

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, June 15, 2010**
beginning at 7:00 p.m. in the Lindon City Center, City Council Chambers, 100 North
State Street, Lindon, Utah.

4 Conducting: James A. Dain, Mayor
6 Pledge of Allegiance: Josh Taylor, Boy Scout
Invocation: Jim Dain

8 **PRESENT**

ABSENT

10 James A. Dain, Mayor
12 Lindsey Bayless, Councilmember
Bret Frampton, Councilmember
14 Jerald I. Hatch, Councilmember
Mark L. Walker, Councilmember
16 Ott H. Dameron, City Administrator
Adam Cowie, Planning Director
18 Cody Cullimore, Chief of Police
Debra Cullimore, City Recorder

Bruce Carpenter, Councilmember

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

22 **PROCLAMATION** – A proclamation “In Celebration of the 20th Anniversary of the
24 Americans with Disabilities Act” will be reviewed by the Mayor and City Council.

26 Mayor Dain read the proclamation celebrating 20 years of the Americans With
Disabilities Act. He recognized several audience members with disabilities who were
28 present to participate in the reading of the proclamation.

30 **WATER ISSUE REPORT** – Don Peterson, Public Works Director, will report on the
contaminated culinary water problem experience last week.

32 Mr. Peterson explained that temperatures on Sunday, June 5th, were very warm,
34 and that a high level of spring runoff was produced from snow melt on that day. Public
Works received a call early Monday morning reporting that the debris basin located in
36 Canberra was at capacity, indicating that there may have been flooding in Dry Canyon.
Mr. Peterson noted that this was the first significant flooding incident in Dry Canyon
38 since 1987. Mr. Peterson went on horseback to investigate potential damage to the water
system which may have resulted flooding. After investigation, it appeared that the water
40 system was intact. He noted that erosion in the drainage channel indicated that this was a
significant flood event.

42 Monday evening at approximately 5:00, the City received a report from a resident
on the east side of the City that their water appeared to be contaminated. Heath Peters
44 was on call that evening, and responded to investigate, and found that the culinary water
did appear to be contaminated. A boil order was issued for homes located in the O-zone.
46 Homes below that area were not affected. Residents were notified of the boil order using

2 the reverse 911 calling system, as well as through area emergency preparedness
specialists.

4 City crews worked through the night flushing lines and cleaning the system. The
300,000 water tank was drained and refilled. After the system was drained and cleaned,
6 samples were submitted to the State Division of Drinking Water for testing. The boil
order remained in place until test results were received. Results indicated that while there
8 was infiltration of some untreated runoff water into the culinary system, bacterial levels
did not exceed water quality standards, and the water was safe for consumption. The boil
order was lifted at approximately noon on Wednesday.

10 Mr. Peterson explained that the infiltration occurred through an overflow valve
which is typically located above the water line in the channel. Due to the extremely high
12 water level in the channel during the flood event, the overflow valve was under the water
line of the runoff. The entire water system in the canyon was checked several times for
14 other areas of possible infiltration. Crew felt confident that the overflow valve was the
only area of infiltration.

16 Mr. Peterson stated that while he felt the situation was handled well by City
personnel, communication with the public during the event could have been improved.
18 He suggested the possibility of a recorded message at the City Center which gave
accurate information to residents calling after hours may have minimized misinformation
20 which was circulated through the community. He noted that crews worked closely with
State officials during the event, and followed suggestions from State officials to disinfect
22 collection boxes, as well as lines out of the boxes. Mr. Dameron noted that state officials
were very complimentary of Mr. Peterson and his staff for their response to the situation.
24 The Council thanked Mr. Peterson for his efforts in addressing the situation in a timely
and thorough manner.

26
28 **MINUTES** – The minutes of the meeting of June 1, 2010 were reviewed.

30 COUNCILMEMBER WALKER MOVED TO APPROVE THE MINUTES OF
THE MEETING OF JUNE 1, 2010. COUNCILMEMBER FRAMPTON SECONDED
THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

32 COUNCILMEMBER BAYLESS AYE

COUNCILMEMBER FRAMPTON AYE

34 COUNCILMEMBER HATCH AYE

COUNCILMEMBER WALKER AYE

36 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

38 **OPEN SESSION** – Citizen Comments

40 Rene' Caulkins, representing the Utah Foster and Adoptive Family Association,
approached the Council to ask them to consider a reduced rate for foster families to use
42 the Aquatics Center programs and facilities. She explained that while foster families are
paid a stipend to care for foster children, the amount does not cover the cost of caring for
44 the children. She felt that accessing community programs created a financial burden on
foster families. She explained that the entire community benefits from providing a high

level of service to foster children to enable them to go on and live productive lives as members of the community.

