

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, June 17, 2008**
in the Lindon City Center, City Council Chambers, 100 North Sate Street, Lindon, Utah.

4 Conducting: James A. Dain, Mayor
Pledge of Allegiance: Cody Cullimore
6 Invocation: Lindsey Bayless

8 **PRESENT**

ABSENT

10 James A. Dain, Mayor
Eric Anthony, Councilmember
12 H. Toby Bath, Councilmember
Lindsey Bayless, Councilmember
14 Bruce Carpenter, Councilmember
Jerald I. Hatch, Councilmember
16 Ott H. Dameron, City Administrator
Adam Cowie, Planning Director
18 Cody Cullimore, Chief of Police
Debra Cullimore, City Recorder

20 The meeting was called to order at 7:03 p.m.

22 **INTRODUCTION** – *Chief Cody Cullimore will introduce the officers and staff of the*
24 *Lindon City Police Department.*

26 Chief Cullimore had each of the officers and staff who will serve on the Lindon
City Police Department introduce themselves to the Council. Police Department
28 personnel were introduced as follows:
Officer David Welcker, Officer Alan Purvis, Officer Russell Collins, Officer Marc
30 Wright, Administrative Professional Robyn Clark, Officer Steve Gray, Officer John
Lloyd, Sergeant Doug Eastman, Officer Matt Barlow, Sergeant Josh Edwards, Officer
32 Curtis Campbell, Officer Ray Ormond, Officer Darrell Bingham, and Officer Tony
Weinmuller. Chief Cullimore noted that officer Eric Whitehead was unable to attend the
34 meeting, and additional office staff, Julie Sutch and Mindy Zobell were not present at the
meeting.

36 Chief Cullimore stated that he is excited about the Police Department team and
the level of professionalism the officers bring with them. Mayor Dain noted that Public
38 Safety is a priority for the community, and that residents of Lindon will be in good hands
with these officers. He expressed appreciation to the officers and staff, and stated that he
40 is looking forward to the department becoming operational. He noted that the ribbon
cutting ceremony for the department offices would be held the following day at 11:30
42 a.m., and the “Meet the Department” event is planned for June 26th at 6:30 p.m. at Oak
Canyon Junior High School. Councilmember Bath and Councilmember Hatch each
44 expressed appreciation to the officers, and confidence in their ability to provide
exceptional public safety services.

2 **MINUTES** – The minutes of the regular meeting of June 3, 2008 were reviewed.

4 COUNCILMEMBER BATH MOVED TO APPROVE THE MINUTES OF THE
6 JUNE 3, 2008 MEETING. COUNCILMEMBER HATCH SECONDED THE MOTION.
8 THE VOTE WAS RECORDED AS FOLLOWS:

6 COUNCILMEMBER ANTHONY AYE
COUNCILMEMBER BATH AYE
8 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
10 COUNCILMEMBER HATCH AYE
12 THE MOTION CARRIED UNANIMOUSLY.

14 **OPEN SESSION** –

16 Mayor Dain called for comments from any resident present who wished to
18 address an issue not listed as an agenda item. Joy Nelson, advisor to the Little Miss
20 Lindon program, approached the Council and submitted budget requests for the 2008-
22 2009 fiscal year. Mr. Dameron explained that the budget process has been ongoing for
24 several months, and that changes to the final budget are not feasible at this time. Jeff
26 Southard, a parent of a member of the Little Miss Lindon Royalty, explained that the
vehicle which is currently used for the parade float for the Royalty is in need of extensive
repairs or replacement. He noted that due to the timing of the pageant each year in
relation to the budget year cycle, parents have missed the opportunity to request
replacement of the vehicle. He explained that the car would not run for one parade the
previous weekend, and the girls were not able to finish the parade. He requested that the
Council consider providing funding for a new vehicle next year if possible.

28 **MAYOR'S COMMENTS/REPORT** –

30 Mayor Dain reported that the groundbreaking for the aquatics facility is expected
32 in mid-July. He noted that the Lindon Heritage Trail project is well under way, and that
34 the Lakeview Drive section is now complete. Grand Marshall for the upcoming Lindon
Days events is John Fugal. Mayor Dain also noted that he received a nice comment from
36 a resident regarding Public Works Director, Don Peterson, and his willingness to make
accommodations to help the resident prepare for a wedding celebration at their home.

38 **CONSENT AGENDA** –

40 No items.

42 **CURRENT BUSINESS** –

- 44 1. **Concept Review** – *Site Plan – Lindon City Outdoor Aquatics Facility – 100*
46 *North State Street.* This is a request by Lindon City and VCBO Architecture for a
preliminary review of the site plan and architectural elevations of the proposed
aquatics facility at the Lindon City Center Park in the PF zone.

2 Brent Tippetts of VCBO Architecture was present to discuss the aquatics facility
3 site plan with the Council. Mr. Tippetts explained that he recently met the Planning
4 Commission to review the site plan. During that review, the Planning Commission
5 expressed several concerns regarding elements of the site plan. One of the primary
6 concerns expressed by the Planning Commission was that there may not be adequate
7 space on the east end of the site to accommodate future expansion which would include
8 an indoor recreation facility. The Commission also expressed concern regarding planned
9 parking, and requested that a drop off area be included in front of the facility.

