

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, September 1,**  
4 **2015, at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100 North State  
Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Jeff Acerson, Mayor  
Pledge of Allegiance: Van Broderick, Councilmember  
10 Invocation: Randi Powell, Councilmember

12 **PRESENT** **ABSENT**

Jeff Acerson, Mayor  
14 Randi Powell, Councilmember  
Matt Bean, Councilmember  
16 Van Broderick, Councilmember  
Jacob Hoyt, Councilmember  
18 Carolyn Lundberg, Councilmember  
Adam Cowie, City Administrator  
20 Cody Cullimore, Chief of Police  
Kathy Moosman, City Recorder

22 1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.

24 2. **Presentations/Announcements** –

- 26 a) Mayor/Council Comments – There were no comments at this time.  
28 b) Presentation: Profire Energy Inc. CEO Brenton Hatch was in attendance to  
present a donation to Lindon City for use in its employee recognition  
30 program.

32 Mr. Cowie and Mayor Acerson invited Profire Representative Brent Hatch  
forward. Mr. Cowie welcomed Mr. Hatch and read an introduction and profile about Mr.  
34 Hatch and Profire Energy. Mr. Hatch commented that Profire Energy has been located in  
Lindon for the past 10 years. He noted it has been amazing how things have changed over  
36 the past years and how things started to expand across the United States but they liked it  
so much here in Lindon that they bought the campus and have made Lindon home. He  
then expressed his appreciation to Mayor Acerson noting he is the kind of Mayor that is  
38 truly interested in helping the citizens and the businesses throughout the city.

40 Mr. Hatch also expressed his appreciation to the Lindon Police Department who  
handled a very difficult situation with expertise and helped so much with a difficult  
42 challenge. He thanked the Police Department and the Mayor and Council stating they are  
grateful they chose to locate here in Lindon. Mr. Hatch then presented the \$1,000  
44 donation check to Lindon City for the employee recognition program. Chief Cody  
Cullimore was then presented with the Employee Recognition Award plaque as the first  
46 employee recognized through the program for his outstanding service to the city. Mr.  
Cowie then read a brief biography of Chief Cullimore noting his many achievements.

2 Mayor Acerson thanked Chief Cullimore on behalf of the Council and the city for his  
dedicated service over the years.

- 4  
6 3. **Approval of Minutes** – The minutes of the regular meeting of the regular City  
Council meeting of August 18, 2015 were reviewed.

8 COUNCILMEMBER LUNDBERG MOVED TO APPROVE THE MINUTES  
10 OF THE CITY COUNCIL MEETING OF AUGUST 18, 2015 AS AMENDED OR  
CORRECTED. COUNCILMEMBER BRODERICK SECONDED THE MOTION.  
THE VOTE WAS RECORDED AS FOLLOWS:

12 COUNCILMEMBER POWELL AYE  
13 COUNCILMEMBER BEAN AYE  
14 COUNCILMEMBER BRODERICK AYE  
15 COUNCILMEMBER HOYT AYE  
16 COUNCILMEMBER LUNDBERG AYE  
THE MOTION CARRIED UNANIMOUSLY.

- 18  
20 4. **Consent Agenda** – No items.

- 22 5. **Open Session for Public Comment** – Mayor Acerson called for any public  
comment not listed as an agenda item. Matt Brown, resident in attendance  
addressed the Council at this time.

24 **Matt Brown - 109 Canal Drive:**

26 Mr. Brown mentioned his concerns with horse excrement on the heritage trail in  
front of his property and the section north of the church parking lot. He noted in 2006 the  
28 project was implemented to improve the trail but their neighbor stopped the trail because  
he claimed there were safety issues and basically what he wanted was the ditch piped,  
30 which would have expensive for the city, so they finished the trail just in front of their  
house. Mr. Brown stated the horses do their business on the trail and it ends up being  
32 their responsibility. He mentioned that he spoke with Heath Bateman, Park & Recreation  
Director, who indicated that particular section isn't part of the heritage trail and they  
34 don't patrol it.

