

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, December 18,**  
3 **2007**, beginning at 7:00 p.m. 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: Sam Driessen, Boy Scout  
7 Invocation: James A. Dain

8  
9 **PRESENT**

**ABSENT**

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

20  
21 The meeting was called to order at 7:00 p.m.

22  
23 **MINUTES** – The minutes of the regular meeting of December 4, 2007 were reviewed.

24  
25 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE MINUTES  
26 OF THE DECEMBER 4, 2007 MEETING. COUNCILMEMBER HATCH SECONDED  
27 THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

28  
29 **OPEN SESSION** –

30  
31 Mayor Dain called for comments from any resident present who wished to  
32 address an issue not listed as an agenda item. There was no public comment.

33  
34 **MAYOR'S COMMENTS/REPORT** –

35  
36 Mayor Dain reported that the first Mayor's Open House held in December was  
37 successful. He noted that he, Chief Cullimore, Public Works Director Don Peterson, and  
38 Councilmember Carpenter attended the Open House to discuss concerns with area  
39 residents. The next Open House will be held at the home of John and Sharon Call on  
40 January 10, 2008 at 6:30 p.m.

41 Mayor Dain expressed appreciation for the hard work of Public Works employees  
42 who performed snow removal during recent storms.

43  
44 **CONSENT AGENDA** –

No items.

**CURRENT BUSINESS** –

- 1. **Preliminary Plat** – *Lindon Business Office Condominiums*. This is a request by C&H Holding, LLC for preliminary plat approval of Lindon Business Office Condominiums, amending unit #2 of the recorded plat titled Total Health Commercial Subdivision and creating condominium units within the existing building formerly known as “Total Health Institute” in the CG zone at 385 West 600 North. The Planning Commission recommended approval with no conditions.

Chris Cross was present as the representative for this application. Mr. Cowie explained that this is a request for approval of a subdivision plat that will create individual commercial condominium units from an existing building formerly known as the Total Health Institute. The plat will create four individual condominium units with associated common areas. No structural changes are proposed. Existing cross easements will be maintained on the site. The Planning Commission recommended approval with no conditions.

Councilmember Hatch inquired as to responsibility for maintenance of the common areas. Mr. Cross stated that the owner of each of the condominium units will be responsible for a portion of the maintenance. Mr. Cowie noted that the owner of each unit will own the interior portion of the building, but that the exterior will be owned by a condominium association which will take responsibility for exterior maintenance.

Councilmember Anthony asked if the building is currently in compliance with applicable fire codes. Mr. Cowie stated that the applicants have met with the Chief Building Official, and that the building appears to meet all building code requirements.

Councilmember Carpenter asked if existing lease agreements will remain in force, or if current tenants will be required to purchase units. Mr. Cross stated that the current tenants are the new owners, and that no tenant turnover is expected.

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

COUNCILMEMBER CARPENTER MOVED TO APPROVE THE LINDON BUSINESS OFFICE CONDOMINIUMS SUBDIVISION PRELIMINARY PLAT. COUNCILMEMBER BATH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

- 2. **Public Hearing** – *Ordinance Amendment – R2 Overlay Zone (#2007-14)*. This is a request by Marion Johnson for approval of an amendment to the R2 Overlay

2 ordinance (LCC Section 17.46 – R2 Overlay) to allow additional lots or dwellings  
to access private drive-ways that are part of an R2 Overlay multi-family project.  
4 The Planning Commission recommended approval of the drafted ordinance  
amendments.

6 COUNCILMEMBER BATH MOVED TO OPEN THE PUBLIC HEARING TO  
CONSIDER R2 - OVERLAY ORDINANCE AMENDMENTS. COUNCILMEMBER  
8 HATCH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE  
MOTION CARRIED.

