

2 The Lindon City Council held a regularly schedule meeting on **Tuesday, March 1, 2011**  
3 beginning at 7:00 p.m. in the Lindon City Center, City Council Chambers, 100 North  
4 State Street, Lindon, Utah.

5 Conducting: James A. Dain, Mayor  
6 Pledge of Allegiance: Skyler Abilla, Boy Scout Troop 27, Orem Utah  
7 Invocation: Mark Walker

8  
9 **PRESENT**

**ABSENT**

10 James A. Dain, Mayor  
11 Lindsey Bayless, Councilmember  
12 Bruce Carpenter, Councilmember  
13 Bret Frampton, Councilmember  
14 Jerald I. Hatch, Councilmember  
15 Mark L. Walker, Councilmember  
16 Ott H. Dameron, City Administrator  
17 Cody Cullimore, Chief of Police  
18 Debra Cullimore, City Recorder

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20 **INTRODUCTION** – Dan Seder, Parks and Recreation Director, will introduce Emilie  
21 Illif, our new Program Coordinator for the Lindon City Community Center.

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23 Mr. Seder introduced Ms. Illif to Mayor Dain and the Council. Mr. Seder noted  
24 that Ms. Illif has worked as a program coordinator for Salt Lake County, and has  
25 experience in a wide range of recreation programs. Ms. Illif stated that she has been  
26 visiting community centers throughout the valley to investigate programming options for  
27 the Community Center. The Mayor and Council thanked Ms. Illif for her work.

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30 **PRESENTATION** - Dave Asay, of the I-15 CORE Team, will give the Mayor and City  
31 Council a brief update on the bridge replacements along I-15 in Lindon City.

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33 Dave Asay of UDOT was present for this discussion with the Council. He  
34 reviewed progress on the I-15 Core project, noting that concrete work will begin in the  
35 near future as weather permits. He also reviewed bridge projects, including placement of  
36 the 200 South bridge on March 19<sup>th</sup> and the Sam White Lane bridge on March 26<sup>th</sup>. He  
37 clarified that additional work will be required before the bridge structures actually open  
38 for traffic. He reported that the I-15 Core project is currently on schedule.

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40 **MINUTES** - The minutes of the regular meeting of February 15, 2011 will be reviewed.

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42 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE MINUTES  
43 OF THE MEETING OF FEBRUARY 15, 2011. COUNCILMEMBER BAYLESS  
44 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

45 COUNCILMEMBER BAYLESS AYE  
46 COUNCILMEMBER CARPENTER AYE  
COUNCILMEMBER FRAMPTON AYE

2 COUNCILMEMBER HATCH AYE  
3 COUNCILMEMBER WALKER AYE  
4 THE MOTION CARRIED UNANIMOUSLY.

6 **OPEN SESSION** - Citizens comments

7 Mayor Dain called for comments from any audience member who wished to  
8 address an issue not listed as an agenda item. There was no public comment.

10 **MAYOR'S COMMENTS/REPORT**

11 Mayor Dain reported that the bid for the Community/Senior Citizens Center  
12 remodel project would be awarded later in the meeting. He reported that he has three  
13 volunteers who are willing to serve on the Community Center Advisory Board.

16 **CONSENT AGENDA** –

17 No Items

20 **CURRENT BUSINESS** -

- 21 1. **Presentation** – *Salt Lake Aqueduct Encroachment Update*. This report will be  
22 presented by Wayne Windsor of the Metropolitan Water District of Salt Lake and  
23 Sandy. As you will recall, an extensive effort is underway to deal with  
24 encroachments all along the Salt Lake Aqueduct including a few in Lindon City.

25 Wayne Windsor of the Metropolitan Water District of Salt Lake and Sandy was  
26 present for this discussion with the Council. Mr. Windsor provided an overview of the  
27 history of the Metropolitan Water District which includes five facilities. He also  
28 reviewed the layout of the aqueduct system, which was built by the Bureau of  
29 Reclamation but is now owned by the Metropolitan District.

30 Mr. Windsor stated that since the District last met with the Council,  
31 encroachments into the aqueduct easement have been inventoried. He noted that one area  
32 of the easement has an encroachment of homes and a road. The District will vacate that  
33 area of the easement up to the public roadway, but will maintain the easement outside the  
34 developed area. Mr. Windsor stated that residents with encroachments have not been  
35 contacted in person at this time. He stated that efforts are currently under way to  
36 establish open lines of communication between the District and affected property owners.  
37 He noted that the infrastructure is approximately 60 years old at this time, and will likely  
38 require replacement in the next 20 years.

