The Lindon City Council held a regularly scheduled meeting on Tuesday, March 15, 2011 beginning at 6:30 p.m. in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

**WORK SESSION** – 6:30 p.m.

Conducting: James A. Dain, Mayor

**PRESENT**

James A. Dain, Mayor
Lindsey Bayless, Councilmember
Bruce Carpenter, Councilmember
Bret Frampton, Councilmember
Jerald I. Hatch, Councilmember
Mark L. Walker, Councilmember
Ott H. Dameron, City Administrator
Adam Cowie, Planning Director
Phil Brown, Chief Building Official
Cody Cullimore, Chief of Police
Debra Cullimore, City Recorder

**ABSENT**

The meeting began at 6:39 p.m.

**DISCUSSION** - The Mayor and City Council will meet in a work session with Phil Brown, Chief Building Official, and Adam Cowie, Planning Director, to hear a report on current year data and discuss issues and concerns for Fiscal year 2011/2012.

Mr. Cowie presented a report regarding activities during the previous year. The Planning and Building Departments processed 30 land use applications and 169 building permits during the 2009-2010 fiscal year. The majority of projects in the commercial zone were remodel projects and tenant finishes, with two new commercial projects being completed.

Mr. Brown and Mr. Cowie reviewed revenues and expenditures for the previous year, noting that revenue has increased from the previous year. Seven building permits have been issued this calendar year. The building department anticipates a number tenant improvement projects during the coming year as previously constructed office warehouse units are occupied. Revenues are expected to increase slightly this year over the previous year, with revenue to date exceeding the previous year figures by approximately $6,000.

Mr. Brown and Mr. Cowie went on to review staffing. They noted that Code Enforcement Officer, Gary Hoglund, is currently responsible for duties in both code enforcement and building inspections. The Building Inspector position vacated by the retirement of Ken Johnson has not been filled at this time. Mr. Cowie noted that the Planning Department experienced an increase in expenditures in previous years due to the addition of the Assistant Planner position, and moving the Administrative Secretary and
Receptionist positions which were previously split between the Planning and Building Departments fully under the Planning Department for accounting purposes.

Councilmember Carpenter noted that expenditures typically exceed revenues in the Planning and Building Departments. He inquired as to whether the development fee structure was equitable to the City and to developers. Mr. Cowie noted that the City charges less than actual costs for most development services. He stated that fees charged by Lindon are mid-range as compared to other municipalities, and that it is the intent of the City to provide quality services without excessive development costs.

Mr. Brown went on to review Code Enforcement information. He stated that Mr. Hoglund would be happy to give a report to the Council at any time. Councilmember Bayless reported on several code violations she has observed. She will forward details to Mr. Hoglund for follow up.

Mr. Brown suggested that the Council consider an exception to parks and trails impact fees for accessory apartments. He noted that the cost associated with the impact fee may discourage residents from establishing legal accessory apartments. The Council may consider a possible impact fee exception for accessory apartments at a future meeting.

REGULAR SESSION – 7:00 p.m.

Conducting: James A. Dain, Mayor
Pledge of Allegiance: B.J. Frampton, Boy Scout
Invocation: James A. Dain

PRESENT

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

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

MINUTES - The minutes of the regular meeting of March 1, 2011 will were reviewed.

COUNCILMEMBER HATCH MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MARCH 1, 2011. COUNCILMEMBER WALKER SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
COUNCILMEMBER FRAMPTON AYE
OPEN SESSION - Citizens comments

Mayor Dain called for comments from any audience member who wished to address an issue not listed as an agenda item. There was no public comment. Chief Cullimore invited a number of Boy Scouts present in the audience to attend the Y.E.S. community education class which will be held Thursday, March 17, 2011 at 6:30 p.m.

MAYOR'S COMMENTS/REPORT -

Mayor Dain commented on the importance of recognizing the blessing and freedoms we enjoy living in the United States of America. He thanked Chief Cullimore for his efforts in preparing the City and residents to respond to an emergency event, such as the devastating earthquake which recently occurred in Japan. He observed that the people of Japan are in the thoughts and prayers of the world at this time.

CONSENT AGENDA –

No Items

CURRENT BUSINESS

1. **Review and Action** – Plat Amendment – Lindon Hills Residential Subdivision, Plat “G”. This is a request by Gary Worthington for approval of a re-plat of three existing subdivision lots into a new Lindon Hills Residential Subdivision, Plat “G”, 3 lots, in the R1-12 zone at 813 East 400 North, and 425 North and 427 North on 835 East. The Planning Commission recommended approval with no conditions.