10  
12 Mick Johnson was present as the representative for this application. Mr. Cowie  
explained that this is a request for an amendment to the existing R2-Overlay Ordinance to  
14 allow driveway access to additional lots through private R2 driveways. He stated that the  
proposed revisions allow future applications to be reviewed on a case by case basis with  
16 specific considerations. The Planning Commission approved the proposed revisions with  
a vote of 4-1, with Chairperson Peters voting against revisions due to concerns regarding  
18 the potential number of lots which may be impacted and specific language in the  
ordinance. The remaining members of the Planning Commission felt that proposed  
20 revisions would not affect a large number of potential lots, and that it was not a  
significant concern.

22 Mr. Cowie reviewed the existing R2-Overlay Ordinance, which divides the City  
into sixteen R2 districts, with each district being allotted a specific number of R2 units.  
He noted that there is no limit to the number of potential accessory apartments which can  
24 be located in owner occupied single family homes if code requirements are met. Mr.  
Cowie presented a map of R2 districts which showed the number of units still available  
26 throughout the City. Mr. Cowie noted that it does not appear that a large number of  
projects would meet the criteria specified in proposed ordinance revisions. He noted that  
28 projected numbers are speculative, and that specific circumstances could alter the actual  
number of possible projects which would meet the proposed criteria.

30 Mayor Dain called for public comment on this item. Hearing none, he called for a  
motion to close the public hearing.

32  
34 COUNCILMEMBER HATCH MOVED TO CLOSE THE PUBLIC HEARING  
TO CONSIDER R2-OVERLAY ORDINANCE AMENDMENTS.  
COUNCILMEMBER CARPENTER SECONDED THE MOTION. ALL PRESENT  
36 VOTED IN FAVOR. THE MOTION CARRIED.

38 Councilmember Bayless stated that she felt comfortable with the proposed  
wording which allows the additional access only if it is found to provide safer access or  
40 provide other reasonable benefits to the surrounding neighborhood. Councilmember  
Carpenter agreed that the specific criteria which are required will likely prevent overuse  
42 of the option. Councilmember Hatch also agreed the proposed wording, including the  
requirement for the additional lot to meet frontage requirements, would limit the number  
44 of potential lots which could be approved based on proposed criteria.

46 Mr. Cowie noted that a site plan amendment for the existing R2 project will be  
required to allow the access. Councilmember Carpenter inquired as to maintenance of

2 the private drive area. Mr. Johnson stated that there will be an agreement among  
3 property owners to provide maintenance of the private drive. Mayor Dain called for  
4 further comments or discussion. Hearing none, he called for a motion.

6 COUNCILMEMBER CARPENTER MOVED TO APPROVE ORDINANCE  
7 #2007-14 AMENDING CHAPTER 17.46.090(11)(f) (STREETS WITHIN AN R2  
8 OVERLAY PROJECT) OF THE LINDON CITY CODE, MODIFYING, AMENDING  
9 AND REVISING PROVISIONS OF THE SECTION AND PROVIDING FOR AN  
10 EFFECTIVE DATE. COUNCILMEMBER BATH SECONDED THE MOTION. THE  
11 VOTE WAS RECORDED AS FOLLOWS:

12 COUNCILMEMBER ANTHONY AYE  
13 COUNCILMEMBER BATH AYE  
14 COUNCILMEMBER BAYLESS AYE  
15 COUNCILMEMBER CARPENTER AYE  
16 COUNCILMEMBER HATCH AYE  
17 THE MOTION CARRIED UNANIMOUSLY.

- 18 3. **Public Hearing** – *Ordinance Amendments – On Street Parking/Storage of*  
19 *Commercial Vehicles in Residential Zones (#2007-15)*. This is a request by staff  
20 for approval of amendments to the LCC Section 10.16.170 and 10.16.260 dealing  
21 with on street parking and/or storage of commercial vehicles in residential zones.  
22 The Planning Commission recommended approval of the draft ordinance  
23 amendments.