Mayor Dain inquired as to how foster children and foster families would be identified to provide a discount. Ms. Caulkins stated that each foster child and foster family would have appropriate documentation. Councilmember Walker noted that it is difficult to determine appropriate demographics which should be granted reduced fees, such as people with disabilities.

Mayor Dain suggested that Ms. Caulkins attend a Utah County Council of Governments meeting to discuss this concept with a number of Utah County Mayors. The Council thanked Ms. Caulkins for taking the time to express her concerns. The Council may consider the rate reduction after further discussion and investigation.

Lindon resident, Boyd Walker, then approached the Council. Mr. Walker expressed appreciation to the Mayor and Council for the work they do in the community. He stated that he took some offense to a recent comment printed in the newspaper which indicated that the Council felt that the fact that no residents attended a recent budget public hearing to comment on utility rate increases that residents were not interested. Mr. Walker noted that a number of residents attended public hearing last year to oppose a property tax increase, and property taxes were increased in spite of protests. Mr. Walker stated that he is opposed to raising utility rates, and that the City should live within its means.

Mayor Dain explained the process which is followed each year when utility rates are considered during the budget process. He stated that every aspect of each utility is carefully considered by the City engineer. He clarified that increases to utility rates are not a mechanism to generate revenue, but that periodic increases are necessary to fund operation of the utilities and keep pace with inflation.

Councilmember Walker assured Mr. Walker that City staff and officials have worked hard to cut expenditures as much as possible. He noted that the Council has to consider what needs to be done in the City, and what revenue sources are available to provide the necessary services.

Councilmember Frampton noted that he was also present for the Public Hearing regarding the property tax increase. He observed that he has learned a great deal about the budgeting process since becoming a Councilmember.

Steve Painter, representing West Mountain Wind and Solar, approached the Council to ask them to consider implementing an alternative energy ordinance. He noted that several applications have been submitted for wind turbines in Lindon, but that before they can be approved the City must have an alternative energy ordinance in place.

Mayor Dain agreed that the demand for alternative energy sources is increasing. Following further discussion with Mr. Painter, the Council directed Mr. Cowie to investigate similar ordinances in other communities, and what would be appropriate for an ordinance in Lindon. The Council will discuss this issue further at future meetings.

MAYOR'S COMMENTS/REPORT –

Mayor Dain reported that Lindon City has been recognized as a Tree City USA community for the fifth consecutive year. He thanked former Councilmember, Eric

Anthony, who was present in the audience, for his efforts in this area. Mr. Anthony now serves as the Chair of the Tree Advisory Board.

CONSENT AGENDA –

No items.

CURRENT BUSINESS

1. **Concept Review** – *Concrete/Asphalt Batch Plants*. This is a request by Scott Cusick with CMC Rock for the City Council’s review and feedback concerning potential concrete and asphalt batch plants and associated aggregate processing in the LI zone to be located on properties generally located at 1400 West 200 South. This type of business is prohibited city-wide. Mr. Cusick would need to have the city’ ordinances changed to allow this type of business.

Scott Cusick was present as the representative for this application. Mr. Cowie explained that this is a request for discussion of a concept plan for property located at approximately 200 South 1400 West. The proposal would combine two parcels at that location, which is in the Light Industrial zone, for use an asphalt batch plant and crushing facility. The Lindon City Standard Land Use Table does not currently allow this use in the Light Industrial zone. A crushing facility use was approved on one of the subject parcels due to the fact that the application was submitted prior to adoption of the current Standard Land Use Table in February 2008. Mr. Cowie observed that the intent of the current Standard Land Use Table was to create office/warehouse type uses in the LI zone, with uses such as the proposed use locating in the Heavy Industrial zone.

