

2 The Lindon City Council held a regularly scheduled meeting, beginning with a Work  
Session at 6:00 p.m. on **Tuesday, May 1, 2007**, in the Lindon City Center, City Council  
Chambers, 100 North State Street, Lindon, Utah.

4 **WORK SESSION** – 6:00 P.M.

6 Conducting: Jeff Acerson, Mayor

8 **PRESENT**

**ABSENT**

10 Jeff Acerson, Mayor  
12 Eric Anthony, Councilmember  
H. Toby Bath, Councilmember  
14 Bruce Carpenter, Councilmember  
Jerald I. Hatch, Councilmember  
16 Ott H. Dameron, City Administrator/Recorder  
Don Peterson, Public Works Director  
18 Debra Cullimore, Deputy Recorder

Lindsey Bayless, Councilmember

20 The meeting began at 6:08 p.m.

22 **Discussion** – *The Mayor and City Council will meet in a Work Session with Don*  
*Peterson, Public Works Director, to discuss issues and concerns for fiscal year 2007-*  
24 *2008.*

26 Mr. Peterson outlined a list of potential project for the 2007/2008 fiscal year. He  
began by discussing installation of swing sets in City parks. He explained that swing sets  
28 are now engineered to meet current safety standards, and that a rubberized material would  
be installed under the swing sets to address safety concerns. He noted that Utah Risk  
30 Management Mutual Association historically advised against swing sets. However, new  
industry standards have addressed previous safety concerns. Mr. Peterson observed that  
32 swing sets are an economical method to provide play equipment in City parks, and are a  
popular amenity with residents. Following discussion, it was the feeling of the Council  
34 that Mr. Peterson should pursue installation of swing sets.

Mr. Peterson outlined additional Parks projects. He stated that the tentative  
36 budget includes a sod laying project in Pheasant Brook Park, as well as two pavilions,  
two baseball diamonds, and restroom facilities. Councilmember Anthony asked if the  
38 budgeted amount for Pheasant Brook Park is consistent with funds typically budgeted for  
completion of parks. Mr. Dameron explained that the “rule of thumb” is \$100,000 for  
40 completion of each acre of park space. He noted that the overall cost for Pheasant Brook  
Park is higher due to the size of the park.

42 A sod laying project will also be completed in Squaw Hollow Park, along with  
installation of playground equipment.

44 Plans for Pioneer Park during the upcoming year include installation of two tennis  
courts. The sprinkling system was designed around the tennis court site. This project is a  
46 carry over from the 2006/2007 fiscal year. Councilmember Anthony suggested that it

2 may be appropriate to consider installation of tennis courts at Hollow Park at some time  
in the future if they prove to be successful at Pioneer Park. Mr. Peterson stated that there  
4 is adequate space at Hollow Park and at Pheasant Brook Park to accommodate future  
tennis courts.

6 Lighting will be installed around the path at Hollow Park. Mr. Peterson noted that  
the path is now being actively used by residents. A small pavilion is planned for the City  
Center Park.

8 Councilmember Anthony asked if all of the park projects discussed by Mr.  
Peterson would be included in the final budget. Mr. Dameron explained that all projects  
10 will be considered based on available funding. Councilmember Anthony inquired as to  
the procedure if available funding does not allow completion of all proposed projects.  
12 Mr. Peterson suggested that projects be prioritized if it is determined that there is not  
adequate revenue to complete all proposed park projects.

14 The Council discussed the need for additional park facilities which will  
accommodate City sponsored soccer leagues. Mr. Dameron noted that the majority of  
16 soccer leagues are currently using Pioneer Park for games, but that when completed  
Hollow Park and Pheasant Brook Park can accommodate soccer games. The Council  
18 also discussed the need for completion of Pheasant Brook Park to provide a large park  
facility on the west side of the City.

20 Mr. Peterson went on to discuss additional Public Works projects planned for the  
upcoming year. He stated that a sewer substation will be completed at 800 West. The  
22 sewer system infiltration elimination program has been very successful and will continue.

24 Proposed storm drain projects include installation of two box culverts and  
modifications to the main ditch from Lakeview Drive to Creekside Park. Mr. Peterson  
noted that he and the City engineer will be meeting with area residents to discuss  
26 drainage problems from the main ditch. He noted that piping of the ditch is not feasible  
due to the location of existing trees. He stated that it may be possible to build a retaining  
28 type wall along the west side of the ditch to better contain the water and alleviate  
flooding concerns.

