The Lindon City Council held a regularly scheduled meeting on **Tuesday, May 3, 2011**, beginning with a Field Trip at 5:30 p.m. at the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

**FIELD TRIP – 5:30 p.m.**

**PRESENT**

James A. Dain, Mayor
Lindsey Bayless, Councilmember
Bruce Carpenter, Councilmember
Jerald I. Hatch, Councilmember
Ott H. Dameron, City Administrator
Cody Cullimore, Chief of Police
Debra Cullimore, City Recorder

**ABSENT**

Bret Frampton, Councilmember
Mark L. Walker

**Tour of Community Center Remodel Project** – The Mayor and members of the City Council and City staff toured the Lindon Community Center remodel project, which is on schedule for completion in early June, 2011.

**WORK SESSION – 6:00 p.m.**

**PRESENT**

James A. Dain, Mayor
Bruce Carpenter, Councilmember
Jerald I. Hatch, Councilmember
Ott H. Dameron, City Administrator
Kristen Colson, Finance Director
Cody Cullimore, Chief of Police
Debra Cullimore, City Recorder

**ABSENT**

Lindsey Bayless, Councilmember
Bret Frampton, Councilmember
Mark L. Walker

**Discussion** - The Mayor and City Council will meet in a work session with Don Garlitz of First West Benefits to discuss the city health insurance offerings for next fiscal year.

Mr. Garlitz presented information regarding quotes from health insurance providers. He stated that a number of quotes have been received from carriers and that First West has made an effort to compare similar policies to the existing policies currently provided through Aetna. Quotes have not yet been received from the Utah Health Exchange. Quotes received from Altius indicate an overall rate increase of approximately 8.3% for plans with deductible and out of pocket maximum requirements similar to current plans offered through Aetna. He expressed confidence that final costs will be in the range of a 10% increase.

Councilmember Carpenter asked Ms. Colson what figures are in the tentative budget for health insurance benefits. Ms. Colson stated that the budget currently allows
for up to a 15% increase in insurance premiums. Mr. Dameron suggested that the Budget Committee meet to discuss final costs for health insurance as soon as quotes are received from the Utah Health Exchange.

WORK SESSION - 6:30 P.M.

PRESENT

James A. Dain, Mayor
Bruce Carpenter, Councilmember
Bret Frampton, Councilmember
Jerald I. Hatch, Councilmember
Mark L. Walker, Councilmember
Ott H. Dameron, City Administrator
Kristen Colson, Finance Director
Cody Cullimore, Chief of Police
Debra Cullimore, City Recorder

ABSENT

Lindsey Bayless, Councilmember

Discussion - The Mayor and City Council will meet in a work session with Kristen Colson, Finance Director, to hear a report on current year data, financial forecasts, and issues for fiscal year 2011/2012.

Ms. Colson explained that she would begin with the annual report regarding the Administration Department, particularly front desk personnel. She stated that the department will be requesting to hire a part time front desk receptionist at the beginning of the new fiscal year. The position will allow the front desk and cash receipting operations to return to internal controls adopted at the recommendation of the auditor. Due to the current level of manpower, it has not been possible to maintain the internal controls. In addition, filling the receptionist position will allow the accounting and customer service functions to be provided at appropriate levels. The receptionist position would be a non-benefited part time position working from 10:00 a.m. to 2:00 p.m.

Ms. Colson went on to review additional budget issues which will be discussed during budget Public Hearings and Work Sessions. The Council will consider utility rate increases, including a CPI adjustment for culinary and storm water fees and an approximate 12% increase in sewer rates to cover the cost of debt service for recent sewer system projects. The Council will also consider health insurance benefit costs, personnel changes to include the part time receptionist position as well as one Public Works position which would be shared between the Storm Water and Sewer funds. A change in job classification from Assistant Planner to Associate Planner for Woodworth Mataele will also be considered. The reclassification would not include a pay increase, but the job description would better reflect the duties of Mr. Mataele’s current position.

Ms. Colson then reviewed property and sales tax comparisons for recent years. She presented an updated version of the tentative budget, noting that some information in the budget will change prior to adoption of the final budget. Projections include unused inter-fund loans which were transferred from Enterprise Funds to the General Fund in a previous budget cycle.
A Budget Committee meeting was scheduled for Tuesday, May 9, 2011 at 4:00 p.m. A Budget Work Session for the full Council was scheduled at 5:30 p.m. on May 17, 2011. Additional Works Sessions will be scheduled if necessary.

