

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, January 21,**
3 **2014 at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100 North State
4 Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

7 Conducting: Jeff Acerson, Mayor
8 Pledge of Allegiance: Ben Retting, Boy Scout
9 Invocation: Van Broderick, Councilmember

10 **PRESENT**

ABSENT

11 Jeff Acerson, Mayor
12 Matt Bean, Councilmember
13 Randi Powell, Councilmember
14 Van Broderick, Councilmember
15 Jacob Hoyt, Councilmember
16 Adam Cowie, City Administrator
17 Cody Cullimore, Chief of Police
18 Hugh Van Wagenen, Planning Director
19 Kathryn Moosman, City Recorder

20
21 **1. Call to Order/Roll Call** – The meeting was called to order at 7:02 p.m.

22 **2. Presentations/Announcements** –

- 23 a) **Mayor/Council Comments** – Mayor Acerson made mention of the recent tragedy
24 that involved a Lindon Police Officer and his family. Mayor Acerson stated that the
25 City would like to thank all agencies and staff that assisted in the tragic incident
26 involving Joshua Boren. Mayor Acerson expressed that during this loss Lindon City
27 has received an outpouring of support from neighboring cities, law enforcement
28 agencies, and citizens. He added that the on behalf of the City they express sympathy
29 to the families, friends, and associates of those impacted by this incident and hope
30 they can find peace in this time of loss.
31
32 b) **Lindon Character Connection** – Mayor Acerson introduced Kathy Allred, from the
33 Character Connection program, who was in attendance to present the Mayor and
34 Council with the 2013-14 Character Connection poster (which will hang in the City
35 Center Building) and also a calendar. Mrs. Allred explained that the Character
36 Connection Program has been a Lindon tradition since 1991, and commented that
37 they did partner with Wasatch Mental Health and also noted that they have produced
38 a poster and calendar every year since the program’s inception. Mrs. Allred went on
39 to say the Character Connection started with some PTA moms who met together, and
40 decided they wanted to be on the same page with businesses, homes and schools,
41 with the purpose of being connected to promote character in the community. That is
42 when the Lindon Character Connection was started, and they have done a curriculum
43 every year for teachers. She further noted that this year’s poster has a picture for each
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2 month of the year that the students have created. Mrs. Allred then invited the
3 students forward to receive their awards. The students also gave a description of the
4 picture and its meaning. Mrs. Allred expressed her thanks and appreciation to the
5 City Council and Mayor Acerson for their support of the Character Connection
6 program. Mayor Acerson commended Mrs. Allred for all of her hard work, service,
7 and dedication to the Character Connection Program and stated that this is a
8 wonderful program and we have a better community because of her service.

- 10 **3. Approval of Minutes** – The minutes of the regular meeting of the City Council of
11 January 7, 2014 were reviewed.

12 COUNCILMEMBER BEAN MOVED TO APPROVE THE MINUTES OF THE
13 MEETING OF JANUARY 7, 2014 AS AMENDED. COUNCILMEMBER POWELL
14 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

15 COUNCILMEMBER POWELL AYE
16 COUNCILMEMBER BEAN AYE
17 COUNCILMEMBER BRODERICK AYE
18 COUNCILMEMBER HOYT AYE

19 THE MOTION CARRIED UNANIMOUSLY.

- 20
21 **4. Consent Agenda** – No items.

- 22
23 **5. Open Session for Public Comment** – Mayor Acerson called for any public comment
24 not listed as an agenda item. At this time, Adam Cowie, City Administrator,
25 introduced Jordan Cullimore, the new Associate Planner in the Community
26 Development Department. Mr. Cowie noted the Mr. Cullimore previously worked
27 for Provo City in the Planning Department. Mr. Cowie stated that Mr. Cullimore is
28 highly qualified for the position and is also a licensed attorney. He added that Mr.
29 Cullimore is a long time Lindon resident and expressed that they are very happy to
30 have him on board and he will perform well in this capacity. Mr. Cowie also noted
31 that applications for the vacant councilmember seat will be accepted until January 27,
32 2014 at 5:00 p.m. Chief Cullimore mentioned that he has been working with a Erick
33 Wilson, a Boy Scout, who did a firearm safety project for “Project Child Safe” and he
34 has provided free gun locks for anyone who lives in Lindon. The gun locks are
35 available at the Police Department.

36
37 **CURRENT BUSINESS**

- 38
39 **6. Presentation & Discussion** – *Curbside Recycling in Lindon City*. Alissa Wilkinson,
40 Northern Utah Community Relations Manager with Republic Services, will present
41 and discuss an overview of the curbside recycling program in Lindon City.

42
43 Mr. Cowie opened the discussion by stating Lindon City offers curbside recycling
44 services through an ‘opt-in’ program where residents need to sign up and pay for
45 recycling service. He noted that Alissa Wilkinson, representing Republic Recycling, is in
46 attendance to discuss available options for residents and ways Lindon could promote

2 recycling in efforts to save money through diverting waste that would otherwise be taken
3 to the landfill.

4 Mr. Cowie commented that given our recent discussion on the transfer station and
5 the services provided, Staff felt it would be beneficial to have Republic inform the
6 Council of their services as well. He noted the contract with Republic services for
7 residential garbage disposal runs through June 30, 2015 with possibility for two 3-year
8 term extensions if both parties are satisfied with the agreement and services being
9 provided. Mr. Cowie further noted that Lindon enjoys some of the lowest garbage and
10 recycling rates in the County, and appreciates the professional and quality services
11 provided by Republic. He went on to say that after the presentation the Council may
12 desire more information on recycling options, which we can work with Republic to bring
13 forward at a future date.

14 Ms. Wilkinson then presented her power point slideshow presentation (previously
15 sent to the Council) giving a brief overview of the curbside recycling program including
16 statistics from 2013 followed by some general discussion.

17 Mayor Acerson called for any further comments or questions from the Council.
18 Hearing none he moved on to the next agenda item.

19 **7. Review & Action** — *Major Subdivision, Old Rail Estates*. This is a request by Scott
20 Farrer for approval of a fourteen (14) lot subdivision located at approximately 290
21 West between 100 North and 40 South on 10.97 acres in the Residential Single
22 Family (R1-20) zone. The Planning Commission recommends approval with
23 conditions.