24 COUNCILMEMBER BAYLESS MOVED TO OPEN THE PUBLIC HEARING  
25 TO CONSIDER ORDINANCE #2007-15. COUNCILMEMBER HATCH SECONDED  
26 THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

28 Mr. Cowie explained that this is a City initiated review of the parking ordinance  
29 for on street parking in residential zones. He noted that the Code Enforcement Officer  
30 has encountered several incidents where commercial vehicles have been parked in  
31 residential zones. The Planning Commission discussed proposed amendments during  
32 several meetings, and has forwarded the ordinance to the City Council for action.

34 Mr. Cowie reviewed specific proposed revisions, including the definition for  
35 commercial vehicles as found in the Utah State Code, and including vehicles longer than  
36 25 feet. Proposed language includes a list of exempted vehicles. Revisions would allow  
37 parking of commercial vehicles in residential zones if the vehicle is parked behind the 30  
38 foot front setback, and located behind a six foot sight obscuring fence or in an enclosed  
39 structure. Current as well as proposed ordinance requirements do not allow parking of  
40 recreational vehicles, such as boats and trailers, within the 30 foot front setback.

42 Proposed revisions would require that any vehicle parked on the street for a  
43 period of 48 hours to then be removed from any public street for 48 hours before being  
44 parked on the street again. The intent of this requirement is to prevent literal use of  
45 current requirements which specify that a vehicle must be moved every 48 hours, which  
46 allows the vehicle to be moved to a different location on the street and left for an  
additional 48 hours. Councilmember Carpenter observed that proposed revisions allow

overnight parking of vehicles on the street that are used daily, but is intended to prevent on street storage of vehicles.

Councilmember Bayless observed that the first priority in drafting revisions is to address safety and visibility concerns. She noted that the rights of neighboring property owners should also be taken into consideration, especially when considering parking of commercial vehicles in residential zones.

Mr. Cowie presented photographs of violations of existing and proposed ordinance requirements. He noted that it is not the intent of the City to actively enforce parking restrictions, and that enforcement will likely occur based on complaints. Proposed revisions will provide the tools necessary to deal with complaints on a case by case basis.

Councilmember Carpenter noted that the general principal of proposed revisions is to clarify that streets are not intended to be used as storage areas. He noted that amendments also effectively address sight distance and safety concerns.

Mayor Dain called for public comment. James Driessen expressed concern regarding some language in the proposed ordinance which he felt may be unclear. He suggested that different rules should be applied to recreational vehicles parked on private property as opposed to commercial vehicles. He encouraged the Council to carefully consider specific language in the ordinance.

Dave Eaves expressed concern regarding the impact of proposed ordinance revisions on his ability to use a parking area he has created on his property on Canal Drive. He explained that he has created a flat parking area which is located within the front setback of his property.

Rebecca Haslem asked if safety issues would exist if large vehicles are parked behind the 30 foot setback. Mayor Dain explained that parking and storage of recreational vehicles behind the front setback is allowed, and does not present safety concerns.

Mayor Dain called for further comments or discussion. Hearing none, he called for a motion to close the Public Hearing.

COUNCILMEMBER BATH MOVED TO CLOSE THE PUBLIC HEARING TO CONSIDER ORDINANCE #2007-15. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Councilmember Carpenter noted that some vehicles may share residential and commercial uses. Mr. Cowie noted that any pick up truck less than 25 feet in length is not defined as a commercial vehicle. He noted that defining commercial vehicles is somewhat complex, due to the fact that some commercial vehicles, such as dump trucks, may be less than 25 feet in length. The Council discussed the possibility if revising the language to state that any passenger vehicle is not defined as a commercial vehicle.

Councilmember Carpenter inquired as to specific requirements for school buses. Mr. Cowie stated that school buses are exempt from commercial vehicle requirements under proposed revisions. He noted that he contacted Alpine School District regarding their policy on parking of buses. He was informed that parking of school buses at residences overnight is prohibited by district policy, but that buses may be parked at residences between runs during the day in certain situations. He felt that it would be

2 reasonable to leave provisions regarding parking of school buses in the ordinance to  
address any unforeseen issues. Councilmember Carpenter noted that parking of school  
4 buses should be treated differently than parking of commercial vehicles, based on the fact  
that school buses serve a compelling public interest.

