, but have now been converted to single  
family home developments. He proposed red-curbing of all interior streets to prevent on-  
8 street parking. He also pointed out seven visitor parking stalls which have been included  
in the design.

10 Mr. Maddox reviewed design elements of a similar project he is currently  
working on, Sleepy Ridge, located in Provo. The single family design includes a five  
12 foot separation between dwellings rather than the twin home design to enhance privacy.  
The platted building footprints can be maintained with the proposed design. He noted  
14 that one of the concerns expressed by the Council during previous discussion was  
density. He stated that all infrastructure and utilities have been installed, and that altering  
16 the density is not feasible at this time. He presented a concept which would allow fenced  
semi-private yards in the platted common areas to better meet the needs of families with  
18 children.

Councilmember Frampton noted that his children are beginning to enter the  
20 housing market, but that it is unlikely that they will be able to afford to buy a home in  
Lindon. He expressed appreciation for a potential affordable housing opportunity in the  
22 community. Mr. Maddox observed that the proposed houses would provide a good  
affordable housing alternative to an apartment or condominium setting.

24 The Council discussed the proposed HOA structure, and issues the City has  
experienced in the past when HOA's are not functioning properly. Mr. Maddox assured  
26 the Council that HOA associated with this development would remain functional, and  
could address concerns expressed by the Council regarding parking issues.

28 Councilmembers Bayless, Hatch and Carpenter each expressed concerns  
regarding the density of the development in relation to families with children. Mr.  
30 Maddox observed that it would be very difficult to maintain affordability of the homes if  
density is decreased.

32 Mayor Dain called for comments from interested audience members. Larry and  
Paula Austin stated that they have made an offer to purchase one of the existing units in  
34 the development. At the time they made the offer, they were unaware that the sod area  
around the dwelling was common area, and that they would be purchasing only the  
36 dwelling. Mr. Austin stated that the proposal presented by Mr. Maddox would satisfy  
their concerns in that they would have the ability to fence the grassed area for their own  
38 use.

Corinne, with M&T Bank, owners of the dwelling, stated that the vast majority of  
40 calls they receive on the home are from young families rather than retirees, even though  
the advertising material for the home specifies that it is a retirement home. She noted  
42 that all property associated with this development has been foreclosed on. She felt that  
the proposal made by Mr. Maddox would provide an opportunity for the development to  
44 move forward.

46 Following further discussion, the majority of the Council felt that unless issues  
related to density, parking and street width could be more adequately addressed, they

would be unlikely to allow an amendment to the development agreement which would allow marketing to younger families. They invited Mr. Maddox to return if he had additional proposals which may better address those specific concerns.

4. **Review and Action** – *Lease Agreement – Lindon City and Karl G. Maeser Preparatory Academy.* This item is a request by staff and Maeser Preparatory Academy officials for the Council’s review and possible approval of a lease agreement for the temporary use of the LDS Chapel located at 25 North Main Street. This chapel is currently under a purchase contract by the City from the LDS Church. This lease would assist Maeser Academy in securing temporary facilities while their permanent facilities are constructed.

Mr. Dameron stated that representatives of Karl G. Maeser Preparatory Academy have requested that review and approval of this agreement be postponed. Mayor Dain called for a motion to continue.

COUNCILMEMBER BAYLESS MOVED TO CONTINUE REVIEW OF THE LEASE AGREEMENT BETWEEN KARL G. MAESER PREPARATORY ACADEMY AND LINDON CITY. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

5. **Review and Action** – *Orchard Park Engineering and Design.* This is a request by staff for the Council’s review of the costs of engineering and design for Orchard Park. Staff requests Council’s direction for committing funds for these purposes with the anticipation of a donation to reimburse the city at a later date.

Mayor Dain explained that a private donor is interested in funding park improvements at Orchard Park, but it will be necessary to complete engineering on the site in order to establish expected costs. The City will be responsible for engineering costs, but will benefit from the private donation. He called for comments or discussion from the Council. Hearing none, he called for a motion.

COUNCILMEMBER FRAMPTON MOVED TO APPROVE ORCHARD PARK ENGINEERING AND DESIGN EXPENSES TO BE PAID BY THE CITY. COUNCILMEMBER WALKER 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.

