

2 The Lindon City Council held a regularly scheduled meeting beginning at 7:00 p.m. on
3 **Tuesday, July 17, 2007** in the Lindon City Center, City Council Chambers, 100 North
4 State Street, Lindon, Utah.

5 Conducting: Jerald I. Hatch, Mayor Pro-Tem

6 **PRESENT**

7 **ABSENT**

8 James A. Dain, Mayor
9 Eric Anthony, Councilmember
10 H. Toby Bath, Councilmember
11 Lindsey Bayless, Councilmember
12 Bruce Carpenter, Councilmember
13 Jerald I. Hatch, Councilmember
14 Ott H. Dameron, City Administrator
15 Adam Cowie, Planning Director
16 Debra Cullimore, City Recorder

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

18
19
20 **SWEARING IN CEREMONY** – *The newly appointed Mayor and City Recorder will be
21 sworn-in to their offices. The City Council appointed a new Mayor Friday, July 13,
22 2007. The appointed Mayor will be sworn-n for a term of approximately 6 months after
23 which the elected Mayor will take office in January 2008. The City Recorder position
24 was recently separated from the City Administrator position, and the Recorder will be
25 sworn-in as well.*

26
27 The newly appointed Mayor, James A. Dain, and the newly appointed City
28 Recorder, Debra Cullimore, were sworn in to office by Judge Brent W. Bullock.

29 Following the swearing in ceremony, Mayor Dain commented that he is excited to
30 serve the City. He noted that with 10,000 residents, no action taken by the City Council
31 is likely to make everyone happy, but that he and the Council, as well as City staff, are
32 here to serve the community. He encouraged residents to communicate with the Mayor
33 and Council regarding issues in the City, noting that they are members of the community
34 as well.

35 Mayor Dain then turned the meeting over to Mayor Pro-Tem, Jerald Hatch.
36 Mayor Dain explained that he had a previous commitment which was scheduled prior to
37 his appointment as Mayor, but that he would return later in the meeting.

38
39 **PRESENTATION** – *The Mayor and City Council will recognize Marilyn Simister for 5
40 ½ years of service on the Lindon City Planning Commission.*

41
42 Councilmember Hatch invited former Planning Commissioner, Marilyn Simister,
43 to the front of the room. He explained that Commissioner Simister resigned her position
44 on the Planning Commission due to the responsibilities associated with being named
45 President of the Parent Teacher Association of Utah. Councilmember Hatch expressed

2 appreciation to Ms. Simister for her diligent efforts in behalf of the City as a Planning
Commissioner, and her efforts in behalf of Utah children on the PTA Board. Ms.
3 Simister was presented a plaque in recognition of her service.

4 **MINUTES** –

6 The minutes of the regular meeting of July 3, 2007 were reviewed.

8
10 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE MINUTES
OF THE JULY 3, 2007 MEETING. COUNCILMEMBER BATH SECONDED THE
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

12 **OPEN SESSION** –

14
16 Councilmember Hatch called for public comment from any resident present who
wished to address an issue not listed as an agenda item. There was no public comment.

18 **MAYOR’S COMMENTS/REPORT** –

20 No Mayor’s report was given at this meeting.

22 **CONSENT AGENDA** –

24 No items.

26 **CURRENT BUSINESS** –

- 28 1. **Review and Action** – *Recreation Survey Report-Dan Jones*. A Dan Jones Survey
30 was commissioned by the City Council in order to acquire statistically accurate
information concerning a proposed recreation complex which would have a
32 General Obligation Bond component. The results of the survey will be presented
tonight and the City Council will give direction to staff concerning the placement
of the bond question on the November election ballot.

34
36 Mr. Dameron introduced Dan Jones, and invited him to present the results of the
recently completed phone survey regarding funding for recreation facilities in Lindon.
38 Mr. Jones commented that Lindon has an excellent reputation in the State. He
encouraged the City to continue with efforts to determine how residents would like to see
the City managed.

40 He noted that during his last presentation regarding the previous survey conducted
42 by Dan Jones and Associates, he had reported that the City receives excellent police
services from Pleasant Grove, and that the survey showed that the City has the ability to
44 work well with neighboring communities. He noted that recreation projects are currently
one of the greatest issues in the state.