36 Mr. Brown expressed his frustration that they have to take care of this problem  
and asked that the city maintain the section in front of their house. He added that they feel  
the city needs to finish the trail or put concrete in to discourage the horses. He noted that  
38 this was a city project and they had the funds for it but the neighbor didn't want it to go  
in. Mr. Cowie mentioned that particular segment is on the trail master plan and he added  
40 that he has directed the Parks Department to clean up the trails if they receive calls and  
they will be happy to clean it up. However it will not be a priority but they will get to it  
42 when they can. Mayor Acerson suggested having the boy scouts clean the trail as part of  
their service requirements.

44 Mr. Cowie then referenced the trails master plan that has been adopted by the city.  
Mr. Cowie noted the city is actively working on finishing the trail as the funds become  
46 available. Following some additional discussion Mayor Acerson stated that once the  
grants and funds are in place they will allocate any resources possible to complete the

2 trail and make it more usable because as a city there are not unlimited funds and part of  
4 this is due to development and third parties. Mayor Acerson thanked Mr. Brown for his  
6 comments stating the city is aware of the situation and will actively work at remediating  
8 the problem.

## CURRENT BUSINESS

- 10 6. **Review and Action** – *Ivory Homes Reimbursement Agreement*. The City  
12 Council will review and consider action on an Agreement for Reimbursement for  
14 Cost of Engineering Services between Ivory Homes and Lindon City. The  
16 agreement will enable Lindon City’s contract engineer (JUB Engineers) to  
proceed with design of the proposed sewer lift station at Ivory Home’s expense.  
The City will then reimburse Ivory Hones its proportionate share of the lift  
station design should the pending Ivory development project (Anderson Farms)  
be approved. Staff recommends approval of the agreement.

18 Adam Cowie, City Administrator, opened the discussion by giving a brief  
20 summary of this agenda item. He noted that over the past months, the City Council and  
22 Planning Commission have been meeting with Ivory Homes to give feedback and  
24 preferences on the proposed Ivory housing development west of Geneva Road and south  
26 of 700 North (Anderson Farms). Mr. Cowie stated that staff has been working with Ivory  
and they are nearing completion of a draft master development agreement for the area.  
He explained that the development of the total project area is anticipated to take 10 plus  
years from start to finish. He explained that a key component to the infrastructure needed  
by Ivory Homes is the necessity to construct a new sewer lift station to service their  
development.

28 Mr. Cowie further explained that staff has worked with Ivory on developing a  
30 concept to enlarge the lift station to accommodate sewer flows from other areas of  
Lindon that would enable the city to close other lift stations and combine the sewer flows  
into this new, larger lift station and Ivory is amenable to this proposal. He noted this will  
32 save the city long-term re-construction and maintenance costs on the other lift stations  
and this appears to be a good situation for both the City and Ivory Development.

34 Mr. Cowie explained that the City desires to be the lead design consultant (JUB  
36 Engineers) on the lift station since it will be up-sized to accommodate additional city  
flows. He pointed out that due to the timeframe needed to design the lift station, Ivory is  
38 requesting to get this process started as soon as possible and will front the design  
engineering costs to the city at no risk. Mr. Cowie stated this agreement provides that the  
40 city will pay its proportional share of the design expenses if Ivory receives approval of  
the development.

42 Mr. Cowie stated this item is pretty straightforward and staff and the city engineer  
44 have reviewed this agreement and recommends approval. Councilmember Broderick  
asked what the dollar amount is. Mr. Cowie stated the design costs will be about \$70-  
\$100 thousand dollars that will be shared proportionally with Ivory (70-80% Ivory); he  
46 noted these are rough numbers. Dustin Sweeten, resident in attendance, inquired if  
approved, if this could be construed as implied consent for their project. Mr. Cowie stated

2 staff has discussed this issue with the attorney and they feel that everything is covered in  
the agreement.

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

6  
8 COUNCILMEMBER POWELL MOVED TO APPROVE THE PRESENTED  
AGREEMENT FOR REIMBURSEMENT FOR THE COST OF ENGINEERING  
SERVICES BETWEEN IVORY HOMES AND LINDON CITY. COUNCILMEMBER  
10 LUNDBERG SECONDED THE MOTION. THE VOTE WAS RECORDED AS  
FOLLOWS:

12 COUNCILMEMBER POWELL AYE  
COUNCILMEMBER BEAN AYE  
14 COUNCILMEMBER BRODERICK AYE  
COUNCILMEMBER HOYT AYE  
16 COUNCILMEMBER LUNDBERG AYE  
THE MOTION CARRIED UNANIMOUSLY.

