

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, March 21, 2006**,
beginning with a Work Session at 6:00 p.m., in the Lindon City Center, City Council Chambers,
4 100 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:00 P.M.

8 **PRESENT**

ABSENT

10 Jeff Acerson, Mayor
H. Toby Bath, Councilmember
Lindsey Bayless, Councilmember
12 Bruce Carpenter, Councilmember
Jerald I. Hatch, Councilmember
14 Ott H. Dameron, City Administrator/Recorder
Kristen Colson, Finance Director/Treasurer
16 Debra Cullimore, Deputy Recorder

Eric Anthony, Councilmember

18 The meeting began at 6:10 p.m.

20 **DISCUSSION** – The Mayor and City Council will meet in a work session with Kristen Colson,
Finance Director/Treasurer, to hear a report on the current year’s data and to discuss issues and
22 concerns for fiscal year 2006/2007.

24 Ms. Colson presented information regarding the 2005-2006 fiscal year budget for review
by the Council. Included in the review were General Fund balances and General Fund
26 expenditures. Ms. Colson also reviewed the Road Fund, Water Fund, Sewer Fund, Waste
Collection fund, and Storm Water Drainage fund. Councilmember Carpenter noted that the
28 information presented indicates that the City is currently spending more revenue than is being
generated by using fund balances to allow various improvements to be completed. Mr. Dameron
30 explained that the projects being completed with fund balances are capital improvement projects,
which were budgeted and planned to be completed with fund balances. Councilmember
32 Carpenter noted that the City should exercise caution and not become dependent on fund
balances for ongoing expenses. Mr. Dameron explained that it is the practice of the City to use
34 fund balances for capital improvement projects only, and that those funds will not be used to pay
ongoing expenses.

36 Ms. Colson went on to review the annual debt schedule. She noted that the City now
owns the cemetery property. She also pointed out that the annual debt service now includes five
38 new obligations, including the RDA District 3 Refunding Bond, the 2005 I-15 MBA Refunding
Bond, the 2005 400 North Water Bond, the 2005 Vactor Truck Lease, and the 2005 700 North
40 Sales Tax Revenue Bond. Mr. Dameron noted that the bond for the City Center building will be
paid off in October of 2006. The City is currently considering using funds previously allocated
42 to pay the debt on the City Center for assisting with the debt which will be necessary in the
construction of a Community Center.

44 Ms. Colson reviewed possible issues associated with the 2006-2007 budget. She
discussed the annual CPI increase to utility rates, CPI and merit payroll increases, an increase in
46 health insurance costs, and possible personnel changes, including changing the Assistant

2 Development Clerk position to three quarter time, and the addition of a half time secretary at the
3 Public Works Department.

4 Ms. Colson asked the Council if there were any further questions regarding information
5 which was presented. The Council thanked Ms. Colson for her time and effort in preparing the
6 presentation, and her diligent efforts in behalf of the City.

7 **PROCLAMATION** – *The Mayor and City Council will consider a proclamation for “Breast
8 Cancer Awareness Month” sponsored by the Little Miss Lindon Royalty.*

10 Janessa Olsen, Holly Nelson, Bethany Pratte, and Annie Lawrence, members of the Little
11 Miss Lindon Royalty, approached the Council. They explained that 2006 is the 20th anniversary
12 of the Little Miss Lindon Program. The program’s founder, Colleen McMillan, died as a result
13 of breast cancer in 1991. In honor of Mrs. McMillan, this year’s royalty decided to do a service
14 project to raise funds for breast cancer research, and to raise breast cancer awareness. They
15 presented the Council with pink “Celebrate Life” wristbands. Mayor Acerson then read the
16 proclamation, which designates April 2006 as “Breast Cancer Awareness Month” in Lindon.

18 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE PROCLAMATION
19 DESIGNATING APRIL 2006 AS “BREAST CANCER AWARENESS MONTH” IN LINDON.
20 COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL PRESENT VOTED IN
21 FAVOR. THE MOTION CARRIED.

