

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, September**
3 **17, 2013 at 7:00 p.m. beginning with a work session at 6:00 p.m.** in the Lindon City
4 Center, City Council Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:00 P.M. – Conducting: James A. Dain, Mayor

8 Lindon City Finance Director, Kristen Colson, will meet with the City Council to
9 discuss annual activities associated with the Finance Department and report on
10 other ongoing financial matters.

12 **PRESENT**

12 James A. Dain, Mayor
13 Mark L. Walker, Councilmember
14 Randi Powell, Councilmember
15 Matt Bean, Councilmember
16 Adam Cowie, City Administrator
17 Kathryn Moosman, City Recorder

12 **ABSENT**

12 Jeff Acerson, Councilmember
13 Bret Frampton, Councilmember

18 **Discussion Item:**

20
21 Kristen Colson, Lindon City Finance Director, was in attendance to present the
22 Mayor and Council with a presentation on annual activities associated with the Finance
23 Department. She introduced the administrative staff in her slideshow presentation and
24 noted their duties and responsibilities.

25 Ms. Colson then presented a draft copy of the PARC tax pamphlet (voter
26 information). Mr. Cowie noted that no arguments against the PARC tax had been
27 received by the City by today's deadline. He added that the pamphlet will be sent out as a
28 separate mailer and will not be included in the newsletter.

29 Ms. Colson noted a spreadsheet report on cash accounts of investments and also a
30 spreadsheet on debt. She explained there are two debts, the RDA District 3 Bond
31 (\$600,000/last payment) and the Hogan Bond (\$177,000/per yr.) that will be gone in
32 2015. Ms. Colson further stated that Lindon has no general obligation debt, which is
33 good to note. She also mentioned that things are going well with the new auditors;
34 however, there has been a finding that the purchasing policy is not being followed. She
35 noted that they are aware that the policy is outdated and it needs to be officially re-
36 written, and they are currently working on that and hopefully the new policy will be
37 before the Council before December.

38 Ms. Colson then asked if there were any issues the Council would like researched
39 before the budget kick-off meeting (formerly known as the "Retreat") in January. Ms.
40 Colson commented they are working on revamping the utility bill. Councilmember
41 Walker commented that he would like to see a graph showing usage included on the
42 utility bill. Councilmember Powell brought the issue that was previously mentioned of
43 having the tables facing each other so as to not be looking at each others backs would be
44 beneficial.

45 Ms. Colson went on to say that this time of year cash flow is low because
46 property tax has not come in yet (almost half of tax revenue) and there are also bonds and

2 debt payments that come due. She explained that this is something that is being watched
3 to see if there are things requested by department heads that can be put on temporary
4 hold. Ms. Colson noted that there are different funds that have different monies, and the
5 Class C Road Fund has money that is paying for road projects, and these road projects are
6 being paid out of the general checking. Ms. Colson stated that transferred money from
7 the Class C to the general checking fund to cover those projects that had been paid for
8 (i.e., Center Street connection). Mr. Cowie noted that projects/contracts can be bought up
9 to \$125,000 without bidding. Councilmember Bean asked why Utopia is not listed on the
10 spreadsheet. Ms. Colson stated that Utopia is hard to display because the actual
11 obligations are not known for the rest of the duration (and technically it is not a bond).
12 Ms. Colson stated that she will talk to auditors about this issue.

13 Mr. Cowie stated that in the past the Department Heads have assumed that as
14 soon as the fiscal year is hit they can use their requested expenditures, but technically the
15 cash is not there, so this transfer of monies will help. He added that after this first year of
16 educating staff they will be more in tune. He added that over time property tax has
17 increased and as the community builds and grows so will sales tax; which is looking good
18 over the last 6 to 8 months. Mr. Cowie then presented a graph depicting sales tax
19 revenue levels during times of implementing new amenities in the City and the impacts
20 they have had. Mr. Cowie noted that the PARC tax would help prioritize amenities in the
21 community which would be a plus. There was then some general discussion by the
22 Council. Mayor Dain then thanked Ms. Colson for her presentation and for her service to
23 the City.

24 Mayor Dain called for any further comments or discussion from the Council.
25 Hearing none he adjourned the work session at 6:50 p.m.