46 Mr. Jones went on to review specific findings of the survey. He stated that 330
residents were interviewed, and that the survey has a margin of error of plus or minus

6%. The survey was conducted from June 25, through July 2, 2007. He explained that the purpose of the survey was to determine if residents are willing to support funding the project, and if so, what level of support the City can anticipate.

Survey results indicate that 76% of residents surveyed would definitely or probably support construction of recreation facilities in Lindon, and that 71% are very or somewhat likely to use the facilities once they are completed.

The survey explained to residents that previous survey results indicate that there is a strong desire in the community for a wide range of amenities in the proposed facilities, and that due to the rapidly rising costs of construction, it would be most cost effective to complete as much of the final project as possible at the same time. The survey also explained that the City can pay for approximately one third of construction costs with sales tax revenues, and that the remainder of construction costs can only be generated through a General Obligation Bond passed by residents in an election.

Residents were asked if they would support a General Obligation Bond in the amount of \$15.64 per month for a home with a \$300,000 valuation over a 25 year period. Results indicate that 57% of residents surveyed would probably or definitely support a General Obligation Bond. Mr. Jones noted that a majority of respondents expressed support, and that the Mayor and City Council have a good approval rating among residents.

Mr. Jones noted that approximately 10% of residents surveyed expressed definite opposition to both the project, and bonding to complete the project. He explained that a specific group of residents who did not express strong support or strong opposition to the project and the funding source may change their opinion based on additional information and communication from the City, and that the final outcome of those supporting the project may be higher than the survey results indicate if residents are properly informed about the project.

In closing, Mr. Jones commented that survey results indicate that the majority of residents would support a General Obligation Bond to construct recreation facilities. He recommended that the City proceed with the process to secure funding, and that both the Recreation Center and Aquatics Facility be completed. He asserted that the City and residents will "thank him" in ten years when escalating costs would make it less feasible to complete the project. He expressed appreciation for the opportunity to work with the City on this survey.

Councilmember Carpenter explained that during previous discussion with the City's financial advisor, it was determined that the threshold of funding residents are willing to support is approximately \$5 - \$6 per \$100,000 of property valuation. He noted that the Council determined that actual costs would be accurately represented if figures were presented based on typical home valuation in Lindon, rather than presenting figures based on assessment per \$100,000 in valuation. Mr. Jones agreed that the survey as presented was an accurate representation of actual costs to residents. Councilmember Bayless noted that the actual assessment per household may differ from the \$15.64 per month presented in the survey, and that educating residents would be a key component of the bonding process.

Councilmember Hatch called for public comment. There was no public comment. There were approximately 40 residents present at the meeting. Mr. Dameron inquired as to how many of those present had been contacted during the survey process.

2 Approximately eight residents present at the meeting indicated that they had participated
in the survey.

4 Councilmember Carpenter noted that this survey is the third indication that there
is support for recreation facilities in the community. Councilmember Bayless observed
6 that the decision to fund the project through a General Obligation Bond needs to be made
by residents during the election. Councilmember Hatch called for a motion.

8 COUNCILMEMBER BAYLESS MOVED TO PLACE A GENERAL
OBLIGATION BOND TO FUND THE PROPOSED RECREATION PROJECT ON
10 THE BALLOT FOR THE NOVEMBER 6, 2007 GENERAL ELECTION.

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

14 COUNCILMEMBER ANTHONY AYE

14 COUNCILMEMBER BATH AYE

16 COUNCILMEMBER BAYLESS AYE

16 COUNCILMEMBER CARPENTER AYE

18 COUNCILMEMBER HATCH AYE

THE MOTION CARRIED UNANIMOUSLY.

- 20 2. **Review and Action** – *400 North Street Connection from State Street to 400 West*
22 *Street.* The City Council will hear public comment and officially act on the
proposed street connection from State Street to 400 West. This connection was
24 adopted with the General Plan during public hearings last fall.

26 Councilmember Hatch noted that the 400 North street connection has been an
ongoing issue for a number of years. He encouraged residents present to address this
28 issue to approach the discussion with an open mind, and to consider the future of the City
as growth on the west side increases. Councilmember Hatch invited Mr. Cowie to review
this item for the Council and the residents.