22 **ADJOURN** –

24 COUNCILMEMBER CARPENTER MOVED TO ADJOURN THE MEETING
25 TEMPORARILY AT 6:50 P.M. TO ALLOW MEMBERS OF THE COUNCIL TO ATTEND
26 LOCAL CAUCUS MEETINGS AND TO RECONVENE AT 8:30 P.M. COUNCILMEMBER
27 BATH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
28 CARRIED.

30 **REGULAR SESSION** – 8:30 P.M.

32 COUNCILMEMBER BAYLESS MOVED TO RECONVENE THE CITY COUNCIL
33 MEETING AT 9:00 P.M. COUNCILMEMBER CARPENTER SECONDED THE MOTION.
34 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

36 Conducting: Jeff Acerson, Mayor
37 Pledge of Allegiance: Ott H. Dameron
38 Invocation: Jerald Hatch, Councilmember

40 **MINUTES** – The minutes of the regular meeting of March 7, 2006 were reviewed. The
41 following correction was made:

44 Page 5, Line 2; delete the words “on the east side,” and insert the words “from the
45 west side.”

2 COUNCILMEMBER HATCH MOVED TO APPROVE THE MINUTES OF THE
MARCH 7, 2006 MEETING AS CORRECTED. COUNCILMEMBER BATH SECONDED
THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

4
6 The minutes of the regular meeting of October 5, 2004 were reviewed. No corrections
were made.

8 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE MINUTES OF THE
OCTOBER 5, 2004 MEETING. COUNCILMEMBER CARPENTER SECONDED THE
10 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

12 **OPEN SESSION** -

14 Mayor Acerson invited comments regarding issues not listed as agenda items for this
meeting. Lindon resident Jerry Hamling, residing at 20 West 600 South approached the Council.
16 Mr. Hamling stated that he had discussed the location of a concrete fence on the perimeter of his
property with former Planning Director Kevin Smith prior to the installation of the fence. Mr.
18 Hamling stated that he felt he had installed the fence in compliance with Mr. Smith's
instructions. According to Mr. Hamling, Mr. Smith instructed him to install the fence a certain
20 distance from an existing deer fence. Mr. Hamling stated that he recently received a letter from
the City informing him that relocation of the fence would be necessary, as it encroaches onto the
22 road right-of-way for Main Street. Mr. Hamling stated that the estimated cost of relocation of
the fence, gate, and associated landscaping would be approximately \$20,000. He inquired as to
24 the possibility that he may be able to purchase an equivalent amount of property from the City
park located on the opposite side of the road right-of-way and "shift" the road to allow the
26 existing fence to remain in place. Mr. Cowie clarified that the area which encroaches on the
right-of-way appears to taper, and is approximately one foot on the south end, tapering to
28 approximately five to six feet on the north boundary.

Councilmember Bayless stated that she would like to visit the site to determine if
30 relocation of the road would be possible, or if relocation of the fence would be necessary. She
stated that she would also like to discuss the issue with Mr. Smith. Mr. Cowie stated that he had
32 discussed this item with Mr. Smith. Mr. Smith informed Mr. Cowie that he recalled extensive
discussion regarding Main Street, but that he had no specific recollection of instructing Mr.
34 Hamling to install the fence based on the location of the existing deer fence. Mr. Cowie also
explained that the City engineer has reviewed a copy of Mr. Hamling's plat to ensure that plat
36 lines are accurate. The engineer determined that all plats in the area appear to be accurate. Mr.
Cowie observed that there is a possibility that a surveying error may have occurred.

38 Councilmember Bayless inquired as what effect further investigation of this issue may
have on the road construction. Mr. Cowie stated that the final phase of roadway construction is
40 expected to begin in approximately thirty days. He noted that necessary utilities have already
been installed. Mr. Hamling stated that the fence contractor would not be available to relocate
42 the fence for approximately seven weeks, and that relocation of the fence would not be possible
prior to that time.