24
25 Hugh Van Wagenen opened the discussion by explaining this is a request by Scott
26 Farrer (who was in attendance) for approval of a fourteen (14) lot subdivision named Old
27 Rail Estates. He noted the subdivision will extend from the Cullimore Court Subdivision
28 and tie into 40 South. Mr. Van Wagenen explained as part of the application, a new street
29 cross section for 40 South is being proposed. He stated that the master planned street (280
30 West) was approved last year with the Cullimore Court subdivision. He further explained
31 the proposed 40 South cross section differs from the standard 50 foot cross section in two
32 ways:

- 33 1. There is a six (6) foot planter strip on the north side of the road that will be
34 used to accommodate power poles that exist in the current right of way.
- 35 2. Only 28 feet of asphalt will be used as opposed to the standard 34 feet.

36
37 Mr. Van Wagenen commented that the six foot planter strip takes up the
38 difference in asphalt width. He noted this cross section still provides for a sidewalk,
39 which will increase pedestrian safety which was a primary concern of the neighborhood
40 at previous public meetings. Mr. Van Wagenen stated that Staff recommends approval of
41 the 40 South cross section as provided by the applicant. He added that it is anticipated
42 that the cross section will be adopted for all of 40 South.

43 Mr. Van Wagenen commented that a review by the City Engineer determined that
44 Lots 9 and 10 do not comply with LCC 17.32.100(3), which does not permit lots that
45 have more than a 3 to 1 length to width ratio. Mr. Van Wagenen noted this subsection

2 does allow the Planning Commission and City Council to approve up to a 20% increase
in the depth of a lot if it is determined that the proposed development is:

1. The best use of the property, and
2. In the best interest of the City and surrounding properties. The City Engineer recommends such an approval to make the lots compliant with the City ordinance because it does not materially alter the character of the subdivision or the residential lots in the area.

8
10 Mr. Van Wagenen commented that the Planning Commission recommended
approval of Old Rail Estates as presented with the condition that recordation of the Old
12 Rail Estates plat be subsequent to the Cullimore Court plat being recorded. He noted that
this recommendation was suggested because the utility connections for Old Rail Estates
14 will tie into the Cullimore Court Subdivision. There was the some general discussion by
the Council regarding this agenda item.

16 Mayor Acerson called for any further comments or questions from the Council.
Hearing none he called for a motion.

18 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE FOURTEEN
20 (14) LOT SUBDIVIAION TO BE KNOWN AS OLD RAIL ESTATES WITH THE
FOLLOWING CONDITION: 1. CULLIMORE COURT SUBDIVISION RECORDS
PRIOR TO RECORDING OLD RAIL ESTATES SUBDIVISION. COUNCILMEMBER
22 POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

24 COUNCILMEMBER POWELL AYE
COUNCILMEMBER BEAN AYE
26 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
28 THE MOTION CARRIED UNANIMOUSLY.

30 COUNCILMEMBER POWELL MOVED TO AMEND THE AGENDA TO
32 MOVE TO AGENDA ITEMS 15 AND 16 FOR DISCUSSION TO ACCOMMODATE
CHIEF CULLIMORE'S SCHEDULE. COUNCILMEMBER HOYT SECONDED THE
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

34
36 **15. Presentation & Discussion — *Lindon Police Department Activities Report.***
Chief Cullimore will review and discuss statistical reports comparing Police
activities between the 2012 and 2013 calendar years.

38
40 Chief Cullimore opened the discussion by presenting the Lindon Police
Department statistical report from the past year. He noted that he is happy to report they
42 have reduced crime overall, but, unfortunately, some crimes have increased like
residential theft and residential burglaries etc. Chief Cullimore stated that more
neighborhood watch and education programs are needed and will be implemented. Chief
44 Cullimore further noted that one of the reasons for the increased theft and burglaries is
that Lindon is a very attractive city and that can sometimes attract the wrong people.
46 Chief Cullimore also reported that there are drugs out there but they are stopping some

2 with the amount of arrests. He noted that a lot of the crime numbers are related to drugs
3 across the board. Chief Cullimore was also happy to report that domestic violence
4 incidents in the city are down because they attempt to be very proactive with domestic
5 violence and also because they have a victims advocate (Julie Sutch) who works closely
6 with the victims.

7 Chief Cullimore then referenced the attached documents showing the “Stats”
8 documents depicting a yearly comparison of the total incidents in 2012 compared with
9 2013. He noted the “Task Force” document is a yearly report of the Major Crimes Task
10 Force (which the Lindon Police Dept. participates in) incidents for 2013. He added that
11 those figures are for all of Utah County, including Lindon, but are an indicator of how
12 much is really going on in the drug world. Chief Cullimore asked if there were any
13 questions at this time. There was then some general discussion amongst the
14 Councilmember’s regarding the statistical reports. Mayor Acerson called for any further
15 discussion. Hearing none he moved on to the next agenda item.

16 **16. Review and Action** — *Police Department Vehicle Lease (Resolution #2014-3-*
17 *R).* The Council will review and consider a request by Chief Cullimore to review
18 and approve a resolution allowing the Mayor and Staff to execute a future lease
19 agreement for replacement of two existing police vehicles. Zions Bank requires a
20 resolution prior to preparing final lease documents. Annual estimated cost of the
21 lease for both vehicles is \$13,000 per year.

22
23 Mr. Cowie opened the discussion by referencing the Resolution included in the
24 Council packets and noted that Zions Bank requires this Resolution from the City prior to
25 preparing the final lease documents for the police vehicles. Mr. Cowie commented that
26 given the timing on the end of the lease for the two vehicles, Staff is requesting that the
27 Council approve the Resolution and allow the Mayor to sign the final lease documents
28 when all of the details from the dealership and Zions Bank have been received. This will
29 be a similar lease that has been done in the past. Mr. Cowie stated that the funds have
30 been budgeted for this fiscal year, and additional lease renewals for other vehicles are
31 planned for the next fiscal year.

32 Chief Cullimore noted the lease is on a two (2) year basis as a cost saving effort.
33 Lindon was the first city to implement this lease program with Pleasant Grove following.
34 He noted that it saves on all of the maintenance costs other than a few tires, oil changes
35 and a few windshields. Chief Cullimore stated there are two (2) separate leases for the
36 two vehicles, one of which is Chief Cullimore’s vehicle. Chief Cullimore noted they are
37 donating a four (4) year old vehicle and turning it over to the Public Works Department.
38 Chief Cullimore stated the new lease is in negotiation and would be for two (2) vehicles
39 at a cost of \$6,500 per year per vehicle, which is about where it has been in the past.