30 Mr. Cowie stated that 400 North west of State Street is currently shown on the
Master Plan Street Map. He noted that the current Master Plan and maps were approved
32 by the City Council and Planning Commission following Public Hearings last fall. He
explained that the street has been shown on the Master Plan since 1968, with the
34 exception of the period of time from 1995 to 2000 when the street does not appear on the
maps. A connection to Gillman Lane from the future 400 North roadway section was
36 also added to the maps in 2005 at the direction of UDOT. Mr. Cowie noted that UDOT
would require the State Street access from Gillman Lane to be closed if the 400 North
38 extension is completed.

40 Mr. Cowie stated that the Fellowship Bible Church recently approached the City
regarding a possible expansion to the current church facility. At that time, the City
42 discussed the road connection with church representatives. Mr. Cowie noted that
negotiations are not finalized at this time, but that the City and representatives of the
44 church are discussing an agreement which would allow the City to purchase the right-of-
way for the future roadway at this time, which would provide funds for expansion of the
46 church facilities. At the time the roadway is constructed, the City would purchase the
existing building from the church to allow construction of the road. The church would

2 then be relocated outside the right-of-way on the south end of the current site. Mr. Cowie
clarified that the City does not intend to construct the roadway at this time, but that
4 securing the right-of-way now will allow the City the option of constructing the roadway
at some point in the future.

6 Mr. Cowie explained that approximately 110 letters were mailed to residents
regarding this discussion. He stated that residents within 300 feet of the road extension,
8 residents on Gillman Lane, Lakeview Drive, and 400 West to 200 South, received written
notice in the mail.

10 Mr. Cowie stated that prior to adoption of the 2005 General Plan, the City
Engineer sent written comments recommending that the 400 North roadway west of State
12 Street remain on the Master Plan Streets Map. The Engineer felt that the road is an
important component of the City transportation plan, and provides needed access between
the west and the east side of the City.

14 Mr. Cowie explained that the purpose of this discussion is to receive direction
from the Council as to whether the street extension should stay on the Master Plan, or
16 whether it would be appropriate to remove the roadway from the Master Plan map. He
stated that if the City Council felt that roadway should remain on the map, the City would
18 finalize negotiations with the church to secure the road right-of-way. If the City Council
felt the roadway should be removed from the map, the issue should be passed to the
20 Planning Commission to begin the process of considering the street for removal from the
map, after which the Planning Commission will forward the issue to the City Council
22 with an official recommendation.

24 Councilmember Hatch called for public comment. Lindon resident, Gary
Thornton, owns the property located at 374 West Lakeview Drive. Mr. Thornton felt that
if the right-of-way is purchased, the roadway will eventually be constructed. Mr.
26 Thornton commented that rather than purchasing the right-of-way, the money should be
used to correct an ongoing flooding problem in the area. He noted that he is the water
28 master in the area, and that flooding on several properties is frequently reported to him.
Councilmember Bath explained that piping of the main ditch is being completed as a
30 phased project, and that funding for piping that section is included in the current year
budget. Councilmember Bayless noted that residents in the area requested that rather
32 than piping the ditch, that a retaining wall be built along the ditch to increase capacity
and eliminate flooding problems.

34 Lindon resident Steve Smith asserted that he speaks for most of the residents
present who have concerns regarding the street extension. Mr. Smith felt that safety
36 concerns and routing of traffic could be addressed using current streets rather than
opening a new street. He noted that 1600 North in Orem is designed to accommodate
38 traffic flow and that if the street is extended as proposed, it will essentially create another
corridor similar to 1600 North. Mr. Smith stated that he was involved in the discussion to
40 remove the street from the Master Plan in 1995, and that he does not understand why the
street was put back on the maps in 2000 with the existing church in the road right-of-way.
42 He noted that during site plan approval for the existing church facility, it was agreed that
the street would be removed from the Master Plan. Mr. Smith asserted that during
44 discussion of the realignment of Lakeview Drive, residents inquired as to whether 400
North would be extended to 400 West, and that the City Council said at that time that the
46 roadway would not be extended.