26 **REGULAR SESSION** – 7:00 P.M. – Conducting: James A. Dain, Mayor

27 Pledge of Allegiance: Colby Ross, Boy Scout Troop
28 Invocation: Mark Walker, Councilmember

29 **PRESENT**

30 James A. Dain, Mayor
31 Mark L. Walker, Councilmember
32 Randi Powell, Councilmember
33 Matt Bean, Councilmember
34 Adam Cowie, City Administrator
35 Cody Cullimore, Chief of Police
36 Hugh Van Wagenen, Planning Director
37 Kathryn Moosman, City Recorder

30 **ABSENT**

31 Jeff Acerson, Councilmember
32 Bret Frampton, Councilmember

38 1. **Call to Order/Roll Call** – The meeting was called to order at 7:03 p.m.

39 2. **Presentations/Announcements** –

40 a) **Mayor/Council Comments** – Councilmember Powell expressed her
41 appreciation for the opportunity to attend the Utah League of Cities and
42

2 Towns Conference. She mentioned that there were some very informative
speakers and classes and she obtained some valuable education that will
4 help her better serve the City. Councilmember Walker mentioned the
Drill Down for Safety that was held on September 16th. He noted that
6 over 8,000 (89%) of Lindon citizens participated.

8 b) **Presentation** – Mayor Dain presented Lindon Days Chairs, Chad and
Angie Hendrickson, with an appreciation letter and also a stay at the
10 Homestead resort. Mayor Dain expressed thanks and appreciation for the
great service and hard work they provided for Lindon Days. Mayor Dain
12 also presented Gary Taylor, Lindon resident and city employee, with the
Mr. Taylor’s father’s retired flag that was flown at the opening flag
14 ceremony at Lindon Days. Mayor Dain commented that there was also a
21 Gun Salute that helped make it a really impressive ceremony. Mayor
16 Dain also presented Mr. Taylor with the howitzer shell that was shot off in
the salute ceremony. Mr. Taylor thanked the Mayor and Council and
18 stated that this was a great tribute to his father.

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

22 COUNCILMEMBER WALKER MOVED TO APPROVE THE MINUTES OF
THE MEETING OF SEPTEMBER 3, 2013 AS AMENDED. COUNCILMEMBER
24 BEAN SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER WALKER AYE
26 COUNCILMEMBER POWELL AYE
COUNCILMEMBER BEAN AYE
28 THE MOTION CARRIED WITH TWO ABSENT.

30 4. **Consent Agenda** – No items.

32 5. **Open Session for Public Comment** – Mayor Dain called for any public comment
not listed as an agenda item. Mitch Christensen, Lindon resident approached the
34 Council at this time. He asked if there are plans on the master plan to make 800 West
a through street. Adam Cowie, City Administrator, replied that that it is master
36 planned to connect to 700 North sometime in the future. He noted when the
connection happens the vacant properties will develop, and it is up to the property
38 owners who choose to develop. Mr. Cowie added that 800 West will be closed from
8 a.m. to 3 p.m. this Thursday for slurry seal.

40 **CURRENT BUSINESS**

42 6. **Review and Action** – *Plat Amendment: Canberra Hills, Plat W, 44 North 1200 East.*
44 This is a request by John Bodine for a two (2) lot plat amendment to be known as
Canberra Hills, Plat W. The amendment will shift property boundaries between

2 adjacent lot owners. The Planning Commission recommends approval of the plat amendment.

4 Mr. Van Wagenen gave a brief overview of this agenda item and noted this is
6 request by John Bodine for a two (2) lot plat amendment to be known as Canberra Hills
8 Plat W. He explained that the plat amendment will readjust lot lines between two
adjacent property owners in order to accommodate setback requirements to the lot to the
west. He added that the new lots meet applicable ordinances for platted lots. Mr. Van
Wagenen also presented photos of the lots in question.

10 Mr. Van Wagenen further explained that this is basically a property line
12 adjustment, as it has encroached into Mr. Bodine's side yard and to make the setbacks
work they are doing a plat amendment. Mr. Van Wagenen noted that the new lot meets
Lindon City setback requirements, so there is no encroachment on the required setbacks.
14 Mr. Van Wagenen stated that staff has no concerns or issues with this amendment. Mr.
Van Wagenen further stated that part of the plat amendment is granting the easement
16 back to the neighbor's property. There was then some general discussion regarding this
request.

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

20

COUNCILMEMBER POWELL MOVED TO APPROVE THE REQUEST FOR
22 A TWO (2) LOT PLAT AMENDMENT REQUEST TO BE KNOWN AS CANBERRA
HILLS PLAT W. COUNCILMEMBER BEAN SECONDED THE MOTION. THE
24 VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE
26 COUNCILMEMBER POWELL AYE
COUNCILMEMBER BEAN AYE
28 THE MOTION CARRIED WITH TWO ABSENT.