30 Proposed street projects include resurfacing or reconstruction of 400 East, which  
is next on the street priority list. Councilmember Anthony noted that reconstruction and  
32 widening of 400 East south of 400 North was included in previously approved street  
projects. Councilmember Carpenter noted that it may be appropriate to expand the scope  
34 of the project, and that it may be more cost effective to do the entire street in one project  
if funds are available. Mr. Peterson explained that the condition of the north section is  
36 somewhat more drivable than the south section. Mr. Dameron stated the entire street will  
be evaluated, and that sections will be prioritized.

38 Mr. Peterson stated that Jim Dain is currently designing a building to be  
constructed on the cemetery site. The building will be used to house equipment, an office  
40 and restroom facilities. The foundation is proposed for completion this year, with the  
building be constructed as the need for a full time sexton arises as the City grows. The  
42 sprinkling system for the new section of the cemetery will also be designed and installed  
this year, but the area will be left as green space for the time being.

44 Mr. Peterson stated that water projects planned for the upcoming year include  
replacement of 4 inch ductile iron pipes with eight inch copper pipes in the area of 150

2 East 400 North. He noted that six inch lines are currently tapping into the existing four  
inch line, and that the undersized line may present a fire protection issue.

4 Councilmember Carpenter noted that Enterprise Funds will pay for most of the  
costs associated with water and sewer projects. He inquired as to whether impact fees are  
6 used to offset the cost of water and sewer projects. Mr. Dameron stated that impact fees  
are used, but that revenues generated by impact fees are not adequate to complete  
8 necessary projects. He reviewed funding of projects by source, stating that parks projects  
are funded by the General Fund, sewer and water projects are funded through enterprise  
10 funds, and streets projects are funded by the General Fund, but are subsidized by Class C  
Road Funds.

12 Mr. Peterson went on to discuss equipment needs in the Public Works  
Department. He noted that the City participates in a “change out” program with John  
Deere, which allows the City to trade for new backhoe equipment on an annual basis. He  
14 explained that this program allows the City to provide high quality equipment, and  
provides warranty coverage for necessary repairs. A truck with a plow and a sander, as  
16 well as a new Water Division truck to replace the 1995 truck currently being used are  
also proposed for purchase this year. The old vehicles will be declared surplus and sold.  
18 Additional storage bins are also proposed at the Public Works complex.

20 Mayor Acerson and the Council thanked Mr. Peterson for his time and effort in  
behalf of the City.

22 **REGULAR SESSION** – 7:00 P.M.

24 Conducting: Jeff Acerson, Mayor

Pledge of Allegiance: Cody Cullimore

26 Invocation: Jerald Hatch

28 **PRESENT**

**ABSENT**

30 Jeff Acerson, Mayor

Eric Anthony, Councilmember

32 H. Toby Bath, Councilmember

Lindsey Bayless, Councilmember – *arrived 8:47*

34 Bruce Carpenter, Councilmember

Jerald I. Hatch, Councilmember

36 Ott H. Dameron, City Administrator/Recorder

Debra Cullimore, Deputy Recorder

38 The meeting was called to order at 7:04

40 **PROCLAMATION** – The Mayor and City Council will consider a Proclamation for  
42 “Lindon City Arbor Day Celebration” designated as May 5, 2007.

44 Mayor Acerson read the proclamation designating May 5, 2007 as Arbor Day in  
Lindon City. The Celebration will be held at Pheasant Brook Park, and will begin at 8:00  
46 a.m. Thirty eight trees will be planted by residents.

2 COUNCILMEMBER ANTHONY MOVED TO APPROVE THE  
3 PROCLAMATION DESIGNATING MAY 5, 2007 AS ARBOR DAY IN LINDON  
4 CITY. COUNCILMEMBER BATH SECONDED THE MOTION. ALL PRESENT  
5 VOTED IN FAVOR. THE MOTION CARRIED.

6  
7 **MINUTES** – The minutes of the regular meeting of April 17, 2007 and the Work Session  
8 of April 24, 2007 will be reviewed.

