

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, December 17,**  
3 **2013 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: James A. Dain, Mayor  
8 Pledge of Allegiance: Heston Dain  
9 Invocation: Bret Frampton, Councilmember

10 **PRESENT**

**ABSENT**

11 James A. Dain, Mayor  
12 Randi Powell, Councilmember  
13 Matt Bean, Councilmember  
14 Jeff Acerson, Councilmember  
15 Mark L. Walker, Councilmember  
16 Bret Frampton, Councilmember  
17 Adam Cowie, City Administrator  
18 Cody Cullimore, Chief of Police  
19 Hugh Van Wagenen, Planning Director  
20 Kathryn Moosman, City Recorder

21 **1. Call to Order/Roll Call** – The meeting was called to order at 7:07 p.m.

22 **2. Presentations/Announcements** –

- 23 a) Kristen Colson, Finance Director, was recognized for her efforts in  
24 obtaining a Certificate of Achievement for Excellence in Financial  
25 Reporting from the Government Finance Officers Association for the  
26 comprehensive annual financial report for the fiscal year ending June  
27 30, 2012. Mayor Dain expressed his appreciation for Ms. Colson and her  
28 hard work and dedicated service to the City.
- 29 b) Mayor Dain, Councilmember Walker and Councilmember Frampton were  
30 recognized and honored with a plaque by Mayor-elect Jeff Acerson for  
31 their many combined years of service and dedication to Lindon City.  
32 Mayor-elect Acerson made mention of all of Mayor Dain’s contributions  
33 to the City and thanked him for his years of dedicated service and  
34 accomplishments. Mayor-elect Acerson also expressed his appreciation to  
35 Councilmember Mark Walker and Councilmember Bret Frampton for  
36 their years of service as Councilmember’s and for their hard work and  
37 service. Adam Cowie, City Administrator, then presented Mayor Dain  
38 with a minuteman statue to honor and commend him for his nearly 20  
39 years of service to Lindon City. Mayor Dain then read his “Proclamation”  
40 expressing his appreciation and thanking everyone for the honor and  
41 opportunity to serve the citizens of Lindon as Mayor, resident, and friend.  
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2 c) JoAnna Larsen and Jan Rogers recognized Mayor Dain and Chief Cody  
4 Cullimore for their continued efforts and support of the 2013 Drill Down  
6 for Safety and for the emergency preparedness of Lindon City and the  
8 residents of the community. She noted Lindon City exemplifies  
10 emergency preparedness and it is an inspiration to everyone.

12 d) Mayor/Council Comments – Mayor Dain expressed his appreciation to the  
14 wives and families of the Council for their sacrifices made over the years.  
16 He also expressed his thanks to the Council for the opportunity to serve  
with them over the years and how much he has enjoyed working with all  
each and every one of them. Councilmember Walker also thanked the  
Mayor and Council for the friendships made and the opportunity to serve  
the citizens of Lindon. Councilmember Frampton then expressed his  
appreciation and gratitude for the experience of serving with such fine  
people on the Council and he has enjoyed the learning experience and  
friendships.

18 *Councilmember Walker and Councilmember Frampton were excused from the meeting at  
20 this time for a brief period.*

22 **3. Approval of Minutes** – The minutes of the regular meeting of the City Council of  
December 3, 2013 were reviewed.

24 COUNCILMEMBER ACERSON MOVED TO APPROVE THE MINUTES OF  
26 THE MEETING OF DECEMBER 3, 2013 AS AMENDED. COUNCILMEMBER  
POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS  
FOLLOWS:

28 COUNCILMEMBER POWELL AYE

COUNCILMEMBER ACERSON AYE

30 COUNCILMEMBER BEAN AYE

THE MOTION CARRIED UNANIMOUSLY WITH TWO ABSENT.

32 **4. Consent Agenda** – No items.

34 **5. Open Session for Public Comment** – Mayor Dain called for any public comment  
36 not listed as an agenda item. There were no public comments.

38 *Councilmember Walker and Councilmember Frampton rejoined the meeting at this time.*

40 **CURRENT BUSINESS**

42 **6. Review and Action** – *Major Subdivision – Green Valley, 600 North Main Street.*  
44 This a request by Mark Stevenson for approval of a four (4) lot subdivision located at  
46 approximately 600 North Main Street on 2.96 acres in the Residential Single Family  
(R1-20) zone. The Planning Commission recommended approval of the request.

2 Planning Director, Hugh Van Wagenen, opened the discussion by giving a  
summary of this agenda item. He noted that this is a request by Mark Stevenson and  
4 Alan College for a four (4) lot subdivision located in the Residential Single Family (R1-  
20) zone. He mentioned there are two ownership groups for the project: The Alan  
College Family and the Robert Woods Family.

