

2 The Lindon City Council held a regularly scheduled meeting on Tuesday, September 7,  
2010 beginning with a Work Session at 6:00 p.m. in the Lindon City Center, City Council  
4 Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION – 6:00 P.M.**

8 Conducting: Bruce Carpenter, Mayor Pro-Tem

10 **PRESENT**

**ABSENT**

12 Lindsey Bayless, Councilmember  
13 Bruce Carpenter, Councilmember  
14 Jerald I. Hatch, Councilmember  
15 Mark Walker, Councilmember  
16 Ott H. Dameron, City Administrator  
17 Cody Cullimore, Chief of Police  
18 Debra Cullimore, City Recorder

James A. Dain, Mayor  
Bret Frampton, Councilmember

20 The meeting began at 6:17 p.m.

22 **DISCUSSION** - The Mayor and City Council met with Matthew Millis of Lewis, Young,  
Robertson and Burningham, to discuss the results of a Public Safety Impact Fee Study which was  
24 recently completed.

26 Mr. Millis reviewed information from the Public Safety Impact Fee Study. He explained  
that impact fees are a one time payment of money by development activity as a condition of  
28 development approval. Revenues are used as a mechanism for equitably distributing costs of  
capital facilities between existing and future development. Typically, revenue from impact fees  
30 can only be used to fund facilities. In specific circumstances, revenue can also be used to finance  
fire apparatus.

32 Mr. Millis went on to review population growth from the current population of  
approximately 10,450 to expected build out population of approximately 15,000. He also  
34 reviewed information relative to private vs. public police calls. Only calls to private property can  
be used in calculating appropriate impact fees. Current and future calls for service are expected  
36 to increase proportionally to land use development. Based on population and development  
statistics, 36.06% of fire facilities and 31.45% of police facilities will be allocated to new  
development.

38 Mr. Millis then reviewed information specific to the anticipated Public Safety facility.  
He noted that the facility is planned for completion in approximately 2015, with 60% of the  
40 facility being devoted to police and 40% to fire. Land costs and construction costs were included  
in the Impact Fee calculations. He outlined the anticipated cost of the new facilities, with a total  
42 expense allocated of \$6,305,463. He noted that impact fees would not produce adequate revenue  
to construct the facility, and that bonding would likely be required. Councilmember Carpenter  
44 inquired as to whether it would be allowable to allocate 100% of the cost of construction to new  
growth if the need for new facilities is caused by new growth. Mr. Millis explained that Utah  
46 Law does not allow 100% allocation of costs to new growth using impact fees. Mr. Millis  
reviewed possible bond parameters of a 20 year term with a cost of issuance of 5%, and an annual  
48 debt service of \$315,000. Mr. Millis observed that due to the slow economy, the General Fund  
would likely make debt service payments. Once impact fee revenues increase, they may be used  
50 to reimburse a portion of the debt service to the General Fund.

2 Mr. Millis went on to review anticipated impact fees per residential unit. A net impact  
3 fee will be assessed for new development of approximately \$519.18 per residential unit and  
4 \$63.01 per non-residential unit. Residential units will be assessed on a per unit basis. Non-

5 residential units will be assessed per 1,000 square feet of floor space.  
6 Mr. Dameron stated that a Public Hearing to take comment on the proposed impact fee  
7 will be placed on the agenda for the October 5, 2010 City Council meeting. If approved by the  
8 City Council, the impact fee will take effect 90 days after adoption of the impact fee ordinance.  
9 Mr. Millis thanked the Council for their time.

10 **REGULAR SESSION – 7:00 P.M.**

12 Conducting: James A. Dain, Mayor

Pledge of Allegiance: Tyler Ricks

14 Invocation: Jerald Hatch

16 **PRESENT**

**ABSENT**

18 James A. Dain, Mayor – *arrived 7:17 p.m.*

Lindsey Bayless, Councilmember

20 Bruce Carpenter, Councilmember

Bret Frampton, Councilmember – *arrived 7:41 p.m.*

22 Jerald I. Hatch, Councilmember

Mark L. Walker, Councilmember

24 Ott H. Dameron, City Administrator

Cody Cullimore, Chief of Police

26 Adam Cowie, Planning Director

Debra Cullimore, City Recorder

28 The meeting was called to order at 7:11 p.m.

30 *Note – Councilmember Carpenter conducted the meeting until Mayor Dain arrived.*

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34 **MINUTES** - The minutes of the regular meeting of August 17, 2010 were reviewed.