Gary Worthington was present as the representative for this application. Mayor Dain explained that as the architect for the new Worthington home which will be constructed on the subject property, it would be appropriate for him to recuse himself from this discussion. Mayor Dain turned the meeting over to Mayor Pro-Tem, Councilmember Walker, and excused himself from the Council Chambers.

Mr. Cowie explained that Mr. Worthington is the owner of two of the subject parcels. The third parcel is owned by Clayton Jones. This application is for a re-plat of three parcels which will amend the existing property lines. Mr. Cowie presented the existing plat lines. He noted that all three properties meet square footage requirements, and existing and future dwellings will meet all setback and frontage requirements. Mr. Cowie stated that there are no staff concerns related to this application.

Councilmember Walker asked Mr. Worthington if he had any additional comments. Mr. Worthington had no comments. Councilmember Walker called for further comments or discussion from the Council. Hearing none, he called for a motion.
COUNCILMEMBER HATCH MOVED TO APPROVE THE LINDON HILLS RESIDENTIAL SUBDIVISION PLAT “G” PRELIMINARY PLAT. 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.

Mayor Dain returned to the Council Chambers at this time. He publicly thanked Mr. Worthington for his generous contribution of pies and rolls in support of the community Thanksgiving dinner through his business, Kneaders. Mr. Worthington commented that it was their pleasure to participate in the dinner.

2. Discussion – Economic Development in Lindon City. This is a request by staff for the Mayor and Council’s review and discussion of potential economic development incentives which could be offered by the city to help spur economic growth. This is in follow-up to a discussion held by the Council in the recent Retreat.

Mr. Cowie presented information regarding possible incentives to encourage economic development, specifically along the 700 North commercial corridor. He presented incentive programs which are offered in other municipalities, as well as mechanisms which can be used to provide tax incentives, such as Urban Renewal Areas, Redevelopment Areas (RDA), and Economic and Community Development Areas. The City currently has three RDA Districts, the State Street RDA, the Geneva Road RDA and the Gateway RDA. RDAs require participation by all affected taxing entities. Some other redevelopment mechanisms do not require participation of all taxing entities.

Mr. Cowie suggested that incentive packages could be site specific or business specific. Certain incentives could be offered for any permitted use, while additional incentives could be considered for specific uses which could accelerate associated commercial development.

Councilmember Walker inquired as to whether developers typically contact the City about possible incentives. Mr. Cowie stated that the City has been contacted on several occasions by third parties inquiring as to possible incentive packages. Mr. Dameron noted that the City has not historically offered or considered incentives for businesses to locate in Lindon. However, given the recent economic downturn, it seems reasonable to consider some type of incentives which could encourage economic development.

Councilmember Bayless expressed concern regarding control of what type of use is able to take advantage of incentives, and whether they will offer some type of public improvement and be compatible in the City. Mr. Cowie stated that incentive programs could be written to include specific standards which businesses would be required to meet in order to qualify for incentives. Mr. Cowie also noted that technical assistance
programs, such as engineering and surveys, could be offered. The City could provide opportunities for Industrial Development Bonds for specific business as another incentive mechanism.

The Council felt that use of incentives may be appropriate in certain circumstances, and will consider options for specific incentive packages at a future meeting.

3. **Review and Action** – *Appointments to the Lindon City Planning Commission.*

This is a request by Mayor Dain for the City Council’s consent and approval of the appointment of Carolyn Lundberg and Del Ray Gunnell, and the reappointment of Ron Anderson and Sharon Call to the Lindon City Planning Commission.

COUNCILMEMBER CARPENTER MOVED TO RE-APPOINT RON ANDERSON AND SHARON CALL TO AN ADDITIONAL THREE YEAR TERM ON THE PLANNING COMMISSION, AND TO APPOINT CAROLYN LUNDBERG TO THE PLANNING COMMISSION FOR A THREE YEAR TERM BEGINNING APRIL 2011 AND TO APPOINT DEL RAY GUNNELL TO THE PLANNING COMMISSION FOR A THREE YEAR TERM BEGINNING MAY 2011. COUNCILMEMBER BAYLESS 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** – *Appointments to the Lindon City Tree Advisory Board.*

This is a request by Mayor Dain for the City Council’s consent and approval of the appointment of Ben Platt to the Lindon City Tree Advisory Board.