6 Mr. Van Wagenen noted that the Planning Commission unanimously (with two  
absent) voted to recommend approval of the Green Valley Subdivision to the City  
8 Council with the following conditions:

1. Extend the pressure irrigation line to serve Lots 1 and 2.
- 10 2. The developer complies with requests from the City Engineer that may result  
from the soils report.
- 12 3. Proposed Main Street improvements across the street from Lots 1 and 2 be  
ready for the City Council meeting.

14 Mr. Van Wagenen stated the existing half-street that was constructed with the  
16 Peters development will be finished along the lots, but Main Street will not connect with  
480 North. He stated that the required temporary turnaround will be constructed to the  
18 east of Lot 1. He further stated Lindon City has a master planned 10' wide trail along  
the east side of Main Street (map included in the packets. He added that the latest Green  
20 Valley preliminary plat shows the trail being constructed until the temporary turnaround;  
however, the applicant would like not to construct the trail south of Lot 3, citing privacy  
22 concerns. Mr. Van Wagenen stated that the Lindon City Code 17.32.170 states,  
*"Sidewalks, curbs and gutters shall be provided on both sides of all streets to be*  
24 *dedicated to the public."* Despite this requirement, there is a precedent that the City has  
not required sidewalk on a dedicated road if there is no house for the sidewalk to  
26 immediately serve.

Mr. Van Wagenen explained, as a side note, the City is reviewing the possibility  
28 of constructing a sidewalk to connect the sidewalk along Lot 1 to to 480 North in order to  
further encourage pedestrian movement and access. Lots in the R1-20 zone require  
30 20,000 square feet to meet minimum lot size. Lot 1 is 20,000 square feet; Lot 2 is 20,000  
square feet; Lot 3 is 34,009 square feet; Lot 4 is 21,781 square feet. He went on to say  
32 that the lots in residential zones require 50 feet of street frontage and the proposed lots  
meet this standard. Additionally, all lots require 100 feet of width when measured 30 feet  
34 back from the property line; the proposed lots meet this standard.

Mr. Van Wagenen further explained the latest set of plans show the pressure  
36 irrigation line as existing beyond the constructed asphalt; however, the line actually ends  
at the current southern edge of asphalt. He added that the line will have to be extended to  
38 serve Lots 1 and 2. Additionally, the latest plan shows the sewer line existing in Main  
Street from the northern edge of Peters Subdivision Plat C to 600 North. However, the  
40 sewer in Main does not extend past the northern edge of the Peters Subdivision Plat C to  
600 North. He noted the sewer line may have to be extended to serve Lot 4.

42 Mr. Van Wagenen commented that as of yet, the City Engineer has not reviewed  
the soils report which should be taken into consideration. He went on to say the data  
44 contained in the soils report may indicate the need for a thicker pavement design than is  
shown on the preliminary plan. He explained that approval should be conditioned upon

2 the developer complying with requests from the City Engineer that may result from the  
3 soils report.

4 The applicant, Alan College, was in attendance, along with the owners of the  
5 adjacent lots in question. Mr. College commented that they are proposing to put in a half  
6 street plus 10 ft. which would give adequate access. Mr. Colledge noted that the City  
7 would like to them to put in a full street and curb and asphalt through the east section. He  
8 stated that they would like to maintain “green and open space” for future generations and  
9 is not looking to develop and that would be a waste of resources. He noted the Planning  
10 Commission approved their proposal. There was then some discussion regarding the  
11 soils report in question. Mr. Van Wagenen stated that the soils report issue can be  
12 worked through.

13 Councilmember Walker commented that at one time there was some previous  
14 discussion on access to a walkway or path, and if there will be a way through there or not.  
15 Mayor Dain commented that there is going to be a berm. Mr. Van Wagenen stated that  
16 the city is evaluating a sidewalk for pedestrian access, and if it makes sense they will  
17 piggyback on top of the construction application. Mr. College noted that he spoke with  
18 the residents at the Green Valley Condos and they indicated they did not want the  
19 walkway through the fence.

20 Councilmember Bean had a question on the shaded area on the plat and inquired  
21 if it will change from what the Commission reviewed. Mr. Van Wagenen confirmed that  
22 it will change with 22 ft. of asphalt from the sidewalk plus 10 ft. from lot three (3) down.  
23 Councilmember Powell had a question on the storm drainage and future build out, and if  
24 it is typical that the storm water drainage goes to a pasture and what happens when it  
25 does develop in the future. Mr. Van Wagenen stated that there will be a stub street and  
26 Mr. College has proposed to handle the run off. Mr. College stated they will put a berm  
27 in that takes the waste water down to a collection ditch and any exceeding storm drainage  
28 will run down to the gardener ditch (which is piped).