10 COUNCILMEMBER HATCH MOVED TO APPROVE THE MINUTES OF  
11 THE MEETING OF APRIL 17, 2007. COUNCILMEMBER ANTHONY SECONDED  
12 THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

14 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE MINUTES  
15 OF THE MEETING OF APRIL 24, 2007. COUNCILMEMBER BATH SECONDED  
16 THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

18 **OPEN SESSION** –

20 Mayor Acerson called for comments from any resident present who wished to  
21 address an issue not listed as an agenda item. Joy Nelson, advisor to the Little Miss  
22 Lindon program approached the Council. Ms. Nelson turned the time over to Marissa  
23 Singson, 2006 Little Miss Lindon, to introduce the recently crowned 2007 royalty. The  
24 2007 Little Miss Lindon Royalty was introduced as follows:

25 **Little Miss Lindon** –

26 Krystin Millett

27 **Attendants** –

28 Ambree Jones

29 Hailey Harris

30 Brianna Bird

31 Taylor Keene

32 The departing Little Miss Lindon Royalty presented Mayor Acerson and the Council with  
33 a gift as a token of appreciation for their support during the previous year. Mayor  
34 Acerson congratulated the new Royalty, and wished them well during their year of  
35 service.

36 **MAYOR'S COMMENTS/REPORT** –

38 Mayor Acerson gave no report at this meeting.

40 **CONSENT AGENDA** –

42 No items.

44 **CURRENT BUSINESS** –

1. **Preliminary Plat** – *Lauren Residential Subdivision, Plat “B”*. This is a request by Ty Allen for preliminary plat approval of a re-plat of Lauren Residential Subdivision, Plat “B”, 2 lots, in the R1-20 zone at 335 and 337 South 240 West. The Planning Commission recommended approval with no conditions.

Heather Allen was present as the representative for this application. Mr. Cowie explained that this is a request for a re-plat of an existing 2-lot subdivision. The two lots are located at 335 and 337 North, 240 West. He stated that the existing boundary line will be moved north to make it consistent with the fence line. The owners of both lots entered into a fence line agreement some time ago, but the lots were not re-platted at that time. Both lots will maintain the required minimum square footage and set backs. Existing utility easements will be vacated and moved to the north along the new property line.

Councilmember Bath inquired as to whether the City has verified that the fence line agreement was actually entered into as stated. Mr. Cowie stated that the application for this subdivision was signed by both property owners. He stated that there are no staff concerns related to this request. Mayor Acerson called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER ANTHONY MOVED TO APPROVE THE LAUREN SUBDIVISION PLAT “B” PRELIMINARY PLAT. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

2. **Report** – *Update on the I-15 Corridor EIS*. This is a report to the City Council by UDOT staff and consultants associated with this project.

Merrill Jolley was present to update the Mayor and Council on the status of the planned I-15 corridor widening project. Mr. Jolley explained that the Environmental Impact Study began as a joint project with UTA approximately three years ago. As a result of the tax referendum which was approved during the 2006 election, funding is now dedicated to transit projects through UTA. Each project is now pursuing a separate study due to lack of a current funding source for the I-15 project.

Mr. Jolley stated that a draft environmental document is about to be published, and that UDOT will follow up with a series of public meetings to inform citizens of the results of the study.

Mr. Jolley explained that the proposed widening project will extend from Bangerter Highway on the north to University Avenue on the south. He noted that proposed modifications will not seriously impact the Lindon/Pleasant Grove interchange. Mr. Jolley also explained that the size of the Orem 1600 North interchange will be increased, but that no impact on businesses is anticipated. He stated that the project will take place within the right-of-way already owned by UDOT.

Mayor Acerson inquired as to whether there has been any pressure from residents near the freeway corridor to install some type of sound barrier. Mr. Jolley stated that use of sound barriers will be expanded in residential areas as needed throughout the project.

2 Mr. Jolley observed that growth north of SR 92 in Alpine has created a need for  
an additional interchange in that area. An additional interchange is also expected on the  
4 north side of the UVSC campus, which is intended to relieve congestion at the University  
Parkway intersection. He noted that the proposed interchange reduces spacing to less  
6 than one mile, which is the typical separation distance. However, high traffic volumes  
make an additional interchange necessary at that location.