10 Mr. Tippetts presented a photo of the site as currently planned. He then over-laid
11 a concept drawing of future expansion, including an 11 laps per mile indoor track, a six
12 thousand square foot fitness area, and other components which may be included in future
13 recreation facilities. The concept layout assumes that the existing fire station located to
14 the east of the City Center would be removed. Mr. Tippetts also outlined proposed
15 parking areas which would be included with the future recreation facilities. He noted that
16 the proposed expansion includes an option to enclose the lap pool as part of the indoor
17 amenities.

18 Mr. Dameron suggested that future facilities be shifted to the north allowing the
19 fire station to remain in place. Mr. Tippetts observed that moving the facility to north
20 may be feasible, but that from a design standpoint placement to the north would not be
21 ideal. The Council discussed various possible configurations for future facilities. Mayor
22 Dain noted that actual design and construction of the facility is at least several years in
23 the future. He observed that the concept drawings illustrate that there is adequate space
24 available to accommodate future expansion of recreation facilities.

25 The Council went on to review revised parking plans, which include a pull
26 through drop off area in front of the pool facility. The proposed parking (which includes
27 use of parking at the church facility on Main Street) show the number of parking stalls
28 very close to compliance with City ordinance, with some additional overflow parking
29 available on gravel areas.

30 Mayor Dain commented that in the last Design Committee meeting, there was
31 some preliminary discussion regarding the possibility of relocating future public safety
32 facilities to the south of the LDS church building, creating a more pedestrian friendly
33 environment around the pool facility. Mr. Cowie noted that the location south of the
34 church facility may be preferable due to the fact that a traffic light will eventually be
35 installed at the State Street intersection to the west of that site.

36 The Council discussed the possibility of limiting capacity of the pool based on
37 available parking and health department standards for the pool. Mr. Dameron noted that
38 based on current parking standards, if capacity of the pool were limited to 450 people,
39 129 parking stalls would be required. The Council discussed options for parking, as well
40 the practicality of parking standards for the pool. Councilmember Carpenter noted that
41 due to the location of the pool adjacent to the Lindon Heritage Trail, there may be a
42 higher volume of pedestrian and bicycle traffic. Mr. Tippetts also suggested that
43 possibility of vacating 60 North in the future as recreation facilities expand in order to
44 create additional parking areas.

45 Mayor Dain acknowledged that the concerns expressed by the Planning
46 Commission were valid concerns and should be addressed. The Council discussed

reconfiguration of parking on the lot located south of the City Center, as well as the
2 projected cost of completing the parking area. Councilmember Bayless noted that one
Commissioner expressed specific concerns regarding financing for the pool facility given
4 the recent downturn in the economy. Councilmember Bayless stated that she assured this
particular Commissioner that based on the recommendations of the City's financial
6 advisor, financing for the pool is well under the limit the City can comfortably afford to
finance. Councilmember Bayless noted that another Commissioner expressed a strong
8 preference for increasing the lap pool to eight lanes rather than the six lane pool shown
on the current plans. Mr. Tippetts explained that the cost to increase the lap pool by two
10 additional lanes would be approximately \$140,000. He noted that typically, the two
outside lanes of a lap pool are not used during swimming competitions. However, due to
12 the design of the lap pool gutter system, the two outside lanes of this pool are suitable for
use in competitive swimming events.

14 Mr. Cowie reviewed photographs of the Payson City aquatics facility which is
currently under construction. He noted that VCBO designed the Payson facility, and that
16 Hogan & Associates is completing construction of the facility. He presented elevation
drawings for the Lindon facility, which will be designed to reflect the architecture of the
18 City Center using CMU block and stucco elements.

The Council noted that the most significant concerns expressed by the Planning
20 Commission were future expansion of the facility, adequate parking, and a drop off area.
Mr. Cowie noted that there has been some discussion of a capacity cap based on available
22 parking, but that enforcement of a capacity cap may be difficult to enforce. Mr. Tippetts
noted that there may be safety concerns associated with overcrowding of the pool. Jeff
24 Southard commented from the audience that if drop off is being encouraged using the
drop off area, a capacity cap may be problematic if parents drop off children who are not
26 able to access the pool.

Mr. Cowie observed that parking capacity at other pools in the valley would not
28 comply with Lindon City parking standards. He noted that the recreation center in Lehi
has approximately the same number of parking stalls being proposed for the Lindon
30 facility. Mr. Cowie stated that he feels comfortable moving forward with the parking
plan as proposed. He noted that negotiations with the LDS Church appear to be moving
32 forward to allow use of the parking at the church site. He noted that if purchase of the
church facility is not successful, other options may be available to address parking
34 concerns.

