

2 The Lindon City Council held a regularly scheduled meeting beginning at 7:00 p.m. on
3 **Tuesday, October 16, 2007** in the Lindon City Center, City Council Chambers, 100
4 North State Street, Lindon, Utah.

5 Conducting: James A. Dain, Mayor
6 Pledge of Allegiance: Lindsey Bayless
7 Invocation: Toby Bath

8 **PRESENT**

ABSENT

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

18 The meeting was called to order at 7:02 p.m.

19 **INTRODUCTION** – After the appropriate advertising process and extensive interviews,
20 the Lindon City Chief of Police has been selected and will be introduced to the Mayor
21 and City Council.

22 Mr. Dameron introduced Cody Cullimore to the Mayor and Council as the new
23 Lindon City Chief of Police selected by the interview committee. Mr. Dameron stated
24 that an interview board, which included Mayor Dain, Councilmember Bayless and
25 Councilmember Bath, as well as Chief Gary Hicken of Saratoga Springs, selected Chief
26 Cullimore from a field of highly qualified applicants. Mr. Dameron gave an overview of
27 Chief Cullimore’s experience and qualifications for the position. Councilmember
28 Bayless agreed that there were several very qualified applicants interviewed to fill the
29 position, but that following interviews, it was clear that Chief Cullimore was the
30 appropriate choice to fill the position.

31 Mr. Dameron stated that Chief Cullimore will be sworn in on November 1, 2007
32 to begin preparations for the July 1, 2008 start date for the police department.

33 Chief Cullimore expressed that he is very excited about this opportunity. He
34 noted that he is a native of Lindon, and that the community was settled by his family. He
35 stated that creation of the police department will be a big job, but that he and the City are
36 up to it. The Council congratulated Chief Cullimore, and welcomed him as an employee
37 of the City.

38 **MINUTES** – The minutes of the regular meeting of October 2, 2007 were reviewed.

COUNCILMEMBER BATH MOVED TO APPROVE THE MINUTES OF THE
2 OCTOBER 2, 2007 MEETING. COUNCILMEMBER HATCH 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
12 **OPEN SESSION** –

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

16 **MAYOR'S COMMENTS/REPORT** –

18 Mayor Dain complimented Councilmembers who are running for re-election in
the November General Election on the polite manner in which campaigns are being
20 conducted. He wished the candidates luck in the upcoming election.

22 Mayor Dain noted that initial preparations for the Lindon Heritage Trail are nearly
complete, and that the project will be bid out in mid November. He thanked property
owners, City staff and City officials for their hard work to make construction of the trail
24 possible.

26 **CONSENT AGENDA** –

28 No items.

30 **CURRENT BUSINESS** –

- 32 1. **Concept Review** – *Natures Way Products, Inc.* This is a request by Lon Heiner
of Nature's Way to discuss desired zoning needs and future development concepts
34 for a new office and manufacturing facility located at approximately 2300 West
400 North immediately southwest of the Lindon/Pleasant Grove I-15 Interchange.
36 The current zoning is CG (General Commercial).

38 Nature's Way CEO, Rory Mahoney, CFO Richard Jones, and Project Manager
Lon Heiner were present as the representatives for this Concept Review. Mr. Cowie
40 reviewed this item for the Council. He stated that representatives of Nature's Way
contacted the Planning Department several months ago to discuss this issue. The
42 company has purchased approximately 30 acres of property located south of the I-15
interchange on the west side of the freeway. The project will consist of an indoor
44 manufacturing and warehouse facility, which will also serve as the National Corporate
Headquarters for Nature's Way. Due to the size and scope of the project, staff
46 encouraged the applicants to meet with the Planning Commission and City Council early

2 in the process to discuss relevant issues, including the current Commercial zoning of the
property. He noted that the area immediately south of the site is zoned for Mixed
Commercial Use.