30 7. **Review and Action** – *Major Subdivision: Eastlake at Geneva North Commercial*
32 *Subdivision, - 600 South Geneva Road.* This is a request by Anderson Geneva
Development, Inc. for a three (3) lot subdivision to be known as Eastlake at Geneva
North Commercial Subdivision. It is located in the General Commercial—Auto (CG-
34 A8) zone on approximately 6 acres. The Planning Commission recommends approval
of the subdivision with conditions.

36

Mr. Van Wagenen explained that this item is a request for a three (3) lot
38 subdivision to be known as Eastlake at Geneva North Commercial Subdivision, which is
located in the General Commercial - Auto (CG-A8) zone on approximately 6.52 acres
40 directly west of the Harley Davidson dealership in Lindon. Mr. Van Wagenen noted that
this Lot 2 is currently labeled non-buildable on the plat. He went on to say the applicant
42 is hopeful that future access to Geneva Road will be available after the railroad right of
way is abandoned. He noted at any time this lot is modified to be a buildable lot, the
44 owner would have to provide utilities and access/frontage and replat the lot. No utilities
are being proposed to Lot 2 at this time. However, on the current plat on Lot 1 there is a
46 "28' Private Street Right of Way" extending from 600 South through Lot 1 to Lot 2, thus
providing future access to Lot 2 which is landlocked and is a non buildable lot. Mr. Van

2 Wagenen stated the applicant is proposing that this 28' private street right of way be
3 considered for required frontage in the zone and is hoping that Union Pacific will
4 abandon the railroad at the site.

5 Mr. Van Wagenen explained that LCC 17.04.180 does allow required frontage to
6 be on a private street or right of way as approved by the Planning Commission. However,
7 if the proposed frontage is a private street, the street has to be built to public standards
8 according to LCC 17.32.120 (6). Mr. Van Wagenen commented that this might impact
9 the future owner of Lot 1 and might be more infrastructure than is needed in this instance.
10 If the frontage is labeled a private right of way, there needs to be a Planning Commission
11 determination as to what should be constructed on the ground; i.e. paved asphalt, curb,
12 gutter, sidewalk, width, etc., which would happen at the time of a site plan application.

13 Mr. Van Wagenen noted that staff recommends that the "28' Private Street Right
14 of Way" be relabeled as a "Private "Right of Way and Utility Easement," which would
15 allow Lot 2 to retain the possibility of having access and utilities serviced through Lot 1
16 in the future. Mr. Van Wagenen went on to say that Lot 1 does extend north along the
17 northwest border of the plat and terminates with a small "head" on the northern most
18 point on the plat. This is in place so that a future development on Lot 1 will have access
19 to the Travel Influence (T) zone along Interstate 15 for sign purposes.

20 Mr. Van Wagenen stated that Lot 3 contains utilities for the Central Utah Water
21 Conservancy District and is labeled a utility lot in anticipation of the City passing an
22 ordinance exempting utility lots from certain minimum requirements such as frontage.
23 Mr. Van Wagenen added that this ordinance is before the City Council as agenda item #8.
24 Approval of LCC 17.32.350 should be a condition of approval for this plat.

25 The applicant, Jerry Grover, Site Engineer for Anderson Geneva, addressed the
26 Council at this time. Mr. Grover gave a brief overview of their proposed subdivision. He
27 noted that they have been negotiating with Union Pacific for some time and it is a
28 management decision at this point to abandon the railroad at the site or not. He added
29 that Maverik Inc., has purchased Lot 1 and the site plan was approved by the Planning
30 Commission. He noted that the design of the subdivision and utilities are not dependent
31 on the rail line being moved, it could still be built on; however, it would be desirable if it
32 were abandoned. He went on to say they are left with a one acre lot with no buyer and
33 they want to leave it non buildable until point of sale. He noted that the sewer and storm
34 drain actually go through the Vineyard system and the culinary water comes through the
35 Lindon system. There was then some additional discussion regarding this issue.

36 Mr. Van Wagenen commented that the Planning Commission recommended that
37 the 28 ft. private street right of way is re-labeled as a private right of way and utility
38 easement so the back lot 2 can have the possibility of having the access and that LCC
39 17.32.350, governing public utility lots, be adopted prior to final approval and plat
40 recordation. Mr. Van Wagenen added that the private street is labeled as a private street
41 and has to be built to public standards.

42 Following some additional discussion Mr. Van Wagenen reiterated that the
43 following two (2) conditions are recommended to be included in the motion:

- 44 1. Re-label as a private right of way the 28 ft right of way.
- 45 2. Lindon City ordinance be adopted prior to final approval.