Planning Commissioner Sharon Call was present in the audience. She observed
36 that the Commission had also expressed concern regarding the Flow Rider amenity
planned for the facility. Mayor Dain explained that the Flow Rider is currently shown on
38 the plans as an alternate feature which will be installed if budget constraints permit.
Councilmember Carpenter observed that the Flow Rider has the potential of generating
40 enough revenue to be self sustaining. Mayor Dain noted that the Flow Rider would
create a draw for teenagers, which could potentially generate a significant amount of
42 revenue.

Blake Davis, Project Manager of Hogan Construction was present to discuss
44 projected costs of the pool facility. Mr. Davis stated that based on revised drawings
which increase available parking, a contingency of approximately \$145,000 is projected
46 if the Flow Rider feature is included in the facility. He stated that construction costs are

2 estimated at approximately \$8.6 million, and that with soft costs, total cost of the facility
3 is projected at approximately \$9.8 to \$9.9 million. He stated that necessary
4 improvements to the south parking area are included in cost estimates. Mayor Dain noted
5 that a contingency is also built into line items, and that the total cost is expected to come
6 in below the bonding cap. Mr. Tippetts noted that the City was able to secure better
7 pricing on the pools than original budget amounts, which allowed parking improvements
8 to be included within the established budget.

9 Mr. Cowie suggested the possibility of scheduling a joint meeting prior to
10 Planning Commission meeting on June 25th to allow each of the bodies to take action
11 without delaying a decision any further. Mr. Tippetts noted that until the Planning
12 Commission and City Council take action on this matter, the bid packages can not be
13 released. He noted that it may be possible to release bid packages with the expectation of
14 an addendum after final action by the City Council and Planning Commission. Mr.
15 Cowie noted that issues discussed at this meeting will address the major concerns
16 expressed by the Planning Commission. Councilmember Bayless noted that in hindsight,
17 a member of the Planning Commission should have been involved earlier in the planning
18 process. Following further discussion, the Council agreed that a joint meeting at 6:00
19 p.m. on June 25th prior to the regular Planning Commission meeting would be
20 appropriate.

- 21 2. **Public Hearing** – *Final Budget for Fiscal Year 2008-2009 (Resolution #2008-*
22 *14)*. The City Council will hear public comment concerning the final City budget
23 for fiscal year 2008-2009, including the allocation of revenue from the Water,
24 Sewer, and other enterprise funds to the General Fund. One Public Hearing, a
25 Public Work Session, and a Budget Committee Meeting have been held where
26 budget issues were discussed in detail. Tonight, the City Council will act to
27 approve the final budget for fiscal year 2008-2009, amend the budget for fiscal
28 year 2007-2008, set the certified property tax rate for 2008-2009, approve an
29 agreement for services between the RDA the City, and adopt the City-wide fee
30 schedule.

31 COUNCILMEMBER BATH MOVED TO OPEN THE PUBLIC HEARING TO
32 CONSIDER THE FINAL 2008-2009 FISCAL YEAR BUDGET. COUNCILMEMBER
33 HATCH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE
34 MOTION CARRIED.

35 Finance Director, Jamie Bennee, was present to review the Final 2008-2009
36 Budget with the Council. Mr. Dameron noted that members of the Council received e-
37 mails from Councilmember Anthony prior to the meeting which expressed his lack of
38 support for the proposed budget based on concerns related to funding for road
39 improvements in residential areas. Councilmember Anthony explained that he felt that
40 planned road projects are receiving only minimal funding. He noted that tennis court
41 projects which have been promised to residents are repeatedly postponed, and that the
42 Council should honor their commitment to residents regarding these projects.

43 Mayor Dain observed that while these projects are important, the City must
44 prioritize expenditures based on available revenue. He noted that in the last City Council
45 meeting, the Council agreed to prioritize road projects. He noted that in the last City Council
46 meeting, the Council agreed to prioritize road projects.

meeting, the Council discussed the fact that the aquatics center will use a large portion of the City's discretionary funds for a period of time until revenues increase.

Councilmember Anthony noted that the 400 East project was on the City priority list for the 2007-2008 budget, and was not completed. He felt that his project should be a priority.

Councilmember Bayless observed that there is a finite amount of money available to meet all the needs in the City. She noted that in order to complete 400 East, it may be necessary to take funds from another project. Councilmember Carpenter noted that 2008-2009 is a unique budget year for the City due to creation of the Police Department, changes in other public safety services, completion of the Lindon Heritage Trail project, and the aquatics center project.

Mayor Dain noted that he and the Council are aware of Councilmember Anthony's concerns, and that any available funds will be used for the road project. He noted that the City has completed numerous park and road projects in recent years.

Councilmember Anthony noted that he is happy to see a budget line item for trail maintenance. He observed that improved maintenance of existing trail sections is likely to increase confidence in the trail, and correct some general underlying emotional opposition to the trail from residents as they better understand the benefit of trails in the community. Mayor Dain noted that when the Lindon Heritage Trail project currently underway is completed, residents will have an opportunity to better understand the function and benefit of trails in the community.