6 The Council went on to discuss parking and storage of recreational vehicles on  
private property, and whether proposed language may be too restrictive. They discussed  
8 the possibility of including a specific time period which would allow short term storage  
of recreational vehicles parked in driveways. Councilmember Hatch and Councilmember  
10 Anthony expressed that they felt parking of recreational vehicles, such as boats, in  
driveways should be allowed, provided that there were no associated sight or safety  
12 issues. Mr. Cowie observed that allowing parking of boats or recreational vehicles  
anywhere in the 30 foot front setback will require ordinance revisions to differentiate  
14 between driveway areas and landscaped areas to prevent legal parking of vehicles in front  
yards.

16 The Council also discussed possible problem with enforcement based on  
complaint. Mayor Dain noted that ordinance requirements may be unfairly during  
neighborhood disputes. Mr. Cowie noted that several other ordinance sections would  
18 require revisions if current requirements regarding parking in the front setback are  
revised. Mr. Cowie noted that parking of recreational vehicles in the front 30 foot  
20 setback is not allowed under current code, and that approval of this ordinance does not  
affect that particular requirement. Councilmember Bayless suggested that the ordinance  
22 be passed at this time, but that Mr. Cowie be directed to review that section of the  
existing ordinance for possible revision in the future. The Council discussed possible  
24 language which may allow parking in specific circumstances which do not present safety  
concerns. Councilmember Bath felt that current ordinance requirements allow  
26 enforcement based on complaint, but provides the necessary tools to address problematic  
situations. Mayor Dain felt that enforcement based on complaint may be problematic if  
28 requirements are not consistently enforced. He inquired as to whether the Council would  
prefer to pass the ordinance as presented with the possibility of future revisions, or  
30 continue the item for further discussion. The Council felt it would be appropriate to  
proceed with approval of the ordinance with specific language revisions. Mr. Cowie  
32 reviewed specific language changes requested by the Council, including changing the  
wording to “parking or storage” rather than “parking and storage”, that school buses be  
34 exempt but that overnight parking of school buses not be allowed, and specify “passenger  
vehicles” and pick up trucks under 25 feet as exempt. Mayor Dain called for a motion.  
36

38 COUNCILMEMBER BATH MOVED TO APPROVE ORDINANCE #2007-15  
AMENDING THE LINDON CITY CODE CHAPTER 10.16.260 TITLED “PARKING  
AND STORAGE OF COMMERCIAL VEHICLES, RECREATIONAL VEHICLES,  
40 BOATS, AND TRAILERS IN A RESIDENTIAL ZONE” AND 10.16.170 TITLED  
“PARKING TIME LIMIT,” MODIFYING, AMENDING AND REVISING THE  
42 PROVISIONS OF THE SECTIONS AND PROVIDING FOR AN EFFECTIVE DATE  
WITH LANGUAGE REVISIONS AS DISCUSSED. THE VOTE WAS RECORDED  
44 AS FOLLOWS:

46 COUNCILMEMBER ANTHONY                      NAY  
COUNCILMEMBER BATH                              AYE

2 COUNCILMEMBER BAYLESS AYE  
3 COUNCILMEMBER CARPENTER AYE  
4 COUNCILMEMBER HATCH AYE  
5 THE MOTION CARRIED (4-1).

6 4. **Review and Action** – *Agreement between Lindon City and Spillman*  
7 *Technologies, Inc. for Police Department Software.* This is a request by the  
8 Lindon City Police Department. The cost of the comprehensive software package  
9 is \$252,000.

10

11 Jeff Andrus of Spillman technologies was present to address the Council. Chief  
12 Cullimore noted that several members of the Council previously attended a  
13 demonstration of the Spillman system. He explained that the database and a shared  
14 server is used throughout Utah and Juab counties, which facilitates a cooperative effort  
15 among local law enforcement agencies when tracking criminal activity. Chief Cullimore  
16 noted that the system will also allow the department to track various personnel issues,  
17 such as training hours, with some of the components being used throughout the City in  
18 other departments.