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

Hearing none called for a motion.

COUNCILMEMBER BEAN MOVED TO APPROVE THE THREE (3) LOT SUBDIVISION TO BE KNOWN AS EASTLAKE AT GENEVA NORTH COMMERCIAL SUBDIVISION WITH THE FOLLOWING CONDITIONS 1. THE CURRENT 28 FOOT PRIVATE STREET RIGHT OF WAY BE RELABELED AS A PRIVATE RIGHT OF WAY AND UTILITY EASEMENT AND 2. LINDON CITY ORDINANCE 17.32.350, GOVERNING PUBLIC UTILITY LOTS, BE ADOPTED PRIOR TO FINAL APPROVAL OF PLAT RECORDATION. COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE
COUNCILMEMBER POWELL AYE
COUNCILMEMBER BEAN AYE
THE MOTION CARRIED WITH TWO ABSENT.

8. **Public Hearing** – *Ordinance #2013-11-O, LCC 17.32.350 Public Utility Lots.* This is a city initiated request to adopt LCC 17.32.350, an ordinance governing subdivision lots to be used for public utility purposes. This ordinance would exempt such lots from certain subdivision requirements, including minimum lot size. The Planning Commission recommends approval.

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

Mr. Van Wagenen opened the discussion by explaining this is a city initiated request to adopt ordinance language governing subdivision lots to be used for public utility purposes. He added that this ordinance would exempt such lots from certain subdivision requirements, including minimum lot size, minimum frontage, and minimum setbacks. Mr. Van Wagenen went on to say this ordinance allows for the efficient subdivision of land so that utility infrastructure can be built on land that is required for a project, rather than land that is dictated by traditional subdivision requirements. He noted that such lots will not be considered buildable lots with the exception of designated utility facilities. Mr. Van Wagenen noted that site plans for the construction of such facilities will be reviewed by the Planning Commission as a conditional use.

Mr. Van Wagenen then referenced the code (17.32.350 Public Utility Lots) as follows:

1. Public Utility Lot is defined as a lot or parcel used for public utility facilities, including but not limited to Lindon City facilities, and may contain facilities or uses such as natural gas pressure regulating stations, power substations, communications antennae, power or telecommunication pedestals, water wells, water reservoirs/tanks, storm drainage facilities, pump stations, trails or pedestrian ways and related support facilities, and other similar uses. Public Utility Lots shall not be considered buildable lots for the purpose of constructing habitable buildings or structures intended for occupancy.

Construction of non-habitable structures for the purpose of housing utility equipment or other similar uses is permitted.

- 2
- 4 2. Public Utility Lots shall be exempt from the following:
 - 6 a. Minimum lot size requirements.
 - 8 b. Minimum lot frontage requirements provided easement documents are recorded ensuring perpetual access to the lot.
- 10 3. Notwithstanding section 2 above, all other standards of the underlying zone may be imposed, subject to review and consideration by the Planning Commission of whether or not the standard or condition is necessary in order to protect the public health, safety, welfare, and aesthetics of the area, or is otherwise in the public interest.
- 12 4. Regulation of uses shall apply as listed in the Standard Land Use Table (LCC, Appendix A). This chapter is not intended to allow uses otherwise identified in the Standard Land Use Table as not being permitted within a specific zone.
- 14 5. Site plans for installation of public utility facilities are subject to Planning Commission approval as a Conditional Use.
- 16

18 Mr. Van Wagenen commented that this is a city initiated item following requests from Central Utah Water Conservancy District and Questar Gas that don't meet the required standards. This action will adopt an ordinance for utility lots that don't meet the standards for trails, walkways etc. These utility companies house certain types of equipment with minimum lot size and frontage but this would still give the City the flexibility to impose other standards as deemed, such as setbacks or landscaping. Mr. Van Wagenen further noted that these types of sites would be conditional uses. Mr. Van Wagenen commented that this will be beneficial for the city code and fire code and staff feels good about it, and it is their recommendation to approve this ordinance amendment. There was then some general discussion regarding this issue.

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

30 COUNCILMEMBER BEAN MOVED TO CLOSE THE PUBLIC HEARING.
32 COUNCILMEMBER POWELL SECONDED THE MOTION. ALL PRESENT
34 VOTED IN FAVOR. THE MOTION CARRIED.