- 18  
20 7. **Discussion Item** – *Meet the Candidates Night format*. The City Council will  
discuss and provide feedback on the desired format and possible discussion  
topics for the *Meet the Candidates Night* scheduled for October 22<sup>nd</sup>.

22  
24 Mr. Cowie explained the purpose of this discussion tonight is to gather feedback  
on the desired format and possible discussion topics for the proposed Meet the  
Candidates Night scheduled for October 22, 2015.

26  
28 *Mr. Cowie then presented some format options as follows:*

- Open debate on questions / topics
- Timed responses to questions / topics (not previously announced to candidates)
- 30 • Timed prepared responses to questions / topics (previously given to candidates)
- Timed response to open microphone questions from audience
- 32 • Timed response to pre-screened written questions from audience
- Mix of above
- 34 • Other
- Moderator

36  
38 *Mr. Cowie stated they solicited questions two different times from residents on the  
City's Facebook page. The following four questions were the only responses coming back  
from the public:*

- 40 ○ What is your plan to ensure that current Lindon UTOPIA customers  
continue to have access to the network?
- 42 ○ What are your feelings regarding a city public library and the services it  
provides to improve the quality of our community?
- 44 ○ What can we do to have a public library in our city?
- 46 ○ If there is anything you could do to preserve our small town what would it  
be?

2 *Mr. Cowie stated they also videotaped the last two Meet the Candidate Nights and*  
4 *there was a great response on social media and feels this is a good resource for those*  
*who are unable to attend the meeting.*

6 *Mr. Cowie also stated that the Pleasant Grove High School and Maeser Academy*  
8 *student councils have been used as moderators in the past and asked the Council if they*  
*would like to use them again. The Council was in agreement to use the student council as*  
*moderators.*

10 *Mr. Cowie then presented possible general topics as follows noting the questions*  
12 *will have a 2-minute response time.*

- 14 • Candidate Introductions
- 14 • Why are you running for Lindon City Council?
- 16 • Road funding.
  - 16 ○ What do you feel are viable options for Lindon to fund future road maintenance?
  - 18 ○ Why do you support or oppose the County ballot measure to increase the sales tax rate to help fund transportation needs?
  - 20 ○ Why would you support or oppose a possible transportation utility fee to help fund road maintenance in Lindon?
- 22 • Managing Growth - West-side development:
  - 24 ○ Preferred housing types / density considerations?
  - 24 ○ Thoughts on giving city incentives to developers?
  - 26 ○ Candidates overall vision for 700 North corridor?
- 26 • What do you perceive as being the three biggest opportunities/issues facing Lindon?
- 28 • What do you perceive as the three best things about Lindon City that sets it apart from other cities?
- 30 • Fire station construction / Police department & City Center remodel?
- 32 • How should Lindon build on its investment in UTOPIA for the good of the community?
- 34 • Other topics – trail system etc.

36 Councilmember Hoyt stated at the last Meet the Candidate Night they received 6  
38 possible questions to prepare for of which 4 questions were asked with 2 additional  
38 questions pre-screened from the audience which he thought worked out perfectly. He  
40 added where there are fewer candidates this election it should move more quickly.  
40 Councilmember Broderick pointed out they had the opportunity to meet with the  
42 audience members after the question and answer period which was very beneficial.  
42 Councilmember Powell commented that being able to prepare for the questions ahead of  
44 time is helpful; she likes the hybrid approach. Councilmember Lundberg would like the  
44 time to be controlled so the majority of the time is not fielding random questions that  
44 could go off on tangents; a prepared section and a follow-up would be great.