40 Chief Cullimore noted that authorization for the Mayor to enter into this
41 agreement is requested and should be part of the motion. He also mentioned that Ken
42 Garff Ford in American Fork is the dealership that they go through. Chief Cullimore also
43 mentioned that they have used the eco boost engines for fuel economy and every vehicle
44 is 4 wheel drive and they will be 2013 models.

45 Following some general discussion amongst the Council members regarding this
46 issue Mayor Acerson called for a motion.

COUNCILMEMBER POWELL MOVED TO APPROVE RESOLUTION #2014-3-R AUTHORIZING THE MAYOR TO SIGN THE FINAL LEASE AGREEMENT DOCUMENTS FOR THE LEASE OF TWO REPLACEMENT VEHICLES FOR THE POLICE DEPARTMENT. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER POWELL AYE
COUNCILMEMBER BEAN AYE
COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE

THE MOTION CARRIED UNANIMOUSLY.

COUNCILMEMBER POWELL MOVED TO RESUME THE REGULAR AGENDA ORDER BEGINNING WITH AGENDA ITEM 8. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

8. Review and Action – *Term of Rights to Cemetery Burial Plot (Resolution #2014-2-R)*. The Council will review and consider a request by Don Peterson, Public Works Director, to increase the number of years a cemetery burial plot may be purchased (reserved) from 60 years to 120 years.

Mr. Cowie opened the discussion by explaining that it has come to their attention that this change needs to occur by Ordinance, which requires public notice in the newspaper prior to Council taking action. He directed the Council to make a motion to continue discussion of this item once public notice for an ordinance change has been posted.

Mayor Acerson called for any comments or questions from the Council. Hearing none he called for a motion.

COUNCILMEMBER POWELL MOVED TO CONTINUE RESOLUTION #2014-2-R THE DISCUSSION OF THIS ITEM UNTIL AFTER PUBLIC NOTICE HAS BEEN POSTED FOR AN ORDINANCE CHANGE TO CHAPTER 8.32 CEMETERIES AND BURIALS. COUNCILMEMBER HOYT SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER POWELL AYE
COUNCILMEMBER BEAN AYE
COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE

THE MOTION CARRIED UNANIMOUSLY.

9. Public Hearing – *Ordinance Amendment, LCC 17.02 Definitions (Ordinance #2014-1-O)*. The Council will review and consider a City initiated request to define the term “vault security – mini storage” in Lindon City Code 17.02 Definitions. The Planning Commission recommends approval.

2 COUNCILMEMBER POWELL MOVED TO OPEN THE PUBLIC HEARING.
3 COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
4 VOTED IN FAVOR. THE MOTION CARRIED

6 Hugh Van Wagenen, Planning Director, led the discussion by explaining that this
7 is a City initiated request to define the term "vault security - mini storage" in Lindon City
8 Code 17.02 Definitions. He noted that it was deemed prudent to define the term which
9 appears as an approved use in the newly created CG-S zone to accommodate some
10 storage units on Gillman Lane. Mr. Van Wagenen stated the term "vault security - mini
11 storage" was added to the Standard Land Use Table as a permitted use in the CG-S zone
12 and now it needs to be defined. Mr. Van Wagenen then read the proposed language as
13 follows:

14 17.02.010(187) 187. *“Vault Security—Mini-Storage” means a storage facility that is*
15 *characterized by individual separate spaces which are accessible by customers for the*
16 *storing and retrieval of personal effects and household goods. In no case shall storage*
17 *spaces be used for manufacturing, retail or wholesale selling, office or other business*
18 *services, or human habitation.*

20 There was then some general discussion by the Council regarding this ordinance
21 amendment. Mayor Acerson called for any public comments. Hearing none he called for
22 a motion to close the public hearing.

24 COUNCILMEMBER POWELL MOVED TO CLOSE THE PUBLIC HEARING.
25 COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT VOTED
26 IN FAVOR. THE MOTION CARRIED.

28 Mayor Acerson called for any further comments or questions from the Council.
29 Hearing none he called for a motion.

30 COUNCILMEMBER HOYT MOVED TO APPROVE ORDINANCE #2014-1-O
31 THE AMENDMENT TO LINDON CITY CODE 17.02 DEFINITIONS, TO INCLUDE
32 17.02.010 (187) “VAULT SECURITY –MINI STORAGE” AS SHOWN WITH NO
33 CONDITIONS. COUNCILMEMBER BEAN SECONDED THE MOTION. THE VOTE
34 WAS RECORDED AS FOLLOWS:

36 COUNCILMEMBER POWELL AYE

37 COUNCILMEMBER BEAN AYE

38 COUNCILMEMBER BRODERICK AYE

39 COUNCILMEMBER HOYT AYE

40 THE MOTION CARRIED UNANIMOUSLY.

42 **10. Public Hearing** — *Ordinance Amendment, LCC 17.17.130 Amended Site Plans*
43 *(Ordinance 2014-2-O)*. The Council will review and consider a City Initiated request
44 to allow for Staff to approve accessory buildings of one thousand (1,000) square feet
45 or less on amended site plans when certain conditions are met. The Planning
46 Commission recommends approval.

2 COUNCILMEMBER POWELL MOVED TO OPEN THE PUBLIC HEARING.
3 COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
4 VOTED IN FAVOR. THE MOTION CARRIED.

5
6 Mr. Van Wagenen gave a brief summary of this agenda item by explaining this is
7 a City initiated request to amend Lindon City Code 17.17.130 Amended Site Plans, to
8 allow for Staff to approve accessory buildings of one thousand (1,000) square feet or less
9 on amended site plans when certain conditions are met. Mr. Van Wagenen noted that in
10 addition to being staff approved, this change allows applicants to have ancillary buildings
11 approved on a site at a reduced review fee, and staff feels it is appropriate to waive a full
12 site plan approval. Mr. Van Wagenen further noted there are also minor grammatical and
13 sentence structure changes (biggest change in paragraph #1) included in the amendment.
14 Mr. Van Wagenen noted that the Planning Commission recommended approval of the
15 proposed amendment to the City Council.