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

38 COUNCILMEMBER WALKER MOVED TO APPROVE ORDINANCE #2013-
40 11-O, LINDON CITY CODE ORDINANCE AMENDMENT 17.32.350 PUBLIC
UTILITY LOTS. COUNCILMEMBER POWELL SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

42 COUNCILMEMBER WALKER AYE
44 COUNCILMEMBER POWELL AYE
COUNCILMEMBER BEAN AYE
THE MOTION CARRIED WITH TWO ABSENT.

2 9. **Report & Discussion** – *Lindon Days, Activities and Financial Report*. Lindon Days
4 Chairperson, Angie Hendrickson, along with Lindon’s Finance Director, Kristen
Colson, and Lindon’s Parks & Recreation Director, Heath Bateman, will discuss the
2013 events and review financial reports with the Council.

6 Heath Bateman, Parks & Recreation Director, opened the discussion by stating
Lindon Days was a big success this year. He also thanked the Council for their support,
8 attendance and participation in the events. He commented that Ms. Hendrickson did a
great job as Lindon Days Chair and planned some great events. He also mentioned that
10 Ms. Hendrickson arranged for “Big Buddha” from Fox 13 News come and cover some of
the events. Mr. Bateman stated that they had some real home runs and they hope to
12 continue some of these events next year. He further reported that the “Princess Party”
was a big success; there were over 200 in attendance with 134 princesses; they would like
14 to carry on this event as it was very popular and it went really well. Another well
attended new event was the “Grandparents Night” which they would also like to have
16 again next year. The “Flag Retirement Ceremony” was another great event they would
like to carry on next year. The “Lawnmower Race” was another great, fun event that was
18 well attended.

20 Mr. Bateman then went over the Lindon Days financial report which depicts the
revenues vs. expenditures. He referenced the “in-kind” donations shown on the report.
Ms. Hendrickson noted that \$6,000 was donated to the police department from the car
22 show (Kim & Shauna Tomlinson). She added that there is no entrance fee for the cars at
the show. Mr. Bateman commented with Ms. Colson’s assistance they are getting a better
24 hold on the accounting end of Lindon Days finances and makes it more transparent and
straightforward. There was then some general discussion regarding the Lindon Days
26 financial report. Ms. Hendrickson stated that she is willing to Chair Lindon Days again
next year.

28 Mr. Bateman mentioned that they would like to do some work on the arena at the
City Park with adding some additional bleachers that would really improve the
30 horse/animal events, as it is a beautiful/unique setting. He noted that a better PA system
is also needed. Councilmember Walker asked what kind of funds this would require.
32 Mayor Dain commented that he suspected it would not be too expensive. Mr. Bateman
agreed that it would not cost too much and would be a great benefit to the community.
34 He suggested that the PARC tax funds (if approved) could be used for improvements on
the arena. There was then some additional general discussion regarding Lindon Days
36 events including parking issues and music options for next year. Mr. Bateman expressed
his appreciation and thanks to the Hendrickson’s and the Lindon City staff for a job well
38 done and noted that it is a nice partnership. Mayor Dain also expressed his appreciation to
everyone who worked so hard to make Lindon Days a great success.

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

42
44 10. **Discussion Item** – *Sewer Billing Options*. The City Engineer, Mark Christensen, will
discuss possible sewer billing options based on monthly meter readings versus
averaging of water meter readings. Additional matters of billing large water users and

2 those with disproportionately large flows entering the sewer system will also be covered.

4 Mark Christensen, City Engineer, was in attendance to address the Council at this
6 time regarding how Lindon City might approach changing the method of calculating
8 monthly sewer bills to be more equitable which can be a challenging issue. Mr.
10 Christensen commented that the current system is based on winter-time water use, which
12 is not representative of year-round sewer demand for some property owners in the city.
He added that in order to illustrate different ways of calculating the monthly sewer bill,
they have prepared the seven tables (attached). He noted that each table presents a
different method of calculating the monthly sewer bill by using all water meter readings
in Lindon during fiscal year 2012/2013 (July 2012 to June 2013).

14 He noted the table shows meter readings of somewhat typical users of different
16 land use types, some having access to the PI system and others not having access to the
18 PI system. In each table the input that is different from the current method of calculating
20 monthly sewer rates is shown in red text to bring attention to the differences. Mr.
Christensen then referenced a summary table that compares the different methods. In the
case of each of the three alternate methods, there is an option that would force it to be
revenue neutral, meaning that the portion of the rate that is a function of water use would
be adjusted so that the change in how sewer rates are calculated would not affect overall
sewer revenue to the city. Mr. Christensen then reviewed the various methods as follows:

22

Method 1:

24 *This is the current method of determining sewer fees.*

26 Method 2:

Base monthly sewer billings on monthly water use.