Councilmember Anthony noted that it would be beneficial in trail sections which have a combination of hard and soft surfaces to separate the surface areas to make them safer and more appealing. Mr. Dameron noted that the \$20,000 in the budget for trail maintenance can help resolve some of the maintenance issues. The Council also discussed other possible methods to enhance trail maintenance, such as a community trail maintenance day. Mr. Dameron suggested that regular maintenance be the responsibility of the landscaping company under contract with the City, with a possible annual community clean up day to involve residents.

Mr. Dameron noted that the budget document has undergone several changes since it was distributed on Friday. Ms. Bennee reviewed minor budget changes which were made since packets were distributed. She noted that the major difference in the final budget document is the addition of the aquatics center bond which will impact the 2008-2009 fiscal year budget. She explained that funds will be transferred from the General Fund to the Debt Service fund to cover interest and principal payments on the bond. The revenue fund for the aquatics center bond was created, and construction costs will be paid from that account using bond proceeds. Adjustments were also made to the sewer fund and the solid waste fund to reflect more accurate figures. A 7.8% solid waste fee increase requested by Allied Waste is included in current figures.

Mayor Dain noted that a letter from Mayor Mike Daniels of Pleasant Grove indicates that Lindon residents will no longer be eligible to participate in Pleasant Grove recreation programs at resident rates based on a fee paid by the City which allowed Lindon residents to pay resident rather than non-resident fees. He noted that \$42,000 budgeted for this program can be reallocated for other uses. Following discussion, the Council felt it would be appropriate to allocate an additional \$20,000 to trail

2 maintenance, and to leave the remaining \$22,000 in the recreation budget to help fund
3 expansion of available programs.

4 The Council went on to review budget highlights of the 2008-2009 budget. Ms.
5 Bennee stated that the total City-wide budget is \$28,060,011, with the total General Fund
6 budget at \$8,994,860. She noted that a decrease in building permits as compared to the
7 2007-2008 budget year is anticipated for the coming year. She noted that significantly
8 more permits than usual were issued last year due to the Fieldstone Homes subdivision.
9 Mr. Cowie noted that while a decrease in residential permits is anticipated, the City
10 expects to experience a strong commercial and industrial market.

11 Ms. Bennee then reviewed revenues sources. She noted that total revenues are
12 anticipated at \$12,959,631. She explained that property taxes comprise approximately
13 8.86% of the total City revenues, at approximately \$1,147,700. Councilmember
14 Carpenter noted that the failure for property tax assessments to keep pace with inflation
15 puts the City in a vulnerable position during an economic downturn.

16 Ms. Bennee then reviewed total City-wide expenditures of \$12,959,631. Capital
17 expenditures account for 20.18% of total expenditures, with operational costs accounting
18 for an additional 53.47%, and personnel making up the final 26.35%. Ms. Bennee noted
19 that the percentage of personnel costs may decrease based on an increase in capital
20 expenditures for the aquatics center.

21 Ms. Bennee stated that General Fund revenues are budgeted at \$8,594,860, with
22 General Fund expenditures anticipated at \$8,594,860 as well. She noted that Public
23 Safety General Fund expenditures make up approximately 39.5% of the total of
24 expenditures, which is comparable to the percentage of the budget spent in previous years
25 for contract services through Pleasant Grove. She clarified that the Public Safety budget
26 includes police, fire, EMS, dispatch, and animal control functions.

27 Ms. Bennee reviewed budgeted capital expenditures from the Road Fund, the
28 Water Fund, the Sewer Fund, and the Storm Water Fund. The Council discussed the 400
29 East road project. Mr. Dameron stated that the City will make an effort to get the project
30 underway as soon as possible, and complete as much as possible with available revenue.

31 Ms. Bennee went on to review proposed fee schedule changes, including fees for
32 fire and other public safety services. She noted that double depth burials will be removed
33 from the fee schedule based on safety concerns relative to digging double depth graves.

34 The Council then reviewed individual budget issues as follows:

35 ***Budget Issue #1 – Should the City approve a 4% administrative fee and a fixed***
36 ***3.9% fuel surcharge increase for a total increase of 7.9% for Allied Waste services?***

37 The fiscal impact is approximately \$20,150, which will be passed to resident by
38 way of the City's utility bill. These fees are included in the budget.

39
40 COUNCILMEMBER CARPENTER MOVED TO APPROVE BUDGET
41 ISSUES #1 – A 7.9% FEE ADJUSTMENT FOR ALLIED WASTE SERVICES.
42 COUNCILMEMBER BATH SECONDED THE MOTION. THE VOTE WAS
43 RECORDED AS FOLLOWS:

44 COUNCILMEMBER ANTHONY AYE
45 COUNCILMEMBER BATH AYE

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

6 **Budget Issue #2** – *Should the City adjust culinary water and sewer utility rates based on the Consumer Price Index (CPI) increase of 3.9%?*

8

City Engineer, David Thurgood, was present to discuss this item with the Council.
10 Mr. Thurgood reviewed specific adjustments based on the CPI. He also reviewed
proposed adjustments for pumping charges for Zone 1 and Zone O. He explained that
12 pumping charges for the two zones located east of the canal are intended to cover the
actual cost of operation of the pump stations.