44 Mayor Acerson commented that purchase of the necessary property from the City park
may be equivalent to the cost of relocating the fence. Mayor Acerson stated that he felt it would
46 be appropriate for the Council to consider various options, such as purchase of the necessary

2 property if there is no negative impact on the City. Mr. Cowie pointed out that shifting of the
3 road may require a replat of the Orchard Park development. City staff will investigate various
4 options and work with Mr. Hamling in an attempt to resolve the issue.

6 **MAYOR'S COMMENTS/REPORT** –

8 Mayor Acerson commented briefly on the local caucus meetings which were held earlier
9 in the evening.

10 **CONSENT AGENDA** –

12 No items.

14 **CURRENT BUSINESS** -

- 16 1. **Review and Action** – *Reimbursement Ordinance Application – Ostler Industrial Park.*
17 This is a request by Mike Ahlin, Wetcor, Inc., for the Council's consideration of a
18 reimbursement agreement application for completed road improvements along 1800
19 West. If approved, an ordinance will be prepared which officially binds the parties into
20 an agreement. This item was originally heard on September 20, 2005 and continued for
21 verification of actual costs.

22
23 Mike Ahlin was present as the representative for this item. Neighboring property owner
24 Allen Ford was also present. Mr. Dameron reviewed the history of this item for the Council. He
25 stated that Mr. Ahlin originally requested the reimbursement agreement in September of 2005.
26 However, at the time the application was reviewed, there appeared to be some discrepancies in
27 the amounts listed on the agreement. Mr. Ahlin stated that the amounts listed on the
28 reimbursement agreement are consistent with construction bids and the required performance
29 bond. Mr. Dameron observed that the amount listed on the original application was
30 \$123,960.62. The cost listed in the revised agreement is \$90,730.87. City engineer Mark
31 Christensen stated that he has carefully reviewed the figures listed on the revised agreement, and
32 that the figures are accurate and reflect the actual cost of installation of the roadway and other
33 improvements.

34 Mr. Ford requested to comment on the amount listed in the agreement. He stated that
35 each time the application has been submitted, the figures have been different. He expressed
36 concern that there may be discrepancies in this agreement as well. Mr. Ford stated that he did
37 not agree that he should be required to pay the \$25,000 amount listed for work which was
38 completed several years ago. He felt that a time limit on allowable costs would be appropriate,
39 and that this amount should not be included in the current agreement. Mr. Ahlin clarified that
40 the improvements which were previously completed were a part of the road construction, and are
41 a legitimate expense which should be included in this agreement.

42 Mr. Ford inquired as to the duration of the proposed reimbursement agreement. He felt
43 that some consideration should be given to the time period because a portion of the
44 improvements were completed in 2003. Mr. Dameron explained that the duration of
reimbursement agreements is normally between five to seven years, and is based on expected

2 deterioration of the asphalt portion of the roadway. He stated that previous reimbursement
3 agreements have typically extended for a seven year period.

4 Mayor Acerson asked Mr. Christensen to give his professional opinion regarding
5 including the cost of work previously completed in the current reimbursement agreement. Mr.
6 Christensen stated that previously completed work is a legitimate cost to be shared, and that it
7 was an actual cost for completion of the roadway. Mr. Ford suggested that the duration of the
8 agreement should begin in 2003, as this is when work on the road began. Mr. Ahlin observed
9 that the application for a reimbursement agreement could not be submitted until the road was
10 completed. Mayor Acerson asked the City attorney, Brian Haws, to comment on an appropriate
11 time frame for the agreement. Mr. Haws stated that typically the duration of the agreement
12 begins upon completion of the project.

13 Mr. Cowie pointed out that Mr. Ford has several potential access points from 2000 West.
14 He observed that if Mr. Ford does not use 1800 West to access his property, he will not be
15 required to pay any portion of the reimbursement agreement. Mr. Ford expressed concern over
16 possible encumbrance of his property should he attempt to sell it during the duration of the
17 reimbursement agreement. Councilmember Bayless noted that any developer purchasing the
18 property would have to pay associated expenses of roadway installation if the road did not
19 already exist, and that the agreement does not create any additional expense associated with
20 development of the property than would exist otherwise.

