The Lindon City Council held a regularly scheduled meeting beginning with a Work Session at 6:00 p.m. on Tuesday, March 20, 2007, at the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

**WORK SESSION** – 6:00 p.m.

Conducting: Jeff Acerson, Mayor

**PRESENT**

Jeff Acerson, Mayor  
Eric Anthony, Councilmember  
Bruce Carpenter, Councilmember  
Jerald I. Hatch, Councilmember  
Ott H. Dameron, City Administrator/Recorder  
Kristen Colson, Finance Director/Treasurer  
Debra Cullimore, Deputy Recorder

**ABSENT**

H. Toby Bath, Councilmember  
Lindsey Bayless, Councilmember

The meeting began at 6:00 p.m.

**Discussion** - The Mayor and City Council will meet in a work session with Kristen Colson, Finance Director/Treasurer, to hear a report on the current year’s data and financial forecasts, as well as to discuss issues and concerns for fiscal year 2007/2008.

Mayor Acerson welcomed all those present, and turned the time over to Finance Director/Treasurer, Kristen Colson. Ms. Colson explained that the financial information reviewed by the Council at this meeting gives an overview of financial standing of the City for the current fiscal year, and a forecast for the remaining four months of the fiscal year. She noted that the figures presented at this time are preliminary in nature, and will be finalized as the budget process is completed.

Ms. Colson first reviewed tax revenues. She explained that sales tax distribution was recently restructured by the state, which could have resulted in a loss of tax revenue to the City. As a result of growth in the City, tax revenues levels have been maintained at projected levels.

Ms. Colson went on to review the current financial status of various funds in the City, as well as projections for the remainder of the fiscal year. The Council also discussed accounting procedures specific to government finances.

Ms. Colson noted that revenues in the water fund are currently high due to the cash payment in lieu of water shares paid by Fieldstone Homes for the Creekside Meadows development in conjunction with the Relief Petition which was awarded by the City Council.

The Council also discussed the debt owed to the Sewer Fund from the Water Fund, and whether it would be appropriate for the Water Fund to repay the outstanding debt. Mr. Dameron noted that there has been some discussion regarding repayment of the debt, but that no formal determination has yet been made. Councilmember Anthony...
inquired as to whether both funds are now self supporting. Mr. Dameron stated that both funds are currently self supporting.

Ms. Colson then reviewed the annual debt schedule through 2025. She presented a graph showing debt payment obligations by fund. Ms. Colson also explained that the Secondary Water System Bond was recently paid off. Original payoff of the bond was scheduled for in March of 2028. The early payoff generated a savings to the City of $4,166,602.00. She noted that the City Center bond was also paid off this year. The Council went on to discuss the possibility of early pay off of other debts, and various methods for prioritization of debt repayment. Councilmember Carpenter inquired as to the current debt level of the City in relation to the maximum debt the City can incur. Ms. Colson stated that the debt ceiling for the City is currently set at 25.2 million dollars, and that the City currently has 17.8 million dollars in debt. She explained that the debt limit is calculated based on 4% of property values, and that the exact amount can vary from year to year.

Councilmember Anthony inquired as to whether an increase in the stipend paid to Planning Commissioners which was discussed by the Council at the annual retreat is currently in effect. Mr. Dameron stated that it was his impression that the increase would be effective in July. Councilmember Anthony expressed a preference for making the increase effective immediately. Mr. Dameron stated that a budget amendment would be necessary in order to increase the stipend this fiscal year. Mr. Dameron will place the issue on the agenda for the next regular City Council meeting for consideration.

The Council discussed projected COLA pay increases for employees. Ms. Colson stated that the cost of living index increase is currently at approximately 2.5%. Councilmember Anthony encouraged use of the Wells Fargo index to calculate appropriate COLA increases. He asserted that using a local index would more accurately reflect the local economy. Councilmember Carpenter noted that the intent of COLA increases is to keep wages competitive with neighboring communities, and to maintain high quality employees. Councilmember Carpenter suggested that information from both indexes be provided for comparison.

Ms. Colson went on to review possible increases in health insurance premiums. Mr. Dameron noted that bids have not yet been received from the Utah Local Governments Trust, or from private providers. He commented that increases the past few years have been between 15% and 20%. Mr. Dameron noted that he is hopeful that a broker hired by the City will be successful in providing a significant savings on insurance premiums. The broker is currently requesting bids for coverage for Lindon, and has combined the City with several other cities in an effort to obtain the best rates possible.