14

COUNCILMEMBER CARPENTER MOVED TO APPROVE BUDGET
16 ISSUES #2 – A 3.9% CPI ADJUSTMENT TO WATER AND SEWER UTILITY
RATES, AND A PUMPING CHARGE ADJUSTMENT FOR ZONE 1 AND ZONE O.
18 COUNCILMEMBER BAYLESS SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

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

26

Budget Issue #3 – *Should the City fund the increased cost for insurance benefits for City employees?*

28

30 The cost for health insurance premiums has increased this year by 13.61%.
Employees will pay 6.81% of the increase by means of a payroll deduction, which will
32 increase to \$55.54 per month.

34 COUNCILMEMBER BATH MOVED TO APPROVE BUDGET ISSUES #3 –
FUNDING THE INCREASED COST FOR INSURANCE BENEFITS FOR CITY
36 EMPLOYEES. COUNCILMEMBER BAYLESS SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

38 COUNCILMEMBER ANTHONY AYE
COUNCILMEMBER BATH AYE
40 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
42 COUNCILMEMBER HATCH AYE
THE MOTION CARRIED UNANIMOUSLY.

44

Budget Issue #4 – *Should the City provide employees with a 3.9% Cost of Living Allowance and provide for a merit step increase in January?*

46

2 COUNCILMEMBER ANTHONY MOVED TO APPROVE BUDGET ISSUE #4
– 3.9% COST OF LIVING ALLOWANCE AND MERIT STEP INCREASES IN
4 JANUARY FOR CITY EMPLOYEES. COUNCILMEMBER BAYLESS SECONDED
THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

6 COUNCILMEMBER ANTHONY AYE
COUNCILMEMBER BATH AYE
8 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
10 COUNCILMEMBER HATCH AYE
THE MOTION CARRIED UNANIMOUSLY.

12 **Budget Issue #5** – *Should the City fill the Storm Water Supervisor position?*

14
16 The fiscal impact of this budget issue is approximately \$44,995 for wages, and an
additional \$30,870 for benefits. Expenditures will be paid from the storm water fund,
and have been included in the budget.

18
20 COUNCILMEMBER BAYLESS MOVED TO APPROVE BUDGET ISSUE #5
– FILLING THE STORM WATER SUPERVISOR POSITION. COUNCILMEMBER
HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

28
30 Mayor Dain called for public comment regarding the budget. There was no
public comment. He called for a motion to close the Public Hearing.

32 COUNCILMEMBER CARPENTER MOVED TO CLOSE THE PUBLIC
HEARING TO CONSIDER THE FINAL 2008-2009 FISCAL YEAR BUDGET.
34 COUNCILMEMBER HATCH SECONDED THE MOTION. ALL PRESENT VOTED
IN FAVOR. THE MOTION CARRIED.

36
38 COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE CITY
COUNCIL MEETING AND CONVENE THE MEETING OF THE LINDON CITY
REDEVELOPMENT AGENCY AT 10:06 P.M. COUNCILMEMBER BATH
40 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
CARRIED.

42
44 BOARDMEMBER BAYLESS MOVED TO ADJOURN THE MEETING OF
THE LINDON CITY MUNICIPAL BUILDING AUTHORITY AND RECONVENE
THE MEETING OF THE CITY COUNCIL AT 10:14 P.M. BOARDMEMBER

2 HATCH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE
MOTION CARRIED.

4 It was noted at this time that the Redevelopment Agency did not follow proper
6 procedure during the RDA meeting with regard to approval of the annual RDA budget
and the associated Resolution. Mayor Dain called for a motion to re-open the meeting of
the RDA.

8
10 COUNCILMEMBER CARPENTER MOVED TO ADJOURN THE CITY
COUNCIL MEETING AND RE-OPEN THE MEETING OF THE LINDON CITY
12 REDEVELOPMENT AGENCY. COUNCILMEMBER BAYLESS SECONDED THE
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

14 BOARDMEMBER CARPENTER MOVED TO ADJOURN THE MEETING OF
THE LINDON CITY REDEVELOPMENT AGENCY AND RECONVENE THE
16 MEETING OF THE LINDON CITY COUNCIL. BOARDMEMBER BAYLESS
SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
18 CARRIED.

20 COUNCILMEMBER HATCH MOVED TO APPROVE RESOLUTION #2008-
14 APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR 2008-2009,
22 AMENDING THE BUDGET FOR THE 2007-2008 FISCAL YEAR, SETTING THE
CERTIFIED TAX RATE, ADOPTING A FEE SCHEDULE, ADOPTING THE
24 COMPENSATION PROGRAMS, AND ENTERING INTO THE AGREEMENT WITH
THE LINDON REDEVELOPMENT AGENCY. COUNCILMEMBER BAYLESS
26 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

28 COUNCILMEMBER ANTHONY	NAY
COUNCILMEMBER BATH	AYE
COUNCILMEMBER BAYLESS	AYE
30 COUNCILMEMBER CARPENTER	AYE
COUNCILMEMBER HATCH	AYE

32 THE MOTION CARRIED (4-1).

34 Mr. Dameron complimented Ms. Bennee on the budget preparation process.
Councilmember Carpenter noted that he requested that Ms. Bennee track some figures for
36 the Council for informational purposes after the budget process was complete, and that
she has already provided the requested figures. Councilmember Anthony observed that
38 Ms. Bennee made a great deal of progress during the budget process.