8 Mr. Jolley reviewed other possible configurations for freeway interchanges,  
which include a frontage road system to allow greater accessibility to the freeway  
10 corridor. Mr. Jolley noted that each of the alternatives will perform comparably, and that  
impacts to surrounding properties will be considered in making the final decision on the  
12 configuration of interchanges and connecting roads. He stated that a preferred alternative  
will be announced in the fall.

14 Councilmember Anthony inquired as to whether UDOT has received any input  
from UVSC regarding the proposed configuration. Mr. Jolley stated that UVSC, Orem  
City and Provo City have all expressed a strong preference for the 800 South interchange.

16 Mr. Jolley noted that most of the project will be complete within the right-of-way  
owned by UDOT. He commented that some property acquisition will be necessary  
18 around interchange projects. He also discussed the use of Single Point Urban Interchange  
(SPUI) configuration at interchanges. He noted that SPUI configurations are generally  
20 well received by motorists, and that they handle traffic more efficiently than traditional  
configurations. Mr. Jolley stated that many of the interchanges will be constructed or  
22 changed to SPUI configuration to address high traffic volume.

24 Mr. Jolley reviewed the timeline for completion of the Environmental Study. He  
stated that the Environmental Document will be approved next spring, but that there is  
currently no funding mechanism to complete the project. He stated that UDOT is  
26 preparing to meet with the Transportation Commission to make financial plans for  
construction of the project. He noted that the project is 45 miles long, and will require  
28 significant financial and construction resources. Completion of the project is currently  
anticipated in approximately 2011 or 2012.

30 Councilmember Carpenter inquired as to contingencies planned to provide traffic  
rerouting during construction of the project. Mr. Jolley stated that new arterial roads  
32 from the Crossroads are in west Lehi and Main Street in American Fork will provide  
traffic flow into Salt Lake Valley from Utah Valley.

34 Mr. Jolley requested that the City encourage developers along the freeway  
frontage area to communicate with UDOT prior to development. Discussion of possible  
36 impacts to properties in the area may minimize complications as the I-15 project  
proceeds.

38 Mr. Jolley then turned the time over to G.J. LaBonty, UTA Project Manager, to  
discuss commuter rail projects planned for Utah County. Mr. LaBonty commented that  
40 the I-15 widening and Commuter Rail began as a joint project. A funding source for  
commuter rail projects was mandated by voters in 2006, and the projects split and are  
42 being pursued independently.

44 Mr. LaBonty explained that UTA acquired 90 miles of Union Pacific railways  
extending from Brigham City to Payson. A sales tax bond was initiated by Davis and  
Weber Counties in 2006, and that portion of the commuter rail system will be completed

2 in 2008. The next phase of the project will provide commuter rail service from Salt Lake  
City to Provo.

4 Mr. LaBonty reviewed planned commuter rail stations in Salt Lake and Utah  
County. Three new stations in Salt Lake County would be located at approximately 5300  
6 South, 10300 South, and at Bangerter Highway. In Utah County, stations are planned for  
the area near Thanksgiving Point in Lehi; near the American Fork/Pleasant Grove  
8 Border; at 1600 North, 800 North, Center Street and University Parkway in Orem; and  
University Avenue in Provo. Traffic flow and population south of Provo do not justify  
10 extension of the system in the south part of Utah County at this time. Mr. LaBonty  
explained that the system is based on a preferred spacing of three to five miles between  
12 stations. A station in Vineyard may be included in the future, but is not planned in the  
initial phase. The initial stage of the project will be a single track system, with trains  
passing at stations.

14 Mr. LaBonty went on to explain a planned inter-modal system including  
specialized buses which will interface with the rail system to efficiently transport  
16 passengers from train stations to destinations such as malls and universities.

18 Mayor Acerson inquired as to recent publicity regarding security at train stations.  
Mr. LaBonty stated that security has been restructured, and that security officers now  
20 have the same powers as police officers. He asserted that the security force is well  
trained and well equipped. Video surveillance may also be used to augment security  
22 personnel and address security issues. Mr. LaBonty explained that security problems at  
park and ride areas have been property crimes, and that personal injuries are an extremely  
uncommon occurrence.