21 Mr. Christensen suggested that the agreement should list reimbursement amounts for
22 culinary water utilities as a separate item payable if the culinary water system is accessed by Mr.
23 Ford. Councilmember Carpenter inquired as to whether those expenses are listed separately. It
24 was determined that, indeed, the costs for the culinary water line was listed separately. Mr.
25 Dameron clarified that the actual agreement will be presented in the form of an ordinance at the
26 next regular City Council meeting.

27 Mr. Ford inquired as to whether he would be required to pay reimbursement if access
28 from 1800 West rather than 2000 West is required by the City. Councilmember Carpenter stated
29 that any development proposals submitted by Mr. Ford would be required to comply with
30 existing ordinances. Mayor Acerson observed that City ordinances may require access from
31 1800 West in order to be in compliance with specific elements of the code. Mr. Ford inquired as
32 to the allowable length of possible cul-de-sac streets from 2000 West. Mr. Cowie stated that cul-
33 de-sacs are allowed at a maximum of 650 feet to the center point of the cul-de-sac.
34 Councilmember Bayless stated that cul-de-sac access from 2000 West would be possible if the
35 proposed development is in compliance with current ordinances.

36 Mr. Dameron observed that the duration of the agreement seems to be the main issue. He
37 clarified that the Council has discretion to determine the time period of the agreement within a
38 five to seven year time frame. Mr. Ford stated that he felt a five year period would be
39 appropriate due to the amount of time which has passed since the project began. Mr. Ahlin
40 observed that duration of the agreement is based on degradation of the asphalt, which was
41 recently completed. Councilmember Bath suggested that a compromise could be reached by
42 setting the duration of the agreement for six years.

43 Mayor Acerson called for further comments or discussion. Hearing none, he called for a
44 motion.

45 **COUNCILMEMBER BAYLESS MOVED TO APPROVE THE APPLICATION FOR A**
46 **REIMBURSEMENT AGREEMENT ORDINANCE FOR AN APPROXIMATELY 941 FOOT**

SECTION OF 1800 WEST STREET IN THE OSTLER INDUSTRIAL PARK WITH THE FOLLOWING CONDITIONS:

1. THAT THE DURATION OF THE AGREEMENT EXTEND FOR SIX YEARS FROM SEPTEMBER 20, 2005 TO SEPTEMBER 19, 2011.
2. THAT THE REIMBURSEMENT AMOUNT FOR CULINARY WATER UTILITIES BE LISTED SEPARATELY FROM OTHER ITEMS IN THE AGREEMENT ORDINANCE.

COUNCILMEMBER BATH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BATH AYE
COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER NAY
COUNCILMEMBER HATCH AYE

THE MOTION CARRIED (3-1) WITH ONE ABSENT.

Councilmember Carpenter stated that he could see no justification for allowing the duration of the agreement to be six years rather than the typical seven years.

2. **Public Hearing** – *Ordinance Amending Section 17.48.100 of the Lindon City Code and Creating a PC-2 Zone (#2006-6)*. The City Council will hear public comment and possibly act to approve an ordinance which amends Section 17.48.100(2) relating to the PC-1 zone and creates a new PC-2 zone.

