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

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

**PRESENT**

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

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

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

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 personnel were introduced as follows:

Officer David Welcker, Officer Alan Purvis, Officer Russell Collins, Officer Marc Wright, Administrative Professional Robyn Clark, Officer Steve Gray, Officer John Lloyd, Sergeant Doug Eastman, Officer Matt Barlow, Sergeant Josh Edwards, Officer Curtis Campbell, Officer Ray Ormond, Officer Darrell Bingham, and Officer Tony Weimuller. Chief Cullimore noted that officer Eric Whitehead was unable to attend the meeting, and additional office staff, Julie Sutch and Mindy Zobell were not present at the meeting.

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 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 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 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 expressed appreciation to the officers, and confidence in their ability to provide exceptional public safety services.
MINUTES – The minutes of the regular meeting of June 3, 2008 were reviewed.

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

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

THE MOTION CARRIED UNANIMOUSLY.

OPEN SESSION –

Mayor Dain called for comments from any resident present who wished to address an issue not listed as an agenda item. Joy Nelson, advisor to the Little Miss Lindon program, approached the Council and submitted budget requests for the 2008-2009 fiscal year. Mr. Dameron explained that the budget process has been ongoing for several months, and that changes to the final budget are not feasible at this time. Jeff 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.

MAYOR’S COMMENTS/REPORT –

Mayor Dain reported that the groundbreaking for the aquatics facility is expected in mid-July. He noted that the Lindon Heritage Trail project is well under way, and that 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 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.

CONSENT AGENDA –

No items.

CURRENT BUSINESS –

1. Concept Review – Site Plan – Lindon City Outdoor Aquatics Facility – 100 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.
Brent Tippets of VCBO Architecture was present to discuss the aquatics facility site plan with the Council. Mr. Tippets explained that he recently met the Planning Commission to review the site plan. During that review, the Planning Commission expressed several concerns regarding elements of the site plan. One of the primary concerns expressed by the Planning Commission was that there may not be adequate space on the east end of the site to accommodate future expansion which would include an indoor recreation facility. The Commission also expressed concern regarding planned parking, and requested that a drop off area be included in front of the facility.

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

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

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

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

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

Mayor Dain acknowledged that the concerns expressed by the Planning 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
projected cost of completing the parking area. Councilmember Bayless noted that one
Commissioner expressed specific concerns regarding financing for the pool facility given
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
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
preference for increasing the lap pool to eight lanes rather than the six lane pool shown
on the current plans. Mr. Tippets explained that the cost to increase the lap pool by two
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
the design of the lap pool gutter system, the two outside lanes of this pool are suitable for
use in competitive swimming events.

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
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
City Center using CMU block and stucco elements.

The Council noted that the most significant concerns expressed by the Planning
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
parking, but that enforcement of a capacity cap may be difficult to enforce. Mr. Tippets
noted that there may be safety concerns associated with overcrowding of the pool. Jeff
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
able to access the pool.

Mr. Cowie observed that parking capacity at other pools in the valley would not
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
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
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
concerns.

Planning Commissioner Sharon Call was present in the audience. She observed
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
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
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
revenue.

Blake Davis, Project Manager of Hogan Construction was present to discuss
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
if the Flow Rider feature is included in the facility. He stated that construction costs are
estimated at approximately $8.6 million, and that with soft costs, total cost of the facility is projected at approximately $9.8 to $9.9 million. He stated that necessary improvements to the south parking area are included in cost estimates. Mayor Dain noted that a contingency is also built into line items, and that the total cost is expected to come in below the bonding cap. Mr. Tippets noted that the City was able to secure better pricing on the pools than original budget amounts, which allowed parking improvements to be included within the established budget.

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

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

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

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

Mayor Dain observed that while these projects are important, the City must prioritize expenditures based on available revenue. He noted that in the last City Council
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 well 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
maintenance, and to leave the remaining $22,000 in the recreation budget to help fund

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

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

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

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

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

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

The Council then reviewed individual budget issues as follows:

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

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

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

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

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

City Engineer, David Thurgood, was present to discuss this item with the Council. 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 pumping charges for the two zones located east of the canal are intended to cover the actual cost of operation of the pump stations.

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

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

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 increase to $55.54 per month.

COUNCILMEMBER BATH MOVED TO APPROVE BUDGET ISSUES #3 – FUNDING THE INCREASED COST FOR INSURANCE BENEFITS FOR CITY EMPLOYEES. COUNCILMEMBER BAYLESS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER ANTHONY  AYE
COUNCILMEMBER BATH   AYE
COUNCILMEMBER BAYLESS  AYE
COUNCILMEMBER CARPENTER  AYE
COUNCILMEMBER HATCH  AYE
THE MOTION CARRIED UNANIMOUSLY.

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

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

THE MOTION CARRIED UNANIMOUSLY.

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

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.

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:

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

THE MOTION CARRIED UNANIMOUSLY.

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

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

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

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

It was noted at this time that the Redevelopment Agency did not follow proper 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.

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

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


- COUNCILMEMBER ANTHONY - NAY
- COUNCILMEMBER BATH - AYE
- COUNCILMEMBER BAYLESS - AYE
- COUNCILMEMBER CARPENTER - AYE
- COUNCILMEMBER HATCH - AYE

THE MOTION CARRIED (4-1).