39 Mr. Windsor explained that the District will work with individual property owners  
40 with encroachments to resolve the issue either through licensing of the use which is  
41 encroaching into the easement, or in some cases removal of the encroachment. The  
42 District will enter into agreements with property owners, which will be recorded on the  
43 property which will be evident in future title searches.

44 Mr. Windsor noted that existing blow off valves for the aqueduct have flowed  
45 through natural drainage and into the Murdock Canal. The canal enclosure project has

made this system unworkable, and requires the District to reevaluate and reroute any blow off flow into the City drainage system. He assured the Council that open communication will be maintained with the City and property owners and the process moves forward. Mayor Dain and the Council thanked Mr. Windsor for this report.

2. **Review and Action** – *Heritage Trail – Phase 2, Progress Update*. This is a report from the Heritage Trail team outlining the progress reached to date and requesting approval of the prioritization of construction activities along the trail to coincide with funding received.

City Engineer, Mark Christensen was accompanied by Muriel Xochimitl of the Langdon group for this presentation. Mr. Christensen explained that the purpose of this discussion is to provide an update to the Council regarding progress on the project, as well as to receive input from the Council regarding the best use of available funding. He explained that design of the project is well under way, and that staff will meet with UDOT in April to review completed plans.

Mr. Christensen reported that Lindon business, Mountain States Steel, has volunteered to provide and install portions of the bridge structure which is included in this phase of the trail, resulting in a significant cost savings which can be utilized elsewhere. He reviewed a map showing details of the planned trail corridor. He reported that negotiations with the Army Corp of Engineers regarding the wetlands area adjacent to the trail are progressing, and that Corp personnel have indicated that any relevant issues can be resolved to allow the trail project to proceed. The additive bidding process used for this project, which includes a base bid accompanied by a number of additional segments which are bid individually, will allow the project to be completed as far as available funding will permit.

Mr. Christensen noted that the project is fully funded. He clarified that the required City financial match has been met through the land purchase for the project, and that the City will have no significant additional costs. He went on to review the trail area east of Geneva Road which is the area identified for the base bid. He also reviewed each additive segment and the cut off point for each area. He explained that the full area of the base bid segment will be fully improved and paved. He suggested the possibility of full improvements on the base bid area, with a graded gravel surface beyond that section to maximize the trail route and right-of-way acquisition for future expansion with available funding. Following discussion, it was the general feeling of the Council that it would be the best course of action to grade the trail and obtain right-of-way as far as possible toward the lake, and complete the asphalt surface in those areas as funding becomes available.

Mr. Christensen went on to review the bridge design. The structure will be 16 feet by 50 feet, and will be built to support vehicular traffic to provide maintenance vehicle access to the area.

Ms. Xochimitl commented on public involvement in the project, particularly with affected property owners. She reported that she has met with all affected property owners either in person or by phone. She stated that she has received a great deal of favorable feedback regarding the trail project. She explained that timely detailed communication with property regarding specific impacts has minimized concerns. She

continues to work closely with property owners with unresolved concerns related to issues such as relocating fences outside the City right-of-way. She also noted that another Lindon business, Boswell Olsen, has expressed an interest in a charitable contribution in the form of railing, benches or other amenities along the trail route.

Mr. Christensen reported that the environmental document is nearing completion. The cultural and historic inventory has been completed, and the wetlands inventory has been submitted and will be approved in late March. Staff is working with PacifiCorp to finalize terms of the easement along the power plant property frontage. The project is on schedule, and construction is scheduled to begin Spring 2012. Councilmember Walker inquired what percentage of available funding will be used in meeting environmental requirements. Mr. Christensen stated that approximately 10% to 15% of funding for this project will go toward environmental requirements.

The public involvement team at the Langdon Group will work with the City through construction and completion of the project. Mayor Dain and Council thanked Mr. Christensen and Ms. Xochimitl for this report and their work on the project.

3. **Review and Action** - *Supplemental Agreement – UDOT – I-15 Widening Project (#0406)*. This is a request by staff for the Mayor and Council’s review and approval of a supplemental agreement which modifies the Master Utility Agreement between Lindon City and UDOT relative to the I-15 Widening Project. There are no additional costs associated with this agreement.