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

31 **COUNCILMEMBER BEAN MOVED TO APPROVE THE FOUR (4) LOT  
32 SUBDIVISION TO BE KNOWN AS GREEN VALLEY WITH THE FOLLOWING  
33 CONDITIONS: 1. IDENTIFY A PLAN TO SERVICE LOT 4 WITH SEWER THAT IS  
34 SATISFACTORY TO THE CITY ENGINEER’S REQUIREMENTS AND 2. THE  
35 DEVELOPER COMPLY WITH REQUESTS FROM THE CITY ENGINEER THAT  
36 MAY RESULT FROM THE SOILS REPORT OR OTHER SOILS REPORTS AND 3.  
37 THE EXTENSION OF MAIN STREET SOUTH OF LOT THREE (3) BE HALF  
38 STREET WIDTH PLUS 10 FT. OF ADDITIONAL ASPHALT. COUNCILMEMBER  
39 POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS  
40 FOLLOWS:**

41 COUNCILMEMBER WALKER AYE

42 COUNCILMEMBER FRAMPTON AYE

43 COUNCILMEMBER POWELL AYE

44 COUNCILMEMBER ACERSON AYE

45 COUNCILMEMBER BEAN AYE

46 THE MOTION CARRIED UNANIMOUSLY.

2 **7. Public Hearing** – Ordinance Amendment – LCC 3.05 PARC Tax (Ordinance #2013-  
4 16-O). This item was continued from the December 3, 2013 Council meeting. This is  
6 a City initiated request to create LCC Chapter 3.05 Park, Arts, Recreation and Culture  
8 Tax, which will enact and levy a tax to finance cultural and recreational facilities and  
ongoing operations, and to finance operations of cultural organizations within Lindon  
City pursuant to U.C.A. § 59-12-1402. Said tax shall be known as the Parks, Arts,  
Recreation, and Culture Tax, or ‘PARC’ Tax.

COUNCILMEMBER WALKER MOVED TO OPEN THE PUBLIC HEARING.  
10 COUNCILMEMBER FRAMPTON SECONDED THE MOTION. ALL PRESENT  
12 VOTED IN FAVOR. THE MOTION CARRIED.

Mr. Cowie opened the discussion by explaining this is a procedural item that was  
14 also reviewed by the Council in the last meeting. He stated that in the November election  
there was a 66.7% favorable response from voters for the PARC Tax implementation. He  
16 added that the passage of this ordinance would enact the PARC tax, and by direction of  
the Council passing the ordinance, they would then notify the State of the PARC Tax  
18 approval which would become effective in April of 2014. Mr. Cowie stated this is a  
pretty straightforward ordinance and sets forth, by the authority of the Council, to make  
20 this tax effective for a 10 year period, at which time the city has the option to take it back  
to the public as an opinion question on the ballot to renew the tax that would have to be  
22 passed with a majority vote. Mayor Dain commented that this issue was thoroughly  
discussed at the last meeting and is pretty straightforward.

24 Mayor Dain called for any public comments. Hearing none he called for a motion  
to close the public hearing.

26 COUNCILMEMBER FRAMPTON MOVED TO CLOSE THE PUBLIC  
28 HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

34 COUNCILMEMBER WALKER MOVED TO APPROVE ORDINANCE #2013-  
36 16-O, CREATING LINDON CITY CODE CHAPTER 3.05 PARKS, ARTS,  
RECREATION AND CULTURE TAX AND DIRECT STAFF TO NOTIFY THE  
STATE OF THE PARC TAX APPROVAL. COUNCILMEMBER POWELL  
38 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

38 COUNCILMEMBER WALKER	AYE
40 COUNCILMEMBER FRAMPTON	AYE
COUNCILMEMBER POWELL	AYE
42 COUNCILMEMBER ACERSON	AYE
COUNCILMEMBER BEAN	AYE

44 THE MOTION CARRIED UNANIMOUSLY.

2 **8. Review and Action – *Fee Schedule Amendment (Resolution (#2013-19-R))*.** This is a  
3 request by Finance Director, Kristen Colson, for City Council review and  
4 consideration of an amended fee for late utility payments.

6 Kristen Colson, Lindon City Finance Director, opened the discussion by  
7 explaining this is a request for the City Council’s review and consideration of an  
8 amended fee for late utility payments. She stated, per direction from the City Council, she  
9 has obtained some utility bill samples from other cities for comparison. She noted that a  
10 lot of cities are charging late penalties, with some of the fees being pretty significant.