Mr. Cusick stated that he began work on this project several months ago. He explained that the business has 11 eleven existing sites in the state. He stated that at the time he approached Skip Dunn, the owner of one of the subject parcels regarding this use, Mr. Dunn indicated that there was an approved Conditional Use Permit to allow this use on the site. Mr. Cowie explained that the previous operation on the site was an existing non-conforming use based on amendments to the Standard Land Use Table, but that the existing non-conforming status has expired due to the site being vacant for a six month period. The proposed use is now prohibited. Allowing the use would require an ordinance change and an amendment to the current Standard Land Use Table.

Mr. Cusick went on to discuss his proposed business plan. He presented photographs of the subject property in its current condition. He requested that the Council consider approving this as a five year temporary use, at which time the City could determine whether the use was appropriate to remain on the site permanently. He outlined planned improvements to the site, such as landscaping and fencing, which he asserted would improve the aesthetics of the area. He stated that he was willing to complete all required improvements prior to beginning operation on the site.

The Council discussed concerns relative to this use in the LI zone, and possible negative impacts to conforming office/warehouse type uses in the area. They discussed aesthetic concerns, as well as concerns related to the potential for excessive noise impacts, the smell of asphalt plants and potential odor impacts. Councilmember Bayless noted that there were specific reasons the Standard Land Use Table was amended to

2 disallow this use in the LI zone, and that allowing this use could have negative impacts
4 on the entire zone. She noted that the City has worked diligently to protect wetlands and
6 recreational areas near the subject property. She felt that the negative aspects of this use
8 would outweigh any benefit to the City.

10 Gordon Jacobsen, owner of the other subject parcel, was present and invited by
12 Mayor Dain to comment. Mr. Jacobsen explained that he had planned an
14 office/warehouse project on this site, but that due to the economy the property has not
16 developed. He felt that this proposed use would improve the area, and would be an
18 appropriate use.

20 Following further discussion, the majority of the Council felt that while they were
22 not ready to commit to a change to the Standard Land Use Table, they were open to
24 discussion and investigation regarding this proposal. Mr. Cusick will follow up with Mr.
26 Cowie to submit appropriate applications for an ordinance change.

- 28 2. **Review and Action** – *Wastewater Planning Program Self Assessment Report -*
30 *2009. (Resolution #2010-14-R)* This is a request by Don Peterson, Director of
32 Public Works, for the City Council’s approval of a resolution which affirms to the
34 Water Quality Board that the Council has reviewed the Municipal Wastewater
36 Planning Program Self Assessment Report for 2009, and is maintaining effluent
38 requirements contained in the UPDES permit (if applicable).

40 Mr. Dameron explained that approval of this Resolution acknowledges the City
42 Council’s receipt of this annual Wastewater Planning Program Self Assessment Report.
44 Mayor Dain called for comments or discussion. Hearing none, he called for a motion.

46 COUNCILMEMBER FRAMPTON MOVED TO APPROVE RESOLUTION
#2010-14-R ACCEPTING AND APPROVING THE MUNICIPAL WASTEWATER
PLANNING PROGRAM REPORT FOR 2009 AND SETTING AN EFFECTIVE
DATE. COUNCILMEMBER BAYLESS SECONDED THE MOTION. THE VOTE
WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BAYLESS	AYE
COUNCILMEMBER FRAMPTON	AYE
COUNCILMEMBER HATCH	AYE
COUNCILMEMBER WALKER	AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

3. **Review and Action** – *Employee Temporary Reclassification.* This is a request by
staff for the Mayor and Council’s consideration of approval for a temporary
reclassification of an employee who is currently working “out of class.”

Public Works Director, Don Peterson, was present for this discussion with the
Council. He explained that it has become necessary for Dennis Kendall to take some
additional time off work due to a medical condition. Jason Parker will assume Mr.
Kendall’s responsibilities during his absence, and will be working out of class during that
time. He noted that the Council approved a similar pay consideration for Mr. Parker
during Mr. Kendall’s initial absence. Mr. Peterson requested that staff be given authority

to implement temporary reclassification for Mr. Parker as necessary during Mr. Kendall's ongoing recovery.