36 COUNCILMEMBER WALKER MOVED TO APPROVE THE MINUTES OF  
37 THE MEETING OF AUGUST 17, 2010. COUNCILMEMBER BAYLESS

38 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BAYLESS AYE

40 COUNCILMEMBER CARPENTER AYE

COUNCILMEMBER HATCH AYE

42 COUNCILMEMBER WALKER AYE

44 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

46 **OPEN SESSION** - Citizens comments

48 Councilmember Carpenter called for comments from any audience member who  
49 wished to address an issue not listed as an agenda item. Jette Standfield representing  
50 Lindon Elementary passed out fliers to the Council with information regarding Walk to  
School Day, which is planned for Friday October 1<sup>st</sup>. She invited the Council to

participate in the event, and to observe areas of possible concern on the walking route to school. The Police Department will also participate in this event.

Mayor Dain arrived at 7:17 p.m.

**MAYOR'S COMMENTS/REPORT**

Mayor Dain noted that the United Way Day of Caring would be held the following day, September 8, 2010. Several City staff members will participate. The Drill Down for Safety community emergency preparedness drill will be held Monday, September 13, 2010. Residents should report to their block captain at 6:00 p.m. Lindon received national recognition for this drill last year, with 78% of residents participating in the drill.

**CONSENT AGENDA –**

No Items

**CURRENT BUSINESS**

1. **Review and Action** – *Bid Award – 150 East Water Line Project*. This is a request by staff for the Council’s review and approval of the bid award for the 150 East Water Line Project. The project includes furnishing and installing 8-inch ductile iron culinary water line, connection to existing hydrant, transferring services, installation of new services where required, disconnecting existing water line and restoration of surface improvements. Staff recommends the bid be awarded to the low bidder, Christensen Brothers Construction and Kriser Excavation, with a bid of \$75,948.

Mr. Dameron observed that the low bid for this project is 24% lower than engineering estimates. He noted that 12 bids were received for the project. Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER BAYLESS MOVED TO APPROVE THE BID AWARD FOR THE 150 EAST WATER LINE PROJECT TO CHRISTENSEN BROTHERS CONSTRUCTION AND KRISER EXCAVATION IN THE AMOUNT OF \$75,948. COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BAYLESS	AYE
COUNCILMEMBER CARPENTER	AYE
COUNCILMEMBER HATCH	AYE
COUNCILMEMBER WALKER	AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

2. **Discussion** – *General Plan Preliminary Review*. This is a City initiated review of the preliminary General Plan updates as recommended by the General Plan Committee. The General Plan is reviewed and updated every five (5) years. This work session is to inform the City Council of the general direction of the proposed

2 updates as suggested by the committee. Staff will also review preliminary results  
of the General Plan Survey that is currently available to the public. No motions or  
decisions will be made on this item.

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6 Mr. Cowie explained that this review is intended to give the Council an indication  
of the direction the General Plan Committee is taking in regards to changes to the current  
General Plan. The General Plan is typically used as 20 year planning tool for the City.  
8 However, the Committee is taking a longer term 50 year planning approach in  
recommending changes to the current plan.

10 Mr. Cowie presented photographs of various locations in the City in 1990, and  
current photographs of the same locations. The photos illustrate the impact of  
12 development in the City. Commercial and residential developments were included in the  
presentation.

14 Mr. Cowie went on to review zoning development and build-out statistics. He  
noted that commercial zones are approximately 56% built out, while residential areas are  
16 approximately 83% built out. The City is approximately 64% built out, or 70% if mixed  
use recreational properties which are not developable are eliminated from the calculation.  
18 He observed that additional infill development could take place in the future, which  
would increase the anticipated build out population of 15,000 to 17,000.

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Councilmember Frampton arrived at 7:41.

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24 Mr. Cowie observed that approximately 30% of the acreage in the City is open for  
development. He noted that a great deal of that acreage could be developed in another 20  
years. The Committee has given careful consideration to zoning and development issues,  
26 particularly on the west side of the City, to determine what type of development should  
take place on the remaining open property in the City.

28 Mr. Cowie reviewed results of the General Plan and recreation survey which is  
currently available on the City website. The survey has received 297 responses thus far.  
30 Responses indicate that residents value maintaining open space and the rural feel of the  
community. The survey will be available through December.

32 The Council then viewed a model of the 700 North commercial corridor, and  
discussed the impact of future development in the area. They discussed big box retail  
34 uses, a future light rail component, commercial and residential development, and the  
phasing out of heavy industrial uses over time. The Committee feels that an increase in  
36 higher density residential developments, such as town homes, should be considered on  
the west side of the City.

38 The Council will review proposed amendments to the General Plan when the  
committee has completed review and is prepared to make specific recommendations.  
40 The Planning Commission will review proposed amendments and make a  
recommendation to the City Council.