4 Mr. Cowie went on to review the concept site plan submitted by the applicants.
He noted that Master Planned roadways currently shown on the property were included in
6 the 2000 General Plan at the request of the previous property owner. The intent of the
roadways was most likely to create access to the interior portions of the property. Mr.
8 Cowie noted that the applicants have approached UDOT regarding the possibility of
purchasing the abandoned rest area, but UDOT was unwilling to sell the property. Mr.
10 Cowie presented photographs of the site. He explained that the current project will be
located on the southern portion of the parcel, and that use of the northern portion is
12 undecided at this time. The site plan shows access roads to the northern parcel, and green
areas reserved for grass and landscaping elements. The project will be designed around
14 an overhead power line easement. This proposed project will be similar in size to the
existing facility in Springville.

16 Mr. Cowie explained that the proposed manufacturing and warehouse use will
require a zone change from the current Commercial (CG) zoning. He noted that the site
18 is located adjacent to the existing Mixed Commercial (MC) zone, and that MC zoning
will allow most service and retail uses allowed in the CG zone, as well as indoor
20 manufacturing uses. The applicants have explained to staff that products are delivered to
this site as dried materials, which are then put into capsules and packaged for shipping.
22 According to the company, the process does not produce any emissions or discharge, and
that water use on the site is expected to be low. During discussion with the Planning
24 Commission, the majority of Commissioners felt that a zone change could be beneficial
to development in the area, as it may provide infrastructure in the area which will be
26 necessary for future smaller commercial developments which would not have the
financial ability to provide necessary infrastructure. He noted that the existing roadway
28 is in poor condition and is not improved to a full width, and that there is no immediate
underground power to the area. Sewer and water lines are currently located in the
30 roadway.

32 During discussion of the possible zone change, members of the Planning
Commission expressed concern regarding a potential loss of sales tax revenue in the area,
but felt that the possible encouragement of other commercial development in the area
34 would likely justify the zone change. Mr. Cowie reiterated that MC zoning would still
allow retail and service type uses, but would also allow this proposed indoor
36 manufacturing use.

38 Mr. Cowie noted that the site is located in the shared taxing area specified in the
Interlocal Agreement with Pleasant Grove. He stated that it appears that allowing this
use would not be a violation of any provision in the Interlocal Agreement. Mayor Dain
40 inquired as to whether any architectural standards have been established in the shared
taxing area. Mr. Cowie stated that some architectural guidelines were included in the
42 agreement, but that those standards have not been adopted by either City. He noted that
the Planning Commission suggested the possibility that the Commercial Design
44 Guidelines for the CG zone be applicable to this project if the zone change is approved.
Mr. Jones commented that it is the intent of the company to create an elegant natural
46 looking building and grounds. He noted that the company is in the process of hiring a

2 firm to design the facility. He explained that the company chose this proposed site due to
the location and proximity to the freeway, the view from the freeway to the site, and the
vistas from the site.

4 Mayor Dain inquired as to the possibility of adding a retail component to the
facility. Mr. Jones stated that a retail component could be possible in the future. Mayor
6 Dain called for comments from the Council.

8 Councilmember Bayless observed that the concept plans which have been
provided show a very green and attractive facility. She noted that the question is
“infrastructure vs. tax revenue,” and whether this proposed zone change may set a
10 precedent for future zone change requests in the area. She noted that infrastructure which
would be installed as part of this development would be a benefit to the area, due to the
12 fact that small retail facilities would not be capable of carrying the burden of creating
necessary infrastructure.

14 Councilmember Hatch expressed concern regarding the rezoning. He noted that
the area was zoned for commercial use due to the proximity to the freeway.

16 Councilmember Anthony stated that he would be very much in favor of allowing
the company to locate in Lindon. He stated that while he does not have a clear opinion
18 on the rezoning issue at this time, he would be very interested in finding a way to allow
the business to locate in the community.

20 Councilmember Carpenter agreed that the business would be a beneficial addition
to development in Lindon. He felt that the zone change could be allowed without setting
22 a precedent. He noted that a possible rezoning decision could be based on the specific
intent of providing necessary infrastructure to encourage future retail or commercial
24 development in the area. He observed that there would be a clear reason for allowing the
rezoning, particularly on the southern portion of the property. Mr. Mahoney commented
26 that the company would ideally prefer to rezone the entire parcel.

