

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, July 5, 2016,**  
4 **beginning with a work session at 6:00 p.m.** in the Lindon City Center, City Council  
Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:00 P.M.

8 Conducting: Carolyn Lundberg, Mayor pro tem

10 **PRESENT**

Carolyn Lundberg, Councilmember  
12 Matt Bean, Councilmember  
Van Broderick, Councilmember  
14 Adam Cowie, City Administrator  
Cody Cullimore, Chief of Police  
16 Kathryn Moosman, City Recorder

**ABSENT**

Jeff Acerson, Mayor  
Jacob Hoyt, Councilmember

18 Adam Cowie, City Administrator, opened the work session by explaining the  
Council will review and discuss the proposed updates to the Sewer and Water impact fee  
20 studies and capital facilities plans with Fred Philpot who is in attendance tonight as  
representative from Lewis Young Robertson & Burningham. He noted the City has been  
22 working with LYRB and JUB Engineers to update the capital facilities plans and impact  
fee studies for the sewer and water systems in Lindon City. The purpose of this work  
24 session tonight is intended for the Council to evaluate the methodology in the studies,  
discuss the proposed fee updates, and review associated processes for adoption of the  
26 updated impact fees. He noted that Mark Christensen, City Engineer, is also in attendance  
to answer any questions.

28 Mr. Cowie further explained that the City will also hold a public hearing to adopt  
the updated impact fees on July 19, 2016. He mentioned, as a reminder, impact fees don't  
30 go into effect until 90 days after adoption. He added that the impact fees are collected at  
the time of a building permit issued for new construction and the combined updated fees  
32 for both sewer and water will be less than combined sewer/water existing impact fees.

34 Mr. Cowie noted these plans are proposed to be reviewed again and adopted as  
part of the July 19<sup>th</sup> City Council meeting. The consultants will review all of the  
PowerPoint presentation in detail and then work with JUB Engineers to help answer any  
36 questions on the plans and studies. He then turned the time over to Mr. Philpot to give his  
presentation to the Council.

38 Mr. Philpot reviewed the culinary water and sanitary sewer impact fee studies and  
capital facilities plans (draft form) in preparation of a public hearing. He explained this  
40 allows the Council the opportunity to review and make any changes or modifications  
before the public hearing. He reminded the Council they have covered impact fees before  
42 with the public safety impact fees. He then discussed the basic processes and main  
components of impact fees (for both water and sewer) including the following Analyses:  
44 Demand, Level of Service, Existing Facility Inventory and Excess Capacity, Future  
Capital Facilities and Financing Strategy in Consideration of all Revenue Sources. He  
46 also referenced the combined impacts and showed an illustration of the Total Impact for  
Water and Sewer including the cost per ERU calculation followed by some general

2 discussion. Following discussion Mr. Cowie confirmed that the public hearing will be  
held on July 19<sup>th</sup> and the impact fees don't go into effect until 90 days after adoption.

4 The meeting was adjourned at 6:50 pm.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Carolyn Lundberg, Mayor pro tem  
10 Pledge of Allegiance: Mark Christensen, City Engineer  
Invocation: Matt Bean, Councilmember

12 **PRESENT**

14 Carolyn Lundberg, Councilmember  
Matt Bean, Councilmember  
16 Van Broderick, Councilmember  
Jacob Hoyt, Councilmember  
18 Dustin Sweeten, Councilmember  
Adam Cowie, City Administrator  
20 Cody Cullimore, Chief of Police  
Kathryn Moosman, City Recorder

**ABSENT**

Jeff Acerson, Mayor

- 22
- 24 1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.
  - 26 2. **Presentations/Announcements** –
    - 28 a) **Mayor/Council Comments** – There were no announcements at this time.
    - 30 b) **Oath of Office Ceremony** – Newly appointed Councilmember, Dustin  
Sweeten, was sworn into office by Mayor pro tem, Carolyn Lundberg, to fill  
the vacant Councilmember term through the first Monday of January 2018.  
32 The Council then congratulated Councilmember Sweeten and welcomed him  
as a member of the Lindon City Council.
  - 34 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council  
meeting of June 21, 2016 were reviewed.