16 Mr. Van Wagenen then referenced Section 17.17.130 Amended site plans with the
17 proposed language followed by some general discussion:

18 1. Amended site plans shall be submitted when changes to the site and/or building are
19 proposed. Changes that require amended site plans to be approved by the Land Use
20 Authority and brought into substantial compliance with current city codes are triggered
21 by the following:

22 a) A change in intensity of land use of the property, defined as a change between
23 agricultural, residential, commercial./industrial, or public assembly uses (i.e., school
24 or church changes to a retail business);

25 b) New buildings or structures are being added to the property, with the following
26 exceptions:

27 i. At the discretion of the Planning Director, accessory buildings one thousand
28 (1,000)square feet or less may be administratively approved without requiring
29 Land Use Authority review when, upon the Planning Director's findings, the
30 amended site plan meets the standards listed in paragraph 4 of this section; or

31 c) Exterior changes are proposed to the dimensions of any existing building or structure
32 as follows:

33 i. 0 – 9% increase in building square footage:. The new addition shall meet
34 current architectural design standards for the zone and, except for parking
35 standards necessary to accommodate the increased square footage, no additional
36 site or building improvements are required. At the discretion of the Planning
37 Director this level of change may be approved by Staff - without requiring a site
38 plan application, fee, or Land Use Authority review - when the alteration meets
39 the standards listed in Section 17.17.130(4) paragraph 4 of this section.

40 ii. 10 – 19% increase in building square footage. The new addition,-and including
41 the entire existing building being added to -, shall meet current architectural
42 design standards for the zone in which it is located. The Land Use Authority may
43 work with the applicant to prioritize architectural features that are determined to
44 have the greatest impact on appearance of the structure in meeting zone standards.
45 Parking standards shall also be met complied with.

46 iii. 20 – 30% increase in building square footage:. The new addition and existing
47 building shall meet current architectural and parking standards, (as listed above in

- 2 section ii) as referenced in 17.17.130(c)(ii). In addition, any landscaping
requirements shall be met.
- 4 iv. Over 30% increase in building square footage. The site shall be brought into
substantial compliance with all current city codes and ordinances - specifically as
listed in Section 3 below 17.17.130(3).
- 6 v. Any action which, when combined with one or more previous expansions that
have occurred over any period of time, causes the aggregate area of expansion to
8 fall within one of the percentage categories listed above.
- 10 d) Cosmetic changes to the exterior of a building or structure (paint, windows, roof
covering, etc.) are permitted without any approvals from the Land Use Authority.
Any cosmetic changes shall meet current codes and/or shall bring the facilities closer
12 to conformance with current codes and ordinances, such as including the Lindon City
Commercial Design Guidelines.
- 14 2. Approval. The procedure for approval of an amended site plan shall be the same as the
procedure of approval of an original site plan unless a waiver is granted according to
16 17.17.130(4).
- 18 3. Required Improvements. When a site plan is required to be brought into substantial
compliance with all current city codes and ordinances the following issues shall receive
specific review:
- 20 a. Landscaping and white fencing (as applicable to zone);
b. Storage and exterior displays.;
- 22 c. Off-Street parking.;
- 24 d. Vehicular access and circulation.;
- 26 e. Off-street loading and unloading.;
- 28 f. Off-street loading and unloading.;
- 30 g. On-site surface water drainage (Other methods of surface water drainage may
be approved for amended site plans if approved by the City Engineer) .;
- 32 h. Off-site curb, gutter and sidewalk.;
- 34 i. Piping of irrigation ditches.;
- 36 j. Solid waste containers (trash enclosures) .;
- 38 k. Street lights.;
- 40 l. Fencing and/or screening.;
- 42 m. Architectural standards applicable to the zone in which the site is located.;
- 44 n. Any other standards required under the submittal requirements as referenced in
17.17.115.
- 46 4. Waiver. The Planning Director shall have the authority to waive the requirements of
Section 17.17.130(1)(c)(i), and shall have the authority to approve amended site plans,
new accessory buildings one thousand (1,000) square feet or less, and/or building permits
without further review by the Land Use Authority if he or she makes the following
findings:
- a. The proposed amended site plan complies with all current City ordinances;
- b. The original site plan has not been materially altered, and has not changed in a
way that detracts from the overall safety or aesthetics of the site; and
- c. The proposed amendments to the site plan will not have a material detrimental
effect on other properties in the area.
- Application fees for a Staff approved amended site plan shall follow the Lindon City Fee
Schedule established at the time of the application. Any decision of the Planning Director

2 to waive the requirements of section 17-.17-.130(2) will require notice of intent to
3 approve the proposal to all surrounding property owners within three hundred feet (300')
4 of the subject property. The decision may be appealed to the Appeal Authority by any
5 party of interest within ten (10) days of the date of the mailed notice. If no appeal is
6 received within the ten (10) day appeal period, the application and/or permit may be
7 approved.

8 5. Modification of Requirements on amended site plans. The Land Use Authority may
9 modify or adjust the requirements of section 17-.17-.130 if any of the following
10 conditions are met:

11 a. Strict compliance with the requirements of section 17-.17-.130 would cause an
12 unusual and unnecessary hardship to the applicant and/or would create
13 detrimental impacts upon the property (i.e., requiring landscaping would eliminate
14 parking).

15 b. The amended site plan provides for additions, deletions or improvements to the
16 subject property that are beneficial to the public, improve the appearance of the
17 site, bring the site closer to conformance with City code, or increase the safety or
18 convenience of the site to the public. The maximum allowable modification or
19 adjustment shall be the exception rather than the rule, and shall include all other
20 variances previously granted on the site.

21 6. Additional Standards. In granting any of the changes set forth in subsection 17-.17-
22 .130(5), the Land Use Authority may impose additional standards or requirements that
23 will substantially serve the objectives of the standards or requirements that are waived,
24 adjusted or modified. Any authorized changes or additional requirements shall be entered
25 in the minutes of the Land Use Authority with the circumstances justifying the changes or
26 requirements.

27 Mayor Acerson called for any public comments at this time. Hearing none he
28 called for a motion to close the public hearing.

29 COUNCILMEMBER POWELL MOVED TO CLOSE THE PUBLIC HEARING.
30 COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT VOTED
31 IN FAVOR. THE MOTION CARRIED.

32 Mayor Acerson called for any further comments or questions from the Council.
33 Hearing none he called for a motion.

34 COUNCILMEMBER BRODERICK MOVED TO APRPOVE ORDINANCE
35 #2014-2-O THE AMENDMENT TO LINDON CITY CODE 17.17.130 AMENDED
36 SITE PLANS AS SHOWN WITH NO CONDITIONS. COUNCILMEMBER HOYT
37 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

38 COUNCILMEMBER POWELL AYE

39 COUNCILMEMBER BEAN AYE

40 COUNCILMEMBER BRODERICK AYE

41 COUNCILMEMBER HOYT AYE

42 THE MOTION CARRIED UNANIMOUSLY.

2 **11. Public Hearing** – *Ordinance Amendment, LCC 2.08.045 Rules of Order and*
3 *Procedure for City Council Meetings (Ordinance #2014-3-O).* The Council will
4 review and consider a City initiated request to update official rules and order for City
5 Council meetings. The proposed ordinance is based on previously adopted rules with
6 additional clarification added.