Mr. Dameron explained that this supplemental agreement documents additional work not included in the original Master Utility Agreement, and represents no additional cost to the City. Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER CARPENTER MOVED TO APPROVE  
SUPPLEMENTAL AGREEMENT #0406 BETWEEN LINDON CITY AND UDOT.  
COUNCILMEMBER FRAMPTON 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.

4. **Review and Action** – *Bid Award – Lindon Community Center and Senior Center Remodeling Project*. This is a request by staff for the Mayor and Council’s review and approval of the bid award for the Lindon Community Center and Senior Center Remodeling Project. Staff recommends awarding the bid to the low bidder, R4 Constructors, with a bid of \$203,438.00.

John Ragan of R4 Constructors was present in the audience. Mr. Dameron noted that the low bid came in significantly under estimates of \$250,000 for the full project. He

2 explained that additional funding not used as part of the initial remodel project will be  
used to purchase equipment and expand the remodel project as much as possible. Mr.  
4 Ragan expressed appreciation to the City for this opportunity. He stated that he is  
working to build his company based on reputation, and that they will be willing to work  
6 cooperative with the City to resolve any issues that arise during the project. He noted  
that his company is currently working on the Orem City Center remodel project, which  
will be completed on time and under budget.

8 Mr. Dameron explained that following approval of the bid award, R4 will acquire  
insurance and bonding, after which an agreement will be signed and a Notice to Proceed  
10 will be issued. The contractor will also be required to attend a pre-construction meeting  
regarding use of the CDBG grant funding prior to starting construction. Mayor Dain  
12 called for further comments or discussion. Hearing none, he called for a motion.

14 COUNCILMEMBER BAYLESS MOVED TO AWARD THE BID FOR THE  
LINDON COMMUNITY CENTER AND SENIOR CITIZEN'S CENTER REMODEL  
16 PROJECT TO R4 CONSTRUCTORS IN THE AMOUNT OF \$203,438.00.

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

COUNCILMEMBER BAYLESS AYE

20 COUNCILMEMBER CARPENTER AYE

COUNCILMEMBER FRAMPTON AYE

22 COUNCILMEMBER HATCH AYE

COUNCILEMMBER WALKER AYE

24 THE MOTION CARRIED UNANIMOUSLY.

26 **CITY COUNCIL/ADMINISTRATOR'S REPORTS** –

28 Mr. Dameron reported on the following items:

- 30 1. The Council reviewed the Project Tracking List.
- 32 2. Engineering Coordination Meeting will be held March 8<sup>th</sup> at noon at the Public  
Works complex. Councilmember Frampton and Councilmember Walker will  
attend.
- 34 3. Easements for the Geneva Road sewer line project have not been finalized. The  
easement agreement will be between Orem City and the property owner. Orem is  
36 currently negotiating with the property owner.
- 38 4. Orem City has indicated that they are willing to participate 10% in the gravity line  
portion of the project.

40 **COUNCILMEMBER FRAMPTON** – Councilmember Frampton reported that the Tree  
Advisory Board recommends leaving the large evergreen tree on the west side of the  
42 Community Center in place to provide shade for the patio area. Following discussion, the  
Council felt that it would be appropriate to remove the tree. Mayor Dain noted that the  
44 City Council was under the impression that the Tree Advisory Board recommended  
removal of the tree in an earlier discussion. The Council also discussed maintenance or  
46 removal of other trees and shrubs on the property, as well as appointment of new  
members to the Tree Advisory Board. Board members will be approved by the Council

2 at a future meeting. The Community Christmas Tree will be planted as part of the annual  
Arbor Day celebration on May 7, 2011. Mayor Dain suggested that the ribbon cutting  
ceremony for Fryer Park be included in Arbor Day activities.

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6 **COUNCILMEMBER HATCH** – Councilmember Hatch reported that mountain snow  
pack this year is reported at 167% of normal, and that water is being diverted downstream  
to make room for spring run off in reservoirs. He also reported that the canal enclosure  
project is approximately one month behind due to weather. A second crew has been  
brought onto the project to bring work back on schedule.

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12 **MAYOR DAIN** – Mayor Dain discussed appointments to the Community Center  
Advisory Board. John Bayless, Eileen Olsen and Bill Vincent have agreed to serve on  
the Board. Mayor Dain asked for recommendations from the Council for two additional  
members. The Council discussed names of residents who may be willing to participate  
on the Board.