2 Stewart Haun of Hauns Automotive expressed concern regarding the impact of
the future roadway on his property. He also expressed concern regarding potential
flooding on his property if the roadway is completed.

4 Lindon resident Doug Christensen commented that he felt that the roadway
extension is needed. He noted that the intersection would address safety concerns related
6 to State Street access from the west side of the City. Mr. Christensen stated that he
discussed the road extension with approximately 75 residents, and that all but two of the
8 residents he spoke with felt that the roadway is needed. He noted that any negative
traffic issues resulting from the extension can be moderated with police patrols and traffic
10 calming measures. Mr. Christensen stated that his recollection of discussion regarding
rerouting of Lakeview Drive was that Lakeview could be rerouted because of the future
12 400 North extension.

A number of other area residents spoke in opposition to the road extension.
14 Residents offering input to the Council included Wayne Hooley, Jolene Campbell, Lori
Williams, Matt King, Roger Cox, Travis Farr, Craig Last, Nathan Williams, Mike
16 Marchbanks, Troy Strong, Boyd Hooley, Brian Fryant, Richard Armknecht, Lisa
Gillman, Brenda Cullimore, Taylor Brady, Richard Griffith, Vernon Christensen, Chris
18 Dexter, Jeff Chatterly, Gary Winterton, Chante Last, and Bart Schaerrer.

Residents speaking in opposition to the proposed road connection each expressed
20 concern regarding an increase in traffic speed and volume in their residential
neighborhood. They noted that while the Police Department makes an effort to control
22 the speed of existing traffic on 400 West, significant speeding problems already exist,
and would become worse if the roadway connection is completed. They felt that the
24 safety of their children using the roadway to access Aspen Elementary should be taken
into consideration, and that construction of the street would place an undue burden on
26 residents in the area.

Residents asserted that the roadway would serve only as a “shortcut” to the
28 freeway for residents on the east side of State Street, and residents of neighboring cities,
and that the roadway is not essential to traffic circulation. Several residents commented
30 that funds should be used to upgrade and repair existing roads, rather than constructing
new roads. Several residents also commented that if they had been aware that this street
32 was shown on the Master Plan, they would not have built homes in the area. They felt
that the City should not allow further residential development in the area if the street
34 remains on the Master Plan maps.

Residents also expressed concern that the City may be unduly delaying the church
36 expansion due to confusion regarding the roadway issue. Mr. Cowie clarified to residents
that the roadway is not planned for construction at this time, and the agreement with the
38 church will be to purchase only the property for the right-of-way. When the road is
constructed, the City would give the church one year of notice, and would then be
40 required to purchase the existing building, which would provide necessary revenue for
the church to rebuild further south on the existing site. Mr. Cowie noted that the City
42 saw this as an opportunity to pay the cost of the roadway in phases, with no detrimental
effect on the church.

44 Councilmember Bayless also clarified that the church is very interested in the
agreement, as it will facilitate the needed expansion of the existing facility. She noted

2 that plans for the church are not being “held up” by the City, and that the church has
willingly participated in the discussion.

4 Chris Burton and Vince Tharp, representatives of the Fellowship Bible Church,
were also present at the meeting. Mr. Burton and Mr. Tharp indicated that the church is
6 taking a neutral position on the roadway issue. They stated that if an agreement is
reached with the City, the church will expand on the current site, and that if an agreement
8 is not reached, the church may relocate. They stated that the City is not forcing them into
an agreement, and that they are simply “waiting to see what happens.”

10 Councilmember Bath explained to residents that the proposed street connection
was reviewed and approved during advertised public hearings as part of the General Plan
12 approval process. Councilmember Bayless observed that while proper procedures were
followed for General Plan approval, there was some concern on the part of the City that
14 residents may not have been aware that the roadway was included in the General Plan
approval, and that the intent of this meeting is to clarify plans to residents, and allow
residents to comment on the roadway.