36 COUNCILMEMBER HOYT MOVED TO APPROVE THE MINUTES OF THE  
REGULAR CITY COUNCIL MEETING OF JUNE 21, 2016 AS AMENDED.

38 COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS  
RECORDED AS FOLLOWS:

40 COUNCILMEMBER BEAN AYE  
COUNCILMEMBER BRODERICK AYE  
42 COUNCILMEMBER LUNDBERG AYE  
COUNCILMEMBER HOYT AYE  
44 COUNCILMEMBER SWEETEN AYE  
THE MOTION CARRIED UNANIMOUSLY.

- 46 4. **Consent Agenda** – No items.

2           5. **Open Session for Public Comment** – Mayor pro tem Lundberg called for any  
4           public comment not listed as an agenda item. There were no public comments.

6           **CURRENT BUSINESS**

8           6. **Review and Action — North Pointe Solid Waste Special Service District**  
10           **appointment (Resolution 2016-10-R) and recognition of service.** This is a  
12           request for the Council’s formal action to appoint Councilmember Dustin  
14           Sweeten as Lindon City’s official representative on the North Pointe Solid Waste  
Special Service District board. The City and the North Pointe Solid Waste District  
also want to thank Jerald Hatch, who has represented Lindon City on the solid  
waste district board for approximately 23 years, for his many years of time and  
service.

16           Adam Cowie, City Administrator, led this discussion by stating Mayor Acerson  
18           Councilmember Sweeten and himself met with Jerald Hatch, and Reece DeMille this  
20           week to discuss a transition. He noted that Mr. Hatch has served in this position as  
Lindon City’s official representative on the North Pointe Solid Waste Special Service  
District Board for 23 years. He explained this formal action is needed tonight to appoint  
Councilmember Sweeten to the Board as Lindon’s official representative on the Board.  
22           Mr. Cowie expressed that the City and the North Pointe Solid Waste District appreciate  
Mr. Hatch’s many years of time and service. Mr. Cowie noted that Mr. Hatch was invited  
24           to the meeting to be recognized tonight but was unable to attend. He has also been asked  
to attend and participate in the board meeting to be held on July 7<sup>th</sup>. Mayor pro tem  
26           Lundberg expressed the Council’s appreciation to Mr. Hatch for his many years of service  
on the Board.

28           Mayor pro tem Lundberg called for any comments or discussion from the Council.  
Hearing none she called for a motion.

30           COUNCILMEMBER BRODERICK MOVED TO APPROVE RESOLUTION  
32           #2016-10-R APPOINTING DUSTIN SWEETEN TO THE NORTH POINTE SOLID  
WASTE SPECIAL SERVICE DISTRICT BOARD. COUNCILMEMBER BEAN  
34           SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:  
COUNCILMEMBER BEAN                    AYE  
36           COUNCILMEMBER BRODERICK            AYE  
COUNCILMEMBER LUNDBERG            AYE  
38           COUNCILMEMBER HOYT                   AYE  
COUNCILMEMBER SWEETEN            AYE  
40           THE MOTION CARRIED UNANIMOUSLY.

42           7. **Review & Action — Change Order to Water Line Project to Include Additional**  
44           **Work.** The City Council will review and consider Change Order No.1 to the current  
200 South Culinary Water Line Replacement Project contract with Skip Dunn & Sons  
Excavation, to have them complete additional water line replacement projects on 400  
46           West between 200 South and 600 South. The estimated cost of the change order is  
\$174,157.51.

2 Mr. Cowie also led this discussion by referencing the change order materials from  
the City Engineer on the 200 South Culinary Water Line Replacement Project contract  
4 with Skip Dunn & Sons Excavation. He noted this work will complete additional water  
line replacement projects on 400 West between 200 South and 600 South with the  
6 estimated cost of the change order being \$174,157.51.