11 Ms. Colson noted that when staff gathered the samples of other city’s utility bills,  
12 they saw that many of the cities charged a flat rate penalty on past due accounts. She  
13 added that Lindon City currently charges a 1.5% late fee on past due accounts. Ms.  
14 Colson then referenced the late fees and penalties charged by some other cities as  
15 follows:

16	American Fork	10% per month
17	Cedar Hills	\$10.00
18	Lehi	1.5% per month
19	Orem	\$15.00
20	Pleasant Grove	\$10.00
21	Santaquin	10% per month
22	Spanish Fork	5% per month
23	Springville	1.5% per month

24 Ms. Colson explained that staff would like to propose that Lindon City charge a  
25 \$10.00 penalty per month on past due accounts. She noted the primary purpose of this  
26 change is not to increase revenue, but to increase collections and cash flow. She added  
27 that staff also hopes this will decrease the number of service shutoff notices sent per  
28 month which is currently about 200 per month. Ms. Colson further explained that a \$10  
29 penalty provides more incentive to pay the bill on time compared to a \$1.50 late fee, and  
30 the increased revenue could be used to fund capital projects. Ms. Colson noted another  
31 possibility could be funding a utility assistance program as several other cities have done.

32 Ms. Colson commented that they do not do shutoffs at the end of November or  
33 December because of the Thanksgiving and Christmas Holidays. She noted that there are  
34 approximately 200 shutoff notices sent every month (with around 40 actual shutoffs  
35 every month). There was then some general discussion by the Council regarding this  
36 issue. Councilmember Powell asked what the requirements are for setting up a utility  
37 account with the city. Ms. Colson replied that a driver’s license, social security number  
38 and proof of ownership of the property are required. She added there is no deposit  
39 required, but there is a \$10 application fee.

40 Mayor Dain suggested making it due on the 30<sup>th</sup> and late on the 5<sup>th</sup>.  
41 Councilmember Bean agreed that a five (5) day grace period is a good idea if a fee is  
42 added. Ms. Colson stated that may be difficult to implement without postponing the bills  
43 going out (3<sup>rd</sup> business day of the month). Her philosophy is to waive a late fee twice a  
44 year, because she realizes that things do happen. Ms. Colson noted there is currently a re-  
45 connection fee of \$25 if called in before 3:30 pm and if after that time the fee is \$37.50  
46 for an after hours call. Councilmember Walker encouraged Ms. Colson to track this to  
ensure the financial accuracy. Councilmember Powell commented that she does like the

idea of the fees collected being used to fund a utility assistance program for those who really need the help. Councilmember Acerson suggested using the late fees for a fund, which could qualify as a grant fund that would build to a certain amount, and then use that core amount for a granting program, which he sees as good business sense on the City's part, and would also teach people who are behind (and who qualify) to do the right thing and be timely and responsible, which also shows goodwill. Mayor Dain agreed the late fee is a good idea and may help those who are in need. Ms. Colson stated that she will contact the cities who are implementing the utility assistance programs and bring the data and more information back to the Council.

Ms. Colson then referenced the change to the fee schedule as follows (effective January 31, 2014).

Current fee

**Late Fee** (on past due balance, charged monthly) 1.5%

Proposed fee

**Late Fee** \$10.00

Charged monthly on past due final bills or active accounts with a past due balance over \$20.

Mayor Dain called for any further comments or questions from the Council.

Hearing none he called for a motion.

COUNCILMEMBER POWELL MOVED TO APPROVE RESOLUTION #2013-19-R, AMENDING THE LINDON CITY FEE SCHEDULE AND DIRECT STAFF TO BRING BACK MORE INFORMATION ON UTILITY ASSISTANCE PROGRAMS. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER	AYE
COUNCILMEMBER FRAMPTON	AYE
COUNCILMEMBER POWELL	AYE
COUNCILMEMBER ACERSON	AYE
COUNCILMEMBER BEAN	AYE

THE MOTION CARRIED UNANIMOUSLY.

**9. Review and Action** – *Utility Bill Formatting Updates*. This is a request by Finance Director, Kristen Colson, for City Council review and consideration of utility bill format changes.

Ms. Colson stated that staff has received requests from the City Council and also from customers to reformat the City's utility bills. She noted that after gathering samples they have redesigned the City's utility bills with the following improvements.

- Add a graph showing 13 months of culinary water usage.
- Better explain current charges showing usage and usage rates.
- Incorporate last payment amount and date into a section summarizing account activity.
- Maintain a box for messages to customers.
- Improve style and readability.