28 The Council continued discussion regarding possible benefits of allowing the
rezoning, as well as potential negative impact from loss of tax revenue if the zone change
is allowed. Mr. Heiner stated that prior to purchasing the property, the company
30 investigated the site and reviewed the overall plan for the shared taxing area. He stated
that while it may have been misrepresented, Nature’s Way was under the impression that
32 the parcel was zoned for this proposed use. He noted that the company is close to
committing funding for design of the project, and that it would be beneficial to have a
34 sense of whether a zone change would be possible prior to expending a large amount of
funds.

36 Mr. Dameron noted that the Planning Commission suggested that the Commercial
Design Guidelines be applied to this project. Mr. Heiner stated that a copy of the
38 Guidelines will be given to the designer to incorporate into the final design.

Councilmember Bayless suggested that the company communicate with Mr. Cowie prior
40 to proceeding too far with design elements to determine whether they are in compliance
with the Commercial Design Guidelines.

42 Mr. Cowie suggested that the applicants proceed with a General Plan Change
application and a Zone Change application. He explained that both the Planning
44 Commission and City Council will review the applications, and that the process will take
four to six weeks to complete. He also noted that the Planning Commission expressed
46 some concern regarding the rezoning if for some reason this business does not locate on

2 the site. He suggested that there be a stipulation in any approval that the rezoning applies
3 only to this specific use, and that the current CG zone would be applicable to any other
4 development. The applicants thanked the City Council and City staff for their time.

- 6 2. **Discussion** – *Mountain View Corridor*. The Mountain View Corridor Team will
7 present an update to the City Council on the status of the Mountain View Corridor
8 Environmental Impact Study and the current alignments under consideration.

10 Terri Newell of UDOT was present to update the Council on the status of the
11 Mountain View Corridor Draft Environment Impact Statement (DEIS). Ms. Newell
12 explained that the EIS process was five years long. She noted that the first year consisted
13 of “Talk Truck” meetings which were held in parking lots of retail businesses to raise
14 awareness about the Mountain View Corridor project in communities. In 2005, UDOT
15 held Open House meetings at various locations to discuss the potential impacts of the
16 project on communities. During 2006, meetings were held to discuss funding options and
17 analyze tolling as a funding mechanism. In 2007, the Draft Environmental Impact
18 Statement has been completed, and UDOT is now moving into the public comment
19 period for the EIS. In 2008, UDOT will establish a Record of Decision, and will sign off
20 on the final Environmental Impact Statement document.

21 Ms. Newell stated that the DEIS contains 34 chapters and 2200 pages. She
22 explained that the document is available for review in multiple places. She noted that in
23 order to provide easier access to information in the document, a series of fact sheets is
24 available on the web site, which will direct readers to specific areas of the document for
25 further information on particular subjects.

26 Ms. Newell reviewed proposed alignments which were evaluated during the EIS
27 process. She explained that the UDOT preferred alignment is the 2100 North alignment
28 which connects to existing roadways in Lehi. She explained that this alignment is the
29 lowest cost to complete, and that it creates the fewest impacts to residential properties.
30 She noted that Lehi officials have expressed concern regarding this alignment. Lehi has
31 submitted an additional alignment, known as the 4800 North alignment, for study and
32 review. Ms. Newell stated that UDOT and the Federal Highway Commission are
33 reviewing the proposed 4800 North alignment. If the alignment is found to be a
34 reasonable alternative, it will be studied further as a supplement to the EIS document.

35 Councilmember Bayless inquired as to whether Lehi officials were asking that
36 4800 North be considered instead of 2100 North, or in addition to 2100 North. Ms.
37 Newell stated that Lehi did not specify. Mayor Dain stated that it is his impression that
38 Lehi would like the 2100 North alternative to be removed from possible alignments.

39 Ms. Newell noted that the Federal Highway Commission has final approval
40 authority on the alignment of the roadway, and that they will not take a position on any
41 alternative until after the public comment period. Ms. Newell noted that UDOT will
42 respond to all public comments. Following the comment period, UDOT will prepare the
43 final EIS document which will be put out for public review. The final step in the process
44 for UDOT is to prepare a record of decision which will be forwarded to Federal
45 Highways, followed by a decision on the final alignment in the Spring of 2008.