8 Mr. Cowie explained this water line replacement work is being proposed prior to  
the completion of the repaving project on 400 West. Mr. Cowie stated staff and the City  
Engineer recommend approval of this change order. He explained as this is a change  
10 order, current code allows staff to approve up to a 20% change order without having to  
come back before the Council; this exceeds that amount so that is why it is before the  
12 Council tonight. He explained as costs for this work were not known prior to the  
adoption of the FY2017 budget, the final amount will be included in the first budget  
14 amendment which is typically done in October. Mark Christensen, City Engineer, then  
gave a brief history explaining the variables and what to expect with the replacement  
16 project followed by some general discussion.

18 Mayor pro tem Lundberg called for any further discussion or comments. Hearing  
none she called for a motion.

20 COUNCILMEMBER BRODERICK MOVED TO APPROVE CHANGE  
ORDER NO. 1 TO THE CURRENT 200 SOUTH CULINARY WATER LINE  
22 REPLACEMENT PROJECT, PERMITTING ADDITIONAL WATER LINE  
REPLACEMENT WORK TO OCCUR ON 400 WEST PRIOR TO COMPLETION OF  
24 NEW PAVING. COUNCILMEMBER SWEETEN SECONDED THE MOTION. THE  
VOTE WAS RECORDED AS FOLLOWS:

26 COUNCILMEMBER BEAN AYE  
COUNCILMEMBER BRODERICK AYE  
28 COUNCILMEMBER LUNDBERG AYE  
COUNCILMEMBER HOYT AYE  
30 COUNCILMEMBER SWEETEN AYE  
THE MOTION CARRIED UNANIMOUSLY.

- 32
- 34 **8. Review & Action — Franchise Agreement with Redline Telephone Inc.** The  
City Council will review and consider a franchise agreement with Redline  
36 Telephone Inc. to allow the company to install and maintain telecommunications  
infrastructure within Lindon City public property.

38 Mr. Cowie referenced the Franchise Agreement with Redline Telephone Inc. He  
explained that these types of agreements are established with any private utility company  
40 that uses public right-of-way to distribute their infrastructure through Lindon City. He  
noted that private providers of gas, power, phone, fiber optic lines, cable, etc., whether  
42 underground or aerial, all have similar franchise agreements with the City and pay  
franchise taxes to the City for the right to use the public spaces for their infrastructure  
44 (that makes up significant revenue to the city). Mr. Cowie stated staff and the City  
Attorney have reviewed the proposed agreement with Redline Telephone Inc.  
46 representatives and recommends approval as this is a pretty straightforward agreement.

2 Mayor pro tem Lundberg called for any discussion or comments. Hearing none  
she called for a motion.

4  
6 COUNCILMEMBER HOYT MOVED TO APPROVE THE FRANCHISE  
AGREEMENT BETWEEN REDLINE TELEPHONE INC. AND LINDON CITY.  
8 COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS  
RECORDED AS FOLLOWS:

10 COUNCILMEMBER BEAN AYE

12 COUNCILMEMBER BRODERICK AYE

14 COUNCILMEMBER LUNDBERG AYE

16 COUNCILMEMBER HOYT AYE

18 COUNCILMEMBER SWEETEN AYE

20 THE MOTION CARRIED UNANIMOUSLY.

- 22 9. **Review & Action — Community Center Rental Fee Waiver Request.** The  
24 City Council will review and consider a request for waiver of rental fees at the  
26 Lindon City Community Center for Kate Lillywhite & Erin Wagner on behalf of  
28 Lindon LDS 2nd Ward. The proposed use is for teaching a self-defense course,  
which will be made available to the public if the \$120 waiver is granted

30 Mr. Cowie referenced the letter and application request for a fee waiver from  
32 Parks & Recreation Director, Heath Bateman. He noted that a few years ago the City  
34 Council adopted this option for non-profit entities to request fee waivers at the  
36 Community Center. Mr. Cowie stated Mr. Bateman recommends approval of the fee  
38 waiver (\$120) if the applicants open the self-defense classes to the general public (geared  
towards women) as it will be more of a community event. There was then some brief  
discussion by the Council regarding this request.