7 COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC
8 HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
9 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

10
11 Mr. Cowie opened the discussion by explaining Kirsten Shumway, Assistant
12 Court Clerk, has been working with him on this amendment with the goal being to put the
13 official rules of order and procedure for City Council meetings into an ordinance. Mr.
14 Cowie also commended Ms. Shumway as she has recently passed the bar and is now a
15 licensed attorney. Ms. Shumway noted the language has been clarified in the Resolution
16 specifically in paragraphs 2 and 3 which have the most changes. Ms. Shumway noted
17 that the changes have been made to clarify and understand the limits in terms of
18 organization and to make it more reasonable. She noted that the rules of order must be
19 made available to the public. There was then some general discussion regarding this
20 ordinance amendment.

21 Mayor Acerson called for any public comments or questions from the Council.
22 Hearing none he called for a motion.

23 COUNCILMEMBER BRODERICK MOVED TO APPROVE ORDINANCE
24 #2014-3-O LINDON CITY CODE 2.08.145 OUTLYING RULES OF ORDER AND
25 PROCEDURE FOR CITY COUNCIL MEETINGS. COUNCILMEMBER HOYT
26 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

27 COUNCILMEMBER POWELL AYE
28 COUNCILMEMBER BEAN AYE
29 COUNCILMEMBER BRODERICK AYE
30 COUNCILMEMBER HOYT AYE

31 THE MOTION CARRIED UNANIMOUSLY.

32
33 **12. Public Hearing** – *Ordinance Amendment, LCC 2.08.055 Electronic Meeting Policy*
34 *of the City Council (Ordinance #2014-4-O).* The Council will review and consider a
35 City initiated request to create an official electronic meeting policy, as allowed by
36 State Code, enabling the Council members to more fully participate in city meetings.
37

38
39 Mr. Cowie led the discussion by explaining this is a procedural item for the
40 Council's review and consideration of a City initiated request to create an official
41 electronic meeting policy (as allowed by State Code), enabling the Council members to
42 more fully participate in city meetings. Ms. Shumway stated that the biggest change
43 made is adding "City Council" in the paragraph and adding the main "anchor" location as
44 being the City Council Chambers, mainly for emergency/unexpected situations. There
45 was then some general discussion by the Council regarding the electronic meeting policy.
46

2 Mayor Acerson called for any public comments or questions from the Council.
Hearing none he called for a motion.

4 COUNCILMEMBER BRODERICK MOVED TO APPROVE ORDINANCE
#2014-4-O ESTABLISHING AN ELECTRONIC MEETING POLICY FOR CITY
6 COUNCIL MEETINGS. COUNCILMEMBER BEAN SECONDED THE MOTION.
THE VOTE WAS RECORDED AS FOLLOWS:
8 COUNCILMEMBER POWELL AYE
COUNCILMEMBER BEAN AYE
10 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
12 THE MOTION CARRIED UNANIMOUSLY.

14 **13. Public Hearing** – *Ordinance Amendment, LCC 2.08.055 Electronic Meeting Policy*
of the Planning Commission (Ordinance #2014-5-O). The Council will review and
16 consider a City initiated request to create an official electronic meeting policy, as
allowed by State Code, enabling the Planning Commission members to more fully
18 participate in city meetings.

20 Mr. Cowie stated this item is the same as the last agenda item except it will create
an official electronic meeting policy for the Planning Commission (as allowed by State
22 Code), and will enable the Planning Commission members to more fully participate in
city meetings. Ms. Shumway re-iterated that this item is the same as the previous item but
24 “Planning Commission” has been added in place of the “City Council” and Chairperson
instead of Mayor.

26 Mayor Acerson called for public comments or questions from the Council.
Hearing none he called for a motion.

28
30 COUNCILMEMBER POWELL MOVED TO APPROVE ORDINANCE #2014-
5-O LINDON CITY CODE 17.08.55 ESTABLISHING AN ELECTRONIC MEETING
POLICY OF THE PLANNING COMMISSION. COUNCILMEMBER BRODERICK
32 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER POWELL AYE
34 COUNCILMEMBER BEAN AYE
COUNCILMEMBER BRODERICK AYE
36 COUNCILMEMBER HOYT AYE
THE MOTION CARRIED UNANIMOUSLY.

38
40 **14. Public Hearing** — *Ordinance Amendment, LCC 2.28.60 Adoption of Compensation*
Schedule (Ordinance #2014-6-O). The Council will review and consider a City
42 initiated request to update this ordinance which established the ability for the Mayor
and Council members to be compensated, removing the outdated compensation rates,
and correctly referring to the compensation relates as established in the annually
44 adopted budget.

2 Mr. Cowie led the discussion by explaining the Council will review and consider
4 a City initiated request to “clean-up” and update this ordinance which establishes the
6 ability for the Mayor and Council members to be compensated, removing the outdated
8 compensation rates, and correctly referring to the compensation rates as established in the
annually adopted budget (on the city website). Ms. Shumway explained that this
amendment changes the amount and that amount will be adopted by the Council with the
annual budget, this will also include those items in the City Council and Planning
Commission compensation.

10 Mayor Acerson called for any public comments or questions. Hearing none he
called for a motion to close the public hearing.

12 COUNCILMEMBER HOYT MOVED TO APPROVE ORDINANCE #2013-6-O
14 LINDON CITY CODE 2.28.060 REFERRING THE ORDINANCE TO CITY
16 COUNCIL COMPENSATION SCHEDULES AS ADOPTED IN THE ANNUAL
BUDGET. COUNCILMEMBER BEAN SECONDED THE MOTION. THE VOTE
WAS RECORDED AS FOLLOWS:

18 COUNCILMEMBER POWELL AYE
20 COUNCILMEMBER BEAN AYE
COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
THE MOTION CARRIED UNANIMOUSLY.

22 COUNCILMEMBER POWELL MOVED TO CLOSE THE PUBLIC HEARING.
24 COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
26 VOTED IN FAVOR. THE MOTION CARRIED.