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

COUNCILMEMBER BAYLESS MOVED TO APPROVE THE TEMPORARY EMPLOYEE RECLASSIFICATION FOR JASON PARKER FOR ONE MONTH AT THIS TIME, AND TO GIVE STAFF AUTHORITY TO EXTEND OR REINSTATE THE TEMPORARY RECLASSIFICATION AS NECESSARY UNTIL MR. KENDALL RETURNS TO PERMANENTLY TO HIS SUPERINTENDANT DUTIES.

COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BAYLESS AYE

COUNCILMEMBER FRAMPTON AYE

COUNCILMEMBER HATCH AYE

COUNCILMEMBER WALKER AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

4. **Review and Action** – *Amendments to Cemetery Policies*. This is a request by the Cemetery Sexton, Don Peterson, for the Mayor and Council's review and approval of a change to the Cemetery Policies. The request is to not allow interments or dis-interments on Saturday before Memorial Day.

Public Works Director, Don Peterson, was present for this discussion with the Council. He explained that it is difficult to conduct funeral services at the cemetery the Saturday prior to Memorial Day, as there are a number of people at the cemetery during that day visiting and decorating graves. He noted that many other municipalities have adopted a policy prohibiting burials the Saturday prior to Memorial Day.

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

COUNCILMEMBER FRAMPTON MOVED TO APPROVE PROPOSED AMENDMENTS TO THE CITY CEMETERY POLICY PROHIBITING INTERMENTS OR DIS-INTERMENTS THE SATURDAY PRIOR TO MEMORIAL DAY. COUNCILMEMBER WALKER SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BAYLESS AYE

COUNCILMEMBER FRAMPTON AYE

COUNCILMEMBER HATCH AYE

COUNCILMEMBER WALKER AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

5. **Review and Action** - *Charitable Grant Agreements*. This is a request by staff for the Mayor and Council's review and approval of two charitable grant agreements between a donor and Lindon City to construct a veteran's memorial and to help remodel the city's future community center and senior citizens center.

2 City Attorney, Brian Haws, was present for this discussion with the Council. Mr.
4 Haws stated that he has no concerns related to the agreement. The City has agreed to
6 keep the foundation informed as to how the donated funds are spent. The Foundation has
8 asked to remain anonymous to the extent possible for the time being. The donor will be
disclosed at a later date. Mayor Dain called for comments or discussion from the
Council. Hearing none, he called for a motion.

10 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE CHARITABLE
12 GRANT AGREEMENTS BETWEEN AN ANONYMOUS DONOR AND LINDON
14 CITY TO CONSTRUCT A VETERAN'S MEMORIAL MONUMENT AND FUND
IMPROVEMENTS TO THE CITY'S FUTURE COMMUNITY/SENIOR CITIZENS
CENTER. COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE
WAS RECORDED AS FOLLOWS:

16 COUNCILMEMBER BAYLESS	AYE
18 COUNCILMEMBER FRAMPTON	AYE
COUNCILMEMBER HATCH	AYE
COUNCILMEMBER WALKER	AYE

20 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

- 22 6. **Public Hearing** – *Final Budget for Fiscal Year 2010-2011 (Resolution #2010-15-*
24 *R)*. The City Council will hear public comment concerning the final city budget
26 for fiscal year 2010-2011, including the allocation of revenue from the water,
28 sewer, storm water and other enterprise funds to the general fund. A public
30 hearing, two public work sessions and a budget committee meeting have been
held where budget issues were discussed in detail. Tonight, the City Council will
act to approve the final budget for fiscal year 2010-2011, amend the budget for
fiscal year 2009-2010, set the certified property tax rate for 2010-2011, approve
an agreement for services between the RDA and the City, and adopt the city-wide
fee schedule and compensation programs.-

32 Mayor Dain noted that the budget has been under discussion for several
34 months, and that this is the second Public Hearing to discuss the budget. The final budget
information for consideration.

36 Ms. Bennee outlined changes to the final budget since review of the tentative
38 budget on June 1, 2010, including changes in anticipated expenditures for insurance
allowance and retirement and travel and training. On June 1, 2010, the tentative General
40 Fund Budget was shown at \$9,153,087. The final General Fund Budget has been
42 amended to \$9,236,836. The change resulted from a \$7,573 change to salaries and
wages, \$1,730 for benefits, and the remainder from administrative costs transferred from
44 Enterprise Funds to the General Fund. The donation for the Senior Citizens Center which
was approved tonight was not included in the tentative budget, but is shown in the final
budget.