46 Ms. Newell went on to review the times and locations for a series of Open Houses
which will be held in the coming weeks to discuss the EIS with residents.

2 Councilmember Carpenter commented that there has been some discussion
3 regarding the possibility of Alpine School District building a school in the proposed
4 Mountain View Corridor right of way. Ms. Newell stated that the Mountain View
5 Corridor team feels that there is adequate room to accommodate the school and the
6 roadway.

7 Ms. Newell discussed some of the criteria which were used to determine the
8 UDOT preferred alternative of 2100 North. She explained that the committee was
9 required to write a Purpose and Needs Statement, and that the preferred alternative was
10 required to meet all the criteria specified in the Purpose and Needs Statement. She noted
11 that the statement originally included one criteria that the project would support local
12 growth objectives. She explained that the 2100 North alternative did not support local
13 growth objectives, and that portion of the Purpose and Needs Statement was removed
14 because alternatives were significantly limited based on the opinion of the community.

15 Councilmember Carpenter inquired as to whether the Southern Freeway
16 alternative which will have a greater impact on Lindon is still being considered. Ms.
17 Newell stated that until Federal Highways takes a position on a preferred alternative, all
18 alignments are still being considered. She noted that the Southern Freeway alternative
19 had the greatest impact on wetlands, which would be difficult to overcome.

20 Councilmember Bath inquired as to whether tolling is still under consideration as
21 a funding option. Ms. Newell stated that until the project is fully funded, tolling will
22 remain an option. Councilmember Bayless asked if tolling revenue would be used to
23 fund construction costs or maintenance costs. Ms. Newell stated that a portion of tolling
24 revenue would be set aside to maintain the roadway in order to insure that the roadway
25 will receive adequate traffic volume to generate necessary revenue.

26 Ms. Newell stated that she would leave information at the City Center regarding
27 the public comment period. She also explained that extensive information is available on
28 the UDOT Mountain View Corridor website. Councilmember Carpenter thanked Ms.
29 Newell for her professionalism during this process. Ms. Newell thanked the Council for
30 their time.

- 31 3. **Review and Action** – *Interlocal Agreement between Lindon City and Vineyard
32 Town – Provision of Water Services.* This is a proposed agreement between
33 Lindon City, Vineyard Town, and Anderson/Geneva Development for provision
34 of water services to an area generally north of the extended 1600 North Street
35 (Orem) from Geneva Road to 2000 West.

36 City Attorney, Brian Haws, as well as legal counsel for Anderson/Geneva
37 Development, Dennis Astill, were present to address the Council regarding this item. Mr.
38 Haws noted that Lindon City Engineer, Mark Christensen, was also present to answer any
39 questions the Council may have regarding engineering issues. Mr. Haws stated that
40 Anderson Geneva requested that the original agreement be broken into two agreements
41 which address provision of water and tax sharing separately. He explained that this
42 agreement identifies the specific properties which are eligible for water service.

43 Mr. Astill explained that this agreement will allow water service from Lindon to
44 approximately 70 acres in Vineyard. He noted that Vineyard has contractual rights with
45 the Central Utah Project to provide water service to the area. However, water will not be
46

2 available through that source in time to serve new development in the area. The
3 agreement allows cash payment in lieu of turning in water shares, with the cash payment
4 being paid in installments over a ten year period. If water is provided by Lindon for the
5 duration of the ten year term, cash payment will be paid in full. If water service is
6 terminated prior to ten years, the cash payment amount will be reduced by the number of
7 annual payments not paid. Mr. Haws explained that the payment schedule is outlined in
8 the agreement. He noted that if the full payment schedule is completed, Vineyard will
9 have the option to receive water service for this particular property on a permanent basis.

10 Councilmember Carpenter noted that water rates are typically set based on usage.
11 Mr. Haws explained that Vineyard will set the rates and collect water usage fees based on
12 guidelines established by Lindon. He clarified that Vineyard will administer the day to
13 day operations associated with water service, and that payments will be forwarded to
14 Lindon City.

