

2 The Lindon City Council held a regularly schedule meeting on **Tuesday, May 15, 2012**
3 **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 **BUDGET WORK SESSION** – 6:00 p.m.

8 Conducting: James A. Dain, Mayor

10 **PRESENT**

10 James A. Dain, Mayor
11 Mark L. Walker, Councilmember
12 Bret Frampton, Councilmember
13 Matt Bean, Councilmember
14 Randi Powell, Councilmember
15 Ott H. Dameron, City Administrator
16 Kathryn Moosman, City Recorder

ABSENT

Jeff Acerson, Councilmember

18 The work session began at 6:10 p.m.

20 **DISCUSSION** – *The Mayor and City Council will meet in a budget work session with*
21 *staff to discuss issues for fiscal year 2012/2013.*

22
23 Kristin Colson, Finance Director was in attendance to discuss items pertinent to
24 the budget and to answer any questions the council may have. Mrs. Colson began the
25 discussion by reviewing the budget issues for 2012-2013. She noted that April's CPI was
26 released today and came in at 2.3%. She noted that she calculated what that figure will
27 mean for the utility rate increases as follows: Water, about \$0.53 increase per month on
28 an average water bill, Sewer, about \$3.68 increase per month on average (12% increase
29 because of the bond), and storm water, \$0.11 increase per month on an average water bill.
30 Mrs. Colson noted that the garbage rate is unknown as we are still anticipating a request
31 from Allied Waste. She noted the handout indicates the fee schedule changes which
32 show the current utility rates and also the proposed changes. Mrs. Colson also covered
33 the proposed payroll increases. She indicated the 2.3% CPI would also be applied to the
34 cost of living (COLA) allowance increase in payroll for the whole year if approved, and
35 also for the merit increase (6 months). Mr. Dameron made a comment regarding item #3
36 on the handout (insurance benefits) and noted that he received an email today from First
37 West indicating they had the numbers ready and will meet with the City by the end of the
38 week. Mrs. Colson asked if there were any questions on the budget issues.
39 Councilmember Walker mentioned the large increase on sewer rates may be questioned
40 by residents. Mayor Dain agreed that increase will be hard and asked how many years
41 that increase will be expected. Mr. Dameron stated the increase will be for one more
42 year.

43 Mrs. Colson then outlined the budgeted capital expenditures. Mr. Dameron asked
44 if the council had any questions on the capital expenditures. Mayor Dain inquired if they
45 were replacing the metal pavilion at the City Center park. Mr. Dameron confirmed that
46 the pavilion will be replaced in the fall. Councilmember Walker asked if it would be

more cost effective to replace or buy a new boiler at the Community Center. Mr. Dameron stated that he has talked to Heath Bateman and Phil Brown regarding this issue and they indicate a re-build on the boiler could last up to 10 years. There was then some general discussion between Mr. Dameron, Mrs. Colson and the council regarding capital expenditures. Mr. Dameron mentioned the court recording system that is mandated by the state; he noted that 3 vendors have come in to look at our situation, and for our small court, we are not required to have 3 or 4 track recording, so this can be done for under \$900 and will be done this fiscal year. Mrs. Colson asked if there were any further questions or comments on capital expenditures. There were no further questions.

Mrs. Colson then discussed the fee schedule changes. She noted there were some fees changed and added in the Police Department. There were also some changes in wording under the cemetery and utilities (which were approved by the council). Mayor Dain asked if the Center Street project would not be listed as a capital expenditure. Mr. Dameron stated they were hoping to have that done before July 1st, so it may not show, but either way the funds are available. Councilmember Walker asked if any of the capital expenditure items can be held off until next year. Mr. Dameron noted that they have held off on capital improvements on the enterprise funds even though it was the tax support (general fund) that was impacted when the recession hit. Mr. Dameron then discussed some of the capital expenditure items. Mayor Dain mentioned some past discussion regarding the sidewalk on 400 North. He suggested that perhaps now that the trail system is defined, something should be done with that area as it is not getting the use it was intended for. Mr. Dameron replied asphalt was put in that area per direction from the council. Mr. Dameron stated that he will check into this issue.