28 **17. Review and Action** — *UTOPIA, Macquarie – Public/Private Partnership*. This
item was continued from the January 7, 2014 Council Meeting. The Council will
discuss the potential public/private partnership between UTOPIA and Macquarie
Infrastructure Developments LLC (Macquarie) and instruct Lindon’s
UTOPIA/UIA Board members as to Lindon’s participation commitment in
further development of the partnership including whether reserve funds should be
allocated to cover Lindon’s potential costs of participation.

34 Mr. Cowie gave a quick refresher on this agenda item since the last January 7th
36 City Council meeting. He explained that UTOPIA has recently announced a potential
public-private partnership between its organization and Macquarie Infrastructure
38 Developments LLC (Macquarie), and if finalized, Macquarie would commit to fronting
the capital to build the network and would run the organization for the next 30 years, then
40 deliver the network back to the cities in some level of upgraded condition.

42 Mr. Cowie noted there would be a requirement for Macquarie to be repaid for
their investment by the member cities. He added that how this repayment is handled is yet
to be finalized with the primary factor being how much it will cost to construct the
44 network. Mr. Cowie went on to say the initial discussion has focused on a potential utility
fee imposed on all addresses that would have the service available (similar to what Provo
46 City has done). He noted that engineering and design work is proceeding with the goal to

2 shortly know the total potential cost of development, thus enabling determination of
potential obligations for pay-back by the member cities that choose to participate.

4 Mr. Cowie further explained that this potential partnership appears to provide a
real opportunity to develop the entire network with the initial cost coming from the
private sector. Mr. Cowie stated that there is limited political will from all member cities
6 to continue with traditional city bonding to finish the network, so this opportunity should
be carefully considered as a means to complete the network and provide fiber
8 connectivity to all parts of Lindon City. He stated that the financial implications however,
are potentially significant as, over the next 30 years, the investment made by Macquarie
10 will need to be paid back with profit margins added.

12 Mr. Cowie explained the previously reviewed Pre-Development Agreement
(PDA) between UTOPIA and Macquarie outlines the stipulations for moving forward
with the potential partnership and establishes Milestones (benchmarks), where UTOPIA
14 can choose to exit the deal if desired. He added that the Chair of UTOPIA has asked for
cities to commit to supporting the proposal, with an estimated potential financial
16 obligation for Lindon to participate in Milestone one (1) in the range of \$15,000 to
\$20,000. He noted that Macquarie will pay this cost if the deal is fully implemented. If
18 the cities choose not to participate, they will retain all engineering and studies completed
as part of Milestone one (1).

20 Mr. Cowie commented that no official action has been taken yet by the UTOPIA
or UIA boards on this matter, but each member city has been asked to be involved in sub-
22 committees to discuss the opportunity and report back to the Board members of each city
on the progress of the Milestone work being done.

24 Mr. Cowie mentioned that the Council should review the previously provided
PDA and give direction to city appointed UTOPIA/UIA Board members as to what level
26 of support or interest should be given on this potential partnership. Mr. Cowie stated that
the big picture questions to be considered are as follows:

- 28 1. Is there a desire to see the entire City developed with UTOPIA fiber connectivity.
- 30 2. If so, is Macquarie the right opportunity to do so.
- 32 3. Is a utility fee option something you are willing to impose to collect revenues to
pay off the infrastructure.

34 Mayor Acerson called for any public comment at this time. There were several
audience members in attendance who addressed the Council as follows:

36 **Royce Van Tassell:** Mr. Van Tassell, with the Utah Taxpayers Association, commented
that the way he understands this is that Utopia is hoping that Macquarie will come in and
38 be the bank to Utopia. He also understands that all of the residents in the city, and 11
pledging member cities, would be obligated to pay some new utility fee to pay Macquarie
40 for their investment upfront, and if this is a fair characterization. Mr. Van Tassell went on
to say that the goal is to find someone to provide that upfront capital and, at no point, so
42 far, has an investor been willing to pay that whole cost. He noted that he is trying to
understand in what ways this proposal changes what has been done historically, other
44 than Macquarie will be the operator and the citizens continue to pay for the infrastructure.
He stated that he is just trying to be clear on what these broad contours are.

2 Councilmember Powell expressed her opinion that Macquarie brings more than
just the bank, and we are not just paying this bond back. They have the potential, assets
4 and the knowledge to make the business portion work which has not happened in
Utopia's history.

6 Mr. Cowie recalled from the recently held work session, Mr. Hann, representative
of Macquarie, stated that as we develop these future commitments and agreements
8 moving forward, there is some level of risk that Macquarie would assume if they didn't
reach the benchmarks for revenues that the cities would not have to pay them, but those
10 details are not hammered out as yet.

12 **Jim Fausett:** Mr. Fausett expressed his concerns that this utility fee will pay the capital
and operating and maintenance expenses, but the partner can set that fee wherever they
14 want, so it could go from low to high because the fees have to pay the capital and
operating and maintenance expenses. If not, it is solely up to the partner where that
16 utility fee will be, and it is a big risk to the cities, and Macquarie doesn't take that risk
because they can always set the utility fee where they want. If Utopia doesn't fulfill their
18 part of the bargain on utility fees to Macquarie then they, as the 3rd party beneficiary, can
go after the residents for the utility fee. They lock you in because when they are in front
20 of your house you have to pay the fee.

22 Mayor Acerson commented that the Council had this discussion previously with
Macquarie and, as a Council, they do not want to see the model that is currently in place
24 with other communication companies. He noted that Council wants to know what the fees
are, the time period, and what the benchmarks are, and understand what the commitment
26 is, so it doesn't change midstream. Mayor Acerson stated that the Council will take the
public comment made and collectively weigh in if this is beneficial to the residents.

28 Councilmember Bean commented that this issue is a tough issue and he is torn
with putting more money into this project. He noted that he would like to see some kind
30 of motivation to keep the costs in line since everything has been an estimate to this point,
which is understandable. Councilmember Bean stated that he feels this would be worth
32 looking at, but he would not want to send a message that we are ready to jump on board.
He also feels that the utility fee model is very problematic, and, in substance, not much
34 different than bonding, given the likely high amounts per month that will be required
from the citizens.