46 Following discussion the Council agreed to take written questions from the  
46 audience with no open microphone and then screen the questions and choose several as to

2 not have duplication. The Council also agreed to have Mr. Cowie randomly select 6 to 10  
4 possible questions from the general topics list and send to the candidates prior to the  
6 meeting to prepare their statements. Following some additional discussion the Council  
8 agreed to use a hybrid of prepared questions (4) and (2) additional (pre-screened)  
10 questions from the audience. They also agreed to have the numbered questions on the  
12 program for the audience and a sheet in front of the candidates with the numbered  
14 questions for reference so the moderator won't have to repeat the questions to each  
16 candidate; just referenced the number. Mr. Cowie also referenced the candidate bios on  
18 the website noting if they want to provide contact information to send it to himself or the  
20 city recorder.

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

26 8. **Closed Session to Discuss the Sale, Purchase, Exchange, or Lease of Real**  
28 **Property** – The City Council will enter into a closed executive session to  
30 discuss the sale, purchase, exchange, or lease of real property per Utah Code 52-  
32 4-205. This session is closed to the general public.

34 COUNCILMEMBER BRODERICK MOVED TO RECESS THE REGULAR  
36 CITY COUNCIL MEETING AND MOVE INTO A CLOSED EXECUTIVE SESSION  
38 AT 8:14 P.M. COUNCILMEMBER POWELL SECONDED THE MOTION. THE  
40 VOTE WAS RECORDED AS FOLLOWS:

42 COUNCILMEMBER POWELL AYE  
44 COUNCILMEMBER BEAN AYE  
46 COUNCILMEMBER BRODERICK AYE  
48 COUNCILMEMBER HOYT AYE  
50 COUNCILMEMBER LUNDBERG AYE  
52 THE MOTION CARRIED UNANIMOUSLY.

54 COUNCILMEMBER HOYT MOVED TO ADJOURN THE CLOSED  
56 EXECUTIVE SESSION AND RE-CONVENE THE CITY COUNCIL MEETING AT  
58 8:31 P.M. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE  
60 VOTE WAS RECORDED AS FOLLOWS:

62 COUNCILMEMBER POWELL AYE  
64 COUNCILMEMBER BEAN AYE  
66 COUNCILMEMBER BRODERICK AYE  
68 COUNCILMEMBER HOYT AYE  
70 COUNCILMEMBER LUNDBERG AYE  
72 THE MOTION CARRIED UNANIMOUSLY.

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

78 9. **COUNCIL REPORTS:**

2 **Councilmember Powell** – Councilmember Powell reported she will be attending a  
Community Center Advisory Board meeting this week. She also mentioned the new  
4 computer lab at the Senior Center is coming along and it will be a great facility for the  
seniors. She mentioned that Planning Commissioner, Bob Wily’s mother passed away  
6 last week. Councilmember Powell also mentioned a recent article in the Daily Herald  
newspaper about “Happy Valley Cuddle Parties” being held in Lindon. She questioned  
8 what the land use policies are regarding this type of event (as they charge a fee). Mr.  
Cowie stated he will follow up regarding licensing etc. on this issue.

10  
12 **Councilmember Bean** – Councilmember Bean reported on a traffic safety issue and  
noted he will send the details to Mr. Cowie.

14 **Chief Cullimore** – Chief Cullimore reported on several items. He expressed his  
appreciation to the Mayor and Council for the employee recognition tonight. He also  
16 mentioned that the Drill Down for Safety is on the 14<sup>th</sup> of September. He noted the drill  
will not be as involved this year as in the past and stated they are doing this for evaluation  
18 purposes. They will not have City Council training this year or the scenarios as they just  
want to account for the people and response times and to qualify if we are doing a good  
20 job and to a more realistic response. He noted they will also be putting out the drill down  
signs and the Everbridge system. Chief Cullimore also reported they will be holding a  
22 DUI Administrative Checkpoint on September 25<sup>th</sup> on Geneva Road and Center Street  
from 8 pm to midnight. Chief Cullimore extended an invitation to the councilmembers to  
24 attend. Chief Cullimore reported the Lindon Police Department will be involved with  
Les Schwab tires on September 26<sup>th</sup> for a DUI prevention fund raiser which is good  
26 community involvement.

