

2 The Lindon City Council held a Special Meeting on **Tuesday, September 22, 2009**,
beginning at 5:30 p.m. in the Lindon City Center, City Council Chambers, 100 North
4 State Street, Lindon, Utah.

6 Conducting: Bruce Carpenter, Mayor ProTem

Pledge of Allegiance: Cody Cullimore

8 Invocation: Toby Bath

PRESENT

ABSENT

10 Eric Anthony, Councilmember

12 H. Toby Bath, Councilmember

Lindsey Bayless, Councilmember

14 Bruce Carpenter, Councilmember; Mayor ProTem

Adam Cowie, Planning Director

16 Cody Cullimore, Chief of Police

Debra Cullimore, City Recorder

James A. Dain, Mayor

Jerald I. Hatch, Councilmember

Ott H. Dameron, City Administrator

18 The meeting was called to order at 5:33 p.m.

20 **MINUTES** –

22 No minutes were reviewed at this meeting.

24 **OPEN SESSION** –

26 Councilmember Carpenter called for comments from any resident present who
28 wished to address an issue not listed as an agenda item. There was no public comment.

30 **MAYOR'S COMMENTS/REPORT** –

32 Mayor Dain was not present at the meeting.

34 **CONSENT AGENDA** –

36 No items.

38 At this time, Mr. Cowie requested that agenda items be taken out of order so that
40 he could be excused from the meeting after review of the Interlocal Agreement with Utah
County for CDBG programs.

42 COUNCILMEMBER BAYLESS TO REVERSE THE ORDER OF THE TWO
44 ITEMS LISTED ON THE AGENDA FOR THIS MEETING. COUNCILMEMBER
BATH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE
46 MOTION CARRIED.

CURRENT BUSINESS –

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1. **Review and Action** – *Lindon City, Utah County, and Utah County Cities – Interlocal Cooperation Agreement CDBG Program.* This is a request by staff and Mayor Dain for the Council’s review and approval of an Interlocal Agreement between Lindon City, Utah County, and Utah County cities regarding an agreement to allow Utah County to be the recipient of CDBG funds from HUD as a designated Urban County. MAG will still administer the funds under contract with Utah County. A seamless transition is anticipated. HUD has requested that Utah County return the approved and signed agreements by September 30, 2009. The MAG Executive Committee has recommended approval of this agreement.

Mr. Cowie explained that this is a request from Utah County. By working cooperatively, the County can be designated an Urban County. This will allow Utah County and the cities included in the agreement to qualify for block grants for housing and community development. Without the agreement, Lindon would be eligible to qualify for the funds independently. The Utah County Council of Governments recommends approval of this agreement. Funds will be administered through the Mountainland Association of Governments.

Councilmember Bayless inquired as to whether there may be any drawbacks to entering into the agreement. Mr. Cowie stated that no negative impacts are anticipated. Councilmember Carpenter noted that the City Attorney has reviewed the agreement, and did not express any concerns.

Councilmember Carpenter called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER BAYLESS MOVED TO APPROVE THE INTERLOCAL COOPERATION AGREEMENT CDBG PROGRAM AS OUTLINED BY UTAH COUNTY. COUNCILMEMBER ANTHONY SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER ANTHONY AYE
COUNCILMEMBER BATH AYE
COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

2. **Review and Action** – *Canvass and Certification of Election Results.* The City Council will sit as a Board of Canvassers for the September 15, 2009 Municipal Primary Election and certify the results of that election. By state law the City Council, as the Board of Canvassers, must canvass the election no earlier than three days and no later than seven days after the completion of the ballot, in this case between September 18 and September 22, 2009.

The City Recorder presented election canvass materials to the Council. The results of voting in each voting precinct was reviewed, including total number of voters, and total number of votes for each candidate. One minor discrepancy was noted in the

paperwork in precinct LI-02. The discrepancy was a clerical error on the part of the poll workers completing the report, and had no effect on the outcome of the election results. A total of eleven verified provisional ballots were counted and added to the final election results. Following completion of the Primary Election Canvass, Councilmember Anthony made the following motion:

COUNCILMEMBER ANTHONY MOVED TO CERTIFY THE RESULTS OF THE SEPTEMBER 15, 2009 LINDON CITY PRIMARY MUNICIPAL ELECTION, AND TO CERTIFY ERIC ANTHONY, BRUCE ARMSTRONG, BRET FRAMPTON AND MARK WALKER AS COUNCILMEMBER CANDIDATES FOR THE NOVEMBER 3, 2009 MUNICIPAL GENERAL ELECTION. COUNCILMEMBER BAYLESS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER ANTHONY AYE
 COUNCILMEMBER BATH AYE
 COUNCILMEMBER BAYLESS AYE
 COUNCILMEMBER CARPENTER AYE
 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

The official election results were recorded as follows:

<i>Candidate</i>	<i>LI-01</i>	<i>LI-02</i>	<i>LI-03</i>	<i>LI-04</i>	<i>LI-05</i>	<i>LI-06</i>	<i>Early</i>	<i>Prov.</i>	<i>Total</i>
*Eric Anthony	19	49	45	31	81	22	24	4	275
*Bruce L. Armstrong	25	34	86	28	24	45	4	5	251
H. Toby Bath	28	36	39	18	23	16	15	2	177
*Bret D. Frampton	47	86	29	14	71	21	26	4	298
*Mark L. Walker	68	130	67	38	117	55	34	7	516
<i>Precinct Total</i>	187	335	266	129	316	159	103	22	1517
<i>Total Ballots Cast</i>	95	171	140	67	163	80	53	11	780
<i>Registered Voters</i>	997	1025	755	968	997	918			5660
<i>Percent</i>	10%	17%	19%	7%	16%	9%			14%

COUNCIL REPORTS –

No Council reports were given at this meeting.

ADMINISTRATOR’S REPORT –

City Attorney, Brian Haws, was present at the meeting at this time. He stated that Mr. Dameron asked him to report briefly on a Resolution passed by Pleasant Grove City Council terminating the common taxing and revenue sharing district near the I-15 interchange. He noted that several members of the Pleasant Grove City Council expressed an interest in revisiting the agreement, or drafting a new agreement, after new officials take office and the new City Administrator is hired in Pleasant Grove.

Councilmember Carpenter noted that there are certain provisions of the existing agreement that remain in force for a period of time. Mr. Haws noted that the Pleasant

Grove City Attorney indicated that agreement is in force for a period of two years.
2 However, language in the agreement indicates that it is in force for ten years.

The Council will discuss the agreement further in the future. Councilmember
4 Anthony suggested the possibility of a neutral mediator participating in future discussions
with Pleasant Grove.

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

10 COUNCILMEMBER ANTHONY AYE

COUNCILMEMBER BATH AYE

12 COUNCILMEMBER BAYLESS AYE

COUNCILMEMBER CARPENTER AYE

14 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

16 **ADJOURN** -

18 COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE MEETING AT
6:07 P.M. COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL
20 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

22 Approved – October 6, 2009

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Debra Cullimore, City Recorder

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34 James A. Dain, Mayor