Ms. Colson then referenced the newly designed utility bills. She noted that six (6) exhibits are included in the packets for the Council's review as follows:

Exhibit 1: Sample of current utility bill form and format

Exhibit 2: Sample of new utility bill with 2 colors

Exhibit 3: Sample of new utility bill in monochrome (black only)

Exhibit 4: Sample of a new utility bill for a customer with a current balance and on auto pay

Exhibit 5: Sample of a new utility bill for a customer on Equal Pay

Exhibit 6: Sample of a new utility bill for a customer with a past due balance

Ms. Colson explained that the previous utility bill stock has been depleted and they would like to have the new utility bill forms printed for December's bills which will go out the first week of January 2014.

Ms. Colson then referenced a breakdown of the costs of preprinting the double-sided utility bill forms with perforation. She noted this does not include the cost of printing, sorting and mailing the bills (Lindon City uses 16,000 forms in about 6 months).

<u>Description</u>	<u>Price per piece</u>	<u>Price per 16,000</u>
Current forms, 2 colors	\$0.03372	\$539.52
New forms, black only	\$0.02500	\$400.00
New forms, 1 color	\$0.02872	\$459.52
New forms, 2 colors	\$0.03372	\$539.52

There was then some general discussion regarding the sample utility bill formats presented. Following discussion, the Council was in agreement to add a notation to encourage automatic bill pay and to also implement the one (1) color sample. Ms. Colson noted that they will include some training notice inserts explaining the new bill format to residents.

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

COUNCILMEMBER POWELL MOVED TO APPROVE THE PROPOSED UTILITY BILL FORMATTING, WITH THE CONDITION THAT THE ONE COLOR SAMPLE BE USED. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE

COUNCILMEMBER FRAMPTON AYE

COUNCILMEMBER POWELL AYE

COUNCILMEMBER ACERSON AYE

COUNCILMEMBER BEAN AYE

THE MOTION CARRIED UNANIMOUSLY.

**10. Discussion Item** – *Financial Report for Fiscal Year 2012-2013*. Finance Director, Kristen Colson, will present the un-audited financial statements for fiscal year ended June 30, 2013. Due to scheduling conflicts, the audit report by Keddington & Christensen, LLP will be presented in January 2014.

2 Kristen Colson, Lindon City Finance Director, opened the discussion by giving a  
brief summary of the financial report draft. She noted there has been a learning curve  
4 with the new auditors, and it has been a challenge, but will ultimately benefit the City.  
Mr. Cowie stated that the audited financial statement is required by the State, but there  
6 have been some delays and conflicts with the new auditors etc., so it will be presented in  
January of 2014 as there is more to complete on the draft and additional items to work  
through.

8 Ms. Colson then referenced the “**Financial Highlights**” of the draft as follows:

10 ***Government Wide:***

- 12 • The assets of Lindon City exceeded its liabilities as of June 30, 2013 by  
\$64,255,407 (net assets). Of this amount, \$2,952,814 (unrestricted net assets) may  
14 be used to meet the government's ongoing obligations to citizens and creditors.
- 16 • The City's total net assets increased \$1,293,768. Net assets of our business-type  
activities increased \$676,659 and the net assets of our governmental activities  
increased \$617,109.

18 ***Fund Level:***

- 20 • Lindon City's governmental funds reported combined ending fund balances this  
year of \$4,379,873, an increase of \$10,865.
- 22 • The unassigned fund balance for the general fund ended at \$1,393,271, or 17.6%  
of total general fund expenditures.

24 ***Long-term Debt:***

- 24 • Lindon City's total debt decreased \$931,430 (4.2%) during the current fiscal year.

26 Ms. Colson re-iterated that this draft is not a comprehensive report. Mr. Cowie  
then referenced sales tax graphs which indicate growth with positive projections for  
28 Lindon City. There was then some lengthy general discussion by the Council regarding  
the un-audited financial statements.

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

32  
34 **11. Review and Action** – *2013-2014 Merit Increase Proposal*. Finance Director, Kristen  
Colson, will present a recommendation concerning an employee merit increase for the  
remainder of this fiscal year.

36  
38 Ms. Colson noted when Lindon City’s 2013-2014 budget was adopted at the June  
18, 2013 City Council meeting, it was recommended that the City Council approve a Cost  
of Living Allowance (COLA) increase, but to postpone approving the annual merit  
40 increase until December. She noted the Council did not want to commit to this midyear  
increase until we could evaluate our June 30, 2013 financial situation and ascertain if  
42 economic trends would continue to improve. Ms. Colson then referenced Lindon City’s  
June 30, 2013 Financial Situation. She explained that the 2012-2013 amended budget  
44 projected the General Fund would need to use \$600,000 of the funds loaned from the  
Water and Sewer funds, and, in actuality, the General Fund did not need to access the

interfund loan and increased its fund balance with revenues exceeding expenses by \$303,010.