28 **Councilmember Lundberg** – Councilmember Lundberg reported on Parks and  
Recreation noting they are closing the pool on September 7<sup>th</sup>. She also reported the next  
30 community event is the “All Hallows Eve” party to be held on October 30<sup>th</sup> at the  
Community Center. She mentioned they are also starting guitar classes and noted the last  
32 summer movie in the park will be held on September 11<sup>th</sup> (Night at the Museum, Secret  
of the Tomb). Councilmember Lundberg reported that Heath Bateman, Parks & Rec  
34 Director is having some trouble filling the Tree Board vacancies. Councilmember  
Lundberg then provided a list from Mr. Bateman stating he would like the Council to  
36 approach some of these individuals and encourage them to join the Tree Board (which  
meets quarterly). She also mentioned that the Tree City USA have some rules and  
38 regulations that states the city could still maintain our Tree City USA status without an  
active board if the code is changed from a “Tree Board” to a “Forestry Department”.  
40 Councilmember Lundberg stated they do want to keep the Tree City USA status. She  
then read the submitted names noting they need 3 or 4 additional individuals to serve.  
42 Mayor Acerson suggested the name of Eric Anthony. Councilmember Hoyt suggested  
Jennifer Brown may be willing to serve.

44  
46 **Councilmember Hoyt** – Councilmember Hoyt reported on a recent parking problem at  
Castle Park with cars getting towed and ticketed. Chief Cullimore confirmed there were

2 tickets issued by the Lindon PD and Orem City did impound some vehicles as they were  
clearly parked illegally.

4  
6 **Councilmember Broderick** – Councilmember Broderick reported that he attended the  
Provo Bench Canal meeting on August 26<sup>th</sup>. He noted the assessment will stay the same.  
8 He mentioned they also some discussion on adjudication concerns that the City Engineer  
has been working on. Mr. Cowie said they had a recent joint meeting with several other  
10 cities and canal companies and discussed the adjudication issue. He noted they will now  
be meeting monthly to discuss this issue as it impacts water rights and he will keep the  
12 Council updated. Councilmember Broderick also thanked Chief Cullimore on his quick  
response to his email regarding an intersection problem. Chief Cullimore stated he is  
following up on that issue.

14  
16 **Mayor Acerson** – Mayor Acerson reported that the assessment from the Utah Lake  
Commission was received and they are looking at getting more grants and funding from  
the state which will help facilitate good things at the lake (carp removal and phragmites).  
18 He also reported he will be attending upcoming MAG and COG meetings. Mayor  
Acerson spoke about the recent meeting at the county about the VBM (voter by mail)  
20 issue including adding the transportation tax on the ballot followed by discussion. He also  
mentioned the upcoming Utah League of Cities and Towns fall conference to be held in  
22 SLC beginning September 16th.

#### 24 **Administrator's Report:**

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

#### 26 **Misc. Updates:**

- 28 • August City newsletter
- Project Tracking List
- 30 • Councilmember Bean - Mayor pro tem from July through September 2015
- Update on design of Fire Station; City Center was presented
- 32 • Landslide monitoring letter was reviewed
- Department reviews will be held on October 20<sup>th</sup>
- 34 • New janitorial contract was discussed
- Misc. Items

#### 36 **Upcoming Meetings & Events:**

- 38 • Newsletter Assignment: Councilmember Powell – September newsletter article.  
*Due by last week in August.*
- 40 • Newsletter Assignment: Councilmember Broderick – November newsletter  
article. *Due by last week in October.*
- 42 • September 7<sup>th</sup> – City Offices closed for Labor Day
- September 8<sup>th</sup> – Joint training meeting 6:00 pm
- 44 • September 16<sup>th</sup> – 18<sup>th</sup> – Utah League of Cities and Towns fall conference in SLC
- October 22<sup>nd</sup> – 7:00 pm - Meet the Candidates Night at the Community Center
- 46 • November 3<sup>rd</sup> – Election night

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

4 **Adjourn** –

6  
8 COUNCILMEMBER POWELL MOVED TO ADJOURN THE MEETING AT  
9:15 PM. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

10  
12 Approved – September 15, 2015

14  
16 \_\_\_\_\_  
Kathryn Moosman, City Recorder

18  
\_\_\_\_\_  
Jeff Acerson, Mayor