15 Mr. Haws observed that the Interlocal Agreement and the Development
16 Agreement related to this project are inter-dependent. He explained that the other
17 component of the agreements which needs to be addressed is the trail easement on the
18 southern boundary of the development. He stated that the agreement stipulates that
19 Lindon will pay fair market value for the easement area, and that cash payment for water
20 will be reduced by that amount.

21 The Council reviewed the proposed location of the trail easement. Mr. Cowie
22 presented photographs of the easement area, which showed a drainage ditch along a
23 portion of the trail area, as well as a wetlands area. Councilmember Bath asked Mr.
24 Cowie if the City has contacted the Army Corp of Engineers about construction of the
25 trail in the wetlands area. Mr. Cowie stated that he has not looked into the details, but
26 that it may be necessary to use an elevated boardwalk with posts in the wetlands area if
27 the trail is located in the proposed location. He suggested that the Council work with
28 Anderson Geneva to provide the trail easement outside of the ditch area and wetlands
29 area. He felt that the 15 foot easement in the proposed location would not allow
30 construction of the trail.

31 Councilmember Bayless noted that the drainage ditch carries a considerable
32 amount of water at times. She observed that locating the trail next to or in the ditch area
33 may be cause for concern due to erosion of the ditch channel. Mr. Astill asserted that a
34 survey of the area conducted by Anderson Geneva indicates that the majority of the ditch
35 area is located outside of the Anderson Geneva property, and is in fact located in Lindon.
36 He stated that it is not possible for Anderson Geneva to provide additional land for the
37 trail right of way and maintain enough land to create viable light industrial lots. Mr.
38 Astill suggested that the ditch be relocated to allow placement of the trail in the
39 designated location. He agreed that construction of the trail would be a sizable project.
40 He stated that providing the 15 foot trail easement would be mutually beneficial, but that
41 additional property could not be provided.

42 Mr. Cowie presented overhead photographs of the area currently designated for
43 the trail easement. According to the lot lines shown on the GIS photograph, the trail
44 would cross the ditch in several locations, and would also impact the wetlands area.
45 Mayor Dain observed that there may be some discrepancies in the lot lines as shown on
46 the overhead map and the survey.

2 Councilmember Bayless commented that she visited the site the previous day.
3 She felt that unless the ditch were to be piped for the full length of the trail, the trail
4 would not be feasible in the proposed location. Mr. Astill commented that piping the
5 ditch would be one alternative to facilitate installation of the trail. Mayor Dain asked Mr.
6 Christensen if he knew what size pipe would be necessary to pipe the ditch. Mr.
7 Christensen stated that he is unsure of the size, but that the ditch carries a high volume of
8 water at times, and the pipe would be large. Mayor Dain observed that piping of the
9 ditch may be an option, although it would be an expensive option.

10 Councilmember Bayless asked Mr. Astill if he was interested in any type of
11 negotiations with the City to provide adequate area for the trail. Mr. Astill stated that he
12 is willing to provide the proposed easement on the north border of the property, but that
13 providing additional property would not be an option. Mr. Haws clarified that Anderson
14 Geneva will be compensated fair market value for any property which is provided for the
15 trail easement with a credit toward the cost of water service for the property. Mr.
16 Dameron inquired as to whether Mr. Astill may be willing to sell additional property.
17 Mr. Astill stated that it would be necessary to review the depth of affected lots to
18 determine if the lots would still be viable if additional property is used for the trail
19 easement. Mr. Dameron noted that it may be possible to reduce the fee for water service
20 further if additional property is made available.

21 The group held extensive discussion regarding the proposed trail easement, and
22 possible alternatives which may alleviate some of the concerns related to the trail
23 location. They discussed the possibility of locating a portion of the trail in an easement
24 area currently owned by the City. Mayor Dain suggested not using this proposed
25 easement area, but instead requiring full cash payment in lieu of water shares and using
26 the revenue to purchase an easement from other property owners in the area. Mr.
27 Christensen observed that realignment of the trail to use the existing easement area, or
28 negotiating with multiple property owners could be complicated and expensive.