28

30 Mr. Christensen explained this method would result in those with access to the
32 pressure irrigation system paying less and those without access to the pressure irrigation
34 system paying more. It would slightly decrease total sewer revenues (around 1%). In
order for this method to be revenue neutral for the city, the per-1000 gallon use rate
would need to increase from \$2.55 to \$2.60. This method creates an inequity to those
who have to use culinary water for outdoor watering, since outdoor watering does not
increase demand on the sewer.

36

Method 3:

38 *Base monthly sewer billings on monthly water use for those with access to the pressure
40 irrigation system; and on wintertime water use for those without access to the pressure
irrigation system.*

42 Mr. Christensen explained this method would increase sewer revenues to the city
44 by around 30%. This would also result in most users with access to the pressure irrigation
46 system paying less and most users without access to the pressure irrigation system paying
more. Industrial users would pay significantly more with this method, with most of them
having their sewer bill several times as much as it currently is. This suggests that by

2 basing their sewer bills on wintertime water use, their use of the sewer system has been highly subsidized by residential users in the past.

4 Mr. Christensen noted that in order for this method to be revenue neutral for the city, the per-1000 gallon use rate would need to decrease from \$2.55 to \$1.80. This would result in most users with access to the pressure irrigation system paying less and most users without access to the pressure irrigation system still paying more.

8 Method 4:

10 *Base monthly sewer billings on monthly water use, but give a 50% credit to those who do not have access to the pressure irrigation system.*

12 Mr. Christensen explained this method would decrease revenues to the city by about 10%. On average, users who do not have access to the pressure irrigation system use about twice as much water as those who have access to the pressure irrigation system, which is how we arrived at the 50% credit. However, there is a great deal of variability among different users. This would result in most users who have access to the pressure irrigation system paying less and a slight majority of users who do not have access to the pressure irrigation system paying more. In order for this method to be revenue neutral for the city, the per-1000 gallon use rate would need to increase from \$2.55 to \$2.94.

20 Mr. Christensen noted that this method would result in most users with access to the pressure irrigation system paying less and most users without access to the pressure irrigation system still paying more. Note that for this and other evaluations that differentiate between those who do and those who don't have access to the pressure irrigation system, we didn't count who is actually connected to the pressure irrigation system, but rather those who are in an area where the pressure irrigation system is available to them.

28 Mr. Christensen explained that under all of these methods the median percent change in sewer bill is a considerable reduction. That means that over 50% of the users would see a lower sewer bill. It also means that a minority of users would see significant increases under each method.

32 Mr. Christensen concluded that there may be some challenges with the city's billing system to make changes, particularly if sewer use data for some users was based on monthly water use and for some users it was based on winter-time use. He further noted that there may also be a need to make exception to clearly state unfair rates. For instance, if an industrial user can show that while they use a great deal of water, very little of it goes down the sewer; they would have a valid complaint to a much higher sewer bill. There was then some lengthy general discussion regarding this issue.

40 Mayor Dain thanked Mr. Christensen for the valuable information and his service to the city. He also directed Mr. Cowie to come back with more definite manageable, revenue positive options, noting that the City wants fairness but the question is how to get there.

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

11. **Review and Action** – 2013 Candidate Open House Questions. The Mayor and Council will consider proposed questions to be asked of the candidates running for municipal office at the ‘Meet the Candidates’ event to be held on Oct. 24, 2013.

Mr. Cowie led the discussion by explaining the outline of past proceedings and the questions that were asked of the candidates two years ago. He noted that given a later start time of 7:00 p.m. this year, they are proposing that only five questions are asked of each candidate. He noted the questions will be provided to the candidates prior to the event.

Mr. Cowie stated that there will be a welcome and flag ceremony by a local Boy Scout Troop. He added that before the questions are asked, each candidate will be given two minutes (timed) for introductions. Following introductions, the moderators, (High School Student Body Organization), will begin asking the following questions. A two minute time limit will be provided for each response.

2011 Election Questions:

- What is your vision of “A little bit of Country”?
- What is your view of the public service agreement with Orem City? (fire/ems)
- What developments would you like to see happen on the 700 north corridor?
- What do you feel are currently the most important issues facing Lindon today?
- What would you like to see, as far as development, on the west side of Lindon?
- Lindon City recently worked on, and passed, a new budget for the fiscal year 2011/2012. Do you think this current budget is too fat? If so, what specific cuts would you make to our current budget, or propose for next year’s budget?