6. **Review and Action** – *Change Website Hosting Provider. (Resolution #2010-11)* This is a request by staff for the Council’s approval to change the city’s

2 website hosting provider. The new provider offers an enhanced website with  
many new features for a small increase in cost.

4 The City Recorder, Debra Cullimore, presented information regarding the City's  
current website hosting provider, as well as the proposed provider, iGov. She explained  
6 that the new website would provide a variety of upgraded features, including the ability  
for users to fill out and submit forms and applications on-line. The annual cost increase  
8 for the new site would be approximately \$500 for a significantly higher level of service.  
Mayor Dain called for comments or discussion. Hearing none, he called for a motion.

10 COUNCILMEMBER WALKER MOVED TO APPROVE RESOLUTION 2010-  
12 11-R APPROVING TRANSFER OF WEB SITE HOSTING AND DESIGN SERVICES  
FOR LINDONCITY.ORG FROM INFOBYTES/STAR.GOV TO IGOV AND SETTING  
14 AN EFFECTIVE DATE. COUNCILMEMBER BAYLESS SECONDED THE  
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

16 COUNCILMEMBER BAYLESS AYE  
COUNCILMEMBER CARPENTER AYE  
18 COUNCILMEMBER FRAMPTON AYE  
COUNCILMEMBER HATCH AYE  
20 COUNCILMEMBER WALKER AYE  
THE MOTION CARRIED UNANIMOUSLY.

- 22 7. **Review and Action** – *Passport Acceptance Facility. (Resolution #2010-12)*  
24 This is a request by staff for the Council's approval for the city to become a  
passport acceptance facility. Given the recent experience of two sister cities,  
26 this is a needed service to citizens and has the potential to provide an  
additional revenue source for the city.

28 Ms. Cullimore went on to review the proposal for the City to become a Passport  
30 Acceptance Facility. Several other municipalities, including Orem City, now offer this  
service. Residents greatly appreciate the convenience of the service, and municipalities  
32 have realized a revenue source which exceeds the cost of providing the service. All fees  
are set by the Federal Government, including the \$25 processing fee charged by the City.  
34 Mayor Dain called for comments or discussion from the Council. Hearing none, he  
called for a motion.

36 COUNCILMEMBER HATCH MOVED TO APPROVE RESOLUTION 2010-  
38 12-R AUTHORIZING THE CITY RECORDER TO ESTABLISH LINDON CITY AS A  
FEDERAL PASSPORT ACCEPTANCE AGENCY, SETTING FEES CHARGED BY  
40 THE CITY TO PROCESS PASSPORT APPLICATIONS, AND SETTING AN  
EFFECTIVE DATE. COUNCILMEMBER BAYLESS SECONDED THE MOTION.

42 THE VOTE WAS RECORDED AS FOLLOWS:  
COUNCILMEMBER BAYLESS AYE  
44 COUNCILMEMBER CARPENTER AYE  
COUNCILMEMBER FRAMPTON AYE  
46 COUNCILMEMBER HATCH AYE

COUNCILMEMBER WALKER                      AYE  
2 THE MOTION CARRIED UNANIMOUSLY.

4        8.        **Review and Action** – *Interlocal Agreement – Utah Infrastructure Agency.*  
6                    (*Resolution #2010-13*) This is a proposed agreement for the creation of the  
8                    Utah Infrastructure Agency. This organization will implement the new phase  
                         of expansion for member cities of the Utah Telecommunications Open  
                         Infrastructure Agency.

10              City Attorney, Brian Haws was present for this discussion with the Council. He  
12 explained that the agreement before the Council would authorize the City’s participation  
14 in a new Interlocal Agreement forming the Utah Infrastructure Agency (UIA). Mayor  
16 Dain inquired as to whether approval of this agreement obligates the City to move ahead  
18 with potential bonding. Mr. Haws explained that this agreement does not obligate the  
City to approve or participate in bonding costs. However, UIA member cities will be  
required to pay dues, which will be established by the Board of Directors with a 2/3  
majority vote. Lindon City will have a representative on the Board of Directors. Dues  
paid to UIA by the City will be reimbursable.

20              The Council went on to discuss specific language changes which have been  
22 included in the agreement since the Council received a draft copy for review. Mr. Haws  
noted that as part of approval of the Resolution associated with the agreement, it will be  
necessary for the City to appoint a Boardmember to the UIA Board of Directors.