46 Ms. Bennee went on to review budget highlights. She explained that the total
Citywide Budget for 2010-2011 is \$20,463,130, with a total General Fund Budget of

2 \$9,236,836. Personnel changes for the coming year include the vacancy of a Public
3 Works Inspector position due to the retirement of Dorsey Hooley, and filling the vacant
4 Storm Water Technician position to comply with EPA mandates. Ms. Bennee noted that
5 total revenue from all sources of \$20,463,130 creates a balanced budget. She compared
6 expenditures from 2008 to the present, noting that a slight increase in personnel costs in
7 2009-2010 is a result of an increase in the cost of health insurance and retirement
8 contributions. Anticipated capital has increased from 2009 to 2010 due to an anticipated
9 bond for the Sewer Lift Station project. The cost of \$2,650,000 will be shared with Orem
10 City.

11 Ms. Bennee then reviewed revenue sources, including all tax revenue, utility
12 charges, and fees. She reviewed revenue sources shown and miscellaneous of
13 \$4,474,439, including lease revenue, Lindon Days fees, interest earnings, impact fees,
14 cemetery and aquatics center revenue, SID proceeds, and park rental. Councilmember
15 Bayless noted that the Aquatics Center is generating sufficient revenue to cover all
16 operational costs. Mayor Dain noted that projections for the Aquatics Center indicated
17 that the City would likely subsidize the pool approximately \$100,000 annually, and that
18 revenues have exceeded expectations dramatically.

19 Ms. Bennee went on to review General Fund Revenue Sources for the 2009-2010
20 budget compared to the 2010-2011 budget. Projections show a 1.65% decrease of
21 \$155,373 in General Fund revenue for the current fiscal year. The Council discussed the
22 decrease in sales tax revenue in recent years due to the economic downturn, and the
23 impact to the City budget from loss of this revenue source. Mayor Dain noted that City
24 officials have become aware of their obligation to maintain sufficient revenue through
25 stable sources, such as property taxes, to allow the City to provide core essential services
26 regardless of economic conditions. He noted that revenue currently generated through
27 property taxes covers approximately 50% of the cost of public safety services in the City.

28 Mayor Dain noted that prior to considering and voting on specific budget issues, it
29 would be appropriate to open the Public Hearing to allow citizens to comment. He called
30 for a motion to open the public hearing.

31 COUNCILMEMBER BAYLESS MOVED TO OPEN THE PUBLIC HEARING.
32 COUNCILMEMBER HATCH SECONDED THE MOTION. ALL PRESENT VOTED
33 IN FAVOR. THE MOTION CARRIED.

34
35 **Budget Issue #1 – Should the City continue to fund health insurance and dental
36 insurance premiums for City employees?**

37 The City anticipated a 4.5% increase in health insurance premiums for the coming
38 year, with a fiscal impact of \$26,703. These funds are included in the final budget.
39 Mayor Dain noted that the increase is minimal compared to increase being experienced
40 by a number of other communities. He noted that no employee raises are included in the
41 budget, and that it seems reasonable to maintain employee benefits given the
42 circumstances.

43 Resident Bruce Armstrong inquired as to the trend for salaries as opposed to the
44 trend for employees. He read figures from the budget which he interpreted to show
45 steady wages over recent years rather than a reduction based on vacant positions. Mr.
46

2 Dameron explained that the figures Mr. Armstrong was looking at were for legislative, or
City Council, salaries which have remained steady. Overall wages are down
approximately 6.5%.

4 Mayor Dain called for further comments or discussion regarding Budget Issue #1.
Hearing none, he called for a motion.

6
COUNCILMEMBER FRAMPTON MOVED TO APPROVE FUNDING OF
8 EMPLOYEE HEALTH INSURANCE AND DENTAL INSURANCE PREMIUMS.
COUNCILMEMBER BAYLESS SECONDED THE MOTION. THE VOTE WAS
10 RECORDED AS FOLLOWS:

12 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER HATCH AYE
14 COUNCILMEMBER WALKER AYE

16 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

18 **Budget Issue #2 – Should the City increase culinary water, sewer and/or storm
water drainage fees?**