40 Mayor pro tem Lundberg called for any further discussion or comments. Hearing  
none she called for a motion.

42 COUNCILMEMBER HOYT MOVED TO APPROVE THE COMMUNITY  
CENTER RENTAL FEE WAIVER REQUEST FO KATE LILLYWHITE AND ERIN  
44 WAGNER WITH THE FOLLOWING CONDITION: 1. THE SELF-DEFENSE  
CLASSES SHALL BE OPEN TO THE GENERAL PUBLIC FOR ANY ATTENDEES  
WHO WISH TO PARTICIPATE. COUNCILMEMBER SWEETEN SECONDED THE  
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

46 COUNCILMEMBER BEAN AYE

48 COUNCILMEMBER BRODERICK AYE

50 COUNCILMEMBER LUNDBERG AYE

52 COUNCILMEMBER HOYT AYE

54 COUNCILMEMBER SWEETEN AYE

56 THE MOTION CARRIED UNANIMOUSLY.

- 58 10. **Discussion Item — Boundary Line Agreement for City Property at 380 N.  
200 E.** The Council will discuss a possible boundary line agreement between  
Lindon City and a private property owner due to the property lines not matching

2 actual on-the-ground improvements owned by the City.

4 Mr. Cowie explained the city has property with existing utility improvements with  
6 a 50' x 50' chain link fencing surrounding the improvements which have existed since  
8 the mid-1960's (originally about 1.5 acres). He noted the property has recently changed  
10 hands (due to the death of an owner) and the legal descriptions do not match the existing  
fence and improvements on the property. He noted that staff is requesting feedback and  
direction from the Council on this issue and no motions will be made as this item is for  
discussion only. He noted this issue will come up again in a future meeting.

12 Mr. Cowie then gave a brief history of this issue with the boundary line  
14 agreement, legal descriptions, property lines and possible options. He noted he has met  
with the property owners and staff over the past several months and if this moves forward  
the owners may potentially want to come before the Council. He added they may be able  
to resolve this without holding public hearings etc. Following some general discussion  
16 the Council was in agreement to allow staff to draw up the paperwork and bring it back  
before the Council.

18 Mayor pro tem Lundberg called for any further discussion or comments. Hearing  
none she moved on to the next agenda item.

20

**11. Review & Action — Appointment to the Lindon City Redevelopment Agency  
(Resolution 2016-11-R).** This is a request for the Council's formal action to  
22 appoint Councilmember Dustin Sweeten to the Lindon City Redevelopment  
24 Agency (RDA) Board of Directors.

26 Mr. Cowie stated this item is a just a matter of "housekeeping" to have the  
Council's formal action to appoint Councilmember Dustin Sweeten to the Lindon City  
28 Redevelopment Agency (RDA) Board of Directors.

30 Mayor pro tem Lundberg called for any discussion or comments. Hearing none  
she called for a motion.

32 COUNCILMEMBER HOYT MOVED TO APPROVE RESOLUTION #2016-  
11-R APPOINTING DUSTIN SWEETEN TO THE LINDON CITY REDEVLOPMENT  
34 AGENCY BOARD. COUNCILMEMBER BRODERICK SECONDED THE MOTION.  
THE VOTE WAS RECORDED AS FOLLOWS:

36 COUNCILMEMBER BEAN AYE  
COUNCILMEMBER BRODERICK AYE  
38 COUNCILMEMBER LUNDBERG AYE  
COUNCILMEMBER HOYT AYE  
40 COUNCILMEMBER SWEETEN AYE  
THE MOTION CARRIED UNANIMOUSLY.