36 Mr. Cowie commented that milestone one will be 6 to 8 weeks out until the actual
completed numbers come in. Mr. Cowie believes that that Orem, West Valley, Layton,
38 Midvale and Centerville have agreed to participate in milestone one. Mayor Acerson
commented that the question is, is it worth the \$15,000 to \$20,000 to move forward with
milestone one to obtain more information or to continue the item. Councilmember Bean
40 commented that he is not willing to impose that if the citizens decide to impose the fee he
will be open to that but that may be difficult to get to that point.

42 Councilmember Broderick mentioned some questions he has as follows: 1) is this
critical infrastructure 2) can it be provided with a private entity 3) can Macquarie provide
44 the build out and eliminate the large connection fee 4) can they show a model that shows
stability 5) if there is a service fee can there be some type of appealing services to offer.

2 Councilmember Broderick stated that he may be inclined to approve the investment to
find out the answers to these questions.

4 Councilmember Hoyt commented that he has talked to a lot of Lindon residents
and 90% of them feel that this is a win situation for them because it will be \$30 dollars
6 cheaper than what they are currently paying. Councilmember Hoyt commented that he
feels that as the citizens are polled we will find that they seem to be more on board. Mr.
8 Cowie stated that Macquarie is planning to poll the people within the community through
a market study.

10 Councilmember Powell asked if we don't commit are we out. Mr. Cowie stated
that there will be an opportunity to commit and take formal action that we are obligating
12 funds through utility means to pay back Macquarie for their investment. Councilmember
Powell noted that we are reaching the tipping point, and this fiberoptic model, at this
14 point, gives the users the opportunity to pick their carrier. Councilmember Powell
commented that having the fiber optics with enough citizens that have signed up, she
16 feels that Macquarie is the right company. She noted that she is neutral on the utility fee
option but feels it needs to be extremely low with an opportunity for certain
18 demographics to opt out because there is a segment that will never have a need for it. She
noted that she would like to see more things flushed out.

20 Mr. Cowie commented, for the record, that this is not the most financially feasible
option. He noted that we know that Macquarie will look for a return on their investment,
22 and if the cities had political will, and the ability to continue to bond collectively, this
could be done cheaper; there may be other cheaper options for Lindon City. Mr. Cowie
24 added that he does not believe there is the will with all of the cities to participate to
continue to build out the network, and the Macquarie option is certainly something to
continue to evaluate.

26 Mayor Acerson called for any further comments or questions from the Council.
Councilmember Broderick commented that there is no doubt that Utopia and UIA has not
28 reached their milestones, and no one is comfortable with the proposed utility fee, but he
feels that the Council needs to look to see if this is or isn't the opportunity out there.
30 Councilmember Hoyt agreed with Councilmember Broderick's statement and commented
that we didn't make this problem, but we are the elected officials to help find a way out,
32 and he feels this is the best possible solution and getting to milestone one clears the path
to at least have a decision to that point; we owe that to the citizens to take that step to see
34 if this is a viable option.

36 Mayor Acerson called for any further comments or questions from the Council.
Hearing none he called for a motion.

38 COUNCILMEMBER BRODERICK MOVED TO SUPPORT THE PRE-
DEVELOPMENT AGREEMENT AND/OR POTENTIAL PARTNERSHIP BETWEEN
40 UTOPIA/UIA AND MACQUARIE, WITH THE FOLLOWING CONDITION: TO
DIRECT STAFF TO ALLOCATE UP TO \$15,000 OF GENERAL FUND RESERVES
42 TO COVER THE POTENTIAL COST OF MILESTONE ONE (1).

COUNCILMEMBER HOYT SECONDED THE MOTION. THE VOTE WAS
44 RECORDED AS FOLLOWS:

46 COUNCILMEMBER POWELL AYE
COUNCILMEMBER BEAN NAY

COUNCILMEMBER BRODERICK AYE
2 COUNCILMEMBER HOYT AYE
THE MOTION CARRIED THREE TO ONE.

4
6 **18. Review and Action** — *Utah Infrastructure Agency OpEx Assessments*. This item
8 was continued from the January 7, 2014 Council Meeting. The Council will
10 review UIA/UTOPIA performance reports and give staff direction in regards to
whether payment of OpEx assessment invoices received for the months of
November, December and January in the amount of \$10,169.00 per month should
be made. The assessments have been budgeted for the 2013-14 fiscal year.

12 Mr. Cowie opened the discussion by stating this item was continued from the
14 January 7, 2014 Council meeting. He noted that UIA and Utopia have had some
16 operation shortfalls over the last year, and they approached the city early last year, and
requested an amount of \$10,169.00 for January February and March which would be paid
18 month to month. Mr. Cowie stated that this issue was discussed in October, November
and December. He noted that before us tonight are the requested assessments which are
20 \$10,169.00 per month with the most recent data provided. Mr. Cowie then referenced the
data sheets. He stated that Lindon has paid its assessments through October 2013. The
November, December, and January payments are still pending.

22 Mr. Cowie noted, based on previously reviewed materials, UTOPIA appears to be
slowly increasing total number of subscribers and meeting general expectations for
24 growth based on the ‘Sweet Spot’ plan that was presented last February.

26 Mr. Cowie then gave an overview of OpEx. He discussed that UIA was able to
make sufficient revenues to cover OpEx payments during the months of July, August,
28 and September and therefore Lindon was not invoiced for any assessments during those
months. However, this occurred due to one-time revenue opportunities. The OpEx
30 payments are therefore expected to continue for several years per the original proposed
plan reviewed in February of 2013. Mr. Cowie noted that due to new deployment and
distribution of assets, Lindon’s October and subsequent OpEx assessments have been
reduced by \$993.00 from our original monthly assessment amount paid in spring 2013.

32 Mr. Cowie explained that per the Council’s inquiry in our last discussion, Staff
has been informed that no negative outcome or penalty to those member cities that have
34 not participated in OpEx has occurred. However, we are certain there is some tipping
point for which more drastic measures may be taken if OpEx is not fully covered (i.e.,
36 franchise tax obligations are called upon to backstop UIA bonds).

38 Councilmember Bean referenced an email sent out by Wayne Pyle (Utopia Chair)
that indicated for the projected year of 2014 all cities assessments will decrease because
40 some of the cities were not invoiced. He also indicated in the documents they viewed the
assessments as responsibilities or obligations. Councilmember Bean stated that he does
42 not view them as responsibilities or obligations but that does not necessarily mean we
should not pay them, he just wanted to make sure that we are on the same page. He
44 further stated that he would like to buy more time to obtain more information and
possible other options regarding this issue.