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46 3. **Review and Action** – *Permanent Employee Reclassification*. This is a request  
by staff for the Mayor and Council’s consideration of a permanent

2 reclassification of an employee who has been working “out of class.” A  
temporary reclassification was previously approved by the Council. However,  
4 it appears that the employee’s ongoing responsibilities will warrant permanent  
reclassification.

6 Mr. Dameron explained that a temporary reclassification was approved for Jason  
Parker during previous discussion. However, Mr. Parker’s ongoing job responsibilities  
8 warrant a permanent reclassification and associated pay increase. Mayor Dain called for  
further comments or discussion. Hearing none, he called for a motion.

10 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE PERMANENT  
12 JOB RECLASSIFICATION AND ASSOCIATED PAY INCREASE FOR JASON  
PARKER. COUNCILMEMBER CARPENTER SECONDED THE MOTION. THE  
14 VOTE WAS RECORDED AS FOLLOWS:

16 COUNCILMEMBER BAYLESS AYE  
COUNCILMEMBER CARPENTER AYE  
18 COUNCILMEMBER FRAMPTON AYE  
COUNCILMEMBER HATCH AYE  
20 COUNCILMEMBER WALKER AYE  
THE MOTION CARRIED UNANIMOUSLY.

22 4. **Review and Action** – *State of Utah Local Government Engineering Services*  
24 *contract between UDOT, JUB Engineers Inc. and Lindon City for the Lindon*  
*Heritage Trail*. This is a request for the Council’s approval to allow the Mayor  
to sign and execute the contract documents which will allow JUB to initiate  
26 work on the Environmental – Cat Ex Document Preparation, and the  
Preconstruction Engineering for the next phase of the Lindon Heritage Trail.

28 Mr. Cowie explained that approval of this agreement is a preliminary step to  
30 receiving federal grant funding which the City has been awarded for this project. The  
agreement initiates preconstruction engineering. Councilmember Carpenter noted that  
32 JUB Engineers is the Engineer of Record for three of the four engineering components  
to this project. He inquired as to what engineering firm would be responsible for the  
34 fourth component. Mr. Cowie stated that JUB Engineers was awarded the fourth  
component as well, and will be responsible for all engineering on this project. Mayor  
36 Dain called for further comments or discussion. Hearing none he called for a motion.

38 COUNCILMEMBER BAYLESS MOVED TO APPROVE ENGINEERING  
CONTRACT BETWEEN UDOT, JUB ENGINEERS INC AND LINDON CIYT  
40 FOR THE LINDON HERITAGE TRAIL. COUNCILMEMBER CARPENTER  
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

5. **Review and Action** – *Supplemental Agreement #0401 between UDOT and Lindon City.* This is a request by staff for the Council’s approval to allow the Mayor to sign and execute the Supplemental Agreement to the original I-15 Betterment Agreement dated October 16, 2009. This agreement describes specific work to be done to a water line crossing I-15 at 200 South and the sewer line crossing I-15 at 800 West. Work to be performed by the Design-Builder is outside the scope of the original betterment agreement. No additional cost to the City will occur.

Mr. Dameron explained that the City previously entered into an agreement with UDOT for utility crossings associated with the I-15 Core project. UDOT has determined that additional work outside the scope of the original agreement will be necessary. He noted that the changes were originally addressed in a single agreement for consideration at this meeting. UDOT has separated the changes out into two agreements, one for water and one for sewer. The City will incur no additional costs as a result of this supplemental agreement. Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER CARPENTER MOVED TO APPROVE SUPPLEMENTAL AGREEMENT #0401 AND #0402 BETWEEN UDOT AND LINDON CITY. COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

**COUNCIL REPORTS:**

**MR. DAMERON** – Mayor Dain invited Mr. Dameron to give his report at this time.

Mr. Dameron reported on the following items:

1. Engineering Coordination Meeting will be held Tuesday, September 14<sup>th</sup> at noon at the Public Works Complex. Councilmember Frampton, Councilmember Walker and Mayor Dain will attend with staff.
2. The Community Center Advisory Committee will meet September 21<sup>st</sup> at 5:30 p.m.
3. The Council reviewed the Project Tracking List.
4. Fryer Park (formerly Orchard Park) is under construction.
5. Councilmember Carpenter will attend the Utah League of Cities and Towns Conference September 14<sup>th</sup> to 17<sup>th</sup> in Salt Lake City. Following discussion, the Council made a decision to also send Mr. Dameron to the conference to

gather information for the City on a variety of issues which will be discussed during the conference.

6. The Aquatics Center is closed for the season. Mr. Seder will give a final report to the City Council on November 15<sup>th</sup>. Preliminary plans for programming at the Community Center will also be presented on November 15<sup>th</sup>.
7. The Final 2010-2011 budget is now available on the City website.