Ms. Colson further explained the economic trend indications show that the economy is still improving. Lindon City's sales tax revenue is exceeding our projections. With July-September's collected sales tax accounted for, we have received 27.7% of the budgeted sales tax revenue. She went on to say this puts us ahead of budgeted revenues by 2.7%, or \$81,400, in the first quarter of the 2013-2014 fiscal year. Ms. Colson stated that according to the U.S. Department of Labor, the Consumer Price Index (CPI) has increased 1.0% from October 2012 to October 2013. The Utah Division of Workforce Services reported a 2.2% increase in employment statewide and 4.7% in Utah County and forecasts a 4.5% growth over the next year in Utah County. She added that the new PARC tax revenues can be used to fund the Recreation salaries, thus freeing up general funds.

Ms. Colson stated that in light of these financial indicators, she recommends that the City Council *approve* a merit increase for city employees. She noted there is concern about the future fiscal impact of this raise on future raises. She also explained if the merit increase is approved this fiscal year and then both COLA and merit increases are approved next fiscal year, the future increases would only be a \$2,000-\$3,000 more than they would have been had this year's merit increase not been approved.

Ms. Colson further explained the merit increase would only be for employees who qualify through their performance evaluations done by the Department Heads and would be a maximum of a one-step increase (2.7%) on the wage schedule with the increase becoming effective January 1, 2014. There was then some general discussion by the Council regarding the proposed employee merit increase. Mayor Dain commented that the indicators show that things are going better than anticipated.

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

COUNCILMEMBER POWELL MOVED TO APPROVE THE 2013-2014 FISCAL YEAR EMPLOYEE MERIT INCREASE WITH THE CONDITION THAT THE INCREASE IS QUALIFIED THROUGH THE EMPLOYEE PERFORMANCE EVALUATION. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER	AYE
COUNCILMEMBER FRAMPTON	AYE
COUNCILMEMBER POWELL	AYE
COUNCILMEMBER ACERSON	AYE
COUNCILMEMBER BEAN	AYE

THE MOTION CARRIED UNANIMOUSLY.

**12. Review and Action** – *Interlocal Agreement: North Pointe Solid Waste Special Services District (Resolution #2013-18-R)*. This is a request by staff for City Council review and consideration of an Interlocal Agreement between the solid waste district and the thirteen member cities that comprise the district, to provide continued commitment to the district for the collection, transfer, transportation, and disposal of municipal solid waste.

2 Mr. Cowie gave a brief summary of this agenda item stating that the current waste  
hauling contract with Republic Services (formerly Allied Waste) lasts until June 30,  
4 2015. He noted that in the contract Lindon City requires Republic Services to use the  
North Pointe Solid Waste transfer station (started in 1974) as its disposal location for  
6 curbside residential waste. Mr. Cowie explained that given the recent withdraw of two  
cities from the District (Alpine & Eagle Mountain), its member cities feel that in order to  
8 continue to provide lower long term cost for waste disposal it is in the best interest to  
enter into this interlocal cooperation agreement. He went on to say that financial  
10 obligations for current and future needs at the District will not become a burden to a few  
remaining cities if we commit to participate together and can receive larger waste streams  
into the District – therefore increasing revenues.

12 Mr. Cowie further explained that the initial term of the proposed agreement is for  
six years (December 2019) with twelve automatically renewing terms of two years each.  
14 He added that if Lindon City chooses to withdraw from the District, it can do so with  
written notice after the initial term of six years. Mr. Cowie stated that given the high  
16 level of local use of the transfer station by residents and business of Lindon, staff feels  
that it is in the long-term best interest of Lindon City to continue participating with  
18 NPSWSSD, even if costs may slightly increase above other alternatives in the future. Mr.  
Cowie referenced attached spread sheets showing the intensive local use of the facility by  
20 trips, tonnage, and dollars spent by Lindon residents and Lindon businesses.

22 Mr. Cowie further discussed if the City were to choose not to participate in the  
District due to potentially lower curb-side garbage rates, it would be forgoing discounted  
rates for resident and business use at the District, thus potentially having a much greater  
24 financial burden placed on the local economy. He noted other alternatives for solid waste  
disposal in similar vicinity are limited to Mike Dunn’s waste facility on Geneva Road in  
26 Orem. Mr. Cowie stated as far as Staff is aware, Intermountain Regional Landfill (IRL)  
has interest in a transfer station in the north Utah County area and Republic Services has  
28 invested in a site for a transfer station in Pleasant Grove, but neither have materialized or  
been constructed at this point in time.