Upon completion of the questions each candidate will receive one minute for closing statements. The moderator will then excuse everyone and candidates will be provided an opportunity to meet citizens at their own table. Mr. Cowie then noted the possible 2013 Election Questions as follows:

2013 Election Questions:

- What do you feel are the most important issues currently facing Lindon today?
- What is your view of the proposed increase to the Lindon sales tax, known as the PARC tax, for funding of Parks, Arts, Recreation and Cultural facilities and programs in Lindon?
- What types of development would you like to see occur along Lindon’s 700 North corridor between State Street and I-15? (i.e., low density housing, high density housing, mixed use, commercial, office, industrial, open space)
- Many cities throughout Utah, including Lindon, are faced with limited funds to repair and maintain streets, sidewalks, utilities, and other public infrastructure. What specific things do you feel should be done to help fund these critical facilities?
- How does Lindon’s motto “A Little Bit of Country” fit within your vision of Lindon’s future?

2 There was then some general discussion regarding the possible candidate
3 questions. It was mentioned that a question about Utopia should be included as it is an
4 emotional issue and a lot of people are interested and it is a legitimate question to ask.
5 Mr. Cowie stated that he struggled about how to phrase a Utopia question without being
6 divisive or appearing like there is an option to default as we are committed. Mayor Dain
7 suggested to simply phrase it as “what are your thoughts on Utopia?” Following
8 discussion it was determined to include the Utopia question and to also have citizens put
9 random questions in a “hat” to select from. Following discussion it was also agreed to
10 present the candidates six (6) questions to review and ask four (4) questions from the list
11 and two (2) questions from the audience and to allow two (2) minutes for introductions
12 and one (1) minute for closing statements. It was also agreed to have the moderators hold
13 up cards to notify time limits rather than call it out.

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

16 12. **Closed Session** – Closed Session to Discuss the Character of an Individual, *and*
17 *Reasonably Imminent Litigation (UCA 52-4-205)*. The City Council will enter into a
18 closed executive session per UCA 52-4-205.

19
20 COUNCILMEMBER WALKER MOVED TO RECESS THE REGULAR CITY
21 COUNCIL MEETING AND MOVE INTO A CLOSED EXECUTIVE SESSION AT
22 9:09 P.M. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
23 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

24
25 COUNCILMEMBER POWELL MOVED TO ADJOURN THE CLOSED
26 EXECUTIVE SESSION AND RE-CONVENE THE REGULAR CITY COUNCIL
27 MEETING AT 10:03 P.M. COUNCILMEMBER BEAN SECONDED THE MOTION.
28 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

29
30 13. **Review and Action** – Citizen Appointment to North Union Canal Board of Directors.
31 The Council will review and consider appointment of Ron Whitely as a Citizen
32 Representative on the North Union Canal Board of Directors.

33
34 Mr. Cowie explained that this action is needed to appoint Ron Whitely to the
35 North Union Canal Board of Directors. Mr. Cowie stated that Mr. Whitely has been
36 involved with the North Union Canal projects and this appointment will add him under
37 the umbrella if there are ever any liability issues. Mr. Cowie noted that Don Peterson,
38 Public Works Director, has contacted Mr. Whitely and he is willing to accept the
39 appointment to the Board of Directors. Mr. Cowie will send him a letter notifying him of
40 the Council’s approval of his appointment to the Board.

41
42 Mayor Dain called for any comments or questions from the Council. Hearing
43 none he called for a motion.

44
45 COUNCILMEMBER WALKER MOVED TO APPROVE THE
46 APPOINTMENT OF RON WHITELY AS A CITIZEN REPRESENTATIVE ON THE
47 NORTH UNION IRRIGATION COMPANY BOARD OF DIRECTORS.

COUNCILMEMBER POWWLL SECONDED THE MOTION. THE VOTE WAS
2 RECORDED AS FOLLOWS:

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

8 **14. COUNCIL REPORTS**

10 **Councilmember Powell** – Councilmember Powell expressed her appreciation for the
opportunity to attend the Utah League of Cities and Towns. She mentioned that there
12 were a lot of good speeches and thoughts with dynamic keynote speakers.
Councilmember Powell also mentioned that she would like to see more training
14 implemented, in addition to what the League offers, for newly elected officials. She
suggested additional training sessions and perhaps a manual would be beneficial. She
16 also suggested that it would be good to have all of the officials attend the League
conference in St. George.