**COUNCILMEMBER FRAMPTON** – Councilmember Frampton commented on the successful season at the Aquatics Center.

**COUNCILMEMBER CARPENTER** – Councilmember Carpenter invited Chief Cullimore to report on Police Department activities. Chief Cullimore reported on plans for the upcoming community emergency preparedness drill which is schedule for Monday, September 13, 2010. He instructed City officials to first report to their Block Captains, and then report to the City Center, which is the procedure which would be followed during an actual emergency event.

Chief Cullimore reported on funeral services he recently attended for fallen officer, Deputy Brian Harris. He noted that approximately 300 officers from Utah and surrounding states attended the service to honor Deputy Harris.

Chief Cullimore also reported that a team comprised in large part of Lindon Police Department officers will participate in the Red Rock Relay to be held in Southern Utah September 11<sup>th</sup> through the 13<sup>th</sup>.

Chief Cullimore also reported that the fire watch program at Maeser Program began earlier in the day. Off-duty officers have been hired by Maeser to act as safety and fire watch officers during school hours. He also reported that the granite has been ordered for the Veterans Memorial Monument. Grant funding for the monument will fall short of actual costs, and private donations are being solicited.

Councilmember Carpenter reported that the Legislative Policy Committee will meet Tuesday, September 14, 2010. Among items of discussion will be proposed immigration legislation.

Councilmember Carpenter reported that the UIA is moving forward. The contract has been awarded for the feasibility study. The Council will review and take action on the service contract agreement and the bond resolution at upcoming meetings.

**COUNCILMEMBER WALKER** – Councilmember Walker reported that the Lindon Days Chairs will give a report about the event at the October 5, 2010 regular City Council meeting.

Councilmember Walker also reported on issues which were discussed at the recent Animal Shelter Board meeting. He also discussed the annual Christmas Tree Lighting, and planning for Fryer Park.

At this time, Mayor Dain suggested that Mr. Cowie present information regarding a billboard application to accommodate a representative of YESCO Signs who was present in the audience. Mr. Cowie explained that this discussion is for informational purposes only, and that no action is necessary. YESCO Outdoor Media submitted an

2 application for relocation of an existing billboard. The relocation is necessary due to the  
I-15 Core project. State statute specifies where the sign can be legally relocated. The  
4 initial permit application submitted by YESCO was denied, as it did not meet specific  
requirements. A subsequent application appears to meet requirements for the State code,  
6 but does not meet the City separation distance requirement. However, due to the fact that  
the relocation is part of a federal highway project, State statute governs the application  
rather than City Code. Mr. Cowie noted that the application does not require approval for  
8 the Planning Commission or City Council, and that the building permit will be issued for  
the relocation.

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12 **COUNCILMEMBER BAYLESS** – Councilmember Bayless reported that she will not  
be present for City Council meetings through November 2, 2010 as she will be traveling.  
14 She reported on the new Healthy Lindon program and webpage on the City website. The  
12 week program will be presented at the City Center on Thursday evenings.

16 Councilmember Bayless also reported that it appears that the new signage on the  
Lindon Heritage Trail is fading rapidly. Mr. Dameron will follow up on the report.

18 Councilmember Bayless encouraged other officials to be mindful when sending  
email communications which may be offensive or discriminatory. Councilmember  
20 Carpenter noted that all email communication should be considered public, and that  
officials should make sure they are representing the City well.

22 **COUNCILMEMBER HATCH** – Councilmember Hatch reported on information he  
received during a recent conference he attended in Boston. During the conference he  
24 toured the site of an operation which is converting solid waste to energy. He felt that it  
may be appropriate to consider a similar facility in Utah County at some time in the  
26 future.

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30 **ADMINISTRATOR’S REPORT** –

32 Mr. Dameron gave his report earlier in the meeting.

34 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE PAY  
VOUCHERS. COUNCILMEMBER WALKER SECONDED THE MOTION. THE  
VOTE WAS RECORDED AS FOLLOWS:

36 COUNCILMEMBER BAYLESS            AYE  
COUNCILMEMBER CARPENTER        AYE  
38 COUNCILMEMBER FRAMPTON        AYE  
COUNCILMEMBER HATCH            AYE  
40 COUNCILMEMBER WALKER          AYE  
THE MOTION CARRIED UNANIMOUSLY.

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44 **ADJOURN** –

46 COUNCILMEMBER HATCH MOVED TO ADJOURN THE MEETING AT  
9:55 P.M. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.



Approved – September 21, 2010

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Debra Cullimore, City Recorder

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James A. Dain, Mayor

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