42

**COUNCIL REPORTS:**

44

**Chief Cullimore** – Chief Cullimore mentioned the flag hanging in Grove Creek Canyon  
46 (500 North in Pleasant Grove) noting the Lindon Police has been very involved with this  
event. He noted the flag will hang until the 11<sup>th</sup> of July and it is a great event. He invited

2 the Council to go and see the flag to show support from Lindon City. He also reported  
4 that Doug Eastman has been president of the Utah Peace Officers Association and this  
6 coming Thursday Eric Whitehead will become president and Doug Eastman will be past  
8 president. He also expressed his appreciation for these officers and noted they represent  
Lindon well. Chief Cullimore reported there have only been two small brush fires which  
indicates the fire restrictions are working. He also reported they had a search and rescue  
on the 30<sup>th</sup> of June in the foothills on Mt. Baldy where a woman had a heat stroke and  
had to be life-flighted out; she is doing well now.

10  
12 **Councilmember Hoyt** – Councilmember Hoyt mentioned the city code on solicitation  
noting it may be something to have future discussion on as he has had several residents  
talk to him about solicitation issues in the city.

14  
16 **Councilmember Broderick** – Councilmember Broderick reported the street lights by the  
park and Dougherty’s have been installed and they look great and they are receiving  
positive feedback.

18  
20 **Councilmember Bean** – Councilmember Bean commented that he will follow up with  
Councilmember Sweeten on several concerns with the landfill.

22 **Councilmember Lundberg** – Councilmember Lundberg reported she attended the  
24 Wasatch Summit Consortium in SLC with various leaders. She noted it was a well-  
attended event where they had information presented on several issues including health  
trends and evolving transportation. Councilmember Lundberg then gave a brief summary  
26 on issues covered at the meeting.

28 **Councilmember Sweeten** – Councilmember Sweeten reported on Lindon Days noting he  
30 has been and will be continuing to meet with Heath Bateman to confirm Lindon Days  
events. Councilmember Sweeten then discussed with the Council several events  
32 including the rodeo and parade. Following discussion the Council agreed to ride on a hay  
wagon for the rodeo and to walk the parade route to pass out otter pops. Councilmember  
34 Sweeten mentioned that Mr. Bateman has requested that the councilmembers be in  
attendance at the Lindon Days events. The Council also discussed shirt options and  
36 agreed to let Councilmember Lundberg arrange the shirts. Councilmember Sweeten also  
mentioned he attended a meeting at the North Pointe Solid Waste District with Mayor  
Acerson, Jerald Hatch, and Roger Rees. There was then some general discussion by the  
38 Council regarding the meeting.

40 **Mayor Acerson** – Mayor Acerson was absent from the meeting.

42 **Administrator’s Report:**

Mr. Cowie reported on the following items followed by discussion.

44 **Misc. Updates:**

- 46
- June newsletter:
  - September newsletter article: Mayor Acerson. Article due to Kathy Moosman last

- 2 week in August.
- Update on easement acquisition for new sewer lift station
  - 4 • Updated Councilmember assignments: pending Mayor Acerson recommendation.
  - Misc. Items

6 **Upcoming Meetings & Events:**

- July 4<sup>th</sup> – City offices closed
- 8 • July 5<sup>th</sup> – Council meeting: 6:00 pm work session with LYRB on impact fee updates
- 10 • July 19<sup>th</sup> – Council meeting: Public Hearing to consider adoption of Water & Sewer Impact Fee updates
- 12 • July 25<sup>th</sup> – City offices closed
- August 1<sup>st</sup> – 6<sup>th</sup> – Lindon Days (No Council meeting this week)
- 14 • November 8<sup>th</sup> – General Election

16 Mayor pro tem Lundberg called for any further comments or discussion from the Council. Hearing none she called for a motion to adjourn.

18 **Adjourn** –

20 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING  
22 AT 9:00 PM. COUNCILMEMBER SWEETEN SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

24 Approved – July 19, 2016

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28 \_\_\_\_\_  
Kathryn Moosman, City Recorder

30  
32 \_\_\_\_\_  
Carolyn Lundberg, Mayor pro tem