29 Following further discussion the Council agreed that there were a number of
30 unresolved issues, and that it would not be appropriate to take action at this time. Mr.
31 Astill requested that the Council take action before the end of October to allow the
32 project to proceed in a timely manner. The Council agreed to set a Special Meeting prior
33 to the end of the month to take action. The Council also directed staff to take necessary
34 steps to clarify lot lines as much as possible, and to investigate the possibility of other
35 trail alignments in the area. Mr. Christensen encouraged the Council to visit the site and
36 walk the proposed trail easement area so that they would have a clear picture of the area
37 as further discussion is held. Mayor Dain called for a motion to continue.

38 COUNCILMEMBER CARPENTER MOVED TO CONTINUE THE
39 INTERLOCAL AGREEMENT BETWEEN LINDON CITY AND VINEYARD TOWN
40 FOR THE PROVISION OF WATER SERVICE TO A SPECIAL MEETING TO BE
41 HELD TUESDAY, OCTOBER 30, 2007 AT 5:30 P.M. COUNCILMEMBER
42 BAYLESS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
43 FOLLOWS:

44 COUNCILMEMBER ANTHONY AYE
45 COUNCILMEMBER BATH AYE
46 COUNCILMEMBER BAYLESS AYE

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

- 4
6 4. **Discussion Item** – *Interlocal Agreement between Lindon City and Vineyard Town*
8 – *Development Which Overlaps Common Boundary*. This is a proposed
10 agreement between Lindon City and Vineyard Town creating a procedure for the
12 development of property which might overlap the common boundary. This item
14 is only for discussion at this time.

16 Mr. Haws explained that this agreement is associated with property that is split
18 between Lindon and Vineyard which was under consideration for a pending
20 development. Mr. Dameron explained that the project is not expected to develop
22 immediately, but that it may be beneficial to discuss the agreement in order to be
24 prepared to execute it when development does occur on the property. Mr. Dameron
26 explained that the site will have a Lindon address, and will receive all services including
28 water and police services from Lindon. Mr. Astill noted that there is more total square
30 footage of land in Vineyard, but that the retail component of the proposed development
32 would be in Lindon, with the office/warehouse component locating in Vineyard.

34 Mr. Haws noted that this draft of the agreement includes language relative to a
36 boundary adjustment which was discussed earlier in the process. Mr. Astill agreed that
38 the boundary adjustment is no longer under consideration, and that references to the
40 boundary adjustment could be removed.

42 Mr. Dameron asked Mr. Haws to define what tax revenue would be included in
44 the tax sharing agreement. Mr. Haws stated that reports from the State Tax Commission
 would be used to calculate the amount of shared revenue. The Council discussed
 equitable distribution of tax revenues based on services provided by Lindon, and sales tax
 revenues produced by the retail component which will be located in Lindon. The Council
 suggested that shared revenues be split with 60% going to Lindon and 40% going to
 Vineyard.

 Mr. Haws explained that Exhibit A would be the specific property description.
 He also noted that the agreement is for a term of 50 years. Mr. Haws suggested that
 allocation of Impact Fees be identified in the agreement. Mr. Haws stated that revisions
 will be discussed with Dave Church, attorney for Vineyard, and be brought back to the
 City Council for further review and discussion.

- 36
38 5. **Review and Action** – *JUB Engineers, Inc. Request*. This is a request from JUB
40 Engineers, Inc. for the City Council's consideration of an addition of \$45,000 to
42 the engineering design fee for the Lindon Heritage Trail Project. Staff has
44 discussed this request with the engineers. Not only will the re-design of the State
 Street under crossing save substantial costs (estimated to be \$75,000), but JUB
 has been instrumental in the City being awarded \$150,000 in Safe to School grant
 funds. For these reasons and the excellent relationship enjoyed by the City with
 JUB, staff recommends approval of the request.

2 City Engineer, Mark Christensen, was present to address the Council regarding
3 this request. Councilmember Bayless observed that the requested increase in design fees
4 is less than the amount of money which is being saved with the new design, and that the
5 requested increase seems very reasonable. Mayor Dain called for further comments or
6 discussion. Hearing none, he called for a motion.