24 The Council thanked Mr. Jolley and Mr. LaBonty for their time.

- 26 3. **Report** – *Update on the Mountain View Corridor EIS*. This is a report to the City  
28 Council by UDOT staff and consultants updating information concerning the  
Mountain View Corridor and the Environmental Impact Statements associated  
with this project.

30 Terri Newell was present to update the Council on the status of the Mountain  
32 View Corridor project. Ms. Newell stated that the Environmental Document is currently  
under review, and is expected to be distributed publicly in October, with completion of  
34 the Study in fall of 2008. The Document will outline various alternatives and impacts for  
the Mountain View Corridor.

36 Ms. Newell went on to review alternative which are currently under  
consideration. The first alternative she discussed was the Southern Freeway, which  
38 would consist of a six lane freeway from Salt Lake County along the north end of Utah  
Lake connecting near the Pleasant Grove/Lindon interchange. The second alternative  
40 would be a 2100 North Freeway, which would consist of a six lane freeway from Salt  
Lake County to SR 73, with six additional lanes across 2100 North or 1200 West. The  
42 final alternative outlined by Ms. Newell was for an Arterials Alternative, which would  
provide six lanes from Salt Lake County to SR 73, with connecting seven lane surface  
44 streets at Porter Rockwell Drive, 2100 North and 1900 South.

Impacts of each alternative have been reviewed during the study process. Key focus areas of the study include traffic flow and transportation needs, property impact, wetland impact, and construction costs.

Ms. Newell reviewed the level of service of current transportation corridors through the year 2030. She presented graph which demonstrate the level of service of the I-15 corridor without construction of the Mountain View Corridor. She also reviewed the level of service anticipated with each of the alternatives. She noted that traffic flow associated with any of the three alternatives is acceptable, but that new traffic corridors are necessary to accommodate increasing traffic flows.

Ms. Newell outlined specific elements which were considered for each alternative, including home relocations, business relocations, historic properties, wetlands and unique soil types. Ms. Newell noted that the Army Corp of Engineers requires mitigation of any wetland or unique soil areas which are disturbed during the project. She explained that there must be a compelling reason to choose an alternative with a higher wetland impact than other alternatives.

Mr. Dameron inquired as to whether any environmental groups have expressed concern about any of the alternatives. Ms. Newell stated that there was a great deal of concern among cities about the southern alignment. She explained that UDOT met with various agencies and cities over a three to four month period to try to come to some agreement, but that disagreement between cities and agencies caused the project team to look at other alternatives and consider the 2100 North alternative. The 2100 North alternative would have a significant impact on wetlands, which can not be filled without appropriate permits. Issuance of permits requires that the study show that all reasonable ways to avoid wetlands were considered.

Ms. Newell outlined the anticipated cost of each alternative. She stated that the Southern Freeway alternative is projected at \$690 million, the 2100 North option is projected at \$540 million, and the Arterials Alternative is projected at \$640 million. The Council discussed tolling as a funding mechanism to offset the cost of the project. Ms. Newell stated that the final study document will address tolling in greater detail.

Ms. Newell outlined previous efforts to make the public aware of alternatives for the Mountain View Corridor, including town hall meetings, open houses, and workshops. She stated that the current focus is on presenting alternatives to cities. She stated that if the City is inclined to take a position on one alternative, it may be important in the decision making process. She stated that UDOT will determine a preferred alternative by the end of 2007. The Council will discuss alternatives further and determine whether it would be in the best interest of the City to take a position on any of the alternatives.

4. **Public Hearing** – *Industrial Development Bonds*. The City Council will hear public comment and possibly act approve this item. This is a required Public Hearing regarding the intention of Lindon City, Utah, to issue Industrial Development Bonds to be used to purchase manufacturing equipment and related facilities for such bonds in the principal amount of not to exceed \$1,400,000.

COUNCILMEMBER BATH MOVED TO OPEN THE PUBLIC HEARING TO CONSIDER ISSUANCE OF INDUSTRIAL DEVELOPMENT BONDS.



2 COUNCILMEMBER CARPENTER SECONDED THE MOTION. ALL PRESENT  
VOTED IN FAVOR. THE MOTION CARRIED.

4 Chris Olsen was present as the representative for this item. Mayor Acerson called  
for public comment regarding issuance of the proposed Industrial Development Bonds.  
6 There was no public comment.

