

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, December 1,**  
3 **2009**, 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: Seth Pratt, Boy Scout Troop 1201  
7 Invocation: Ott Dameron

8 **PRESENT**

**ABSENT**

9 James A. Dain, Mayor  
10 Eric Anthony, Councilmember  
11 H. Toby Bath, Councilmember  
12 Lindsey Bayless, Councilmember  
13 Bruce Carpenter, Councilmember  
14 Jerald I. Hatch, Councilmember  
15 Ott H. Dameron, City Administrator  
16 Cody Cullimore, Chief of Police  
17 Debra Cullimore, City Recorder

18 The meeting was called to order at 7:04 p.m.

19 **PRESENTATION** – *Representatives of the Utah Municipal Clerks Association (UMCA)*  
20 *will be present to honor Lindon City Recorder, Debra Cullimore, who has earned the*  
21 *designation of Certified Municipal Clerk (CMC) by the International Institute of*  
22 *Municipal Clerks.*

23 Donna Weaver, President of the Utah Municipal Clerks Association, presented  
24 City Recorder Debra Cullimore with the Certified Municipal Clerk Certification. Mayor  
25 Dain congratulated Ms. Cullimore on her achievement and thanked her for her work in  
26 the City.

27 **MINUTES** – The minutes of the regular meeting of November 17, 2009 were reviewed.

28 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE MINUTES.  
29 COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS  
30 RECORDED AS FOLLOWS:  
31 COUNCILMEMBER ANTHONY AYE  
32 COUNCILMEMBER BATH AYE  
33 COUNCILMEMBER BAYLESS AYE  
34 COUNCILMEMBER CARPENTER AYE  
35 COUNCILMEMBER HATCH AYE  
36 THE MOTION CARRIED UNANIMOUSLY.

37 **OPEN SESSION** –

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

4 **MAYOR'S COMMENTS/REPORT** –

6 Mayor Dain invited residents to attend the annual Christmas Tree Lighting  
ceremony on Monday, December 7<sup>th</sup> at 6:30 p.m.

8 **CONSENT AGENDA** –

- 10 1. Annual Meeting Schedule, 2010.  
12 2. Changer Order – 400 North Street Projects.  
14 3. Letter of Appointment to Lindon Tree Advisory Board – Barbara Martel.

16 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE CONSENT  
AGENDA ITEMS AS LISTED. COUNCILMEMBER HATCH SECONDED THE  
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

18 COUNCILMEMBER ANTHONY AYE  
COUNCILMEMBER BATH AYE  
20 COUNCILMEMBER BAYLESS AYE  
COUNCILMEMBER CARPENTER AYE  
22 COUNCILMEMBER HATCH AYE  
THE MOTION CARRIED UNANIMOUSLY.

24 **CURRENT BUSINESS** –

- 26 1. **Review and Action** – *Resolution to create the Lindon City Youth Court.*  
28 (*Resolution #2009-22-R*). Lindon City Chief of Police, Cody Cullimore,  
recommends approval of the Resolution establishing The Lindon City Youth  
30 Court.

32 Officer John Lloyd of the Lindon City Police Department presented the concept  
of the Youth Court program. He explained that Youth Court provides a peer court for  
34 youth up to age 18. Youth court will process minor violations of the law committed by  
youth in Lindon. The program requires the offender to admit guilt, provide any necessary  
36 restitution, and perform other tasks, such as community service or written essays relative  
to the offense. Officer Lloyd also introduced Officer Julie Sutch. Officer Lloyd and  
38 Officer Sutch will serve as advisors to the Youth Court.

40 Mayor Dain commended the officers on taking the initiative and doing the work  
necessary to organize the program. He called for a motion to approve the Resolution  
creating the Lindon City Youth Court.

42 COUNCILMEMBER HATCH MOVED TO APPROVE RESOLUTION 2009-  
44 22-R AUTHORIZING AND ENDORSING THE CREATION OF A LINDON CITY  
YOUTH COURT. COUNCILMEMBER BATH SECONDED THE MOTION. THE  
46 VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER ANTHONY            AYE  
2 COUNCILMEMBER BATH            AYE  
COUNCILMEMBER BAYLESS            AYE  
4 COUNCILMEMBER CARPENTER        AYE  
COUNCILMEMBER HATCH            AYE  
6 THE MOTION CARRIED UNANIMOUSLY.