Ms. Colson then reviewed proposed personnel changes for the upcoming fiscal year. She stated that a Parks Technician, an Assistant Planner, a Management Intern, and a Recorder position separate from the City Administrator position are proposed for next fiscal year.

Ms. Colson asked if there were any further comment or questions from the Council. There were no additional comments or questions. Mayor Acerson thanked Ms. Colson for her time, and expertise in handling the financial aspects of the City’s government operations.
Present: Jeff Acerson, Mayor
Invocation: Eric Anthony

Absent: H. Toby Bath, Councilmember
Lindsey Bayless, Councilmember
Bruce Carpenter, Councilmember
Jerald I. Hatch, Councilmember
Ott H. Dameron, City Administrator/Recorder
Adam Cowie, Planning Director
Debra Cullimore, Deputy Recorder

The meeting was called to order at 7:00 p.m.

Minutes – The minutes of the regular meeting of March 6, 2007 were reviewed.

Councilmember Anthony moved to approve the minutes of the March 6, 2007 meeting. Councilmember Hatch seconded the motion. All present voted in favor. The motion carried.

Open Session –

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

Mayor’s Comments/Report –

Mayor Acerson commented on legislation signed March 19, 2007 by Governor Huntsman giving university status to Utah Valley State College. Mayor Acerson commented that the change is good for Utah Valley, the community, and students at the university.

Consent Agenda –

No items.

Current Business –

1. Preliminary Plat – Dirker Farms Residential Subdivision, Plat “F”. This is a request by Rick Murano for preliminary plat approval of Dirker Farms Residential Subdivision, Plat “F”, 2 lots, in the R1-20 zone at approximately 45 South 200 East. The Planning Commission recommended approval with one condition.
Rick Murano, the applicant for this item, was not present at the meeting at this
time. Mr. Cowie explained that this is a fairly straight forward application with no
significant concerns. He suggested that the Council proceed with review of this item.
The Council agreed that it would be appropriate to proceed with the review.

Mr. Cowie explained that this is a request for a two lot subdivision, which
includes an existing home located on the corner of 200 East and 45 South. Mr. Cowie
noted that originally, this proposed subdivision was divided into two lots, and
subsequently combined into one lot. This request would again divide the property into
two 20,000 square foot building lots. Mr. Cowie explained that all water shares have
been turned in for the proposed subdivision, and that all curb, gutter, and road
improvements were completed as part of previous subdivision development. Bonding is
in place for completion of remaining sidewalk improvements. Mr. Cowie stated that the
City will review the bond amount to make sure it is current, and that funds are adequate
to cover installation costs. Mr. Cowie noted that the existing barn will be removed. He
also explained that required rear yard setbacks are met on the existing home.

Councilmember Anthony inquired as to whether setbacks are met on the barn.
Mr. Cowie stated that the barn is conformance with existing requirements, but that it will
be removed.

Councilmember Carpenter asked Mr. Cowie if there are any additional concerns
which were not resolved during Planning Commission review. Mr. Cowie noted that the
road width in the area is 28 feet due to the existing trail right-of-way. During review of a
project in this area last year, the Planning Commission and City Council recommended
that sidewalk and landscaping be installed in the trail right-of-way, but that the right-of-
way be maintained for possible future installation of a trail section. The landscaped area
is maintained by adjacent property owners.

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

COUNCILMEMBER HATCH MOVED TO APPROVE THE DIRKER FARMS
PLAT “F” SUBDIVISION PRELIMINARY PLAT AT 45 SOUTH 200 EAST WITH
THE FOLLOWING CONDITIONS:

1. THAT SIDEWALK IMPROVEMENTS BE INSTALLED IN FRONT OF
   BOTH LOTS PRIOR TO ISSUANCE OF A FINAL OCCUPANCY
   PERMIT.

2. THAT THE TRAIL AREA BE LANDSCAPED AND MAINTAINED
   BY PROPERTY OWNERS.

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

2. **Public Hearing** – Community Development Block Grant (Second Public Hearing
   Notice). The City Council will hear public comment and possibly act to approve
a final application to the State for CDBG funding to reconstruct multiple curb
ramps within the City to meet current ADA accessibility standards. Comments
will be solicited on project scope, implementation, and its effects on residents.
COUNCILMEMBER CARPENTER MOVED TO OPEN THE PUBLIC
HEARING TO CONSIDER COMMUNITY DEVELOPMENT BLOCK GRANT
PROJECTS. COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Heather Nielsen and Stacey Johnson, as well as a Boy Scout Troop, were present
in the audience for this public hearing. Mr. Cowie explained that the purpose of this
hearing is to allow public comment regarding possible projects which may be completed
using Community Development Block Grant funds awarded to the City for the 2007
program year. He noted that the City originally applied for $146,000 in funding, and was
partially awarded in the amount of $96,600. The current proposal would use the funds
for ADA curb ramp construction in areas listed as “high priority” for curb ramp
improvements based on the Needs and Priorities List established by the City for the
Mountainland Association of Governments Regional Consolidated Plan. Mr. Cowie
explained that projects completed with the grant funds are intended to serve low to
moderate income residents, and that curb ramps are assumed to serve that population.

Mr. Cowie went on to explain that the City has committed matching funds in the
amount of $35,400 which will be applied to construction, contract engineering, and staff
time. With the combined funds, the City anticipates completion of approximately 21
high priority ramps which are located throughout the City. Mr. Cowie presented maps
showing high priority areas, some of which are adjacent to schools, some on State Street,
and some near parks. Councilmember Carpenter inquired as to whether the matching
funds are a requirement of the grant funding. Mr. Cowie stated that matching funds are
not required, but that the City had anticipated spending $10,000 per year on curb ramp
construction, and that the grant funds provide an opportunity to complete projects earlier
than anticipated. He noted that if awarded grant funds exceed $150,000, a 25% match is
required.

Mr. Cowie explained that final grant applications documents are due in April. He
stated that once the grant application process is complete, bids will be accepted for the
project, and construction is expected to be completed this fall. Mr. Cowie noted that it
appears that all ramps planned for this project will be located in the existing right-of-way,
but that some minor land acquisition may be necessary.

Mr. Cowie went on to explain that copies of the application materials and the
Regional Consolidated Plan are available for public review at the Planning Department.
He also noted that a notice of this Public Hearing was published in The Daily Herald on
Friday, March 12, 2007 and was also posted in the Lindon City Center, Lindon Public
Works Complex, and at the Lindon Wal-Mart on Friday, March 9, 2007.

Mayor Acerson called for comments or questions from the Council.
Councilmember Anthony inquired as to what percentage of known curb ramps will be
completed as a result of this project. Mr. Cowie explained that there are approximately
500 curb ramps located throughout the City, and that 60 – 70 are significantly out of
conformance with current ADA standards. Councilmember Anthony observed that the
ramps completed as part of this project represent approximately 33% of the high priority
ramps. He noted that completion of this project is an excellent first step in addressing
curb ramp reconstruction needs in the City.
Mayor Acerson called for comments from the public regarding the proposed curb ramp project. There was no public comment regarding the proposed use of the grant funds.

Mr. Cowie presented photographs of current ADA curb ramp designs, which have been engineered to provide safe and easy access to sidewalks for wheelchairs. He noted that new designs included a detectable warning area to more clearly delineate the edge of the ramp. Mr. Cowie commented that many residents may not be aware that existing ramps are not in compliance with current ADA standards, but that current standards address specific safety and accessibility concerns.

Mayor Acerson called for further comments or discussion from the Council. There was no additional discussion. He again called for public comment. Hearing none, he called for a motion.

COUNCILMEMBER CARPENTER MOVED TO CLOSE THE PUBLIC HEARING TO CONSIDER COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS. COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

COUNCILMEMBER HATCH MOVED TO APPROVE FINAL APPLICATION TO THE STATE FOR CDBG FUNDING FOR THE 2007 PROGRAM YEAR FOR ADA CURB RAMP INSTALLATION. COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

3. **Review and Action** – *Boundary Line Agreement – Bylund Properties LLC and Lindon City.* This is a request by Brad K. Bylund for the City Council’s consideration of a boundary line agreement which follows the fence line (more or less) along the southern boundary of Hollow Park between Bylund Properties LLC and Lindon City’s property at approximately 350 North 300 East. The City Engineer has verified the property description and staff recommends approval.

Mr. Dameron explained that this proposed agreement between Bylund Properties LLC and Lindon City will bring the boundary line into conformance with the existing fence line. Mr. Dameron noted that Bylund Properties is anticipating development south and east of the park. He noted that according to the engineering statement, the agreement would require a very slight adjustment which will have no significant effect on the City. Mayor Acerson called for comments or questions from the Council. Hearing none, he called for a motion.