30 Mr. Cowie stated that several of the other cities have approved the Interlocal  
agreement, including Orem, Pleasant Grove, Highland, and Lehi. Saratoga Springs plans  
32 to act on this item in January, with Cedar Hills continuing the item for further discussion.  
Councilmember Bean commented that overall he feels good about this interlocal  
34 agreement, but he does have some concerns on how the agreement is drawn up and he  
would still like to flush out some of those concerns. There was then some additional  
36 general discussion regarding this issue. Mr. Cowie noted that this item can be continued  
for more discussion.

38 Mayor Dain called for further comments or questions from the Council. Hearing  
none he called for a motion.

40  
42 COUNCILMEMBER BEAN MOVED TO CONTINUE RESOLUTION #2013-  
18-R THE INTERLOCAL AGREEMENT WITH THE NORTH POINTE SOLID  
WASTE SPECIAL SERVICES DISTRICT. COUNCILMEMBER POWELL  
44 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

46 COUNCILMEMBER WALKER AYE  
COUNCILMEMBER FRAMPTON AYE

2 COUNCILMEMBER POWELL AYE  
3 COUNCILMEMBER ACERSON AYE  
4 COUNCILMEMBER BEAN AYE  
5 THE MOTION CARRIED UNANIMOUSLY.

6 **13. Review and Action** – *2014 Public Meeting Schedule*. This is a request by Staff for  
7 City Council review and approval of the proposed 2014 Public Meeting Schedule for  
8 City Council and Planning Commission meetings. The Planning Commission  
9 recommended approval.

10  
11 Mr. Cowie explained this agenda item is very straightforward and just a formality.  
12 He noted each year the Public Meeting Schedule needs to be reviewed and approved by  
13 the Planning Commission and the City Council for the next year’s meetings.

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

16  
17 COUNCILMEMBER ACERSON MOVED TO APPROVE THE PUBLIC  
18 MEETING SCHEDULE FOR 2014. COUNCILMEMBER FRAMPTON SECONDED  
19 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

20 COUNCILMEMBER WALKER AYE  
21 COUNCILMEMBER FRAMPTON AYE  
22 COUNCILMEMBER POWELL AYE  
23 COUNCILMEMBER ACERSON AYE  
24 COUNCILMEMBER BEAN AYE  
25 THE MOTION CARRIED UNANIMOUSLY.

26

#### 27 **14. COUNCIL REPORTS**

28

29 **Councilmember Powell** – Councilmember Powell reported that she attended the  
30 “Branding Task Force Meeting” with the Chamber of Commerce and it went very well.  
31 She noted they are moving along and are on track, and it is very exciting to see what the  
32 Utah Valley Chamber of Commerce is doing to help define and bring the cities together  
33 as a Valley. She also reported that she had the opportunity to speak at the “NOVA”  
34 graduation at Lindon Elementary and expressed what a great program it is. She would  
35 encourage everyone to attend a NOVA graduation. Councilmember Powell added that  
36 she was very impressed with the great job Mr. Cowie did with speaking to the kids at the  
37 graduation. Councilmember Powell also expressed her thanks and appreciation for the  
38 opportunity to work and serve with such fine men who discharge their duties in such a  
39 professional manner.

40

41 **Councilmember Walker** – Councilmember Walker also expressed his appreciation to  
42 the Mayor and Council for all of their support and friendship and commented that he has  
43 really enjoyed working them. He noted there is a lot of respect, despite diversification  
44 and differing of opinions, and good friendship here with this Council, which he is grateful  
45 for. Councilmember Walker then expressed his deep appreciation to the Mayor and each  
46 of the Councilmember’s individually. He noted that he is grateful for the opportunity to

2 serve and he will support the new Mayor and Council and will do whatever he can to help.

4 **Chief Cullimore** – Chief Cullimore also expressed his thanks to the Mayor and Council. He commented that this Council is a good unit with no dissension and stated that they  
6 have always moved ahead together as a team. Chief Cullimore also expressed that this has been a good experience working with everyone.

8  
10 **Councilmember Bean** – Councilmember Bean also expressed his appreciation to Mayor Dain and Councilmember Walker and Frampton and noted it has been great working with them. He commented that this is a good Council and they always work together even  
12 though they may not always see eye to eye, but that does not get in the way of the work that needs to be done; which is a great complement to the Council and the citizens of  
14 Lindon. Councilmember Bean also commented that the Board of Adjustment does not meet too often, but when they do meet they do a great job, and there are some great  
16 individuals on the Board who are willing to serve.