8        2. **Swearing-in Ceremony** – *Members of the Lindon City Youth Court.* Mayor Dain  
will swear-in the members of the Lindon City Youth Court and recognize them  
10        for their service to the City.

12        Mayor Dain introduced members of the Lindon City Youth Court as follows:

- 14            • Judges - Skyler Payne, Brynn Willis and Trevor Matheson.
- Court Clerks – Alyson Young and Isabella Heckert.
- 16            • Court Attorney – Devin Brown
- Court Bailiff – Tyler Moss

18            Mayor Dain then administered the Oath of Office, and congratulated the members  
20        on their participation in this program. Councilmember Carpenter asked when the first  
cases would be heard by Youth Court. Officer Lloyd stated that cases are scheduled for  
22        December 9, 2009. Councilmember Bayless noted that this is an important, historic  
occasions.

24            Mayor Dain invited Chief Cullimore to comment. Chief Cullimore stated that  
participation as a member of Youth Court is big responsibility, and that the youth are  
26        expected to act professionally and maintain confidentiality regarding court proceedings.  
He commended the youth participating in the Youth Court program, and stated that they  
28        are outstanding youth with outstanding parents.

30        3. **Review and Action** – *Interlocal Agreement for the Provo Reservoir Canal Right-*  
*of Way Greenway.* This is a request by Mayor Dain for the City Council’s review  
32        and approval of the Interlocal Agreement for the Provo Reservoir Canal Right-of-  
Way Greenway. This is commonly known as the agreement for the Murdock  
34        Canal Trail. The agreement is between Utah County and the various cities  
bordering the Murdock Canal.

36            City Attorney, Brian Haws was present for this discussion. Mayor Dain noted  
38        that the Cities participating in the Murdock Canal Trail project have agreed to cost  
sharing for utility relocations and other expenses associated with the trail. Mr. Haws  
40        stated that the concept of the agreement is acceptable, but that language clarification  
regarding specific obligations should be included in the agreement before the City  
42        commits to participation. He noted that approval would obligate the City to the terms of  
the agreement for 50 years, and that it would be reasonable to request some clarification  
44        regarding specific financial obligations prior to accepting the agreement.

2 The Council went on to discuss formulas which will be used in determining  
assessments for various cities. The formulas would be weighted based on population and  
projected trail usage.

4 Councilmember Carpenter expressed concern that there does not seem to be a  
mechanism for participating communities to have input into functions of the agreement in  
6 the future. Mr. Haws explained that cities have the right to give input in an advisory  
capacity, but that municipalities will not have approval authority. The Council requested  
8 that Mr. Haws suggest a provision in the agreement which allows input from cities for  
major expenses associated with the trail.

10 Mayor Dain explained that he would be attending the trail committee meeting on  
Wednesday, and would discuss concerns expressed by the Council regarding specific  
12 financial obligations and a mechanism to allow cities to provide input in the future. He  
observed that Mayors have been actively working on this project for a number of years,  
14 and that he is confident that the details of the agreement can be worked out and the  
concerns of municipalities can be adequately addressed. Mayor Dain suggested that the  
16 Council continue approval of this agreement to allow further discussion among the  
committee.

18  
20 COUNCILMEMBER BAYLESS MOVED TO CONTINUE THE  
INTERLOCAL AGREEMENT FOR THE PROVO RESERVOIR RIGHT-OF-WAY  
GREENWAY TO THE MEETING OF DECEMBER 15, 2009. COUNCILMEMBER  
22 HATCH SECONDED THE MOTION.

24 Councilmember Carpenter noted that if the agreement is not ready for approval at  
the December 15<sup>th</sup> meeting, the continuance may expire. Councilmember Bayless stated  
26 that it was her intention to convey a sense of urgency to the committee in addressing  
concerns in order to have the agreement ready for approval before the end of the year.

28 THE VOTE WAS RECORDED AS FOLLOWS:

30 COUNCILMEMBER ANTHONY AYE

COUNCILMEMBER BATH AYE

32 COUNCILMEMBER BAYLESS AYE

COUNCILMEMBER CARPENTER AYE

34 COUNCILMEMBER HATCH AYE

THE MOTION CARRIED UNANIMOUSLY.