19

20 Chief Cullimore stated that the City has successfully negotiated with Spillman to  
21 provide the third year of annual fees free of charge. He noted that following discussion,  
22 the City has elected not to include the fleet maintenance module in the package which  
23 will be purchased. Mr. Andrus presented a revised agreement with associated costs  
24 without the fleet maintenance module. Chief Cullimore explained that Spillman has also  
25 agreed to defer half of the payment for the software until after July 2008.

26

27 Councilmember Carpenter expressed that while the program is necessary and is a  
28 good product, the City feels that they have already purchased “buy in” to the system  
29 through fees paid to Pleasant Grove for contract services. Mr. Andrus explained that past  
30 fees were taken into consideration, and that waiver of maintenance fees and inclusion of  
31 two additional modules in the system at no additional charge are intended to offset the  
32 initial cost to the City.

33

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

36 COUNCILMEMBER BATH MOVED TO APPROVE THE AGREEMENT  
37 BETWEEN LINDON CITY AND SPILLMAN TECHNOLOGIES, INC FOR POLICE  
38 DEPARTMENT SOFTWARE PROGRAMS IN THE AMOUNT OF \$246,000, WITH  
39 50% OF THE PAYMENT TO BE PAID AT THIS TIME AND 50% OF THE  
40 PAYMENT TO BE PAID AFTER JULY 1, 2008. COUNCILMEMBER BAYLESS  
41 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

42 COUNCILMEMBER ANTHONY AYE  
43 COUNCILMEMBER BATH AYE  
44 COUNCILMEMBER BAYLESS AYE  
45 COUNCILMEMBER CARPENTER AYE  
46 COUNCILMEMBER HATCH AYE  
47 THE MOTION CARRIED UNANIMOUSLY.

2 5. **Discussion** – *Street Lighting Program*. This is a request by staff for the Mayor  
and Council’s review of the current Lindon City Street Lighting Program.  
Alternative programs will also be discussed.

4  
6 City Engineer, Mark Christensen was present for this discussion. Mr. Christensen  
reviewed the current street lighting plan used by the City. He outlined various lighting  
8 styles, and the location and frequency of each of the lights. Lighting styles discussed  
included Town and Country, Cobra Head, and Washington Post. Town and Country and  
10 Cobra Head lights are owned partially by the City and partially by Rocky Mountain  
Power, and are maintained by Rocky Mountain Power. Washington Post lights are  
owned and maintained by the City.

12 Councilmember Carpenter inquired as to whether it is the policy of the City to  
install street lights in new developments. Mr. Christensen stated that developers are  
14 responsible for the cost of lights in new developments, but that the lights are installed by  
Rocky Mountain Power. He noted that there can be significant delays in actual  
16 installation of the lights.

18 Mr. Dameron explained that the purpose of this discussion is to determine  
whether the City Council would like to expand the street lighting program within the  
City, and if so what areas should be prioritized and how should the lighting be paid for.

20 Mr. Christensen explained that Rocky Mountain Power is changing practice, and  
no longer wants to take responsibility for installation of new lights. Rocky Mountain  
22 Power will maintain ownership of lights currently owned by the company. He noted that  
there are two options to provide installation of lights in future development. The City  
24 could hold the developer responsible for purchase and installation of street lights, or the  
developer could be required to pay a bond to cover the cost of the lights and installation  
26 by the City.

28 Councilmember Anthony expressed interest in obtaining a list of lights which  
have been bonded for and not yet installed, as well as the projected cost for the City to  
install lights in all areas in the City which do not meet current guidelines. Mr.  
30 Christensen stated that bids have been requested from Custom Lighting Services, and that  
preliminary cost estimates have been submitted.

32 Councilmember Carpenter noted that Orem City installed street lighting city-wide  
using a Special Improvement District Bond. Orem residents will pay approximately \$48  
34 per year over a 20 year period to repay the bond. He observed that if Lindon were to  
install half as many lights as Orem, residents would pay approximately \$25 per year for  
36 bond repayment.