20 City Engineer, David Thurgood, was present for this discussion with the Council.
Mr. Thurgood presented results of utility rate studies, and recommended increases based
22 on the results of the study. He noted that the City Council implemented an annual CPI
increase to keep pace with inflation. He explained that utility funds are Enterprise Funds,
24 and are responsible to generate adequate income to operate and maintain the respective
systems. Based on results of the study, Mr. Thurgood recommended the following
26 changes to utility rates for the coming year:

28 **Water Fund –**

- 30 • 2.2% CPI increase for base rate and usage rate, approximately \$.88 per month for
the average utility bill.
- 32 • No recommended increase for secondary water
- Due to a reduction in pumping costs, reduce pumping fees by calculating actual
decrease in pumping costs in the O Zone and Zone 1.

34 **Sewer Fund –**

- 36 • Implement a 6% fee increase.

This increase is necessary to offset expenditures for major projects planned for the
38 coming year, including expansion of the sewer facility in Orem and construction of the
new sewer pump station. The City's cost for the sewer plant expansion is 17% of
40 \$12,000,000. The City is required to have a 1.25 coverage rate for repayment of the 0%
interest bond. Orem City has also implemented appropriate rate increases to cover the
42 cost of expansion. In addition to pending expenditure, the sewer fund has experience
negative growth of 2.33% during the past year due to home vacancies. The proposed
44 increase would be approximately \$1.39 per month for the average utility bill.

46 **Storm Water Fund –**

- Increase the base rate from \$3.75 to \$4.50 per ERU, increasing the residential utility bill \$.75 per month. The fee was increased from \$3.00 to \$3.75 last fiscal year, but had not been increased since 1997.

Mr. Thurgood explained that the wetlands purchase of \$460,240, which provides natural storm drainage treatment, was not anticipated in the previous increase. A number of necessary improvements in the storm drain system will require adequate revenue, which will not be available without the proposed increase.

The City is contractually obligated to completed improvements to the wetlands area on the west side of the City. Mayor Dain inquired as to the consequences if wetlands improvements are not completed as agreed. Mr. Thurgood explained that the City is obligated to complete the improvements, and that the revenue will have to come from this or some other source. Councilmember Walker expressed concern regarding the proposed increase this year since rates were increased by \$.75 last year. Mr. Dameron noted that prior to the increase in 2009, rates had not been increased since 1997.

Mayor Dain called for a vote on each of the proposed utility rate increases individually.

CULINARY AND SECONDARY WATER – 2.2% CPI INCREASE, REDUCTION IN PUMPING FEES BASED ON ACTUAL COSTS, NO INCREASE FOR SECONDARY WATER, INCREASE IN COST OF APPROXIMATELY \$.80 PER RESIDENTIAL UTILITY BILL. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BAYLESS	AYE
COUNCILMEMBER FRAMPTON	AYE
COUNCILMEMBER HATCH	AYE
COUNCILMEMBER WALKER	AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

SEWER FUND – 6% INCREASE TO COVER COST OF SEWER PLANT EXPANSION AND CONSTRUCTION OF NEW SEWER PUMP STATION, INCREASE IN COST OF APPROXIMATELY \$1.39 PER RESIDENTIAL UTILITY BILL. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BAYLESS	AYE
COUNCILMEMBER FRAMPTON	AYE
COUNCILMEMBER HATCH	AYE
COUNCILMEMBER WALKER	AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

STORM WATER FUND – INCREASE BASE RATE FROM \$3.75 TO \$4.50 PER ERU TO FUND NECESSARY IMPROVEMENTS TO THE STORM WATER SYSTEM, INCLUDING WETLANDS IMPROVEMENTS, INCREASE OF \$.75 PER RESIDENTIAL UTILITY BILL. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BAYLESS	AYE
COUNCILMEMBER FRAMPTON	AYE
COUNCILMEMBER HATCH	AYE
COUNCILMEMBER WALKER	NAY

2 THE MOTION CARRIED (3-1) WITH ONE ABSENT.

4 Mayor Dain asked Councilmember Walker to present an alternate plan to generate
adequate revenue to fund necessary expenditures. Councilmember Walker stated that he
did not feel it was appropriate to implement an increase to this fund two years in a row.
6 Mayor Dain commented that none of the Councilmembers wants to increase fees, but
based on the information before the Council, the increase is appropriate and necessary.