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

3. **Review and Action** - Utah Communications Agency Network Agreement and Resolution (Resolution #2008-15). This is a request by Chief Cody Cullimore for 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 Communications Agency Network (UCAN), and an agreement with UCAN to allow the Police Department to connect to the regional communications network to provide radio service.
Chief Cullimore stated that the document before the Council reflects a cost of $22.50 per month, but that the actual cost will be $23.15 per month. He stated that there was some negotiation regarding the cost. He noted that municipalities typically pay a 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.

COUNCILMEMBER BATH MOVED TO APPROVE RESOLUTION #2008-15 AUTHORIZING THE LINDON CITY POLICE DEPARTMENT TO PARTICIPATE AS A MEMBER OF THE UTAH COMMUNICATIONS AGENCY NETWORK (UCAN), AND THE AGREEMENT BETWEEN LINDON CITY AND UCAN TO CONNECT TO THE REGIONAL COMMUNICATIONS NETWORK.

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

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

THE MOTION CARRIED UNANIMOUSLY.

4. Review and Action – Interlocal Cooperation Agreement – Utah County Major Crimes 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 Major Crimes Task Force.

Chief Cullimore explained that the City will work cooperatively with the Task Force in the event of major crimes such as large drug investigations or homicides. He noted that the City will be assessed a participation fee each year based on the population 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.

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

COUNCILMEMBER BAYLESS MOVED TO APPROVE THE INTERLOCAL AGREEMENT AUTHORIZING THE PARTICIPATION OF THE LINDON CITY POLICE DEPARTMENT IN THE UTAH COUNTY MAJOR CRIMES TASK FORCE.

COUNCILMEMBER BATH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

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.

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.

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:
COUNCILMEMBER ANTHONY  AYE
COUNCILMEMBER BATH   AYE
COUNCILMEMBER BAYLESS  AYE
COUNCILMEMBER CARPENTER  AYE
COUNCILMEMBER HATCH   AYE
THE MOTION CARRIED UNANIMOUSLY.

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.

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.

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:
7. **Review and Action** – *Resolution Indicating Support for the Lindon Hollow Drainage Basin Project. (Resolution #2008-16).* This is a request by staff for the Mayor and Council’s approval of a Resolution supporting Lindon City’s 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.

Mr. Dameron explained that approval of this Resolution allows Mr. Cowie to 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.

COUNCILMEMBER BAYLESS MOVED TO APPROVE RESOLUTION #2008-16 SUPPORTING LINDON CITY’S PARTICIPATION IN COLLABORATION 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 INTO UTAH LAKE. COUNCILMEMBER ANTHONY SECONDED THE MOTION.

THE VOTE WAS RECORDED AS FOLLOWS:

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<td>HATCH</td>
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THE MOTION CARRIED UNANIMOUSLY.

8. **Review and Action** – *200 South/Transfer Station Spur Box Culvert Bid Award* – 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 that the bid be awarded to the low bidder, Johnston & Phillips, with a bid of $278,606.14.

Mr. Dameron explained that this bid is for the 200 South box culvert at the location 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 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
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.

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

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

THE MOTION CARRIED UNANIMOUSLY.


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 treatments, and if discretionary authority should be written in to the code.

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 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 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 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, subject to approval by the City Council. The Planning Commission requested that the City Council review the ordinance language to determine whether current language allows any discretion based on current wording.

Councilmember Carpenter observed that while allowing architectural treatments 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 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 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 Planning Commission to use common sense in specific situations. Councilmember Bayless noted that new language should specify that the same percentage of decorative 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 recommendation to the City Council for final action.
10. **Discussion** – Interpretation of LCC 17.49.060 – Landscaping and fencing (LI Zone). This is a request by the Planning Commission for the Mayor and City 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.

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 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 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 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 language allows any flexibility in application of landscaping standards.

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 where the slope is too great to maintain sod, but that this area does not seem to have slope issues.

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 addressed in ordinance language. The Council discussed the possibility of allowing a certain percentage, possibly 25%, of required landscaping to include decorative rock elements. Mr. Cowie will draft recommendations for language changes to allow rock elements for consideration by the Planning Commission and City Council.

**COUNCIL REPORTS**

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

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

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

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

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 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.

PUBLIC SAFETY, COURT, BUILDING INSPECTIONS –

Councilmember Bath reported that the Police Department has received several 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.

PARKS & RECREATION, ENGINEERING, LINDON FAIR, NEWSLETTER –

Councilmember Anthony had no items to report.

GENERAL PLAN, STREETS & SIDEWALKS, PUBLIC BUILDINGS –

Councilmember Carpenter reported that he has seen campaign signs for the 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 property.

Mayor Dain reported on several items, including the status of discussion regarding the Common Taxing Interlocal Cooperation Agreement between Lindon City 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.

ADMINISTRATOR’S REPORT –

Mr. Dameron reported on the following items:
1. The Council reviewed the Project Tracking List.
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 Scouts who completed projects.

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

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

ADJOURN –

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.

Approved – July 1, 2008

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Debra Cullimore, City Recorder

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James A. Dain, Mayor