**REGULAR SESSION – 7:00 P.M.**

Conducting: James A. Dain, Mayor
Pledge of Allegiance: By Invitation
Invocation: Bruce Carpenter

**PRESENT**

James A. Dain, Mayor
Lindsey Bayless, Councilmember – arrived 8:20 p.m.
Bruce Carpenter, Councilmember
Bret Frampton, Councilmember
Jerald I. Hatch, Councilmember
Mark L. Walker, Councilmember
Ott H. Dameron, City Administrator
Cody Cullimore, Chief of Police
Debra Cullimore, City Recorder

**ABSENT**

The meeting was called to order at 7:05 p.m.

**PROCLAMATION** – A proclamation recognizing May 7, 2011 as “Lindon City Arbor Day” in accordance with Tree City USA requirements.

Mayor Dain read the proclamation designating Saturday, May 7, 2011 as Arbor Day in Lindon City. A ceremony and tree planting will be held at Fryer Park at 9:00 a.m.

**PROCLAMATION** – A proclamation recognizing May 1, 2011 through May 7, 2011 as “Municipal Clerks Week” and citing the outstanding work of Debra Cullimore, Lindon City Recorder.

Mayor Dain read the proclamation designating the week of May 1, 2011 to May 7, 2011 as Municipal Clerks Week. The Council thanked City Recorder, Debra Cullimore, for her work in the City.

**MINUTES** - The minutes of the regular meeting of April 19, 2011 were reviewed.

COUNCILMEMBER HATCH MOVED TO APPROVE THE MINUTES OF THE MEETING OF APRIL 19, 2011. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER CARPENTER AYE
COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER HATCH AYE
COUNCILMEMBER WALKER AYE
THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

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. Joy Nelson, Director of the Little Miss Lindon Program, approached the Council. Ms. Nelson explained that new royalty was crowned at the annual pageant held on April 30, 2011. She invited the previous Little Miss Lindon, Lindsey Savage, to introduce her attendants. Miss Savage introduced Sydney Romero, Lindsey Coulton, India Severe and McKenzie Bunker. The ladies thanked the Council for their help and support over the previous year, and presented the Mayor, Council and staff with thank you gifts.

Miss Savage then introduced the new Little Miss Lindon, Taryn Christensen. Miss Christensen introduced her attendants; Dresden Fuller, Mariah Simms, Maddie Woods and Hannah Sanders. Mayor Dain expressed appreciation to the Little Miss Lindon Royalties for their service in the community. He also thanked Ms. Nelson for her work with the Little Miss Lindon program.

Mayor Dain called for additional public comment. Devin Brown approached the Council to discuss his Eagle Scout Project, which is to do a clean up of the City Cemetery prior to the Memorial Day ceremony. He inquired as to the Council’s willingness to make the clean up and annual event, and publicize the project through City sources such as the newsletter and website. Mayor Dain encouraged Mr. Brown to start the tradition this year, and indicated a willingness to support the project in future years.

Mayor Dain called for further public comment. Chief Cullimore invited all present to come out and support the Utah Special Olympics Torch Run on Monday, May 9th at 11:30 a.m.

MAYOR'S COMMENTS/REPORT –

Mayor Dain reported that the Community Center remodel project is on schedule, and a grand opening has been scheduled on June 2nd at 5:30 p.m.

CONSENT AGENDA –

No Items

CURRENT BUSINESS –

1. Report/Presentation – North Utah Valley Animal Shelter. This item was continued from April 19, 2011 meeting and is a report/presentation by Tug Gettling, NUVAS Director, about activities at the Animal Shelter. As a charter member of NUVAS, Lindon City has an appointed Board Member, Mark Walker, and participates in the shelter by agreement.

Tug Gettling, Director of the North Utah Valley Animal Shelter, was present for this discussion with the Council. Mr. Gettling explained that the facility employs five full time and five part time employees, and houses between 6,000 and 7,000 animals on
an annual basis. Approximately 500 pets are adopted through the facility each year, and a number of lost pets are retrieved by the owners at the facility. The shelter also offers services such as vaccinations and microchips, as well as education programs for the public.

Mr. Gettling suggested that the City provide newsletter articles and other information encouraging residents to license their pets. He noted that increased revenue from pet licenses would reduce the cost per animal charged to the City, which is currently $45.16 per animal. He noted that the facility could be financially self-sustaining if all pets within the City were licensed.

Mr. Gettling discussed rabies vaccine clinics and microchip services. He noted that all pets adopted from the facility must be spayed or neutered prior to adoption. Chief Cullimore thanked Mr. Gettling for the positive working relationship between the Police Department and the shelter.

**Report/Presentation – North Pointe Solid Waste Transfer Station.** Mayor Dain noted that Roger Harper of the North Point Solid Waste Special Service District was present in the audience at this time. Mayor Dain suggested that the Council address the agenda item involving Mr. Harper at this time. With the agreement of the Council, Mayor Dain invited Mr. Harper to begin his presentation.