COUNCILMEMBER FRAMPTON MOVED TO APPOINT BEN PLATT TO SERVE AS A MEMBER OF THE TREE ADVISORY BOARD BEGINNING APRIL 2011. COUNCILMEMBER WALKER 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.

5. **Review and Action** – *Appointments to the Lindon City Community Center Advisory Board.* This is a request by Mayor Dain for the City Council’s consent
and approval of the appointment of Ilene H. Olsen, Jon Bayless and Bill Vincent to the Lindon City Community Center Advisory Board.

COUNCILMEMBER BAYLESS MOVED TO APPOINT JON BAYLESS, ILENE H. OLSEN AND WILLIAM VINCENT TO SERVE AS MEMBERS OF THE COMMUNITY CENTER ADVISORY BOARD, WITH TERMS OF OFFICE IN COMPLIANCE WITH CITY ORDINANCE TO BE ESTABLISHED AT A LATER DATE. 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/ADMINISTRATOR REPORTS –

Mr. Dameron reported on the following items:

1. The Council reviewed the project tracking list.
2. The Council reviewed the sales tax revenue report.
3. The bond closing for the Geneva Road sewer project is expected in approximately the next week.
4. The Council reviewed the format of the Community Covenant showing support for military families, which will be signed during the Memorial Day ceremony at the cemetery.

COUNCILMEMBER BAYLESS – Councilmember Bayless had no items to report.

COUNCILMEMBER FRAMPTON – Councilmember Frampton reported that Don De St. Jeor has agreed to take charge of the baseball little league program in Lindon. Registration is currently under way.

MAYOR DAIN – Mayor Dain reported that he received a letter from the US Office of Special Counsel regarding his endorsement of a County Commission candidate and a possible violation of the Hatch Act. The letter indicates that no action will be taken. Mayor Dain requested that the City Attorney review the letter and advise the Council regarding future endorsement of candidates.

COUNCILMEMBER HATCH – Councilmember Hatch reported that he was informed during a North Union Water Board meeting that snow pack is approximately 158% of normal for the year. Water is being cleared from reservoirs to provide space for spring run-off. He noted that there are very few repair projects planned to the North Union system during the coming year, and that previously completed repairs are holding well.
COUNCILMEMBER CARPENTER – Councilmember Carpenter reported that the 2011 Utah State Legislative Session has ended, and that impact to municipalities from new legislation is minimal. A detailed report of adopted bills is available on the Utah League of Cities and Towns website.

Councilmember Carpenter and Mr. Dameron gave a report on UTOPIA activities. UTOPIA is working to improve customer service and information functions. Stimulus funds which were awarded for this project are expected to be available in approximately eight weeks, with new construction expected to begin shortly thereafter if there are no unforeseen issues which arise.

Councilmember Carpenter invited Chief Cullimore to report on Police Department activities. Chief Cullimore reported that the open burn period will be April 1 through April 30, 2011. Residents are required to contact dispatch and notify them of any burning.

Chief Cullimore reported on the Monument to Freedom. He stated that the majority of the monument is in place, and that work has started on the bronze statue which will be placed on top of the monument. A $500 donation was received from a resident toward the monument. The City will cover the cost of engraving of any names prior to the dedication. Names received subsequently will be engraved on the monument at a cost of $25. Names of all veterans buried in Lindon cemetery have been included on the memorial regardless of whether the veteran lived in Lindon.

COUNCILMEMBER WALKER – Councilmember Walker reported that planning for Lindon Days is well under way. The Lindon Days Committee Chair, Tracey Whitehead, is doing an outstanding job with the event. The Criterium Bike Race event is scheduled for August 10th. Event organizers will contact Wadley Farms and notify them to minimize conflicts with weddings or other events during the bike race.

Councilmember Walker also reported that the annual Easter Egg Hunt is scheduled for April 23rd at 9:00 a.m. at the City Center Park. The event will be advertised through the City newsletter, website and Twitter.

COUNCILMEMBER WALKER MOVED TO APPROVE THE PAY VOUCHERS. 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.

ADJOURN –

COUNCILMEMBER HATCH MOVED TO ADJOURN THE MEETING AT 9:00 P.M. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.