16 Councilmember Bath expressed that he agrees that development and growth are
difficult matters to deal with, but that “progress happens.” He explained that the Council
18 is obligated to think of the future of the City, and plan for future growth. He noted that
the current situation with the church may be mutually beneficial to the City and the
20 church. He commented that when he moved to Lindon, his home was alone on the end of
a dead end street, which is now a through street. He observed that any development
22 which occurs in the City will affect a specific area, but that the needs of the community
as a whole must be taken into consideration. He expressed concern that if the corridor is
24 not preserved now, 15 – 20 years in the future, residents may ask why the Council didn’t
plan for future growth and development.

26 Mr. Thornton expressed concern that the value of his property may be negatively
impacted if the roadway is completed. The Council discussed with Mr. Thornton the
28 option of rezoning the property from residential to commercial if the roadway is
completed.

30 Mark Johnson currently resides at 334 West Lakeview Drive. Mr. Johnson stated
that he was born and raised, and still resides on Lakeview Drive. He observed that until
32 recently, Lakeview Drive acted as a default collector, but that rerouting of the street has
reduced traffic flow. Mr. Johnson stated that he is in favor of the road, and that it “makes
34 sense” in the overall traffic plan for the City. Mr. Johnson stated that he is happy that this
open discussion is taking place, but that all comments seem to be coming from residents
36 in a localized area, and that residents in other areas may be in favor of the roadway.

38 Doug Christensen agreed that the road would be good for the community as a
whole. He noted that the realignment of Lakeview Drive has impacted the Pheasant
40 Brook Subdivision, and that it is likely residents present at this meeting who now take an
alternate route through Pheasant Brook. He asserted that traffic problems on the west are
caused by residents on the west.

42 Bart Schaerrer stated that he lives in Pheasant Brook, and that residents in that
area have experienced two traffic surges, one when Wal-Mart was developed, and one
44 when Lakeview Drive was rerouted. He stated that he is unsure if the 400 North
extension would effectively address traffic concerns in his neighborhood, but that it could
46 be a consideration.

2 Councilmember Hatch noted that when he moved to Lindon 30 years ago, there
3 were very few homes on the west side of the City. He observed that the City will
4 continue to grow. He commented that as communities grow, and homes are built, it
5 becomes necessary for the City to provide adequate transportation corridors. He noted
6 that the residents present at the meeting are part of the growth of the community which
7 makes further road development necessary. He reiterated that the Council is obligated to
8 consider the needs of the community as whole, and that there are no other feasible
9 corridors to provide east/west access through the City. He observed that traffic
10 mitigation measures can be used to minimize risks on 400 West when it becomes
11 necessary.

12 Captain Cody Cullimore of the Police Department commented that he grew up on
13 400 West when it was a dirt road. He agreed that speed on 400 West is an ongoing issue
14 that the Police Department will continue to address. Captain Cullimore observed that
15 additional east/west traffic corridors will be necessary as additional growth occurs in the
16 community, and that the Council is making an effort to plan for the future.

17 Councilmember Bayless observed that if the City had an opportunity to “start
18 from scratch,” the proposed roadway would make sense, but that retrofitting the roadway
19 into an existing residential neighborhood may not be in the best interest of area residents.
20 She felt that the burden the roadway would place on area residents may outweigh any
21 benefit to the community as a whole.

22 Councilmember Carpenter observed that valid concerns have been expressed
23 during this discussion. He noted that typically, residents who are opposed to a particular
24 issue are more likely to attend meeting to voice opinions, and that residents who are in
25 agreement do not feel the need to express an opinion. He observed that traffic volume in
26 the City will continue to grow as development occurs, and that a higher percentage of
27 future growth will be on the west side of State Street. He commented that additional
28 traffic corridors will be necessary as the City develops, and that there do not seem to be
29 any other viable options.

30 Mayor Dain rejoined the Council at 10:05 p.m.

31 Councilmember Anthony admitted that he would be a typical user of the street if
32 it is completed. He felt that the majority of traffic on the roadway would come from
33 north east Lindon and south east Pleasant Grove areas, due to the fact that it will be a
34 more convenient route to I-15. He felt that recommendations of the Engineers, as well as
35 concerns expressed by residents, should be taken into consideration in making a decision
36 about the roadway. He noted that when the 700 North corridor is completed the I-15
37 Interchange, it will alleviate some traffic concerns.