18 **Councilmember Acerson** – Councilmember Acerson gave kudos to Mayor Dain and Councilmember Walker and Frampton for a job well done and expressed his appreciation  
20 for them and their service. Councilmember Acerson also reported that he attended the UIA meeting along with Mr. Cowie. He stated they are fighting to get more  
22 representation and things are still up in the air, but they are trying to get things to happen.

24 **Councilmember Frampton** – Councilmember Frampton also expressed his appreciation for the opportunity to serve with such a great Mayor and Council. Councilmember  
26 Frampton noted that it has been a good experience for him and he has enjoyed the friendships made. He also expressed his appreciation to the city staff and employees.

28  
30 **Mayor Dain** – Mayor Dain expressed his appreciation for the Council and the opportunity to serve with such fine individuals and noted it has been a great experience and he has also enjoyed the friendships made over the years. Mayor Dain also reported  
32 on his assignment to the Health Department, the Utah Lake Commission and MAG and COG and noted they have all been good for Lindon and Utah Valley. He added that they  
34 are all good things for the Lindon community as a whole. Mayor Dain stated that Lindon is well highly respected in the County and it is great to be able to represent that to the  
36 community.

38 **Administrator's Report:**

Mr. Cowie reported on the following items:

40 **Misc Updates:**

- 42
- Project Tracking List was reviewed.
  - Policy Manual updates delayed, but hope to have done by January - *Significant amount of updates.*
  - Comcast – working on estimates on redundancy hook-up and monthly services to all city facilities.
- 44
- 46

- Outgoing council members (Mayor Dain, Councilmember Walker and Councilmember Frampton need to turn in building keys.
- Update on UTOPIA matters.
  - Public Opinion survey being completed (1,000 network users)
- New Council member assignments being worked on by Mayor Elect Acerson. Should be available Jan 7<sup>th</sup>.
- Fire & EMS call report for November 2013

**Upcoming Meetings & Events:**

- Newsletter Assignment: Councilmember Acerson - January newsletter article. *Due by last week in December.*
- Dec. 18<sup>th</sup> at Noon – Outgoing Mayor & Council recognition lunch for Mayor Dain, Councilmember’s Walker and Frampton.
- Dec. 24<sup>th</sup> at Noon – Employee Christmas party at Community Center. All Council & families invited.
- Dec. 25<sup>th</sup> & 26<sup>th</sup> – offices closed.
- Jan. 1<sup>st</sup> – offices closed.
- Jan. 7<sup>th</sup> – Swearing-in ceremony at Council meeting for newly elected officials and appointed staff.
- Jan. 11<sup>th</sup> – ULCT newly elected officials training. Provo, Saturday, Jan 11<sup>th</sup>, 8 am-1:30 pm.
- Jan. 20<sup>th</sup> – MLK Holiday, offices closed.
- Jan. 29<sup>th</sup> – ULCT Local Officials Day at the Legislature. 7:30 am-2:00 pm. Utah Capitol/Lunch @ Salt Palace.
- Feb. 11<sup>th</sup> at Noon – Engineering Meeting at Public Works, Councilmember Acerson will attend.
- Feb. 27<sup>th</sup> at 6:00 pm – Budget Kick-off Meeting & Dinner at City Center.

**Future items:**

- 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
- Possible Planning Commission member to fill vacancy – Matt Guinn, 367 S 400 W. He is willing to serve.

**15. Closed Session:** The City Council will enter into a closed executive session per UCA 52-4-205— to discuss the Character and Professional Competence of an *Individual* (UCA 52-4-205).

COUNCILMEMBER FRAMPTON MOVED TO RECESS THE REGULAR CITY COUNCIL MEETING AND MOVE INTO A CLOSED EXECUTIVE SESSION AT 10:35 P.M. COUNCILMEMBER ACERSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

COUNCILMEMBER WALKER MOVED TO ADJOURN THE CLOSED EXECUTIVE SESSION AND RE-CONVENE THE CITY COUNCIL MEETING AT

11:35 P.M. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. ALL  
2 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

6

**Adjourn** –

8

10 COUNCILMEMBER FRAMPTON MOVED TO ADJOURN THE MEETING  
AT 11:45 P.M. COUNCILMEMBER WALKER SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

12

Approved – January 7, 2014

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Kathryn A. Moosman, City Recorder

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22

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James A. Dain, Mayor