Mrs. Colson further reported the budget is 18 million dollars for next year (with all the funds) and is still in the refining process. Mr. Dameron added that with the general fund itself it is important to look at where we are at: 8.793 for the general fund, and the next fiscal year it is 9.515. He added this item needs to be brought up in a public hearing because it appears to have gone up, and residents will want to know why it has gone up. Mr. Dameron noted there are some increases for public safety, streets, fire and EMS.

Councilmember Powell questioned if the CARE tax is put on the ballot for the election will the city have to take care of a portion of the expense or if the county will take care of all of the expense. Mr. Dameron thought that the county would take care of it, but noted he will check into that issue. Councilmember Bean questioned the UTOPIA line item under contributions, inquiring what the major difference was between budget and actual contributions and what the big jump was there. Mr. Dameron replied that there was one year's payment on the deposit and then actually started to pay it monthly; he noted this grows 2% each year. The Council then went over the budget by line item and had some general discussion and questions for Mrs. Colson.

Mrs. Colson mentioned the CARE tax that was previously discussed. Mayor Dain noted that Provo also has a CARE tax. Mr. Dameron asked the Council if they want to take affirmative action on the CARE tax, if so, he will put it on the agenda for the next meeting to start the process. Councilmember Bean thought it would be important to have the discussion regarding the CARE tax and how it would be used. Mayor Dain questioned if the CARE tax is adopted will the funds be used to improve all of our programs or just pay for the ones already in place; and then push more money back into the general fund. He further questioned if all of the services we now provide will stay the

2 same and be more solid, or does this mean if we get the CARE tax money do we
3 implement more programs. He added that this is an issue that needs more discussion
4 because the citizens will need to know how it will be used. Mr. Dameron added this
5 CARE tax would help fund some of the debt. Mrs. Colson stated the CARE tax wouldn't
6 be pushing any money back to the general fund, but would be pulling less out of the
7 general fund. Councilmember Walker commented that this needs to be promoted to the
8 public in a positive manner. Councilmember Powell noted the communities that have
9 been successful in passing the CARE tax have been proactive on getting the information
10 out to the citizens on what the money will be used for. Mr. Dameron stated he will add
11 the CARE tax as an agenda discussion item at the next meeting. Mayor Dain added this
12 should be discussed separately from the budget meetings.

13 Mayor Dain then thanked Mrs. Colson for the information and expressed his
14 appreciation for the great work she provides to the City.

15 **REGULAR SESSION** – 7:00 p.m.

16 Conducting: James A. Dain, Mayor
17 Pledge of Allegiance: Caleb Smith, Troop 1171
18 Invocation: Randi Powell, Councilmember

19 **PRESENT**

20 James A. Dain, Mayor
21 Mark L. Walker, Councilmember
22 Bret Frampton, Councilmember
23 Matt Bean, Councilmember
24 Randi Powell, Councilmember
25 Ott H. Dameron, City Administrator
26 Adam Cowie, Planning Director
27 Cody B. Cullimore, Chief of Police
28 Kathryn Moosman, City Recorder

19 **ABSENT**

20 Jeff Acerson, Councilmember

31 The meeting was called to order at 7:00 p.m.

32 **PRESENTATION** – *The Lindon West Stake Relief Society will present “Comfort Blankets”*
33 *and quilts to the City Council and the Lindon City Police Department for the use of young crime*
34 *victims in Lindon.*

35 Mayor Dain welcomed the Lindon West Stake Relief Society for their
36 presentation of “Comfort Blankets” and quilts to the Lindon City Council and Police
37 Department. Janelle Kallas, Barbara Draper, Kim Trent and Trudi Karen were in
38 attendance to address the council. Mrs. Kallas spoke on behalf of the Lindon West Stake
39 Relief Society. She noted that it is an honor to present these “comfort blankets” and
40 quilts to the Police Department to be utilized for trauma victims. She added that each
41 blanket or quilt has been made by a woman representing the Lindon West Stake Relief
42 Society, and a lot of love and care have gone into making them. She added that they
43 work on a humanitarian project each year and they focused in the local area for their
44 project this year. She then expressed their thanks to Chief Cullimore and the Police
45