7 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE REQUEST BY
8 JUB ENGINEERS FOR THE ADDITION OF \$45,000 TO THE DESIGN FEE FOR
9 THE LINDON HERITAGE TRAIL. COUNCILMEMBER BATH SECONDED THE
10 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

11 COUNCILMEMBER ANTHONY AYE
12 COUNCILMEMBER BATH AYE
13 COUNCILMEMBER BAYLESS AYE
14 COUNCILMEMBER CARPENTER AYE
15 COUNCILMEMBER HATCH AYE

16 THE MOTION CARRIED UNANIMOUSLY.

- 17 6. **Review and Action** – *Amendments to the City’s Policies and Procedures – Sick*
18 *Leave (Resolution #2007-14)*. The Lindon City Policies and Procedures Manual
19 outlines the conditions for use of accumulated sick leave. This is a request by
20 staff to further define the term “immediate family” and other miscellaneous
21 changes to the policy.
22

23 Councilmember Bayless suggested that the Lakeview Drive storm drain bid award
24 item be considered at this time to allow Mr. Christensen to be present for the discussion.
25

26 COUNCILMEMBER BAYLESS MOVED TO CONSIDER AGENDA ITEMS
27 OUT OF ORDER TO ACCOMMODATE MR. CHRISTENSEN. COUNCILMEMBER
28 HATCH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE
29 MOTION CARRIED.
30

- 31 7. **Review and Action** – *Bid Award – Storm Drain Project – Lakeview Drive*. This
32 is a request by staff for the Council’s review and approval of the bid award for the
33 storm drain installation along Lakeview Drive from approximately 650 West to
34 800 West. Requests for bids were received from three contractors with the low
35 bid from Johnston and Phillips in the amount of \$79,504. Staff recommends
36 awarding the bid to Johnston and Phillips.
37

38 Mr. Christensen explained that bids were received from three companies, and that
39 the low bid received from Johnston and Phillips in the amount of \$79,504 was below
40 engineering estimates. Mayor Dain commented that it will be necessary to make certain
41 that commitments which were made to property owners associated with this project are
42 honored. He requested to attend the pre-construction meeting to clarify what is expected
43 of the contractor in relation to specific property owners. Mr. Dameron observed that
44 Johnston and Phillips has a good reputation, and will work well with the property owners.

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

4 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE BID
6 AWARD FOR JOHNSTON AND PHILLIPS FOR THE LAKEVIEW DRIVE STORM
8 DRAIN PROJECT IN THE AMOUNT OF \$79,504. COUNCILMEMBER ANTHONY
10 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

8 COUNCILMEMBER ANTHONY AYE

COUNCILMEMBER BATH AYE

10 COUNCILMEMBER BAYLESS AYE

COUNCILMEMBER CARPENTER AYE

12 COUNCILMEMBER HATCH AYE

THE MOTION CARRIED UNANIMOUSLY.

14

SICK LEAVE POLICY AMENDMENT –

16

18 Mr. Dameron explained that this amendment to the City Policies and Procedure
20 manual will clarify use of sick leave for full time employees. Mayor Dain called for a
22 motion.

20

22 COUNCILMEMBER ANTHONY MOVED TO APPROVE PROPOSED
24 AMENDMENTS TO THE CITY POLICIES AND PROCEDURE MANUAL SICK
26 LEAVE POLICY. COUNCILMEMBER BATH SECONDED THE MOTION. THE
28 VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER ANTHONY AYE

26 COUNCILMEMBER BATH AYE

COUNCILMEMBER BAYLESS AYE

28 COUNCILMEMBER CARPENTER AYE

COUNCILMEMBER HATCH AYE

30 THE MOTION CARRIED UNANIMOUSLY.

32

COUNCIL REPORTS:

34

WATER, SEWER, SOLID WASTE, HOUSING CONSORTIUM –

36

38 Councilmember Hatch suggested that the City consider completing some
40 sidewalk projects on school routes, particularly on 400 North. Councilmember Anthony
42 commented that pedestrian walkways on 400 East have been prioritized and should be
44 completed prior to walkways on 400 North. Mr. Dameron explained that improvements
46 on 400 East are in the current year budget, but that completion of improvements is
contingent upon receiving pay back of MAG funds from Pleasant Grove. Mr. Dameron
suggested that additional sidewalk projects be discussed during Engineering Coordination
Meeting the following day.