8 Councilmember Frampton commented that it has been an educational experience
to go through the budget process. He observed that the Council is faced with making a
10 number of difficult decisions, and that it is not always an enviable position to be in. He
thanked Councilmember Walker for his input in reviewing the budget.

12 **Budget Issue #3 – Should the City fill the vacant Storm Water Technician Position?**

14 Ms. Bennee explained that the City would realize a net savings of approximately
16 \$21,288.20 between the vacant Public Works Inspector position and filling the Storm
Water Technician position. Filling the Storm Water Technician position is necessary to
18 comply with federal standards.

20 COUNCILMEMBER HATCH MOVED TO FILL THE VACANT STORM
WATER TECHNICIAN POSITION. COUNCILMEMBER BAYLESS SECONDED
22 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

24 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER HATCH AYE
26 COUNCILMEMBER WALKER AYE

28 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

30 Ms. Bennee went on to review proposed fee schedule changes. Mr. Dameron
noted that the changes have been reviewed by the Council several times prior to this
evening. Mayor Dain called for public comment on fee schedule changes. There was no
32 public comment.

34 Mr. Armstong commented that he was unable to acquire a copy of the tentative
budget for review prior to this meeting. Mr. Dameron stated that tentative budget
documents are available at the City Center. Mr. Armstrong suggested that the tentative
36 budget be made available on line. Councilmember Bayless noted that the public is
invited to all Work Sessions and other discussions regarding the budget process. Mayor
38 Dain explained that the Council makes every effort to keep the budget process as open as
possible.

40 Catherine Rockhill commented from the audience that she is disappointed in the
approval of utility fee increases. She asserted that the City should make a greater effort
42 to decrease spending rather than increasing revenue by asking for more money from
residents.

44 Mr. Armstrong noted that it would be helpful to have an accurate time for the
Public Hearing in Public Notices. Mr. Dameron explained that the agenda is not set at

2 the time the public notice is required to be placed, and that it is preferable to have the
public arrive early for the hearing rather than late.

4
6 **ADJOURN THE LINDON CITY COUNCIL MEETING AND CONVENE THE
MEETING OF THE LINDON CITY REDEVELOPMENT AGENCY –**

8 COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE MEETING OF THE
10 LINDON CITY COUNCIL AND CONVENE THE MEETING OF THE LINDON CITY
REDEVELOPMENT AGENCY AT 10:26 P.M. COUNCILMEMBER HATCH SECONDED
12 THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

14 **ADJOURN THE MEETING OF THE LINDON CITY MUNICIPAL BUILDING
AUTHORITY AND RECONVENE THE MEETING OF THE LINDON CITY COUNCIL-**

16 BOARDMEMBER BAYLESS MOVED TO ADJOURN THE MEETING OF THE
LINDON CITY MUNICIPAL BUILDING AUTHORITY AND RECONVENE THE MEETING
18 OF THE LINDON CITY COUNCIL AT 10:34 P.M. BOARDMEMBER WALKER
SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
20 CARRIED.

22 Mr. Dameron explained that the Resolution approving the 2010-2011 Budget includes the
City Budget, the Fee Schedule, Compensation Programs, the Certified Tax Rate, and the
24 agreement with the RDA for use of services provided by the City. Mayor Dain called for further
public comment. Hearing none, he called for a motion to close the Public Hearing.

26
28 COUNCILMEMBER HATCH MOVED TO CLOSE THE PUBLIC HEARING.
COUNCILMEMBER FRAMPTON SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

30
32 Mayor Dain called for further comments or discussion from the Council. Hearing none,
he called for a motion.

34 COUNCILMEMBER WALKER MOVED TO APPROVE RESOLUTION #2010-15-R
APPROVING AND ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR
36 2010-2011, SETTING THE CERTIFIED TAX RATE, AMENDING THE BUDGET
FOR THE 2009-2010 FISCAL YEAR, ADOPTING A FEE SCHEDULE, ADOPTING
38 COMPENSATION PROGRAMS, AND ENTERING INTO AN AGREEMENT WITH
THE LINDON REDEVELOPMENT AGENCY AND PROVIDING AN EFFECTIVE
40 DATE. COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

42 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER FRAMPTON AYE
44 COUNCILMEMBER HATCH AYE
COUNCILMEMBER WALKER AYE

46 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

2 Mayor Dain noted that this is the conclusion of a very long process which began
in February. Ms. Bennee stated that the final budget document will be complete in 2-3
weeks, and will be available for residents on the City website at that time.