24              Councilmember Walker expressed concern regarding the City’s participation in  
26 this agreement or any future financial commitments associated with UTOPIA or UIA.  
28 He observed that the purpose of City government is to provide services which enhance  
the health safety and welfare of the community. He felt that telecommunications falls  
outside the scope of services municipal government should be involved in. He asserted  
that he would not feel comfortable investing his own money in this endeavor, and could  
therefore not justify investing tax dollars. He stated that he has an understanding of both  
sides of the issue, but that he will vote against any UTOPIA issue which obligates tax  
dollars. Councilmember Carpenter observed that there is an element of risk with new  
ventures. He noted that infrastructure installed by cities does not typically produce a  
profit but rather provide a service.

34              Mayor Dain noted that several Lindon residents and businesses have attended  
36 meetings and expressed the importance of the success of UTOPIA for their businesses.  
The Council discussed the economy of the facilities and growth potential of the network.  
38 Councilmember Carpenter asserted that in order to compete in a global economy, the  
technology available in the UTOPIA network will be necessary to attract businesses.

40              Following discussion, the Council agreed that it would be appropriate to appoint  
42 Councilmember Carpenter to represent Lindon on the UIA Board of Directors. He will  
temporarily continue to serve on the UTOPIA Board of Directors as well until such time  
as the Council appoints another representative to the UTOPIA Board.

44              Councilmember Bayless observed that if the decision to move ahead with  
UTOPIA were being made at this time, she would likely vote against the project due to  
her concerns about the City’s financial commitment. She observed that the City is

2 financially obligated even if UTOPIA fails. She felt that while it is a difficult decision,  
participating in this effort would be appropriate given the specific circumstances.

4 Councilmember Hatch commented that he is looking forward to the end result of  
a successful UTOPIA network. He agreed that the technology is essential to the  
6 economic success of the area. He noted that the United States is falling behind in the area  
of technology globally, and that enhancing telecommunications abilities will be necessary  
in the future.

8 Mr. Dameron noted that when the City initially became involved with UTOPIA it  
was because citizens demanded the services which were not being provided by existing  
10 commercial companies. Councilmember Carpenter observed that citizens have benefited  
from an increased level of service from other providers as a result of the competition  
12 created by UTOPIA.

14 Councilmember Frampton observed that many opinions of citizens regarding  
UTOPIA are based on lack of information or misinformation. Councilmember Carpenter  
observed that it is necessary to speak carefully regarding UTOPIA issues due to the fact  
16 that the press typically takes a controversial approach to reporting on UTOPIA issues.  
He explained that the UTOPIA system provides the same type of service to residents as a  
18 street built by the city, which is then used by commercial companies, such as FedEx, to  
provide services to residents. Mayor Dain observed that the service is also similar to a  
20 municipal airport which allows multiple businesses to use to provide a high level of  
service which could not be provided by individual airlines. He agreed that in order to  
22 compete in a global economy, fiber to the home technology will be necessary.

24 Mayor Dain called for further comments or discussion. Hearing none, he called  
for a motion.

26 COUNCILMEMBER HATCH MOVED TO APPROVE RESOLUTION 2010-  
13-R AUTHORIZING THE CITY TO ENTER INTO AN INTERLOCAL  
28 COOPERATIVE AGREEMENT TO FORM THE UTAH INFRASTRUCTURE  
AGENCY, TO BECOME A MEMBER OF THE UTAH INFRASTRUCTURE  
30 AGENCY, TO APPOINT A MEMBER OF THE BOARD OF DIRECTORS TO THE  
UTAH INFRASTRUCTURE AGENCY, AND TO APPROPRIATE AN AMOUNT SET  
32 FORTH IN THE AGREEMENT, WITH AMENDMENTS AS DISCUSSED.  
COUNCILMEMBER CARPENTER SECONDED THE MOTION. THE VOTE WAS  
34 RECORDED AS FOLLOWS:

36 COUNCILMEMBER BAYLESS	AYE
COUNCILMEMBER CARPENTER	AYE
COUNCILMEMBER FRAMPTON	NAY
38 COUNCILMEMBER HATCH	AYE
COUNCILMEMBER WALKER	NAY

40 THE MOTION CARRIED (3-2).

42 **Executive Session** – The City Council will meet to discuss reasonably imminent  
litigation.