COUNCILMEMBER BAYLESS MOVED TO OPEN THE PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE LINDON CITY CODE CREATING THE PC-2 ZONE. COUNCILMEMBER BATH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Mr. Cowie reviewed this item for the Council. He displayed a zoning map of the proposed PC-2 zone. He explained that the boundaries of the zone will be adjusted, and will extend from 400 South to the UDOT right-of-way. Mr. Cowie observed that this change will not affect any other properties, but will simply “clean up” the boundary lines. Mr. Cowie stated that the proposed ordinance change will remove approved uses from the ordinance, and instead refer to the Standard Land Use Table for uses in the PC-1 and PC-2 zones. Mr. Cowie noted that uses are not technically a part of the ordinance change, and will be listed only in the Standard Land Use Table. Curtis Sampson, general manager of Mercedes-Benz of Lindon, was present to address the Council regarding the proposed used car dealership in the PC-2 zone. Mr. Cowie noted that creation of the PC-2 zone is based on a development agreement with the Larry H. Miller organization to allow used car sales adjacent to the existing Larry H. Miller dealerships.

Mr. Sampson presented drawings of possible elevations for the proposed dealership. Mr. Cowie noted that the proposed dealership includes an auto body component, which will be screened by a sight obscuring fence. Councilmember Bayless inquired as to whether repairs conducted at the auto body facility would be directly associated with the proposed and existing dealerships. Mr. Sampson stated that the majority of repair work would be on cars which would be sold at the dealership. He

noted that the auto body component is necessary for a franchise ready dealership. Councilmember Bath asked if all three dealerships would use the auto body facility. Mr. Sampson stated that the auto body facility will be used by all Larry H. Miller Utah County dealerships. He clarified that the intent is that the auto body facility will be used to occupy a portion of the square footage of the over all facility until such time as a new car dealership franchise is obtained. Councilmember Bayless asked Mr. Sampson if the auto body facility would serve only vehicles associated with the dealerships, or if outside work may be performed. Mr. Sampson stated that the majority of auto body work would be associated with the dealerships, but that some outside work may occur. Councilmember Bayless expressed concern regarding the aesthetics of an auto body shop. Mr. Sampson assured her that the proposed auto body component will be screened by a ten foot sight obscuring fence, and that it will only be identifiable as an auto body facility from the sign.

City Attorney, Brian Haws, explained that this action approves only the creation of the PC-2 zone, and that uses will be designated in the Standard Land Use Table. Mayor Acerson called for public comment. There was no public comment. Mayor Acerson called for further comments or discussion from the Council. Hearing none, he called for a motion.

COUNCILMEMBER BAYLESS MOVED TO CLOSE THE PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE LINDON CITY CODE CREATING THE PC-2 ZONE. COUNCILMEMBER BATH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

COUNCILMEMBER CARPENTER MOVED TO APPROVE ORDINANCE #2006-6 AMENDING SECTION 17.48.100 OF THE LINDON CITY CODE CONCERNING THE PLANNED COMMERCIAL (PC – 1) ZONE AND ESTABLISHING A PC – 2 ZONE WITHIN LINDON CITY, WITH THE BOUNDARY OF THE PC-2 ZONE AMENDED TO EXTEND FROM 400 SOUTH TO THE UDOT RIGHT-OF-WAY AS PRESENTED. COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BATH AYE
COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
COUNCILMEMBER HATCH AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

3. **Public Hearing** – *Ordinance Amending Section 17.32.320 of the Lindon City Code – Deep Lots (#2006-7)*. The City Council will hear public comment and possibly act to approve an ordinance which amends Section 17.32.320 relating to Deep Lots.

Councilmember Bayless observed that discussion of proposed changes to the Deep Lot ordinance, as well as proposed changes to the General Plan, would take a considerable amount of time. Due to the late hour, and the fact that no residents were present to address these items, she suggested these items be continued to the next regular

meeting. The Mayor and other Councilmembers agreed that it would be appropriate to continue these items. Mayor Acerson called for a motion.

COUNCILMEMBER HATCH MOVED TO CONTINUE THE PUBLIC HEARINGS TO CONSIDER CHANGES TO THE DEEP LOT ORDINANCE AND THE GENERAL PLAN TO THE REGULAR MEETING OF APRIL 4, 2006. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

4. **Review and Action** – *Resolution to Amend Staffing Document (#2006-10)*. This is a request by Judge Bullock to amend the city’s staffing document by changing the Assistant Court Clerk Position to full-time from three quarter time effective March 27, 2006.