40 3. **Review and Action** – *Utah Communications Agency Network Agreement and*
Resolution (Resolution #2008-15). This is a request by Chief Cody Cullimore for
42 the Mayor and Council’s review and approval of a Resolution authorizing the
Lindon City Police Department to participate as a member of the Utah
44 Communications Agency Network (UCAN), and an agreement with UCAN to
allow the Police Department to connect to the regional communications network
46 to provide radio service.

2 Chief Cullimore stated that the document before the Council reflects a cost of
4 \$22.50 per month, but that the actual cost will be \$23.15 per month. He stated that there
6 was some negotiation regarding the cost. He noted that municipalities typically pay a
8 higher rate than State agencies, but that the City was able to “piggy-back” with the rates
negotiated by the Utah County Sheriff’s office. Mayor Dain called for further comments
or discussion. Hearing none, he called for a motion.

10 COUNCILMEMBER BATH MOVED TO APPROVE RESOLUTION #2008-15
12 AUTHORIZING THE LINDON CITY POLICE DEPARTMENT TO PARTICIAPTE
14 AS A MEMBER OF THE UTAH COMMUNICATIONS AGENCY NETWORK
CONNECT TO THE REGIONAL COMMUNCATIONS NETWORK.

16 COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

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

- 30 4. **Review and Action** – *Interlocal Cooperation Agreement – Utah County Major
32 Crimes Task Force* – This is a request by Chief Cody Cullimore for the Mayor
34 and Council’s review and approval of an Interlocal Cooperation Agreement
36 authorizing the participation of Lindon City Police Department in the Utah
38 County Major Crimes Task Force.

40 Chief Cullimore explained that the City will work cooperatively with the Task
42 Force in the event of major crimes such as large drug investigations or homicides. He
44 noted that the City will be assessed a participation fee each year based on the population
46 of the City. The 2008-2009 assessment is included in the Police Department budget.
Lindon City officers will also be assigned to participate on the task force.

48 Councilmember Carpenter asked Chief Cullimore if there have been instances in
50 recent years where Lindon has benefited from the activities of the Task Force. Chief
52 Cullimore stated that several Task Force operations have taken place in Lindon. He
54 noted that the Task Force creates a network among Utah County agencies which allows
56 more effective law enforcement. Mayor Dain called for further comments or discussion.
58 Hearing none, he called for a motion.

60 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE INTERLOCAL
62 AGREEMENT AUTHORIZING THE PARTICIPATION OF THE LINDON CITY
64 POLICE DEPARTMENT IN THE UTAH COUNTY MAJOR CRIMES TASK FORCE.
66 COUNCILMEMBER BATH SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

68 COUNCILMEMBER ANTHONY AYE

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

6
5. **Review and Action** – *Interlocal Cooperation Agreement – Utah County Special Victims Task Force.* This is a request by Chief Cody Cullimore for the Mayor and Council’s review and approval of an Interlocal Cooperation Agreement authorizing the participation of Lindon City Police Department in the Utah County Special Victims Task Force.

12
14 Chief Cullimore explained that this is the same type of cooperative agreement as the Major Crimes Task Force. He noted that the Special Victims Task Force has highly trained investigators specialized in sex crimes, domestic violence issues, and child and elderly abuse. He noted that there is not cost for participation in the Task Force, but that several members of the Police Department already participate as investigators. Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.

20 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE INTERLOCAL COOPERATION AGREEMENT AUTHORIZING THE PARTICIPATION OF LINDON CITY POLICE DEPARTMENT IN THE UTAH COUNTY SPECIAL VICTIMS TASK FORCE. COUNCILMEMBER ANTHONY SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

24 COUNCILMEMBER ANTHONY AYE
26 COUNCILMEMBER BATH AYE
COUNCILMEMBER BAYLESS AYE
28 COUNCILMEMBER CARPENTER AYE
COUNCILMEMBER HATCH AYE

30 THE MOTION CARRIED UNANIMOUSLY.

32 6. **Review and Action** – *Police Department Fleet Lease Agreement* – This is a request by Chief Cody Cullimore for the Mayor and Council’s approval of the fleet lease agreement between Lindon City and Ken Garff Ford for the lease of 14 police vehicles from June 2008 through June 2010.

36
38 Chief Cullimore explained that the budgeted cost for lease of 14 vehicles and associated equipment is \$89,000 per year for a two year period. He noted that striping of vehicles is an additional cost not reflected in the lease agreement. Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.