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18 **COUNCILMEMBER CARPENTER** – Councilmember Carpenter reviewed the status  
of several issues under discussion at the State Legislature, including immigration laws  
and food sales tax.

20 Councilmember Carpenter invited Chief Cullimore to report on Police  
Department activities. Chief Cullimore gave an update on a case involving a non-  
22 custodial father taking his children without permission. The children are listed NCIC  
nationwide as missing and endangered. The Police Department does not have any current  
24 information to further the investigation. The extended family has been uncooperative in  
helping authorities locate the children. They are not believed to be in any immediate  
26 danger, but listed as endangered due to the fact that the father is the non-custodial parent  
and took the children without permission. The Utah County Sheriff’s office has been  
28 providing assistance in the investigation using their airplane to fly over remote areas  
where sightings of the children have been reported.

30 Chief Cullimore also reported that the second Youth Education Series class will  
be held March 17<sup>th</sup> at the City Center. Chief Cullimore will be the presenter. The two  
32 previous classes have been well attended.

34 The Police Department will conduct training at an abandoned home awaiting  
demolition the week of March 7<sup>th</sup> through 11<sup>th</sup>. Orem Department of Public Safety,  
Pleasant Grove Police Department, and the Utah County SWAT Team will also  
36 participate in the training. Signage will be posted informing area residents that this is a  
training exercise.

38 Chief Cullimore met with vendors and Alpine School District officials to  
investigate new security surveillance cameras. The cameras will be interactive with  
40 police computers and provide real-time images that can be viewed from the officer’s  
vehicles as well as from dispatch. Lindon will be the test site for the District for the new  
42 technology. There will be no cost to the City. All equipment will be paid for and  
installed by Alpine School District.

44 Chief Cullimore presented a model of the Minute Man sculpture which is planned  
for the Veteran’s Memorial. The sculpture is the work of local artist, Ken Packer, and  
46 will cost approximately \$24,000. The Council discussed funding mechanisms for the

2 sculpture, including the possibility of additional private donations. If funding is not  
3 available for the sculpture at this time, the monument will be dedicated without the  
4 sculpture, which will be added at a later date.

6 **COUNCILMEMBER WALKER** – Councilmember Walker reported that he recently  
7 attended a session of Youth Court and was very impressed with the program. Chief  
8 Cullimore noted that he is investigating the possibility of implementing a Youth City  
9 Council as well.

10 Councilmember Walker also reported that the University of Utah will no longer  
11 be taking animals from the North Utah Valley Animal Shelter for laboratory use.

12 **COUNCILMEMBER BAYLESS** – Councilmember Bayless reported that interviews  
13 for Planning Commission seats were recently conducted. Del Ray Gunnell and Carolyn  
14 Lundberg will be recommended to the Council to serve on the Commission at the March  
15, 2011 City Council meeting. Commissioner Gary Godfrey will be recognized for his  
16 service on the Commission at the April 5, 2011 City Council meeting. Commissioner  
17 Mark Johnson will be recognized at the May 3, 2011 City Council meeting.

18 Councilmember Bayless also reported that the Healthy Lindon program and  
19 classes are going well, and that Alan College has done an excellent job in preparing and  
20 presenting the program.

21 The Intermountain Healthcare Community Outreach Committee announced the  
22 next drug take-back event on April 30, 2011. The emphasis of this event will be to assist  
23 senior citizens in proper disposal of medications they no longer need. Councilmember  
24 Bayless is aware of several pharmacist students who have volunteered to assist during the  
25 event. Chief Cullimore noted that the drugs collected during the event will be  
26 incinerated. He observed that the disposal is a minimal cost to the City and a great public  
27 service.

30 COUNCILMEMBER WALKER MOVED TO APPROVE THE PAY  
31 VOUCHERS. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE  
32 VOTE WAS RECORDED AS FOLLOWS:

33 COUNCILMEMBER BAYLESS            AYE  
34 COUNCILMEMBER CARPENTER        AYE  
35 COUNCILMEMBER FRAMPTON         AYE  
36 COUNCILMEMBER HATCH            AYE  
37 COUNCILMEMBER WALKER           AYE

38 THE MOTION CARRIED UNANIMOUSLY.

40 **ADJOURN** –

42 COUNCILMEMBER HATCH MOVED TO ADJOURN THE MEETING AT  
43 9:44 P.M. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL  
44 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

46 Approved – March 15, 2010

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Debra Cullimore, City Recorder

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James A. Dain, Mayor

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