Councilmember Bath explained this resolution to the Council. He stated that the case load in the Municipal Court has increased significantly, and that it has become necessary to increase the current ¾ time Assistant Court Clerk position to a full time position to accommodate pending court cases. Mayor Acerson called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER BATH MOVED TO APPROVE RESOLUTION #2006-10 APPROVING AN AMENDMENT TO THE STAFFING DOCUMENT FOR LINDON CITY AND SETTING AN EFFECTIVE DATE. COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER BATH AYE
COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
COUNCILMEMBER HATCH AYE
THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

5. **Public Hearing Continued** – *General Plan Review*. This is the fourth of several public hearings where the City Council will hear public comment concerning the update to the city’s General Plan. The next two sections of the General Plan are presented for this hearing, those being the Environmental Element and the Circulation Element. The Planning Commission has previously reviewed the plan and made recommendations.

This item was continued to the regular meeting of April 4, 2006.

6. **Review and Action** – *Resolution of Intent to Review the Standard Land Use Table and Conditional Uses along State Street*. This is a request by staff for the Council’s consideration of a resolution which would declare the city’s intent to review the Standard Land Use Table and Conditional Uses in the General Commercial Zone along State Street in accordance with the new LUDMA requirements of the State of Utah.

Mr. Dameron explained that the Planning Commission will begin review of the Standard Land Use Table during a public hearing to be held during the March 22, 2006

meeting. This ordinance is in compliance with LUDMA noticing requirements. Mayor Acerson called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER BAYLESS MOVED TO APPROVE RESOLUTION #2006-11 INDICATING THE INTENT OF LINDON CITY TO REVIEW, ADOPT, AMEND OR REVISE THE CONDITIONAL USES LISTED IN THE CG ZONE (SPECIFICALLY WITHIN THE STATE STREET AREA OF THE CG ZONE) OF THE 'STANDARD LAND USE TABLE' (LINDON CITY CODE, APPENDIX A) WITHIN LINDON CITY AS NECESSARY. COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BATH AYE

COUNCILMEMBER BAYLESS AYE

COUNCILMEMBER CARPENTER AYE

COUNCILMEMBER HATCH AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

COUNCIL REPORTS –

WATER, SEWER, SOLID WASTE, HOUSING CONSORTIUM

Councilmember Hatch requested that Mr. Dameron confirm that the letter appointing Councilmember Hatch to the Landfill Board has been forwarded to the County. Mr. Dameron reported that he had given the letter to Roger Harper, the Landfill Manager.

Councilmember Hatch discussed changes which will be made to the Transfer Station to accommodate the additional truck traffic which has been created due to the change away from using rail cars to transport trash from the transfer station.

Councilmember Hatch noted that it will be necessary to adopt a resolution declaring the intent of the City to participate in the Housing Consortium for the coming year. He also noted that it will be necessary to renew the agreement between the City and Consortium. He stated that a new policy will require that the agreement be renewed every three years, and that a clause will be included to allow ~~the~~ Cities to terminate ~~their~~ agreement **if desired**.

TRAILS, PLANNING, ZONING, BOARD OF ADJUSTMENTS, ADMINISTRATION

Councilmember Bayless inquired as to the City policy regarding road cuts. Mr. Dameron stated that contractors are required to maintain any road cuts until asphalt can be installed. Councilmember Bayless stated that she has observed several road cuts which are in need of maintenance. Mr. Dameron will follow up with the Public Works Department.