2 Department for all the work they do for the community and added they hope this gift
3 represents their support and love for the Police Department. Mrs. Kallas also expressed
4 their appreciation to the Mayor and Council for their dedication and support. Barbara
5 Draper addressed the council at this time. She noted that in trying to decide what work
6 project they would like to do, they got in touch with Chief Cullimore to ask him if there
7 was a project needed that they could do as a Stake Relief Society to contribute to the
8 community. Chief Cullimore stated that they could use blankets and quilts for victims in
9 times of trauma. Mrs. Draper asked if there was any specific kind or amount they were in
10 need of. Chief Cullimore stated they would appreciate anything they do. She noted they
11 got to work and made soft warm blankets, which is a comforting thing in a time of
12 trauma. Mrs. Draper also noted they made 25 quilts, 102 fleece blankets, 1 flannel
13 blanket and 1 crocheted baby afghan to donate.

14 Chief Cullimore expressed his sentiments and gratitude for this wonderful project
15 that will help so many people. Mayor Dain also expressed his thanks to everyone who
16 contributed, not only with donated time but monetarily as well, to this worthy cause.

17 **RECOGNITION** – *The City Council will recognize the outgoing members of the Lindon City
18 Youth Court. These members of the Youth Court have given great service to the city and
19 performed their duties with distinction.*

20
21 Mayor Dain invited Officer John Lloyd forward to recognize the outgoing
22 members of the Lindon City Youth Court. Officer Lloyd noted that the members of the
23 Youth Court have served diligently for over 3 years and they have seen over 150 youth
24 who have come through the program. Officer Lloyd added there have been hundreds of
25 hours (nearly 1,000 hrs.) of community service rendered through different capacities in
26 helping the community. Officer Lloyd noted he has seen a lot of growth in these youth
27 court members and they have given a lot of council and advice these past years. Officer
28 Lloyd expressed that he cannot thank these kids enough for their hard work and dedicated
29 service they have provided to the city. Officer Lloyd then called the Youth Court
30 members forward to be recognized: Tyler Moss, Skylar Payne, Brynn Willis and Trevor
31 Matheson came forward. Officer Lloyd also recognized Julie Sutch the outgoing advisor,
32 and Mindi Zobell who will be the new advisor. Chief Cullimore added that when these
33 members started 3 years ago in the Youth Court they were kids and now they are leaders,
34 they were outstanding to start with, but to watch them grow and develop and to see the
35 things they have done is amazing. Chief Cullimore expressed his thanks to Julie Sutch
36 for doing a great job as youth court coordinator and advisor and welcomed Mindi Zobell
37 as the new advisor.

38 Mayor Dain commended the outgoing members for a great job and thanked them
39 for serving so diligently in their capacities and for providing a great service to the City.
40 Mayor Dain also commended Julie Sutch for doing a great job implementing this great
41 program and for her dedicated service. Mayor Dain also noted that Mindi Zobell will do
42 a great job in this capacity as well.

43 **MINUTES** – The minutes of the meeting of May 1, 2012 were reviewed.

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45 **COUNCILMEMBER WALKER MOVED TO HOLD THE MINUTES OF MAY
46 1, 2012 FOR APPROVAL UNTIL THE NEXT MEETING. COUNCILMEMBER**

2 POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

4 COUNCILMEMBER WALKER AYE
COUNCILMEMBER FRAMPTON AYE
6 COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
THE MOTION CARRIED WITH ONE ABSENT.

8
10 **OPEN SESSION** – Citizen Comments.