Mr. Harper reviewed a proposed Interlocal Agreement between the Transfer Station and member cities. He noted that the intent of the Agreement is to protect the financial viability of the transfer station, and security for the capital investment into needed repairs and upgrades to the facility. He also explained that preserving the level of service at the facility is a value to residents, as they are able to provide high quality services at lower rates than a privately owned facility.

The Council went on to discuss the willingness of member cities to continue participation based on specific criteria in the agreement, including the location garbage will be trucked to, and the 20 year term of the agreement. He noted that most cities felt that the term should be shortened prior to approval.

Mr. Harper briefly reviewed planned improvements to the facility, including expansion of building #2. Replacement of the floor in building #1, upgrades to the building exteriors, a new employee break room and installation of public restrooms. Mr. Harper thanked Councilmember Hatch for his service as the City’s representative on the landfill board for the past 20 years. Mayor Dain thanked Mr. Harper for the partnership of the Transfer Station and the service they provide. The Agreement will be discussed in greater detail at a later date.

2. **Review and Action – Bike/Pedestrian Study Request.** This is a request by staff to request that Mountainland Association of Governments (MAG) consider Lindon City for a bicycle/pedestrian study grant for FY 2012/2013. Lindon would be required to commit matching funds of $6,670 in FY 2012/2013 to the project.

Mr. Dameron explained that this item is to authorize the Mayor to send a letter to Mountainland Association of Governments (MAG) requesting that Lindon be considered for a bicycle/pedestrian study grant to be funded in fiscal year 2012-2013. The study
would consider location and routing for future bike and pedestrian routes. The grant revenue comes from federal funds administered MAG. The cost of the study would be approximately $100,000, of which the City would pay a $6,670 match. Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER HATCH MOVED TO APPROVE THE REQUEST TO MOUNTAINLAND ASSOCIATION OF GOVERNMENTS TO CONSIDER LINDON CITY FOR BICYCLE/PEDESTRIAN STUDY GRANT FUNDING AND AUTHORIZE THE MAYOR TO SIGN THE ASSOCIATED LETTER. COUNCILMEMBER WALKER SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER CARPENTER AYE
COUNCILMEMBER FRAMTPON AYE
COUNCILMEMBER HATCH AYE
COUNCILMEMBER WALKER AYE
THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

3. **Review and Action** – Letter Requesting Transfer of 700 North Right-of-Way from Lindon City to UDOT and Traffic Signal Plan and Access Control Plans Corridor Agreement between Lindon City and other cities along the North County Boulevard and UDOT.

Mr. Dameron explained that County Commissioner, Larry Ellertson, has worked closely with UDOT to negotiate the transfer of 700 North from the City to UDOT. The State is willing to take over the roadway due to the fact that it is a regionally significant transportation corridor. A public hearing will be held prior to final transfer of the roadway to the State. UDOT will be responsible for all roadway maintenance. The 700 North Access Plan adopted by the City will remain in place. A future traffic control light is planned on 2000 West. Other traffic lights will be considered as development occurs if specific locations meet established warrants.

Councilmember Bayless arrived at 8:20 p.m.

Mr. Dameron explained that the action before the Council at this time is to authorize the Mayor to sign a letter to UDOT stating the City’s intent to transfer ownership of 700 North to the State, and approving the traffic signal and traffic access control plan. The transfer will be finalized following a Public Hearing. Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER CARPENTER MOVED TO AUTHORIZE THE MAYOR TO SIGN THE LETTER REQUESTING TRANSFER OF THE 700 NORTH RIGHT-OF-WAY FROM LINDON CITY TO UDOT AND APPROVING THE TRAFFIC SIGNAL PLAN AND TRAFFIC ACCESS CONTROL PLAN. COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
4. **Review and Action** – **Wave Loch Agreement.** This is a request by staff for the Mayor and City Council’s review of an agreement between Wave Loch and Lindon City to provide our Flow Rider as a participant venue in the Wave Loch Flow-Rider Tour. Brian Haws, City Attorney, will be present to discuss the agreement.

City Attorney, Brian Haws, was present for this discussion with the Council. Based on language in the original agreement regarding indemnification and liability to the City, Mr. Haws had previously recommended that the City not participate as a host city for the Flow-Rider tour. However, Wave Loch has amended the agreement to minimize liability to the City. The agreement obligates the City to approximately $4700 in costs, which can be recouped in large part through entrance fees and admission to the event. Mr. Dameron agreed that the City does not anticipate any significant cost associated with the competition. Councilmember Walker expressed concern regarding the financial obligation given the current economic and budgetary condition of the City. Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER FRAMPTON MOVED TO APPROVE THE AGREEMENT WITH WAVE LOCH FOR LINDON CITY TO PROVIDE OUR FLOW-RIDER AS A VENUE IN THE WAVE LOCH FLOW-RIDER TOUR AND AUTHORIZE THE MAYOR TO SIGN THE ASSOCIATED DOCUMENTS. 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  NAY

THE MOTION CARRIED (4-1).