8 COUNCILMEMBER HATCH MOVED TO CLOSE THE PUBLIC HEARING.  
COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL PRESENT  
10 VOTED IN FAVOR. THE MOTION CARRIED.

12 5. **Public Hearing** – *Ordinance Replacing Lindon City Election Code Chapter 2.44*  
(*Ordinance #2007-7*). The City Council will hear public comment and possibly  
14 act to approve an ordinance which replaces Chapter 2.44, “Elections” of the  
Lindon City Code in order to comply with recent changes in state law.

16 COUNCILMEMBER ANTHONY MOVED TO OPEN THE PUBLIC  
18 HEARING TO CONSIDER ORDINANCE #2007-7. COUNCILMEMBER BAYLESS  
SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION  
20 CARRIED.

22 City Attorney, Brian Haws, was present to address the Council regarding this  
proposed Ordinance. He explained that proposed changes will make the City Code  
24 consistent with State statute. He noted that one requirement not in the State statute but  
included in the City Code is the requirement that City employees can not serve as elected  
26 officials. Mr. Haws noted the filing period for candidates for the November election is  
from July 1<sup>st</sup> to July 15<sup>th</sup>, with the primary election scheduled for September 11, 2007.

28 The Council discussed the required procedure to appoint an interim Mayor to serve  
until the November election. The term of the newly elected Mayor will begin in January  
30 2008. Following the effective resignation date for Mayor Acerson, applications for  
interim Mayor will be accepted for a two week period. Following the application period,  
32 an interim Mayor will be appointed by the Council to serve until January. The newly  
elected Mayor will serve a two year term to complete the current term. A mayoral  
34 election will be held again in November 2009. The Council discussed the timing of  
Mayor Acerson’s resignation in order to facilitate an orderly transition. Mr. Haws also  
36 noted that if Councilmembers apply for the interim position, they must recuse themselves  
from the discussion and vote regarding the appointment.

38 The Council went on to discuss financial disclosure requirements related to campaign  
expenditures. It was also noted that the proposed ordinance did not include a section  
40 regarding requirements for write in candidates. Mr. Haws will draft a write in candidate  
section and return for further review by the Council.

42 Mayor Acerson called for public comment. There was no public comment. He called  
for a motion to continue this item.

44 COUNCILMEMBER HATCH MOVED TO CONTINUE THE PUBLIC HEARING  
46 TO CONSIDER ORDINANCE #2007-7. COUNCILMEMBER BAYLESS

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

4           6. **Review and Action** – *Resolution of Interest – LDS Ward House (Resolution*  
6           *#2007-7)*. This is a request by the Mayor for the City Council’s consideration of a  
resolution stating the City’s interest in purchasing the LDS Ward House at 25  
North Main Street for use a Senior Citizens Center.

8           Mr. Dameron noted that this issue has been discussed with the majority of  
10          Councilmembers. Councilmember Carpenter noted that the language of the proposed  
Resolution includes use of the facility only for a Senior Citizens Center. He observed  
12          that the facility is larger than necessary for a Senior Citizens Center, and suggested that  
language be added to the Resolution which would permit other appropriate uses of the  
14          property. Councilmember Bayless felt that a Senior Citizen Center would be the primary  
use, but that it would be appropriate to include language which would allow multiple uses  
16          of the facility.

18          Councilmember Anthony commented on extensive renovation of the property  
which was completed in the late 1990’s. Councilmember Bath suggested that the City  
confirm that asbestos clean up in the building was completed as part of the renovation  
20          project.

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

24          COUNCILMEMBER ANTHONY MOVED TO APPROVE RESOLUTION  
#2007-7 EXPRESSING INTEREST IN ACQUIRING THE PROPERTY AT 25 NORTH  
26          MAIN STREET, WITH LANGUAGE CHANGES TO ALLOW MULITPLE USES OF  
THE FACILITY AS DISCUSSED. COUNCILMEMBER BAYLESS SECONDED THE  
28          MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER ANTHONY            AYE  
30    COUNCILMEMEBER BATH             AYE  
COUNCILMEMBER BAYLESS            AYE  
32    COUNCILMEMBER CARPENTER        AYE  
COUNCILMEMBER HATCH              AYE

34          THE MOTION CARRIED UNANIMOUSLY.

36          7. **Review and Action** – *Change Order #1 – Street Improvement Projects*. This is a  
38          request by staff for the Council’s approval of a change order amount which  
exceeds the parameters of staff authority. The change order addresses problems  
that were not completely known at the time of bidding.