COUNCILMEMBER CARPENTER MOVED TO APPROVE THE BOUNDARY LINE AGREEMENT BETWEEN BYLUND PROPERTIES LLC AND LINDON CITY AND AUTHORIZE THE MAYOR TO SIGN THE ASSOCIATED DOCUMENTS. COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.
4. **Review and Action** – *Change Order #1 – Main Ditch Storm Drain*. This is a request by staff for the Council’s approval of a Change Order amount which exceeds the parameters of staff authority. The Change Order encompasses the piping of the North Union Canal across 200 East in anticipation of the forthcoming street improvements.

Mr. Dameron explained that this Change Order will allow VanCon to move ahead with piping of the North Union Canal under 200 East as part of the road improvement project. He noted that the Change Order will allow bonding and insurance to remain in place from the recently completed Main Ditch storm drain project. Engineering estimates for the North Union Canal project came in at $49,725, and the bid submitted by VanCon is for $47,783. Mr. Dameron stated that staff recommends approval of the Change Order to expedite completion of the project. Councilmember Anthony inquired as to what portion of the ditch will be piped. Mr. Dameron explained that the entire ditch will be piped, but that Ivory Homes will pay a portion of the cost, and Pleasant Grove Irrigation Company will also pay a portion. Mayor Acerson called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER ANTHONY MOVED TO APPROVE CHANGE ORDER REQUEST #1 FOR THE MAIN DITCH STORM DRAIN LINE IN THE AMOUNT OF $47,780.83. COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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THE MOTION CARRIED UNANIMOUSLY WITH TWO ABSENT.

**COUNCIL REPORTS** –

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

Councilmember Hatch reported that construction signs in the area of 40 South and State Street are blocking the view of drivers and need to be moved to the south side of the street. Mr. Dameron will follow up with the contractor.

Councilmember Hatch also commented that a resident has reported to him that it appears that people are living in a trailer house located behind a barn on 40 South. Mr. Dameron will forward the information the Code Enforcement Officer for follow up.

There was no Housing Consortium meeting this month, but sample resolutions for participation in the Consortium have been forwarded, and will be considered by the City Council during the next regular meeting.

Councilmember Hatch suggested that any significant interpretations of existing ordinances in relation to specific applications be reviewed by the Council. He specifically commented on finished building height in the residential zone. Mr. Dameron explained that the purpose of the Project Tracking List is to allow the Council to request review of any items they feel may present specific concerns.
Councilmember Bayless was not present at the meeting.

Councilmember Bath was not present at the meeting.

Councilmember Anthony reported that he has sent a letter to the Utah Urban Community Forestry Council (UUCFC) thanking them for their support of tree projects in the City. The letter outlined several successful park and tree planting projects which the UUCFC assisted the City with.

Councilmember Anthony also requested discussion regarding certification documents for City personnel. Mr. Dameron explained that Gary Hoglund has only one more certification to complete prior to being fully certified as a Building Inspector. Chief Building Official, Phil Brown, received certification in legal and management aspects of his job. Councilmember Anthony requested that Mr. Dameron convey to Mr. Hoglund and Mr. Brown the appreciation of the Council for the high level of expertise of City employees, and the extra effort put forth to obtain certification in various areas.

Councilmember Anthony also commented on a power pole on 200 East near the Pleasant Grove border which needs to be relocated as part of the 200 East street project. He explained that the power pole is currently located inside the travel lane. Mr. Dameron explained that Rocky Mountain Power completes relocation of power poles, and that it may take some time to have the pole relocated.

Councilmember Carpenter commented on a written question he received from a Boy Scout in the City inquiring requesting improvements to the ball diamonds in the City Center Park. Councilmember Carpenter read a portion of the letter submitted by the Boy Scout, which states that he plays in a competitive baseball league at various locations throughout the valley, and that the diamonds in Lindon do not compare well to diamonds in other cities. Councilmember Carpenter explained that he informed the Boy Scout that new diamonds are planned at Pheasant Brooke Park.

Councilmember Carpenter commented to a number of Boy Scouts present in the audience that comments and concerns from residents are always welcome by the City Council.