38 Councilmember Anthony asked Chief Cullimore what impact increased lighting  
would have on safety in the community. Chief Cullimore explained that light is biggest  
deterrent to crime, and that adequate lighting creates a perception of safety and a sense of  
40 well being for residents.

42 Mayor Dain inquired as to what percentage of the City currently complies with  
established lighting guidelines. Mr. Christensen estimated that approximately 35%-40%  
of the City meets current lighting standards. Mr. Cowie presented a map of the City  
44 showing existing street lights.

46 Mayor Dain observed that the City could take the approach of installing street  
lighting using a Special Improvement District bond, or lighting could be installed upon



request in areas that do not meet lighting guidelines. He asked Mr. Dameron if the City would be financially able to install lighting in specific areas upon request. Mr. Dameron responded that the City would likely be able to absorb the cost of installation of lighting based on requests over time. Mr. Dameron will review specific costs to install lighting using the current criteria and determine what level of funding would be available from the General Fund.

The Council went on to discuss costs associated with specific lighting styles which may be used in various areas. Mr. Christensen explained that in addition to the purchase price for the lights, each light will require \$2,000 to \$4,000 in installation cost. Councilmember Carpenter observed that it may be possible to install lights in one area a year over a period of time, similar to the method currently being used to update and install ADA curb ramps throughout the City.

Mr. Dameron and Mr. Christensen will investigate lighting options further, and will formulate cost estimates for installation of lighting.

6. **Review and Action** – *Cooperative Agreement between Lindon City and UDOT – Lindon Heritage Trail*. This is a request by staff and UDOT for approval of the cooperative agreement to allow the Lindon Heritage Trail to be advertised for construction.

City Engineer, Mark Christensen was present to answer questions regarding this item. He reviewed discrepancies in the matching funds amounts shown on the information provided by UDOT. Mr. Christensen explained that inaccurate figures were used to calculate matching funds for right-of-way acquisition, and that Safe Routes to Schools funds were also allocated and added to this project which generated a significant savings to the City.

Mr. Christensen also explained that the City is required to include a percentage of anticipated revenue to project to cover cost overruns, as well as a 10% contingency fund. He stated that if bids come in lower than the money which has been allocated, UDOT will release that additional funds immediately, with the exception of the 10% contingency, which will be held until completion of the project.

Mr. Christensen explained that the amount of federal grant funding is fixed, and that the City is responsible for all costs over the amount of allocated grant funds. The City will realize the benefit of any cost savings over the amount of grant funds.

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

COUNCILMEMBER BAYLESS MOVED TO APPROVE THE COOPERATIVE AGREEMENT BETWEEN LINDON CITY AND UDOT TO ALLOW THE LINDON HERITAGE TRAIL TO BE ADVERTISED FOR CONSTRUCTION. COUNCILMEMBER ANTHONY SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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



2        8. **Review and Action** – *Agreement between Lindon City and VCBO Architecture –*  
4        *Lindon City Aquatics Center.* This is a request by staff and VCBO Architecture  
6        for approval of the agreement for design services and construction oversight for  
      Lindon City Aquatics Center. The fee for the basic services is proposed at 6.25%  
      of construction costs.

8        Mayor Dain called for discussion or questions from the Council. Hearing none,  
10       he called for a motion.

12       COUNCILMEMBER BAYLESS MOVED TO APPROVE THE AGREEMENT  
14       BETWEEN LINDON CITY AND VCBO ARCHITECTURE FOR THE LINDON CITY  
      AQUATICS CENTER. COUNCILMEMBER HATCH SECONDED THE MOTION.