40          Mr. Dameron explained that this Change Order is for the project just underway on  
42          400 North. The original bid included plans to overlay a section of the roadway rather  
than pulverizing and replacing the road surface. It has been determined that it will be  
44          necessary to pulverize the section, resulting in an increased cost. Mr. Dameron noted that  
the project is still within the budgeted amount with the change order. Mayor Acerson  
46          called for further comments or discussion. Hearing none, he called for a motion.

2 COUNCILMEMBER CARPENTER MOVED TO APPROVE CHANGE  
ORDER #1 FOR THE 400 NORTH STREET IMPROVEMENT PROJECT IN THE  
4 AMOUNT OF \$39,009.30. COUNCILMEMBER BATH 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
- 14 8. **Report** – *Tentative Budget, Fiscal Year 2007-2008*. Staff will distribute the  
Tentative Budget document for fiscal year 2007-2008 which includes the RDA  
16 budget and the MBA budget. The Mayor and staff request that work sessions be  
scheduled during the month of May for discussions of issues related to the new  
fiscal year budget.

18

20 Mr. Dameron explained that the Tentative Budget is being presented to the  
Council at this time as required by law. He requested that the Council schedule two  
additional Work Sessions, as well as a Budget Committee meeting prior to the Public  
22 Hearing to consider the final budget in June. Work Sessions were scheduled for May 15<sup>th</sup>  
at 6:00 p.m. and May 22<sup>nd</sup> at 6:00 p.m. The Budget Committee meeting was scheduled  
24 for May 9<sup>th</sup> at 4:00 p.m.

- 26 9. **Review and Action** – *Employment Agreement – City Administrator*. This is a  
request by the City Attorney for the City Council’s review and action on an  
28 employment agreement for the City Administrator. This action is a result of  
discussions held in an executive session of the Council.

30

32 Mr. Dameron excused himself and left the room for this discussion. Mr. Haws  
explained that the Council met previously in an Executive Session to discuss Mr.  
Dameron’s performance evaluation and the requested employment agreement. Mr. Haws  
34 stated that Employment Agreements for City Administrators is standard practice among  
neighboring communities. Councilmember Carpenter noted that the request is  
36 reasonable, and in keeping with the practice of other cities.

38 Councilmember Hatch expressed concern regarding a provision in the agreement  
which will allow the City Administrator to accrue unlimited vacation time and receive  
cash payment at the time employment is terminated. He felt that it may be appropriate to  
40 bring accrued vacation time into balance every few years. The Council discussed that  
paid vacation time is a benefit provided to the City Administrator, and that the cost is the  
42 same to the City whether paid over time or in one lump sum. The majority of the Council  
felt that the vacation time provision in the agreement was acceptable. Mayor Acerson  
44 called for further comments or discussion. Hearing none, he called for a motion.

2 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE  
EMPLOYMENT AGREEMENT BETWEEN LINDON CITY AND OTT H.  
4 DAMERON AS THE CITY ADMINISTRATOR. 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  
COUNCILMEMBER HATCH AYE

10 THE MOTION CARRIED UNANIMOUSLY.

12 Mr. Haws explained that employment agreement will require a change to the  
range and step pay grade currently paid to Mr. Dameron. He requested that the Council  
14 make a separate motion concerning salary compensation to Mr. Dameron.

16 COUNCILMEMBER CARPENTER MOVED TO APPROVE  
COMPENSATION PAID TO MR. DAMERON AT STEP 13 RANGE 31.  
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 **COUNCIL REPORTS –**

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

30 Councilmember Hatch reported that VanCon employees responded to a citizen  
32 complaint regarding damage to a sprinkling system during the Main Ditch piping project.  
The sprinkling systems repairs were completed by VanCon.

34 **TRAILS, PLANNING, ZONING, BD OF AJD, ADMINISTRATION -**

36 Councilmember Bayless requested that a small amount of funding for Healthy  
38 Living program be included in the proposed budget. She also inquired as to whether  
purchase of the old Tithing Office and the LDS Church are reflected in the proposed  
40 budget. Mr. Dameron stated that potential property purchases are included in the  
Tentative Budget.