42 COUNCILMEMBER ANTHONY MOVED TO APPROVE THE FLEET LEASE AGREEMENT BETWEEN LINDON CITY AND KEN GARFF FORD FOR THE LEASE OF 14 POLICE VEHICLES FROM JUNE 2008 TO JUNE 2010. COUNCILMEMBER BATH SECONDED THE MOTION. THE 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 7. **Review and Action** – *Resolution Indicating Support for the Lindon Hollow*
10 *Drainage Basin Project. (Resolution #2008-16).* This is a request by staff for the
12 Mayor and Council’s approval of a Resolution supporting Lindon City’s
14 participation in collaboration with Orem City and Town of Vineyard in the
Lindon Hollow Drainage Basin Project to protect open space, wildlife habitat, and
storm water detention/pretreatment prior to discharge into Utah Lake.

16 Mr. Dameron explained that approval of this Resolution allows Mr. Cowie to
18 proceed with application for grant funds through the Lee Ray McCallister fund. Mayor
Dain noted that he is in the process of acquiring letters of support for the project as well.
Mayor Dain called for further comments or discussion. Hearing none, he called for a
motion.

20 COUNCILMEMBER BAYLESS MOVED TO APPROVE RESOLUTION
22 #2008-16 SUPPORTING LINDON CITY’S PARTICIPATION IN COLLABORATION
24 WITH OREM CITY AND THE TOWN OF VINEYARD IN THE LINDON HOLLOW
DRAINAGE BASIN PROJECT TO PROTECT OPEN SPACE, WILDLIFE HABITAT,
AND STORM WATER DETENTION/PRETREATMENT PRIOR TO DISCHARGE
26 INTO UTAH LAKE. COUNCILMEMBER ANTHONY SECONDED THE MOTION.
THE VOTE WAS RECORDED AS FOLLOWS:

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

34 8. **Review and Action** – *200 South/Transfer Station Spur Box Culvert Bid Award* –
36 This is a request by staff for the Mayor and Council’s approval of a bid award for
the 200 South/Transfer Station Spur Box Culvert Bid Award. Staff recommends
38 that the bid be awarded to the low bidder, Johnston & Phillips, with a bid of
\$278,606.14.

40 Mr. Dameron explained that this bid is for the 200 South box culvert at the
42 location of the of the railroad spur adjacent to the Transfer Station. He noted that Roger
Harper of the landfill board has indicated that the Transfer Station wants to withdraw
44 from this bid and complete their portion of the work independently. Orem will also
participate in completion of the project. Mr. Dameron explained that the City Council is

2 approving only the City’s portion of the project bid. Mayor Dain called for further
comments or discussion. Hearing none, he called for a motion.

4 COUNCILMEMBER BATH MOVED TO APPROVE THE BID AWARD FOR
THE 200 SOUTH/TRANSFER STATION SPUR BOX CULVERT PROJECT TO
6 JOHNSTON AND PHILLIPS IN THE AMOUNT OF \$176,150.89 FOR THE CITY
PORTION OF THE PROJECT COSTS. COUNCILMEMBER HATCH SECONDED
8 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER ANTHONY AYE
10 COUNCILMEMBER BATH AYE
COUNCILMEMBER BAYLESS AYE
12 COUNCILMEMBER CARPENTER AYE
COUNCILMEMBER HATCH AYE

14 THE MOTION CARRIED UNANIMOUSLY.

16 9. **Discussion** – *Interpretation of LCC 17.49.070 – Architectural Design (LI Zone).*

18 This is a request by the Planning Commission for the Mayor and Council’s
interpretation of the language in the ordinance and whether the Planning
Commission has “discretionary authority” in the application of architectural
20 treatments, and if discretionary authority should be written in to the code.

22 Mr. Cowie explained that this discussion comes as a result of the Planning
Commission’s review of a site plan for Strasburg Automotive. The applicant is adding a
24 new building between two existing buildings. City code requires architectural elements
to be included on the new structure. The applicant requested that he be allowed to apply
26 architectural treatments to the street facing elevations of the existing buildings rather than
to the new building, due to the fact that the new building is located between two adjacent
28 buildings and is not visible from the street. The Planning Commission approved the site
plan with the architectural treatments being applied to the front of the existing building,
30 subject to approval by the City Council. The Planning Commission requested that the
City Council review the ordinance language to determine whether current language
32 allows any discretion based on current wording.

Councilmember Carpenter observed that while allowing architectural treatments
34 to be applied to the street facing façade in this circumstance seems reasonable, it does not
appear that the current ordinance allows any flexibility in application of required
36 architectural elements. Mr. Cowie suggested that the ordinance be revised with a simple
sentence which states that if the new building is not visible from the street, that required
38 architectural treatments may be applied to existing buildings if approved by the Planning
Commission. Mayor Dain observed that the proposed language change would allow the
40 Planning Commission to use common sense in specific situations. Councilmember
Bayless noted that new language should specify that the same percentage of decorative
42 treatment may be applied to street facing elevations. Mr. Cowie will prepare ordinance
revisions for review and approval by the Planning Commission, who will make a
44 recommendation to the City Council for final action.