12 Trevor Brisk, Lindon resident, was in attendance to address the council at this
time. Mr. Brisk explained that he is here to represent the neighbors in the Pheasant
14 Brook subdivision. Mr. Brisk noted the neighborhood has recently been experiencing an
issue with the property to the west of them in the LI (Light Industrial) zone. He went on
16 to say this issue started in the late fall of 2011. Mr. Brisk stated the issue is a dust
collector on one of the businesses, and there are 4 homes on the west side that borders the
fence line. He noted the fans run through the night and they have gotten louder than they
18 have ever been. As neighbors they have tried to deal with it and put it off, but the issue
has not gone away, and something needs to happen to deal with the situation. Mr. Brisk
20 noted that he has talked to Gary Hogle, the code enforcement officer and he indicated
there is nothing he can do. Mr. Brisk added he and his neighbors are concerned that
22 something has changed at the facility, and they have concerns for safety issues, and it has
now become a nuisance. Mr. Brisk further discussed he did check the ordinance and it
24 states there should be no excessive dust, noise or offensive odors etc. associated with the
business. Mr. Brisk stated that he believes this issue is in violation of the code. He went
26 on to say he is willing to work with the company, and he has talked to them through
email as has Mr. Hogle. There has been some positive feedback, but in other ways
28 they think the neighbors are just complaining. Mr. Brisk noted that the fans are loud
enough as to not allow sleep and the fans run sometimes until 2 a.m. in the morning.

30 Mr. Brisk further noted that the facility has started running a second shift, and the
amount of noise is the biggest change. The neighbors noticed this change happened in
32 the fall. Councilmember Bean inquired if the business acknowledged that there had been
changes. Mr. Brisk replied that he asked the company and they said nothing had
34 changed. Mr. Brisk added that things are definitely different from the past 4 years. Mr.
Brisk noted the neighbors have filed formal complaints with the City. He went on to say
36 while in your house you can hear the fans going and they never stop until the middle of
the night. Mr. Brisk added he and the neighbors are very open to working with the
38 company and they do not want to sound like complainers. Mr. Brisk noted there are
others than the 4 homes who border the fence who are also affected. Mr. Dameron stated
40 he will talk to the code enforcement officer regarding this issue.

42 Mr. Brisk commented on another issue. There is a trash situation with another
business (CSB Nutrition). Mr. Brisk pointed out that after 4 or 5 years of picking up the
trash it has become an issue. Mr. Brisk added that the owner is aware of the litter
44 problem. Mr. Hogle has sent letters to the owners, and they have indicated they will
get on top of it; and that was a month ago. Mr. Brisk stated that this has not been an
46 acceptable solution. Mayor Dain suggested we need to do some follow up work with Mr.

2 Hoglund. Mr. Brisk submitted complaint forms from the neighbors to Mr. Dameron
along with emails and pictures.

4 Lori Kay Banks, Lindon resident, approached the council. Mrs. Banks noted she
was in attendance to let the council know since the last council meeting she has recently
6 obtained several things that have been turned into the city (complaints) about her back
yard, specifically the cows, and she now understands some of the things that have been
8 said more clearly now. She was under the assumption that when information is given it is
accurate but there have been several things that are not only slanted but downright wrong.
She thought it was important that the council recognize what information is accurate and
10 what information is not accurate regarding this issue. Mrs. Banks commented that she is
in agreement that there is a fly problem, but would dispute that the flies are not all from
12 their backyard or their cows. Mrs. Banks also wanted to state publicly that about 3
weeks ago they found a new product to spread in the coral and surrounding area that
14 eliminates the smell of the cows. She would also challenge anyone to come in that
specific space and find a fly. Mrs. Banks noted they raised \$6,400 dollars from selling
16 the steers to go towards her children's education. She reiterated that it is important that
these inaccuracies be addressed and would ask the council to review them. Mrs. Banks
18 added they will be getting 2 steers again next year. Mayor Dain stated the council will be
clarifying the ordinance.

20 Councilmember Walker stated that the council has moved past this issue and will
now move on to clarify the ordinance as to what will be best for the City. Mrs. Banks
22 stated she understands the council wants to move on but she felt it was important for the
council to know the inaccuracies of the situation before they move on to clarify the
24 ordinance. Mayor Dain noted that this issue will go to the Planning Commission next
week and they will address the issue and make recommendations to the Council. Mr.
26 Dameron noted the Planning Commission will hear this under a discussion item on May
22nd at 7:00 p.m. and then a public hearing will be held on June 12th. The City Council
28 will receive it and take it as a discussion item sometime in July. Mrs. Banks stated that as
a citizen who did due diligence in moving to Lindon, she has intentionally tried to work
30 with the city in all aspects of this issue. Mrs. Banks concluded by saying she does
appreciate living in Lindon and appreciates all that the council has done.