36  
38 An audience member inquired as to the anticipated cost for trail maintenance  
under the agreement. Mayor Dain stated that the exact figure has not been established,  
but that it is not expected to be a significant budget expenditure. Councilmember Bayless  
40 noted that trail maintenance of the trail will also provide volunteer opportunities, and that  
in-kind donations of service for trail maintenance can be used to offset the City's  
42 financial obligation under the terms of the agreement.

44 **COUNCIL REPORTS** –

2 **COUNCILMEMBER CARPENTER** – *General Plan, Streets & Sidewalks, Public Buildings.*

4 Councilmember Carpenter noted that the General Plan will be reviewed in 2010. He asked the Council to consider names of residents to participate on the committee.

6 **COUNCILMEMBER BATH** – *Public Safety, court, Building Inspections.*

8 Councilmember Bath invited Chief Cullimore to report on Police Department activities. Chief Cullimore reported that targeted traffic enforcement in school zones was conducted during the month of November as a result of multiple complaints of traffic issues in school zones. He reported that the enforcement resulted in 209 traffic stops and 106 citations. He stated that the crossing guards have reported a marked improvement in traffic in school zones since the enforcement.

10 Chief Cullimore also reported that the City purchased winter coats for the crossing guards to keep them comfortable during cold weather and make them visible to motorists. He commented that the crossing guards have worked for the City for a number of years, and are very dedicated to their jobs.

12 Chief Cullimore stated that plans are underway to construct a Veteran’s Memorial at the City cemetery. He stated that the project is an Eagle Scout project, and that design ideas are expected to be ready for Council review in January.

14 **COUNCILMEMBER ANTHONY** – *Parks, Recreation, Engineering, Lindon Fair, Newsletter.*

16 Councilmember Anthony reported that the City recently received 96 donated trees. The trees will be stored at the Public Works complex for the winter, and will be planted in the spring.

18 Councilmember Carpenter noted that at the recent MAG Transportation Open House, plans for State Street widening in Lindon did not include improvements to the 400 North or 200 South intersections which were included in previous plans. He stated that it was unclear if the improvements were inadvertently left off the presentation materials, or if they have been removed from the plan. Mr. Dameron will follow with UDOT.

20 **COUNCILMEMBER HATCH** – *Water, Sewer, Solid Waste, Housing Consortium.*

22 Councilmember Hatch had no items to report.

24 **COUNCILMEMBER BAYLESS** – *Trails, Planning, Zoning, Board of Adjustments, Administration.*

26 Councilmember Bayless commented on street signage on Lakeview Road, and possible confusion regarding street numbering. Mr. Dameron will follow up with Public Works and the Planning Department.

2 **ADMINISTRATOR’S REPORT –**

4 Mr. Dameron reported on the following items:

- 6 1. The Council reviewed the Project Tracking List  
8 2. Youth Court proceedings are closed to the public, City Council members will not  
10 3. The City Christmas Party will be held Saturday, December 5 at 6:30 p.m.  
12 4. The Annual Christmas Tree Lighting will be held Monday, December 7 at 6:30  
14 p.m.  
16 5. Murdock Hyundai is expected to open for business on December 5.  
18 6. The old Wells Fargo Bank building on State Street has been purchased by  
20 AmBank. Remodeling of the building is currently underway.

16 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE PAY  
18 VOUCHERS. COUNCILMEMBER ANTHONY SECONDED THE MOTION. THE  
20 VOTE WAS RECORDED AS FOLLOWS:

22 COUNCILMEMBER ANTHONY AYE  
24 COUNCILMEMBER BATH AYE  
26 COUNCILMEMBER BAYLESS AYE  
28 COUNCILMEMBER CARPENTER AYE  
30 COUNCILMEMBER HATCH AYE  
32 THE MOTION CARRIED UNANIMOUSLY.

26 **ADJOURN –**

28 COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE MEETING AT  
30 8:22 P.M. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL  
32 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

34 Approved – December 15, 2009

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James A. Dain, Mayor

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Debra Cullimore, City Recorder