44

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

46

2 Councilmember Bayless reported that the Planning Commission is currently
reviewing the Commercial Design Guidelines, and will be forwarding recommended
revision to the City Council for review and discussion in the future.

4 Councilmember Bayless also reported that the Healthy Lindon Committee is
enthusiastic and dynamic, and that two events are being planned. The first event is the
6 "Run For the Trees" which will be held April 19th 2008, and an additional walk which
will be held to celebrate the opening of the Lindon Heritage Trail.

8
10 **PUBLIC SAFETY, COURT, BUILDING INSPECTIONS –**

12 Councilmember Bath had no items to report.

14 **PARKS, RECREATION, ENGINEERING, LINDON FAIR, NEWSLETTER -**

16 Councilmember Anthony reported that the Tree Advisory Board is working with
Public Works to plant 60 trees in Squaw Hollow Park. He noted that Mr. Cowie has
received significant grant funding to plant trees in the City. He also discussed the "Run
18 For the Trees" which will be held on Earth Day 2008 to raise funds to plant additional
trees on Arbor Day 2008.

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

22 Councilmember Carpenter reported that a resident approached him regarding a
24 road which was not completed as part of a residential subdivision. The resident reported
that the City released the bond prior to completion of the roadway. Mr. Dameron stated
26 that the bond was inadvertently released, and that the City will contract with Van Con to
complete the roadway at the City's expense. Mr. Dameron stated that he has been in
28 communication with the neighboring property owners to explain the status of the
roadway. He stated that the road is expected to be completed this fall prior to closing of
30 the asphalt plants for the season.

32 **ADMINISTRATOR'S REPORT –**

34 Mr. Dameron reported on the following items:

- 36 1. The Council reviewed the Project Tracking List.
- 38 2. The City will contract with architect Curtis Miner to design the Police Station in
the lower level of the City Center. Mr. Miner will work with Chief Cullimore on
the design of the facility.
- 40 3. City staff has produced information sheets on the current projects including the
Aquatics Facility and the Police Department. The information sheets are
available at all City offices, and on the City web site.
- 42 4. Engineering Coordination Meeting will be held Wednesday, October 17, 2007 at
noon at the Public Works Complex. Mayor Dain, Councilmember Bayless and
44 Councilmember Carpenter will attend.

- 2 5. The City will meet with UDOT representatives to discuss the possibility of a
3 traffic light at 200 North on Thursday, October 18, 2007 at 9:00 a.m. in the lower
4 level conference room of the City Center.
- 4 6. Twelve seats have been reserved for the Utah Valley State College Scholarship
5 Ball.
- 6 7. A Community Open House will be held Tuesday, October 23, 2007 to discuss the
7 Aquatics Facility and results of the associated feasibility study.
- 8 8. The City Council will meet in a Joint Work Session with the Planning
9 Commission on Wednesday, October 24, 2007 at 6:00 p.m. to discuss long range
10 plans for the area around the R3-Overlay.
- 12 9. UTA is meeting with cities as part of the commuter rail Environmental Impact
13 Study to discuss utility easements and crossings. Commuter rail is expected to be
14 constructed in approximately 2011-2012 in Utah Valley. The system is expected
15 to run parallel to existing lines, with several stations located throughout the
16 valley.
- 17 10. The secondary water system has been turned off for the season. A small amount
18 of water is in the reservoirs which can still be used.

19 COUNCILMEMBER BATH MOVED TO APPROVE THE PAY VOUCHERS.
20 COUNCILMEMBER BAYLESS SECONDED THE MOTION. THE VOTE WAS
21 RECORDED AS FOLLOWS:

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

27 THE MOTION CARRIED UNANIMOUSLY.

28 **ADJOURN** –

30 COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE MEETING AT
31 10:38 P.M. COUNCILMEMBER BATH SECONDED THE MOTION. ALL
32 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

34 APPROVED – November 6, 2007

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38
39 _____
40 Debra Cullimore, City Recorder

41
42
43 _____
44 James A. Dain, Mayor