38 Mayor Dain asked residents if there are any new concerns which have not been
39 expressed. There were no additional comments from residents. The Council continued
40 discussion regarding the competing issues and concerns regarding the roadway.
41 Following further discussion, Mayor Dain called for a motion.

42
43
44 COUNCILMEMBER CARPENTER MOVED TO DIRECT STAFF TO
45 SCHEDULE A PUBLIC HEARING DURING A PLANNING COMMISSION
46 MEETING TO CONSIDER WHETHER THE 400 NORTH EXTENSION AND THE

2 CONNECTION TO GILLMAN LANE SHOULD BE REMOVED FROM THE
GENERAL PLAN MASTER PLAN STREETS MAP. COUNCILMEMBER BATH
3 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

10 Councilmember Hatch turned the meeting over to Mayor Dain at this time.

- 12
- 13 3. **Preliminary Plat** – *KDM Industrial Subdivision, Plat “A”*. This is a request by
14 Karl Kunz for preliminary plat approval of KDM Industrial Subdivision, Plat “A”,
3 lots, in the LI zone at 180 South 1800 West. The Planning Commission
16 recommended approval with no conditions.

18 Mr. Cowie reviewed this application for the Council. He stated that this is a
request for approval of a 3-lot minor subdivision in the LI zone. The lots meet the
20 minimum 1-acre lot size and will front onto the publicly owned ditch area adjacent to the
1800 West roadway. Maintenance and access easement will be provided along the ditch
22 area. Cross easements and shared access points between the lots will be shown on the
plat. The Planning Commission approved the site plans for the businesses which will
24 locate on the site, and recommended approval of the subdivision with no conditions.

26 COUNCILMEMBER HATCH MOVED TO APPROVE THE KDM
INDUSTRIAL SUBDIVISION PLAT “A” PRELIMINARY PLAT.
28 COUNCILMEMBER ANTHONY SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

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

36 Councilmember Bath inquired as to whether there are any existing wetlands areas
38 included in this subdivision. Mr. Cowie explained that there is a wetlands area on the
north end of the property which was not included in the subdivision. Notification from
40 the Army Corp of Engineers that required permits have been obtained will be required
before the wetlands area can be developed.

- 42
- 43 4. **Review and Action** – *Final Bond Resolution – Industrial Development Bonds –*
44 *Mountain States Steel (Resolution #2007-11)*. This is the final bond resolution for
the issuance of Industrial Development Revenue Bonds for Mountain States Steel.
46 It is a resolution providing for the financing by Lindon City (The “Issuer”) of the

2 acquisition of manufacturing equipment and related facilities (The “Project”) to
be located in Lindon City, Utah, for use by Mountain States Steel, Inc. (The
4 “Borrower”) in order to promote the general welfare of the residents of the State
of Utah; authorizing and providing for the issuance by the issuer of its \$1,400,000
6 industrial development revenue bonds, series 2007 (Mountain State Project)
which will be payable solely from the revenue arising from the pledge of a loan
8 agreement among the issuer, the borrower and GE Capital Public Finance, Inc., as
lender; authorizing the execution and delivery of said loan agreement, escrow
10 agreement and related documents; confirming the sale of said bonds; and related
matters.

12 Mr. Dameron explained that the City Council has reviewed and discussed this
item on several previous occasions. He stated that the State Private Activity
14 Development Bond Review Board approved the application for the bond in the amount
\$1,400,000. He noted that the equipment purchased with bond revenues will serve as
16 collateral for the bond proceeds, and that the City is not at risk as a result of issuance of
this bond.

18 Randy Larsen, of Ballard Spahr Andrews and Ingersoll, LLP introduced himself
to the Council, and stated that he serves as bond counsel to the City for this transaction.
20 Mr. Larsen confirmed that he has no concerns regarding the bond, and that the City has
very limited responsibility to pass bond payments. He noted that it is not in the best
22 interest of the City to lend its name for bonding without a purpose, but that in this case
economic development is the purpose for the City’s participation.