32 Mayor Dain asked if there were any other public comments. Hearing none he
moved on to the next agenda item.

34
36 **MAYOR'S COMMENTS/REPORT** – Mayor Dain expressed his thanks to the Council
for filling in during his absence. At this time Mayor Dain echoed his sentiment that the
Council and Mayor are very pro-animal rights and the Council will continue to move
38 towards clarifying the ordinance and find something that is easy to define and understand,
that is the goal, not to take any animal rights away.

40
42 **CONSENT AGENDA** –

44 No items.

46 **CURRENT BUSINESS** –

1. **Review and Action** – *Contract Modification #3 – Pre-Construction Engineering for Lindon Heritage Trail Project*. This is a request by JUB Engineers, engineers for the Lindon Heritage Trail, for the City Council’s review and approval of contract modification #3 for pre-construction engineering. This modification is necessary due to bridge design work since the donation is now not possible. In addition, right of way acquisition and other items have taken much longer than anticipated which caused more engineering support work. The modification will add \$47,697.63 to the contract which will be funded by the project costs with no city expenditures. Staff recommends approval of this request.

City Engineer, Mark Christensen, opened the discussion by giving a status report on the progress of the Lindon Heritage Trail Project. Mr. Christensen noted within the last couple of weeks the last property owner the city needed to acquire property from for the trail signed the purchase agreement, which is a significant milestone. He added that 2 properties have signed the agreement, but the closing has not occurred because of a property tax issue, and the other is being held up because of a lien hold on the property. Mr. Dameron noted the city will not certify until the parcels have closed.

Mr. Christensen made the council aware that the company that was going to donate the steel bridge is unable to donate now, because the steel they had in mind for the bridge would not work because they could not certify that it met federal “Buy America” requirements. The “Buy America” requirements must be met so they basically apologized and let the city know they not be able to make the donation after all. Mr. Christensen stated because of that the steel bridge had to be designed and that has been accomplished. He went on to say between the bridge issue along with some delays and right-of-way assistance with right-of-way acquisition process, the costs of the project have gone up significantly. The nature of engineering contracts with UDOT is called a “cost plus fixed fee” so the payment to the engineer is the actual costs of services provided with a fixed percentage.

Mr. Christensen explained that he is requesting in this contract modification \$147,697.63 which brings it to the maximum amount (with the possibility of some other grant money). Mr. Christensen then explained to the council the process of “Engineer of Record” and how it works. Mr. Christensen added the biggest single item is the bridge and the assistance to the right of way acquisition. Mayor Dain asked what the value of the bridge is. Mr. Christensen stated the current estimate is well over 100,000 of which at least half is the bridge. Mr. Dameron noted that this will take JUB to the cap for engineering fees; however there are some additional expenses over the cap. There was then some general discussion between the council and Mr. Christensen regarding “Engineer of Record” and caps. Mr. Christensen added they are committed to finishing the project regardless of what happens. Mayor Dain also commented it sounds like Mr. Christensen is doing everything he can to get the project through. On another note, Mayor Dain asked Mr. Christensen if he could meet with Nyal Richins regarding some specific engineering concerns tomorrow at his residence. Mr. Christensen confirmed that he will meet with Mr. Richins.

Mayor Dain asked if there were any comments or questions. Hearing none he called for a motion.

COUNCILMEMBER FRAMPTON MOVED TO APPROVE THE CONTRACT
MODIFICATION #3 PRE-CONSTRUCTION ENGINEERING FOR THE LINDON
HERITAGE TRAIL PROJECT. COUNCILMEMBER BEAN SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE
COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
THE MOTION CARRIED WITH ONE ABSENT.

2. **Review and Action** – *Appointment of Member to the Lindon City Historical Preservation Commission.* This is a request by the Chair of the Historical Preservation Commission for the Mayor and Council’s approval of the appointment of Stephen Anderson as a member of the Commission.