2 10. **Discussion** – *Interpretation of LCC 17.49.060 – Landscaping and fencing (LI*
4 *Zone)*. This is a request by the Planning Commission for the Mayor and City
6 Council’s interpretation as to whether decorative materials other than turf should
be permitted in required landscaping in the LI zone, and whether the ordinance
should be changed to indicate that other elements can be approved by the
Planning Commission.

8 Mr. Cowie explained that this discussion comes as a result of Planning
Commission review of the site plan application for Cardon Landscaping. He noted that
10 the applicant installed a small storage building prior to receiving City approval and
proper permits. Existing landscaping on the site includes sections of decorative rock as
12 well as sod sections. Current ordinance requires 20 feet of grass and trees every 30 feet
on center. The applicant has agreed to plant the required trees, but is requesting that he
14 be allowed to leave the sections of decorative rock in place. The Planning Commission
has requested an interpretation from the City Council as to whether current ordinance
16 language allows any flexibility in application of landscaping standards.

18 Mr. Cowie presented photographs of the site, as well as other sites in the LI zone
which have been approved with decorative rock as part of the landscaping.
Councilmember Anthony noted that rock may be the only feasible alternative in areas
20 where the slope is too great to maintain sod, but that this area does not seem to have slope
issues.

22 Councilmember Hatch stated that he does not have any concern with allowing a
certain amount of decorative rock provided that maintenance of the rock areas is also
24 addressed in ordinance language. The Council discussed the possibility of allowing a
certain percentage, possibly 25%, of required landscaping to include decorative rock
26 elements. Mr. Cowie will draft recommendations for language changes to allow rock
elements for consideration by the Planning Commission and City Council.

28 **COUNCIL REPORTS** –

30 **WATER, SEWER, SOLID WASTE, HOUSING CONSORTIUM** –

32 Councilmember Hatch reported that the Housing Consortium is currently working
34 on an action plan relative to HUD housing.

36 **TRAILS, PLANNING, ZONING, BD OF ADJ., ADMINISTRATION** –

38 Councilmember Bayless reported that she has been working with Chief Cullimore
to coordinate the opening of the Lindon Heritage Trail this fall with the national “Night
40 Out Against Crime” event. A possible date of Monday, September 8, 2008 has been set
for the event. She suggested that the City Council walk in the Lindon Days Parade to
42 promote the trail opening, and wear shirts promoting the Night Out Against Crime event.
She asked the Council for suggestions of residents who may be interested in participating
44 as neighborhood chairs to coordinate the event. Chief Cullimore explained that officers
would participate in the event, and would talk with residents regarding specific safety
46 concerns, such as street lighting.

2 Councilmember Bayless presented recommendations from the Historical
Commission for “Welcome To Lindon” entrance signs. The Historical Commission is
4 recommending an oval sign with a colored Lindon City Logo. The Council discussed
possible locations for the signs.

6 Councilmember Bayless requested that a portion of soft trail surface be left east of
900 East due to the steep slope. She also noted that ADA ramp construction has had the
8 entrance to the trail in that area blocked for quite some time. She observed that a small
dirt trail section used by residents to access the arena in the City Center park has had sod
installed as part of the Lindon Heritage Trail project.

10 **PUBLIC SAFETY, COURT, BUILDING INSPECTIONS** –

12 Councilmember Bath reported that the Police Department has received several
14 mountain bikes to be used by bike patrol officers in the community. Chief Cullimore
reported that the bikes were purchased from Fezzari Mountain Bikes, a Lindon company.

16 **PARKS & RECREATION, ENGINEERING, LINDON FAIR, NEWSLETTER** –

18 Councilmember Anthony had no items to report.

20 **GENERAL PLAN, STREETS & SIDEWALKS, PUBLIC BUILDINGS** –

22 Councilmember Carpenter reported that he has seen campaign signs for the
24 upcoming primary election on City property. He suggested that the City contact the
campaign offices of candidates to inform them that signs are not permitted on City
26 property.

28 Mayor Dain reported on several items, including the status of discussion
regarding the Common Taxing Interlocal Cooperation Agreement between Lindon City
30 and Pleasant Grove City, and the Murdock Trail Enclosure Plan. He noted that the City
will be required to participate financially in this project by approximately 2010.

32 **ADMINISTRATOR’S REPORT** –

34 Mr. Dameron reported on the following items:

- 36 1. The Council reviewed the Project Tracking List.
38 2. The Council reviewed a list of Eagle Scout projects which have been
completed in the City. The Mayor and Council will send thank you letters to
40 Scouts who completed projects.

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

44 COUNCILMEMBER ANTHONY AYE
COUNCILMEMBER BATH AYE
46 COUNCILMEMBER BAYLESS AYE

2 COUNCILMEMBER CARPENTER AYE
COUNCILMEMBER HATCH AYE
4 THE MOTION CARRIED UNANIMOUSLY.

6 **ADJOURN** –

8 COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE MEETING AT
11:26 P.M. COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

10 Approved – July 1, 2008

12
14
16 _____
Debra Cullimore, City Recorder

18
20
22 _____
James A. Dain, Mayor