18 **Councilmember Walker** – Councilmember Walker reported that the Drill Down for
20 Safety was fantastic this year. He added that he would like to see more CERT training.
Councilmember Walker also reported that he attended the safety building preliminary
22 meeting today. He noted that there were some great ideas that will come to the Council
on October 15th. Councilmember Walker reported that he attended the police officer
24 interviews with Chief Cullimore and Mayor Dain and noted that it is narrowed down to
two prospective good applicants. Councilmember Walker also mentioned that the Fryer
26 property has actually improved and is looking better.

28 **Chief Cullimore** – Chief Cullimore thanked the Council for participating in the Drill
Down for Safety and noted that it couldn't happen without them. Chief Cullimore also
30 reported on the results from the school drills at Oak Canyon Jr. High School. The entire
school was secured in 35 seconds, which is amazing. There was just one problem with a
32 door that didn't automatically lock. He also mentioned a success story with Maeser
Academy. He noted that last year it took them 22 minutes to secure the school and
34 yesterday it took them only two (2) minutes, which shows the drills are working. Chief
Cullimore reported that the police and fire departments will be going to All American
36 Gymnastics to participate with the Guinness Book of World Record for handstands; they
also participated last year. Chief Cullimore reported that they have gone from 63
38 applicants for the police officer position and they are now down to four (4) and they also
interviewed today.

40 **Councilmember Bean** – Councilmember Bean had nothing to report at this meeting.

42 **Councilmember Acerson** – Councilmember Acerson was absent.

44 **Councilmember Frampton** – Councilmember Frampton was absent.
46

2 **Mayor Dain** – Mayor Dain reported that he attended the Mountainland Association of
Governments (MAG) meeting and they had discussion on deer control. Mayor Dain also
4 mentioned a “Travelwise Resource Kit” (where the State will help devise travel plans for
the cities) that he will bring to the Council. He also reported that Provo is about to
6 embark on a new era of road maintenance funding options. He mentioned that we may
want to call the Provo Administrator for more information. Mayor Dain also mentioned
8 to be aware they are having a big discussion on metropolitan funding and how to fund the
mass transit system, which is a divisive issue.

10 **Administrator’s Report**

12 Mr. Cowie reported on the following items:

14 **Misc Updates:**

- 16 • Project Tracking List (see attached) - Anything you feel you need to review?
- 18 • 6:00 pm department work sessions prior to City Council meetings for the
remainder of the year.
- 20 • Fire station call report for August was reviewed
- 22 • Bicycle Master Plan. Two bids received. Steering Committee will evaluate bids to
select firm to do full study.
- 24 • Alpine School District / 700 CDA
- 26 • Vehicle Accident: Gary Hoglund and three two other vehicles damaged by
vehicle that ran stop light on 1600 North by Holiday Oil station. Thankfully no
injury to Gary, but vehicle has significant damage. We are working with their
insurance carrier for repairs.
- 28 • Outgoing Mayor & Council recognition luncheon. Tuesday, Dec 10th at noon
- 30 • UTOPIA update – reduced pricing for 1 GB speed. Utility model still being
considered for possible funding options of network build out. UTOPIA very
interested in deploying in Lindon’s west side.
- 32 • Storm water / flooding update in Dry Canyon.
- 34 • Good timing on sweeper purchase. New one was delivered just prior to big storm
events. The old sweeper broke down in the Public Works parking lot as it was
being taken away by the dealership.
- 36 • New Planning Commissioner needed. It was agreed to not fill the vacant position
at this time
- Sample ballot was presented to the council.

38 **Upcoming Meetings & Events:**

- 40 • Newsletter Assignment: Mayor Dain - November newsletter article. *Due by last
week in October.*
- 42 • September 24th at 6:00 pm – Joint training session with Planning Commission,
Board of Adjustment
- 44 • October 8th at Noon – Engineering coordination meeting at Public Works. Mayor
Dain, Councilmember’s Frampton and Acerson will attend
- October 17th at 6:30pm – Mayor’s Open House at Sharon Call home. Mayor Dain

and Councilmember's Bean and Acerson will attend

- October 24th at 7 pm – Meet the Candidates night at Community Center.
- November 5th – General Election

Future items:

- Lindon Days streamlining discussion
- JRCA public safety building study – report to come to the Council
- Bed & Breakfast conditional use permits – being reviewed by Planning Commission.
- Review of active service military utility waivers, utility bill formatting, utility bill rates
- Lindon Pumping Co. land – 725 E. 200 S., potential land sale/use by neighbor.

Mayor Dain 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 11:20 P.M. COUNCILMEMBER BEAN SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – October 1, 2013

Kathryn A. Moosman, City Recorder

James A. Dain, Mayor