Councilmember Powell reported that she did speak with Tonya Lemone about the request for Stephen Anderson to be appointed to the Historical Preservation Commission. Councilmember Powell noted that Mrs. Lemone has already talked with Mr. Anderson and indicated that he is very excited at the prospect of serving on the commission.

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

COUNCILMEMBER POWELL MOVED TO APPROVE THE APPOINTMENT
OF STEPHEN ANDERSON AS A MEMBER TO THE LINDON CITY HISTORICAL
PRESERVATION COMMISSION. COUNCILMEMBER WALKER SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE
COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
THE MOTION CARRIED WITH ONE ABSENT.

3. **Discussion** – *Business Recognition List.* This is a request by staff for the City Council’s review and discussion of a list of businesses which could be recognized by the Council over the next year for providing significant economic benefit to the City.

Mr. Dameron opened the discussion by giving a list of businesses to the councilmembers for review and possibly pick four businesses they would like to see recognized for next year. After review, the council agreed on Wal-Mart, Larry Miller Used Autos Dealership, Universal Industrial Sales (Martin Snow) and Goodfellows. Councilmember Powell asked how deep did we go in the pool of businesses. Mr. Dameron stated that a letter was sent out to every one who has a business license in the city.

Mayor Dain asked if there were any further comments. Hearing none he called for a motion.

2 4. **Discussion** – *Personnel Policy Amendments*. This is a request by staff for the
City Council’s review and discussion regarding certain amendments to the city’s
personnel policies.

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6 Mr. Dameron opened the discussion by explaining this item is something staff has
discussing, particularly the personnel chapter of the booklet. Mr. Dameron then went
over the items proposed changes to the personnel policies as follows:

- 8 1. Recommendation to add “Parks and Recreation Director to the list which
includes all Department Heads and the City Administrator.
- 10 2. Recommendation that only the City Administrator position will be “at
will” not the Department Heads.
- 12 3. Recommendation that all employees hired should be subject to a 6 month
probationary period.
- 14 4. Recommendation to clean up some of the language in the policy manual.
- 16 5. Recommendation to designate the Mayor and Council as regular part time
employees.
- 18 6. Recommendation to determine COLA increases given on July 1 and Merit
increases to be given on January 1.
- 20 7. Recommendation to add the Parks and Recreation Director to use Twitter.
- 22 8. Recommendation to add the Storm Water Supervisor and the Storm Water
Technician to the list of those eligible to receive “Differential Pay.”

24 There was then some general discussion between Mr. Dameron and the council
regarding the proposed personnel policy amendments. Mr. Dameron noted any
Councilmember desiring the health insurance benefits offered by the city can use the
26 monthly stipend to offset the cost and pay the difference. The Council was in agreement
to leave the health insurance benefit option in the manual. The Council was also in
28 agreement on all proposed items listed above. Mr. Dameron noted he will bring this item
back in a resolution.

30 Mayor Dain asked if there were any further discussion. Hearing none he moved
on to the next agenda item.

32
34 At this time, Mayor Dain invited Commissioner Larry Ellertson to address the
Council. Commissioner Ellertson noted that he appreciates the opportunity to speak to
the council. Commissioner Ellertson discussed an issue with Special Service Districts
36 that has been raised recently with some requests that the County come into compliance
with state statute, because of changes in the procedures of dealing with Special Service
38 District Boards. He went on to say the Special Service District Board is the governing
authority for that district, the County Commission is not. Commissioner Ellertson
40 pointed out the commission has the responsibility and authority to determine how those
boards are appointed. Commissioner Ellertson further discussed that it was intended
42 when the districts were set up, that each city would have representation, and now the
statute states the County Commission will appoint members to the board instead of the
44 cities; he added the County has to go through a public notice process. Commissioner
Ellertson further explained the new statute has verbiage that states if a city is performing
46 the same service that a Special Service District performs then the city would be entitled
to an appointed position on the board and there is no grandfathering in. Commissioner

2 Ellertson stated as this was drafted, they were moving to a direction where there would be
4 a 9 member board. Commissioner Ellertson added they will see how the 9 member board
6 works. He also noted the commission would appoint them and do it in a way that would
stagger the terms. Commissioner Ellertson went on to say what they are currently finding
there is mixed feelings, but most of the cities feel they would like to appoint their
representative.