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

26
28 COUNCILMEMBER CARPENTER MOVED TO APPROVE RESOLUTION
#2007-11 PROVIDING FOR THE FINANCING BY THE ISSUER OF THE
ACQUISITION OF MANUFACTURING EQUIPMENT AND RELATED FACILITIES
30 (THE “PROJECT”) TO BE LOCATED IN LINDON CITY, UTAH, FOR USE BY
MOUNTAIN STATES STEEL, INC. (THE “BORROWER) IN ORDER TO PROMOTE
32 THE GENERAL WELFARE OF THE RESIDENTS OF THE STATE OF UTAH;
AUTHORIZING AND PROVIDING FOR ISSUANCE BY THE ISSUER OF ITS
34 \$1.400,000 INDUSTRIAL DEVELOPMENT REVENUE BONDS, SERIES 2007
(MOUNTAIN STATES PROJECT) WHICH WILL BE PAYABLE SOLELY FROM
36 THE REVENUES ARISING FROM THE PLEDGE OF A LOAN AGREEMENT
AMONG THE ISSUER, THE BORROWER AND GE CAPITAL PUBLIC FINANCE,
38 INC., AS LENDER; AUTHORIZING THE EXECUTION AND DELIVERY OF SAID
LOAN AGREEMENT, ESCROW AGREEMENT AND RELATED DOCUMENTS
40 CONFIRMING THE SALE OF SAID BONDS, AND RELATED MATTERS.
COUNCILMEMBER ANTHONY SECONDED THE MOTION. THE VOTE WAS
42 RECORDED AS FOLLOWS:
COUNCILMEMBER ANTHONY AYE
44 COUNCILMEMBER BATH AYE
COUNCILMEMBER BAYLESS AYE
46 COUNCILMEMBER CARPENTER AYE

COUNCILMEMBER HATCH AYE
2 THE MOTION CARRIED UNANIMOUSLY.

4 5. **Public Hearing** – *Ordinance Amending Chapter 17.32.320 of the Lindon City*
6 *Code Relating to Deep Lots (Ordinance #2007-10)*. The City Council will hear
7 public comment and possibly act to approve an ordinance amending Chapter
8 17.32.320 titled (Deep Lots”. This item has been under discussion for some time,
and the proposed ordinance incorporates all the suggested changes.

10 COUNCILMEMBER ANTHONY MOVED TO OPEN THE PUBLIC
HEARING TO CONSIDER ORDINANCE #2007-10, LCC 17.32.320, DEEP LOTS.
12 COUNCILMEMBER HATCH SECONDED THE MOTION. ALL PRESENT VOTED
IN FAVOR. THE MOTION CARRIED.

14
16 Mr. Cowie explained that the Council reviewed this ordinance in draft form
several meetings ago. Since that time, the Planning Commission held a public hearing to
18 consider proposed ordinance changes. Following review of proposed changes, the
Planning Commission recommended that a change be made to allow accessory
apartments on flag lots. The City Engineer also made recommendations for several
20 changes. Mr. Cowie reviewed changes which are currently shown in proposed revisions,
as well as recommended changes which have not yet been incorporated into the
22 ordinance. Mr. Cowie recommended that the Council continue this item until
recommendations from the Planning Commission and the City Engineer can be included
24 for review and discussion.

26 Mayor Dain called for public comment. Lindon resident, Greg Slater, was
recently approved to develop a flag lot. Mr. Slater stated that the intent of the ordinance
seems clear, and that he had no further comments or questions. Mayor Dain called for
28 further comments or discussion from the Council. Hearing none, he called for a motion.

30 COUNCILMEMBER CARPENTER MOVED TO CONTINUE THE PUBLIC
HEARING TO CONSIDER ORDINANCE #2007-10, LCC 17.32.320, DEEP LOTS, TO
32 THE REGULAR MEETING OF AUGUST 21, 2007. COUNCILMEMBER ANTHONY
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

40
42 6. **Review and Action** – *Personnel Action Request*. This is a request by staff for the
City Council’s consideration of a merit increase for a high achieving employee
44 which exceeds the parameters of staff approval.

46 Mr. Dameron explained that this is a request submitted by Public Works Director,
Don Peterson, for a personnel action which would increase the pay of an employee of the

Public Works Department who has performed at a level above and beyond the requirements of his position. Mr. Dameron stated that staff can approve a one step pay increase for high performance of employees, but that this particular employee has shown great improvement in work habits, and staff felt that a two step pay increase is warranted.