Councilmember Carpenter went on to discuss a meeting he attended with UDOT to discuss potential road improvements on Geneva Road from the Lindon border to the end of the road in Provo. He observed that it appears that the majority of affected property owners are opposed to the project, but that all other parties involved appear to be in favor of the project. He stated that it is his expectation that the project will move forward at some time in the future.
Councilmember Carpenter also reported on a meeting he recently attended to discuss possible realignment of the Mountain View Corridor project. The current proposal would connect the road to the north side of Lehi. The Council discussed the impact of the proposed alignment on traffic flow in the valley.

**ADMINISTRATOR'S REPORT**

1. Mr. Dameron reported on the following items:
   1. Engineering coordination meeting will be held Wednesday, March 21, 2007 at the Public Works building. Councilmember Carpenter and Mayor Acerson will attend.
   2. The Lindon Heritage Trail Committee is now meeting every two weeks rather than monthly in an effort to move the project forward.
   3. Required annual training for the City Council, Planning Commission, Board of Adjustments and City staff will be held at 6:00 p.m. on Wednesday, March 28, 2007 prior to the regular Planning Commission meeting.
   4. Upcoming 6:00 Work Sessions will include budget presentations from the Planning and Building Departments on Tuesday, April 3, and the Public Works Department and Engineers on April 17.
   5. The Council reviewed the Project Tracking List.
   6. The Transportation Enhancement Fund Grant Application submitted by the City was not approved, but was chosen as the first alternate.
   7. Three members of the Tree Advisory Board will complete their terms in the near future. The Board will make recommendations to the City Council to extend the terms of current Board members. This action is expected to be considered by the City Council in April.
   8. The Council discussed plans for the annual Easter Egg Hunt.
   9. The Carl G. Maeser Academy, a charter high school, is planning to locate in the old Bowling Alley on State Street owned by the Platt family. The developer met with the DRC, which fulfills the requirement to notify the City. No additional approval is required from the Planning Commission or City Council for the school. However, Ben Platt will present a revised site plan application for approval, which will give the City some oversight on safety and traffic concerns.
   10. The population of Lindon City is currently estimated at 10,130.
   11. The annual Arbor Day Celebration will be held on Saturday, May 5, 2007. The Tree Advisory Board has asked Mayor Acerson to attend and make a few comments.
   12. Secondary water system lines will be filled in the near future to check for needed repairs prior to filling the system for the season in April.

COUNCILMEMBER CARPENTER MOVED TO APPROVE THE PAY VOUCHERS. COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Mayor Acerson noted that several Boy Scouts were still in attendance at the meeting. He invited questions or comments from the Scouts.
Bryson Winterton asked Mayor Acerson how he became Mayor. Mayor Acerson explained the election process, and the steps necessary to be elected to public office.

Tanner Grenko asked how many residents typically attend City Council meetings. The Council explained that attendance at City Council meetings varies depending on agenda items. Councilmember Carpenter explained that City Council meetings provide an opportunity for residents to express concern or support regarding any given issue. Mayor Acerson encouraged the Scouts to find ways to be involved in the community.

Ben Hellewell commented that his uncle, Parley Hellewell, serves as a State Senator.

Heather Nelson informed the Council that she is currently running for Miss Pleasant Grove. She stated that her service platform is related to providing after school programs for “latchkey” children in the community. She inquired as to whether this issue has ever been discussed by the Council. Mayor Acerson stated that the issue has never been specifically addressed, but that the Council would be interested in hearing Ms. Nelson’s proposal.

Eric Ryting asked the Council how many people typically fall asleep during City Council meetings. Councilmember Carpenter stated that while meetings may not be entertaining, important community issues are addressed. Councilmember Anthony noted that typically, Scouts remain at meetings for only a short time, and that this particular Scout Troop has been present at the meeting longer than usual.

The Scout Master, Doug Barlow, commented that the Scout Leaders in the community are making an effort to encourage Scouts to become involved in the community. Mayor Acerson suggested that the Scouts consider a clean up project in their own neighborhood as a project.

Eastin Rockwell asked why there is no high school in Lindon City. The Council explained that the location of schools is determined by the school district, and that the City has no say in the location. Councilmember Carpenter commented that the geography of the City, and the fact that it is a small community located adjacent to larger communities may determine the location of schools.

Mayor Acerson thanked the Scouts for their attendance and participation.

**ADJOURN**

COUNCILMEMBER HATCH MOVED TO ADJOURN THE MEETING AT 8:25 P.M. COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

APPROVED – April 3, 2007

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Ott H. Dameron, City Administrator/Recorder

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Jeff Acerson, Mayor