16       THE VOTE WAS RECORDED AS FOLLOWS:

18       COUNCILMEMBER ANTHONY            AYE  
20       COUNCILMEMBER BATH                AYE  
      COUNCILMEMBER BAYLESS            AYE  
      COUNCILMEMBER CARPENTER        AYE  
      COUNCILMEMBER HATCH             AYE

22       THE MOTION CARRIED UNANIMOUSLY.

24       9. **Review and Action** – *Lindon City Tree Advisory Board Appointment.* This is a  
26       request by Mayor Dain for the City Council’s consent and approval of the  
      appointment of Cori Simmons to the Lindon City Tree Advisory Board to serve a  
      four year term until December 2011.

28       Mayor Dain explained that Ms. Simmons is not a tree expert, but is excited to  
30       serve on the Tree Advisory Board. Councilmember Anthony inquired as to whether this  
32       recommendation was made by the Tree Advisory Board. Mayor Dain stated that there  
34       may have been some confusion in the past regarding appointments, but that appointments  
      are made by the Mayor and City Council rather than existing board members.  
      Councilmember Anthony requested that the Council consider the option to take  
      recommendations from the board for future appointments. Mayor Dain called for a  
      motion.

36       COUNCILMEMBER ANTHONY MOVED TO APPROVE THE  
38       APPOINTMENT OF CORI SIMMONS TO SERVE AS A MEMBER OF THE  
      LINDON CITY TREE ADVISORY BOARD FOR A FOUR YEAR TERM UNTIL  
      DECEMBER 2011. COUNCILMEMBER BAYLESS SECONDED THE MOTION.

40       THE VOTE WAS RECORDED AS FOLLOWS:

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

46       THE MOTION CARRIED UNANIMOUSLY.

2       10. **Review and Action** – *Resolution – Public Safety Non-contributory Retirement*  
4            *Systems (#2007-20)*. This is a request by Chief Cody Cullimore for approval of a  
6            resolution which is required by the Utah State Retirement Systems in order for the  
            City’s police officers to participate in the Public Safety Non-contributory  
            Retirement System.

8            Mr. Dameron explained that the Utah State Retirement System requires that the  
10           City pass an ordinance to allow new officers hire by the police department to enter the 20  
            year Public Safety non-contributory retirement system. Mayor Dain called for comments  
            or discussion. Hearing none, he called for a motion.

12                           COUNCILMEMBER BAYLESS MOVED TO APPROVE RESOLUTION  
14       #2007-20 REQUESTING ADMISSION INTO THE PUBLIC SAFETY  
          NONCONTRIBUTORY RETIREMENT SYSTEM AND SETTING AN EFFECTIVE  
16       DATE. COUNCILMEMBER CARPENTER SECONDED THE MOTION. THE VOTE  
          WAS RECORDED AS FOLLOWS:

18       COUNCILMEMBER ANTHONY            AYE  
          COUNCILMEMBER BATH                AYE  
20       COUNCILMEMBER BAYLESS            AYE  
          COUNCILMEMBER CARPENTER        AYE  
22       COUNCILMEMBER HATCH               AYE

          THE MOTION CARRIED UNANIMOUSLY.

24                           11. **Review and Action** – *Resolution – Amendment to Staffing Document (#2007-21)*.

26           This is a request by staff to amend the City’s staffing document by separating the  
            position of Treasurer from the position of Finance Director/Treasurer. The Utah  
28           State Code states that the City Finance Director “may not assume the duties of the  
            City Treasurer.” Also, this change is recommended by the City’s auditor to allow  
30           for additional segregation of duties which helps in the prevention of fraud. If this  
            resolution is approved, Dona Haacke will assume the duties of the Treasurer and  
32           the Assistant Treasurer position will remain unfilled. Ms. Haacke’s salary will be  
            set according to the City’s pay range schedule and a survey of similar position in  
34           Utah Valley.

36           Mr. Dameron explained that this amendment to the staffing structure will  
            allow segregation of duties of the Finance Director and Treasurer. Mr. Dameron  
38           and members of the Council expressed confidence in Ms. Haacke’s ability to take  
            responsibility for the duties of the Treasurer. Mayor Dain called for further  
40           comments or discussion. Hearing none, he called for a motion.