4 **COUNCIL REPORTS –**

6 **COUNCILMEMBER BAYLESS** – Councilmember Bayless stated that she has had a request
8 for contact information for all Lindon businesses. Mr. Dameron stated that information for
businesses is available on the City website.

10 Councilmember Bayless also reported that she has had a request for a directional sign
from Geneva Road to the LDS Cannery facility on Center Street. Mr. Dameron will follow up on
12 the request.

14 The General Plan Committee will present a preliminary outline of proposed amendments
at the September 7, 2010 City Council meeting. A community survey will be conducted to obtain
input from residents regarding appropriate amendments.

16 Councilmember Bayless reported on a recent Murdock Canal Trail meeting she attended.
A restroom and parking area is planned for a small vacant parcel located adjacent to the trail. The
18 City will have the option to install additional improvement if they so choose. Construction is
expected to begin in Lindon in Spring 2012. Open houses will be held prior to the beginning of
20 construction.

22 **COUNCILMEMBER FRAMPTON** – Councilmember Frampton reported that he has been
approached by several people interested in providing a variety of programs at the new Recreation
24 Center. He noted that during planning of programming at the facility it will be necessary to
ensure that the facility serves the community and not private business. The Council discussed the
26 planning process which will be followed.

28 **COUNCILMEMBER WALKER** – Councilmember Walker reported that two citizens have
commented to him regarding parking of City vehicles on the red curb at the City Center. Chief
30 Cullimore explained that it is necessary at times for officers to park in that location to load or
unload prisoners.

32 **COUNCILMEMBER HATCH** – Councilmember Hatch apologized for missing the Open
34 House to celebrate Dorsey Hooley’s retirement. He stated that he will contact him and thank him
for his service to the City.

36 Councilmember Hatch reported that the parking lot is being paved at the new LDS
church, and that the Main Street chapel will be vacated by the church in the coming weeks.

38 **COUNCILMEMBER CARPENTER** – Councilmember Carpenter was not present at this
40 meeting. Chief Cullimore gave the following report regarding Police Department activities:

42 A search warrant was recently served on a Lindon residence which resulted in two arrests
for distribution of methamphetamines. The Lindon City Police Department Honor Guard will
perform the flag ceremony at the Orem Owlz baseball games on June 26th, July 1st and July 24th.

44 **ADMINISTRATOR’S REPORT –**

46 Mr. Dameron reported on the following items:

- 48 1. The City Council will consider a proposal for a water meter change out program at a
cost of \$385,000 at an upcoming City Council meeting

- 2 2. The Council discussed street closures associated with the I-15 Core project. 200
3 South will be closed for up to six months beginning in mid-August. 2000 West will
4 be the primary access to the transfer station during the closure.
5 3. The Council reviewed a proposal from residents for improvements to Orchard Park.
6 4. The Council will consider a concept proposal for City purchase and use of the Mel
7 Olsen property at a future City Council meeting.
8 5. An RFP will be issued for banking services next week. Proposals will be requested
9 from Western Community Bank, Chase Bank, Wells Fargo, and AmBank.
10 6. The traditional Christmas Tree located in front of the City Center died and has been
11 removed. It will be replaced with a small evergreen tree. The Historical Preservation
12 Commission suggested moving the annual Christmas Tree Lighting Ceremony to the
13 new Community Center where there are large existing trees.

14 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE PAY VOUCHERS.
15 COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE VOTE WAS
16 RECORDED AS FOLLOWS:
17 COUNCILMEMBER BAYLESS AYE
18 COUNCILMEMBER FRAMPTON AYE
19 COUNCILMEMBER HATCH AYE
20 COUNCILMEMBER WALKER AYE
21 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

22 **ADJOURN** –

23 COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE MEETING AT
24 11:39 P.M. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL
25 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

26 Approved – July 6, 2010

27 _____
28 Debra Cullimore, City Recorder

29 _____
30 James A. Dain, Mayor