46 Mr. Cowie commented that he does not feel that the City has a financial
obligation but perhaps a “team obligation” as a member of Utopia. He added that he does
not feel that Lindon is the tipping point, but at some point, with the limited number of

2 cities (assuming one more big city tips out) would switch this, and they would probably
4 call on the franchise tax, and at that point we would be financially obligated to help them
6 make their payments for the bond; which may become a reality sooner or later. If the
8 Macquarie proposal does not work it would require all UIA cities to pay based on their
franchise tax backstop commitments, and they would choose, as an entity, to pay their
operations first and not the bonds, and therefore force the cities into it, which is a
legitimate issue on the horizon.

Following some additional general discussion amongst the Council members
regarding this issue Mayor Acerson called for a motion.

COUNCILMEMBER POWELL MOVED TO **NOT AUTHORIZE** THE CITY
TO PAY THE UIA OPEX ASSESSMENTS AS INVOICED FOR THE MONTHS OF
NOVEMBER, DECEMBER AND JANUARY. COUNCILMEMBER HOYT
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER POWELL AYE
COUNCILMEMBER BEAN AYE
COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
THE MOTION CARRIED UNANIMOUSLY.

19. COUNCIL REPORTS

Councilmember Powell – Councilmember Powell expressed her appreciation to all who
responded to last Friday’s incident and noted that a lot of hard work went into handling
the tragedy. She also expressed that we are all blessed to live and work in a community
that is so tight knit and that cares for one another.

Councilmember Powell inquired about an upcoming Tribute Gala (first
responders). Mr. Cowie noted that he will ask for more information and let her know.
Councilmember Powell also reported that the Community Center Advisory Board and the
IHC Outreach will not meet until February. Councilmember Powell mentioned an issue
regarding ADA regulations for snowplows. She noted that the snowplows push the snow
into the ADA ramps which makes it a difficult situation for those who are handicapped
and utilize the ramps.

Councilmember Bean – Councilmember Bean reported that there is still an opening for
a new Planning Commission seat and asked the Council to notify him of any candidate
suggestions for those who are willing to serve.

Chief Cullimore – Chief Cullimore had nothing further to report.

Councilmember Hoyt – Councilmember Hoyt reported that he echoed the sentiments of
Councilmember Powell regarding the recent tragedy. He also reported that the Historic
Preservation Commission met and they discussed the success of the Tree Lighting
Ceremony. Councilmember Hoyt asked Mr. Cowie what the process is to add a member
to the Commission. Mr. Cowie replied the process is that the Mayor will contact them
and extend an invitation to serve and then the Council will approve them. At this time

three names were suggested by the Council to serve on the Historic Preservation Commission, Ted Lott, Erlene Lott, and Paula Ruth. Councilmember Hoyt stated that they are willing to accept the call. The Council was in agreement to extend the offer to Ted and Erlene Lot and Paula Ruth to serve. Councilmember Hoyt stated the next meeting of the Historic Preservation Commission will be a dinner at Tonya Lamone's home to be held on the 19th of March.

Councilmember Broderick – Councilmember Broderick mentioned the recent water line breaks and commended the public works crews on their work and how well they responded.

Mayor Acerson – Mayor Acerson reported that he attended a panel discussion at the state capital sponsored by the Sutherland Institute on the gas tax. Mayor Acerson commented that it is interesting to hear the different points of view and thought processes regarding this issue. Mayor Acerson also reported that he will be attending the Utah Lake Commission meeting on Thursday and will report back.

Administrator's Report:

Mr. Cowie reported on the following items:

Misc Updates:

- Project Tracking List.
- Joshua Boren – updates on investigation and funerals. Working to see what benefits and life insurance may be available for family expenses.
 - Staff plans to re-evaluate top candidates from October selection process instead of starting new search to fill vacancy.
- 2012-13 Audit Report still pending. K&C Accountants have been hired to finalize the report.
- Mr. Lee – Storm water fee concerns. Has met with Staff and filed formal appeal to the Council.
- Sewer plant expansion – additional costs anticipated for UV treatment. Increases in treatment costs. Mark Christensen will be presenting in February to discuss rates and billing issues.

Upcoming Meetings & Events:

- Newsletter Assignment: Councilmember Hoyt - March newsletter article. *Due by last week in February.*
- January 29th – ULCT Local Officials Day at the Legislature. 7:30.a.m.- 2:00 p.m. Utah Capitol/Lunch @ Salt Palace. Registration required if interested.
- February 3rd at Noon – ULCT Legislative Policy Committee at State Capitol, Room W30. Mayor Acerson and Adam Cowie will attend.
- February 11th at Noon – Engineering Meeting at Public Works Mayor Acerson, Councilmember's Broderick and Powell will attend.
- February 10th at Noon – ULCT Legislative Policy Committee at State Capitol, Room W30. Mayor Acerson and Mr. Cowie will attend.
- February 12th at 5:00-7:00.p.m. – Bicycle Master Plan Public Open House at

Community Center. The Mayor and Council are encouraged to attend.

- February 17th – Presidents Day/City Offices closed.
- February 18th – Council vacancy interviews The Mayor and Council will attend.
- February 24th at Noon – ULCT Legislative Policy Committee at State Capitol, Room W30. Mayor Acerson and Mr. Cowie will attend.
- February 27th at 6:00 p.m. – Budget Kick-off Meeting & Dinner at City Center The Mayor and Council will attend.
- March 3rd at Noon – ULCT Legislative Policy Committee at State Capitol, Room W30. Mayor Acerson and Mr. Cowie will attend.

Future items:

- Policy Manual updates.
- Fee and Utilities rate studies / review of active service military utility waivers.
- Lindon Pumping Co. land – 725 E. 200 S., potential land sale/use by neighbor.
- Planning Commission member vacancy.

COUNCILMEMBER POWELL MOVED TO RECESS THE REGULAR CITY COUNCIL MEETING AND MOVE INTO A CLOSED EXECUTIVE SESSION. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

COUNCILMEMBER POWELL MOVED TO ADJOURN THE CLOSED EXECUTIVE SESSION AND RE-CONVEN THE REGULAR CITY COUNCIL MEETING. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Mayor Acerson called for any further comments or discussion from the Council. Hearing none he called for a motion to adjourn.

Adjourn –

COUNCILMEMBER POWELL MOVED TO ADJOURN THE MEETING AT 11:55 P.M. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – February 4, 2014

Kathryn Moosman, City Recorder

Jeff Acerson, Mayor