5. **Review and Action** – **Tentative Budget, Fiscal Year 2011/2012.** Staff will distribute the Tentative Budget document for fiscal year 2011/2012, which includes the RDA and MBA budgets. Staff requests the Council accept/approve the Tentative Budget and schedule work sessions during the month of May for discussions of issues related to the new fiscal year budget.

Mr. Dameron explained that this action will accept the Tentative Budget with the understanding that final numbers are subject to change prior to adoption of the final
budget. A budget Work Session will be held May 17, 2011 at 5:30 p.m. Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER BAYLESS MOVED TO ACCEPT THE TENTATIVE BUDGET FOR THE 2011-2012 FISCAL YEAR. 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.

6. Report/Presentation – North Pointe Solid Waste Transfer Station. This is a report/presentation by Rodger Harper, Manager of the North Utah County Solid Waste Special Service District, about activities at the Transfer Station and the proposed Interlocal Agreement between the District and member cities.

This item was discussed earlier in the meeting.

COUNCIL/ADMINISTRATOR’S REPORTS -

Mr. Dameron reported on the following items:

1. Engineering Coordination Meeting will be held Tuesday, May 10, 2011 at noon at the Public Works Complex.
2. The City is well prepared for spring run-off.
3. Community-wide spring clean up is taking place until May 7, 2011.
4. The City will continue to hold two Public Hearings prior to adoption of the final budget, even though State law requires only one Public Hearing.
5. The Council reviewed the plaque which will be placed at Fryer Park and the Senior Citizen’s Center in honor of the Afton Fryer Huggard Foundation.

COUNCILMEMBER BAYLESS – Councilmember Bayless had no items to report.

COUNCILMEMBER FRAMPTON – Councilmember Frampton discussed names for appointment to the Tree Advisory Board and the Community Center Advisory Board.

MAYOR DAIN – Mayor Dain suggested that the City recognize Don De St. Jeor for his efforts in coordinating the baseball program in the City. He also commented on a risk management issue at the City Center park. A top rail is missing from a section of pipe fencing. Mr. Dameron will follow up with parks staff regarding the report.

COUNCILMEMBER CARPENTER – Councilmember Carpenter invited Chief Cullimore to report on Police Department activities. Chief Cullimore reported that approximately 40 residents turned in prescription drugs during the recent drug take back
event. The Drug Enforcement Agency has taken possession of and will destroy all of the drugs which were turned in.

Chief Cullimore reported that Officer Darrell Bingham became ill during recent SWAT training and was transported to the hospital. He has since recovered, but a Workers Compensation claim may be submitted.

Chief Cullimore also reported that a Lindon resident is being charged with a crime for intentional damage to a City tree located on 1200 East. The case will be prosecuted through American Fork Justice Court due to the fact that the City is the victim in the crime.

Councilmember Carpenter requested clarification from Chief Cullimore regarding a definition of “citizen assist” calls taken by the Police Department. Chief Cullimore explained that citizen assists included which do not involve a crime, such as keys locked in cars, stranded motorists, etc.

Councilmember Carpenter reported on UTOPIA and UIA activities. He stated that UIA was recently given an “A” bond rating, which puts the organization well within the parameters of the Interlocal Agreement. He explained to Councilmembers that any questions regarding UTOPIA from residents should be referred to UTOPIA or their attorney for comment. New lines and connections are being installed in Midvale, and construction will also begin soon in Murray.

COUNCILMEMBER WALKER – Councilmember Walker thanked Councilmember Frampton for his help with the Easter Egg Hunt. Councilmember Frampton reported that the event was well attended and that Emilie Illif did an excellent job coordinating the event.

Councilmember Walker noted that a chair is still needed for the Lindon Day parade. He asked the Council and Chief Cullimore if they had any concerns regarding an outdoor youth dance as part of the Lindon Days events. Chief Cullimore noted that curfew is 11:00 p.m. He expressed concern regarding potential noise impacts to neighboring properties. Councilmember Walker reported on upgrades and repairs which are needed at the horse arena.

Councilmember Walker reported on the new Transparency page on the City website which was discussed at the previous meeting. He invited the Council to review the page at their convenience. He will contact the Sutherland Institute to inform them that the page is complete.

COUNCILMEMBER HATCH – Councilmember Hatch had no items to report.

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

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

THE MOTION CARRIED UNANIMOUSLY.
ADJOURN –

COUNCILMEMBER CARPENTER MOVED TO ADJOURN THE MEETING AT 9:20 P.M. COUNCILMEMBER WALKER SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – May 17, 2011

____________________________________
Debra Cullimore, City Recorder

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James A. Dain, Mayor