42                           COUNCILMEMBER BATH MOVED TO APPROVE RESOLUTION #2007-21  
44       APPROVING AN AMENDMENT TO THE STAFFING DOCUMENT FOR LINDON  
          CITY AND SETTING AN EFFECTIVE DATE. COUNCILMEMBER BAYLESS  
          SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

46       COUNCILMEMBER ANTHONY            AYE

COUNCILMEMBER BATH AYE  
2 COUNCILMEMBER BAYLESS AYE  
COUNCILMEMBER CARPENTER AYE  
4 COUNCILMEMBER HATCH AYE  
THE MOTION CARRIED UNANIMOUSLY.

6  
8 **COUNCIL REPORTS –**

10 Mayor Dain reported on the discussion and specific concerns expressed by  
resident at the recent Open House event. He requested that several staff members,  
12 including the Public Works Director Don Peterson, Chief Cullimore, and Mr. Dameron,  
as well as Councilmember Carpenter and Councilmember Bath, attend the next Open  
House which will be held Thursday, January 10, 2008.

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

16 Councilmember Hatch reported that dumping rates at the transfer station are  
18 expected to be reduced this year based on profits last year.

20 Councilmember Hatch inquired as to recent activity at the power plant located in  
Vineyard which produced a very loud sound which was reported by residents. He  
22 requested that the City follow up with the power plant and report the cause of the noise to  
residents using the City newsletter and website.

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

26 Councilmember Bayless reported that she had a conversation with a resident  
regarding parks. The resident reported that there was a “concerted effort” in her area to  
28 request development of a central park in the City with play structures rather than smaller  
parks throughout the City. Councilmember Bayless clarified to this particular resident  
30 that feedback from residents to the Council indicates that the majority of residents favor  
smaller parks closer to home in locations throughout the City.

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

34 Councilmember Bath thanked the Council for their support in the process of  
36 establishing the Police Department. He discussed a contract with All Pro Security to  
provide courtroom security. The firm has been providing security services for  
38 approximately one week, and will be included in the court budget next fiscal year.  
Councilmember Bath expressed that it is beneficial to have two security officers present  
40 during court proceedings. He noted that the potential for violence in the courtroom is  
unpredictable, and that in some situations it would be necessary to have two officers to  
42 maintain the safety and security of others present in the courtroom.

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

2 Councilmember Anthony expressed appreciation for the work of Code  
Enforcement Officer, Gary Hoglund.

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

6 Councilmember Carpenter reported on a recent newspaper article about the  
7 Creekside Retirement Community located adjacent to Creekside Meadows. The article  
8 indicates that provisions of the Development Agreement entered into with Fieldstone  
Homes may not be honored. Mr. Dameron will follow up with the Planning Department  
10 and the developer.

12 The Council went on to discuss possible names for appointment to the Board of  
Adjustments and the Tree Advisory Board. Mayor Dain requested that any suggestions  
14 for appointments be forwarded to him.

16 **ADMINISTRATOR'S REPORT** –

18 Mr. Dameron reported on the following items:

- 19 1. The annual family Christmas Party will be held at the Public Works complex  
20 Friday, December 21, 2007 at noon.
- 21 2. Public Works employee Jason Parker has passed Class 4 Water Certification.
- 22 3. Water service to the historic tithing office has been terminated to avoid breakage  
of pipes in the unoccupied structure.
- 24 4. The City is meeting with Brent Tippets of VCBO Architecture to discuss the bid  
process and timeline for the aquatics facility.

26 COUNCILMEMBER BATH MOVED TO APPROVE THE PAY VOUCHERS.  
28 COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL PRESENT  
VOTED IN FAVOR. THE MOTION CARRIED.

30 **ADJOURN** –

32 COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE MEETING AT  
34 10:54 P.M. COUNCILMEMBER BATH SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

36  
38 Approved – January 15, 2008

40 \_\_\_\_\_  
42 Debra Cullimore, City Recorder

44  
46 \_\_\_\_\_  
James A. Dain, Mayor