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

2 Councilmember Bath reported on an orange traffic cone in the road at 550 East  
Center. He stated that it may part of UTOPIA installation, but that there may be another  
3 problem. Mr. Dameron will follow up on the report.

4 Councilmember Bath commented on technology he discussed with vendors at the  
Utah League of Cities and Towns Conference in Saint George. The program would  
5 allow cities to access information from other participating cities, and would expedite  
6 research of particular issues. He felt that use of the on-line service may be cost effective,  
7 and may reduce the amount of time spent by City employees on research projects. Mr.  
8 Dameron will investigate the program further and report back to the Council.

10 **PARKS, RECREATION, ENGINEERING, LINDON FAIR, NEWSLETTER –**

12 Councilmember Anthony reminded the Mayor and Council of the Arbor Day  
14 Celebration on Saturday, May 5<sup>th</sup> at 8:00 a.m. at Pheasant Brook Park. The Tree  
Advisory Board will present a special award to Harold and Elvie Erickson for  
15 outstanding tree care for a Tri-Colored Maple tree located on their property. He felt that  
16 this award would have special meaning due to the service the Erickson's have provided to  
17 the community over the years.

18 Councilmember Anthony reported that Oak Canyon Junior High School students  
19 participated in a contest to design the Tree Advisory Board logo, which will be used  
20 during the next year on Tree Advisory Board literature, posters, and banners. Jori Larsen  
21 won the competition, and was awarded a \$50 gift certificate for her design.

22 Councilmember Anthony also noted that New York City officials recently  
23 announced a plan to plant one million trees in the city over the next ten years.

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

26 Councilmember Carpenter reported that he has been approached by several  
27 residents who sustained property damage during installation of UTOPIA lines to their  
28 homes. He stated that residents have reported that repairs are not being completed in a  
29 timely manner, and that residents are unhappy with the contractor. Mr. Dameron will  
30 follow up with UTOPIA contractors to ensure that repairs are completed. He noted that  
31 installation will be completed to 800 West by the end of May. UTOPIA is being actively  
32 marketed at this time, and the take rate is well beyond original projections for the project.

33 **ADMINISTRATOR'S REPORT –**

34 Mr. Dameron reported on the following items:

- 35 1. The City will meet with representatives of Dan Jones and Associates on  
36 Wednesday, May 2<sup>nd</sup> at 1:00 p.m. to formulate questions for the follow up phone  
37 survey to residents regarding funding for the Recreation Center and Aquatics  
38 facility. Mayor Acerson, Councilmember Carpenter, and Councilmember Bayless  
39 will attend.
- 40 2. The City will meet with Fieldstone Homes Wednesday, May 2<sup>nd</sup> at 2:00 p.m. to  
41 discuss the moderate income housing component of the Creekside Meadows  
42 subdivision.  
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- 2 3. The Lindon Heritage Trail Committee will meet Monday, May 7<sup>th</sup> at 3:00 p.m. in  
the Lower Conference Room of the City Center.
- 4 4. All zones in the Secondary Water System are now charged and operational. Less  
damage occurred in Zone 3 during UTOPIA installation than in other zone.  
Repair crews are following installation crews to facilitate timely repair to  
6 damaged underground infrastructure.
- 8 5. City employees will meet on Tuesday May 8<sup>th</sup> to discuss options for health care  
coverage for the upcoming year. Mr. Dameron requested that the Council meet in  
a Work Session to discuss options prior to May 11<sup>th</sup>. He noted that the City must  
10 report to the current insurance carrier regarding coverage prior to May 11<sup>th</sup>. A  
Work Session was scheduled for Tuesday, May 8<sup>th</sup> at 6:00 p.m. at the City Center.
- 12 6. The Council discussed the possibility of forming a Wellness Committee in the  
City which could include a Council representative, City staff, and members of the  
14 community.

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

20 **ADJOURN** –

22 COUNCILMEMBER HATCH MOVED TO ADJOURN THE MEETING AT  
10:15 P.M. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL  
24 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

26 APPROVED – May 15, 2007

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Ott H. Dameron, City Administrator/Recorder

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Jeff Acerson, Mayor