PUBLIC SAFETY, COURT, BUILDING INSPECTIONS

2 Councilmember Bath forwarded information regarding Fire and Police
protection to the Council for review. He also reported that a CERT (Community
4 Emergency Response Team) class will be taught next week to 60 Lindon
residents. He stated that Lindon resident Dave Passmore, a member of the
6 Orem City Fire Department, will be the instructor for the training. Councilmember
Bath observed that the majority of residents participating in CERT training live on
8 the east side of the City. He stated that it would be valuable to include residents
from the West side of the City in future training. Councilmember Bayless lives on
10 the west side of the City, and will follow up with church and community groups to
encourage participation from residents on the west side of the City.
12 Councilmember Bath also discussed various possibilities for communication
equipment for CERT members during a disaster. He inquired as to whether the
14 City may be able to assist CERT in purchasing hand held radios and carrying
cases for emergency equipment. The possibility of financial support from the
16 City will be discussed further. Councilmember Bath noted that the traffic radar
trailer has not been used much lately. He requested that Mr. Dameron follow up
18 with the Police Department regarding use of the radar trailer.

PARKS, RECREATION, ENGINEERING, LINDON FAIR, NEWSLETTER

20 Councilmember Anthony was not present at the meeting.

GENERAL PLAN, STREETS & SIDEWALKS, PUBLIC BUILDINGS

24 Councilmember Carpenter reported on a pot hole at 1200 East 50 North. Mr.
26 Dameron requested that the Council inform City staff of any potholes as they become
aware of them. He noted that spring is the time potholes typically appear due to the
28 freezing and thawing through the winter months.

30 Mayor Acerson commented on the Church of Jesus Christ of Latter Day Saints
Cannery and Bishop's Storehouse facility located in Lindon. He recognized the
32 important work that the facility does, and suggested the City communicate with manager
of the cannery regarding cooperative efforts with the City during times of disaster. Mr.
34 Dameron will contact the storehouse manager to attend a City Council meeting to discuss
possible cooperative efforts.

ADMINISTRATOR'S REPORT –

38 Mr. Dameron reported on the following items:

- 40 1. Engineering coordination meeting will be held March 22, 2006 at noon.
Councilmember Carpenter and Mayor Acerson will attend.
- 42 2. The annual Utah League of Cities and Towns Conference will be held in Saint
George beginning April 5, 2006.
- 44 3. The Council reviewed the project tracking list.
4. There are currently 344 recycling accounts.

2 5. Public Works Director, Don Peterson, and City Engineer, Dave Thurgood, will
present budget information during a work session at 6:00 p.m. prior to the regular City
Council meeting on April 4, 2006.

4 6. Closing on the Water Bond from the Board of Water Resources should be
completed by the second meeting in May.

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8 **EXECUTIVE SESSION** – *The City Council will meet privately to discuss pending or
reasonably imminent litigation (UT Code 52-4-5(iii)).*

10 COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE CITY
12 COUNCIL MEETING AND MOVE INTO EXECUTIVE SESSION AT 10:55 P.M.
14 COUNCILMEMBER BATH SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

16 COUNCILMEMBER CARPENTER MOVED TO ADJOURN THE
EXECUTIVE SESSION AND RECONVENE THE CITY COUNCIL MEETING AT
18 11:23 P.M. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

20 COUNCILMEMBER BAYLESS MOVED TO DIRECT THE CITY
22 ATTORNEY TO COMMUNICATE WITH MR. MIKE DUNN’S ATTORNEY AND
INFORM HIM THAT THE CITY COUNCIL WILL RECONSIDER THE PREVIOUS
DENIAL OF THE CONDITIONAL USE PERMIT FOR THE BUSINESS PROPOSED
24 BY MR. DUNN AT A FUTURE REGULAR CITY COUNCIL MEETING.

26 COUNCILMEMBER CARPENTER SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

28 COUNCILMEMBER BATH AYE

COUNCILMEMBER BAYLESS AYE

COUNCILMEMBER CARPENTER AYE

30 COUNCILMEMBER HATCH AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

32
34 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE PAY
VOUCHERS. COUNCILMEMBER BATH SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

36
38 **ADJOURN** –

40 COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE MEETING AT
11:25 P.M. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

APPROVED – April 4, 2006

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Ott H. Dameron, City Administrator/Recorder

Jeff Acerson, Mayor