8 Councilmember Walker commented that the North Utah County Animal Shelter
10 Board works because whenever there is situation the board informs him and issues can be
12 resolved quickly. He added if the commissioners decide to appoint members; that
communication may not work as well. Councilmember Walker spoke for himself and on
behalf of the Animal Shelter that things are currently working smoothly with the
procedures in place.

14 Commissioner Ellertson noted there are varying opinions regarding this issue, and
16 he is reluctant to move forward with this and he feels they need to be receptive and
18 responsive to the communities that use it. Commissioner Ellertson thought that maybe a
20 change in statute through the League of Cities and Towns may be another option (as this
22 is a state wide issue). Councilmember Walker noted he will be attending a meeting this
24 Thursday at 10:00 a.m. regarding this conversation, and he invited Commissioner
Ellertson to attend. Commissioner Ellertson stated he would try to attend. Commissioner
Ellertson stated the essence is the county is trying to get in compliance with the statute.
Commissioner Ellertson concluded by stating decisions are hanging in balance regarding
what to do with the Special Service Districts and he would appreciate any input.
Commissioner Ellertson also stated he has met with most of the North Utah County cities
so far.

26 There was then some general discussion on the smells from the wastewater plant.
28 Commissioner Ellertson stated his contention would be the problem that was there 2
30 years ago, before the investment was made, was a much different problem that we are
32 having today; not that there isn't a smell, but rather the frequency and duration and the
intensity of the odors have all improved in terms of being as much of a problem as it once
was. Travis Brisk, who works at Tahitian Noni, and was in attendance at the meeting,
gave Commissioner Ellertson his contact information to track and identify the smells
from the plant (date, times and duration). Councilmember Frampton and Councilmember
Walker also exchanged contact information with Commissioner Ellertson.

34 Mayor Dain thanked Commissioner Ellertson for the valuable information and for
36 representing Utah County and Lindon City so well.

38 **COUNCIL REPORTS** –

40 **COUNCILMEMBER POWELL** – Councilmember Powell reported that Arlen
42 Clements has expressed an interest to be on the Community Center Advisory board and
44 to work on the senior side. Councilmember Powell inquired when the number change of
board members will be approved. Mr. Dameron stated it will be at the next meeting. She
46 has also submitted Tracey Whitehead as a member of the board. Councilmember Powell
reported she has submitted the paperwork for Jocelyn Ricks as an interior designer at the
community center. She noted that Jocelyn has fabulous ideas and has toured the
community center on projects that may be done in phases. Councilmember Powell added

2 they may access some of the Wal-Mart volunteers to help paint and maybe have some
3 professional painters volunteer to help oversee the project. Heath Bateman and
4 Councilmember Powell met with Wal-Mart at their meeting about volunteering and the
5 employees are very excited at the prospect of volunteering. Councilmember Powell also
6 reported that she contacted the Girl Scouts and they will attend the Memorial Day
7 celebration. Councilmember Powell further reported she attended a ribbon cutting in
8 American Fork and the Mayor had very nice things to say about our city.
9 Councilmember Powell noted that the Arbor Day celebration was a great time thanks to
10 Heath Bateman and Councilmember Frampton. Councilmember Powell stated that a
11 week ago she drove up to Center Street as they were doing the striping, and she met with
12 Mr. Dameron for some discussion and voiced her concerns on the striping and
13 sandblasting on Center Street.

14 **COUNCILMEMBER WALKER** – Councilmember Walker reported he will be
15 attending a meeting this Thursday with Chief Cullimore to finalize the plans for the
16 Memorial Day celebration. He added that Carol Chidester and Norma Brown will hang
17 the wreath at the Memorial Day celebration. Councilmember Walker questioned why on
18 one side of the road there is white fence and the other side there is white fencing and
19 chain link at the tunnel under State Street. Mr. Dameron noted the fencing is temporary
20 due to Brigham Ashton’s development being put on hold. Councilmember Walker noted
21 the Center Street striping is moving along.