44  
46 COUNCILMEMBER BAYLESS MOVED TO MOVE INTO EXECUTIVE  
SESSION AT 10:24 P.M. FOR THE PURPOSE OF DISCUSSING REASONABLY  
IMMINENT LITIGATION. COUNCILMEMBER WALKER SECONDED THE  
48 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

2 COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE EXECUTIVE  
3 SESSION AND RECONVENE THE REGULAR CITY COUNCIL MEETING AT  
4 10:33 P.M. COUNCILMEMBER WALKER SECONDED THE MOTION. ALL  
5 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

- 6  
7 9. **Review and Action** – *Employee Separation Agreement*. This is a request by  
8 staff for the Council’s approval of an Employee Separation Agreement for a  
9 long time employee who is retiring.

10  
11 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE EMPLOYEE  
12 SEPARATION AGREEMENT. COUNCILMEMBER FRAMPTON SECONDED THE  
13 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

14 COUNCILMEMBER BAYLESS AYE  
15 COUNCILMEMBER CARPENTER AYE  
16 COUNCILMEMBER FRAMPTON AYE  
17 COUNCILMEMBER HATCH AYE  
18 COUNCILMEMBER WALKER AYE  
19 THE MOTION CARRIED UNANIMOUSLY.

20  
21 **COUNCIL REPORTS** –

22  
23 **COUNCILMEMBER FRAMPTON** – Councilmember Frampton discussed the design  
24 and specifications for the basketball court proposed by residents at Squaw Hollow Park.  
25 Mayor Dain noted that this facility will be paid for through private donations from  
26 residents, and that the City is not participating in fundraising. He suggested that Mr.  
27 Haws prepare an agreement regarding the fundraising which clarifies that the City is not  
28 involved in funding the facility.

29 Councilmember Frampton reported that he attended the Housing Consortium  
30 Board meeting with Councilmember Hatch. Councilmember Frampton will now assume  
31 responsibilities representing the City on the Consortium Board.

32  
33 **COUNCILMEMBER CARPENTER** – Councilmember Carpenter reported that the  
34 Legislative Policy Committee has started interim session meetings. He reviewed issues  
35 which are under discussion, including water issues, retirement bill clean up issues, and  
36 property tax issues.

37  
38 **COUNCILMEMBER HATCH** – Councilmember Hatch reported that all green waste  
39 will be diverted from the transfer station to Timpanogos Special Service District for  
40 composting.

41  
42 **COUNCILMEMBER BAYLESS** – Councilmember Bayless had no items to report.

43  
44 **COUNCILMEMBER WALKER** – Councilmember Walker reported that he was  
45 contacted by a resident regarding a utility line which was in need of repair. The utility  
46 line was not a City utility. Councilmember Walker suggested that the residents contact  
the private utility provider to report the problem.

2 Councilmember Walker also reported that he was contacted by a resident  
interested in starting a children's choir. He forwarded information regarding the  
community center to the resident.

4 Councilmember Walker will attend the Murdock Hyundai ribbon cutting and the  
AmBank ribbon cutting. He met with the Lindon Days Committee Chairs to start  
6 planning for the celebration. He noted that there was a scheduling conflict for some  
events planned for Lindon Days, and that as a result several events will be held the week  
8 of July 31<sup>st</sup> through August 7<sup>th</sup>.

10 **ADMINISTRATOR'S REPORT** –

12 Mr. Dameron gave no report during this meeting.

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

18 COUNCILMEMBER BAYLESS AYE  
COUNCILMEMBER CARPENTER AYE  
COUNCILMEMBER FRAMPTON AYE  
20 COUNCILMEMBER HATCH AYE  
COUNCILMEMBER WALKER AYE

22 THE MOTION CARRIED UNANIMOUSLY.

24 **ADJOURN** –

26 COUNCILMEMBER WALKER MOVED TO ADJOURN THE MEETING AT  
11:34 P.M. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. ALL  
28 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

30 Approved – June 1, 2010

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Debra Cullimore, City Recorder

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James A. Dain, Mayor