Councilmember Anthony inquired as to the effect of the requested pay increase on the overall Public Works budget. Mr. Dameron explained that if the overall Public Works budget remains within established limits, there will be no detrimental effect. He commented that the necessary revenue to fund the pay increase can be diverted from other sources within the budget, and that the overall budget limits will not be exceeded. Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER BATH MOVED TO APPROVE THE PERSONNEL ACTION AS REQUESTED. 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.

COUNCIL REPORTS –

WATER, SEWER, SOLID WASTE, HOUSING CONSORTIUM –

Councilmember Hatch reported that Rhoda Price contacted him to express appreciation for the City's involvement in installation of fencing associated with the neighboring residential development.

Councilmember Carpenter inquired as to whether enough poll workers have been found to run the elections this fall. Mr. Dameron explained that the City will not hold a primary election, and that the County will be in charge of the General Election. Information regarding poll workers has been forwarded to County.

TRAILS, PLANNING, ZONING, BD OF ADJ, ADMINISTRATION –

Councilmember Bayless noted that the appointment of Mayor Dain has created vacancies on the Board of Adjustments and the Historical Commission. The Council discussed names of residents who may be interested in serving in these capacities.

Councilmember Bayless also reported that the Healthy Living Committee is very enthusiastic about the new program, and that they are coordinating with the Tree Advisory Board to promote a possible fund raising 5K run in the spring of 2008.

Councilmember Bayless recently attended a meeting to discuss moderate income housing in the City. She noted that the City is making an effort to take a pro-active approach to providing moderate income ownership opportunities within the City.

PUBLIC SAFETY, COURT, BUILDING INSPECTIONS –

2 Councilmember Bath noted that public safety issues will be addressed during a
joint meeting with Pleasant Grove Mayor and City Council.

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

6 Councilmember Anthony commented on specific events which will be held
8 during the Lindon Days Celebration, August 4th through August 11th. He noted that
10 Harold and Elvie Erickson will be honored as Grand Marshall's of the celebration this
year.

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

14 Councilmember Carpenter commented on a neighborhood meeting which was
held recently with residents in the area of the water tank park located on 835 East. He
16 commented that residents were hesitant to request harsh measures to address ongoing
concerns regarding skateboarding activities at the park. Curfew will be set at dusk for the
18 park, and Captain Cody Cullimore of the Police Department will meet with residents to
discuss issues further. The City will remove any skateboarding equipment left at the park
20 by residents.

22 **ADMINISTRATOR'S REPORT –**

24 Mr. Dameron reported on the following items:

- 26 1. He noted that he will be out of town from July 18th through July 30th.
- 28 2. Engineering coordination meeting will be held July 18th at noon at the Public
Works Complex.
- 30 3. Lindon Heritage Trail Committee meeting will be held Monday, July 30th at 3:00
p.m. in the Lower Conference Room of the City Center.
- 32 4. The City will not hold a Primary Election on September 11, 2007. Utah County
will administer the November 6, 2007 General Election, due to the state wide
34 school voucher referendum on the ballot. The City will schedule a Meet the
Candidates Night, as well as a Staff Briefing with Department Heads, prior to the
General Election.
- 36 5. UDOT has scheduled a meeting to discuss the Vineyard Connector roadway on
Monday, July 30th at 10:00.

38 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE PAY
VOUCHERS. COUNCILMEMBER BAYLESS SECONDED THE MOTION. THE
40 VOTE WAS RECORDED AS FOLLOWS:

42 COUNCILMEMBER ANTHONY	AYE
COUNCILMEMBER BATH	AYE
COUNCILMEMBER BAYLESS	AYE
44 COUNCILMEMBER CARPENTER	AYE
COUNCILMEMBER HATCH	AYE

46 THE MOTION CARRIED UNANIMOUSLY.

ADJOURN –

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COUNCILMEMBER CARPENTER MOVED TO ADJOURN THE MEETING
4 AT 11:39 P.M. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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APPROVED – August 21, 2007

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Debra Cullimore, City Recorder

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James A. Dain, Mayor