22 **CHIEF CULLIMORE** – Chief Cullimore reported the Y.E.S. class will be held at the
23 Community Center on Thursday at 6:00 p.m. He added that he will be presenting the
24 class.

25 **COUNCILMEMBER BEAN** – Councilmember Bean reported on an item that came up
26 after the Planning Commission meeting about Maeser School involving traffic problems.
27 Councilmember Bean further reported the LDS Church will no longer allow any parking
28 at the church. Councilmember Bean noted the school was inquiring if there is anything
29 the city could do to redesign the entrance as to move the traffic more efficiently. He
30 noted the school does not own the property south of the building.

31 **COUNCILMEMBER ACERSON** – Councilmember Acerson was absent.

32 **COUNCILMEMBER FRAMPTON** – Councilmember Frampton expressed his
33 appreciation for the Tree Board. Councilmember Frampton noted that the Arbor Day
34 celebration went well and he appreciated Councilmember Powell attending.

35 **MAYOR DAIN** - Reported that he has had some discussion with Nyal Richins and Mark
36 Christensen will also speak with him tomorrow.

37 **ADMINISTRATOR’S REPORT** –

38 Mr. Dameron reported on the following items.

1. The Council reviewed the Project Tracking List.
2. The Mayors Prayer breakfast will be held on Friday at 9:00 a.m. at the Provo Marriott. Mayor Dain, Councilmember Powell and Mr. Dameron will attend.
3. The Aquatics Center is scheduled to open on Saturday, May 26, 2012.
4. The Memorial Day Celebration will be held on May 28th at 9:00 a.m. at the cemetery.
5. Mr. Dameron noted Wal-Mart estimates there will be 20 volunteers here on Saturday, May 19th for 5 hours to clean the lazy river and the leisure pool.
6. The updates and meeting schedules are on the website about Center Street and the Animal Ordinance.
7. Lindon Park Drive is partially opened and will be fully opened within a few days.
8. The next City Council meeting will be held at 5:30 p.m.
9. Maeser High School has asked the City Council to select someone from the city for the Citizen Maeser Award. Volunteer coordinator, Michelle Collier, was in attendance to explain the award. She explained this award is founded on values of truth, honor and virtue. This is the first year it will be a public event and will be extended to a member of the community. Mayor Dain asked what the criteria are for the nominee. Mrs. Collier stated that a lot of service is the only criteria. Mrs. Collier noted the award will be presented on Saturday, so they need a name tonight. Kathy Allred, from the Character Connection, was unanimously suggested by the Council to receive the award.
10. Mr. Dameron the cost of acquiring the south side of Center Street is \$3.30 square foot (per appraisal). Mr. Dameron will check the cost at 50 ft.
11. Mr. Dameron noted the pool had some trouble with some tiles in the lazy river. Staff has been working on buffing down the sharp edges and putting on epoxy. He noted that all of the tile will be replaced this fall under warranty.
12. Mr. Dameron reported the numbers from the budget work session came in at \$38,000 additional dollars over current year. Kristen Colson will be verifying the numbers.
13. Mr. Dameron noted a potential property acquisition for the expansion of the ball fields at Pheasant Brook Park. The new owner wants to sell the back piece to the city. The owner is asking what the city can pay per year at 6% interest. Mr. Dameron asked the council if there is an interest in this piece of property. The Mayor suggested looking at our options, and if we had the money is that the first place we would want it to go. Councilmember Walker noted that property is not going anywhere and suggested waiting and looking at it. The Council was in agreement that there is not any urgency in purchasing the property right now.

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

COUNCILMEMBER WALKER	AYE
COUNCILMEMBER FRAMPTON	AYE

2 COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
4 THE MOTION CARRIED WITH ONE ABSENT.

6 **ADJOURN** –

8 COUNCILMEMBER FRAMPTON MOVED TO ADJOURN THE MEETING
AT 9:30 P.M. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
10 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

12 Approved – June 5, 2012

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Kathryn Moosman, City Recorder

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James A. Dain, Mayor