

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, September**
4 **15, 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: Dustin Sweeten
10 Invocation: Van Broderick, 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

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

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26 2. **Presentations/Announcements** –

a) Mayor/Council Comments – There were no comments at this time.

28 3. **Approval of Minutes** – The minutes of the regular meeting of the regular City
Council meeting of September 1, 2015 were reviewed.

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COUNCILMEMBER POWELL MOVED TO APPROVE THE MINUTES OF
32 THE CITY COUNCIL MEETING OF SEPTEMBER 1, 2015 AS PRESENTED.
COUNCILMEMBER HOYT SECONDED THE MOTION. THE VOTE WAS
34 RECORDED AS FOLLOWS:

COUNCILMEMBER POWELL AYE

36 COUNCILMEMBER BEAN AYE

COUNCILMEMBER BRODERICK AYE

38 COUNCILMEMBER HOYT AYE

COUNCILMEMBER LUNDBERG AYE

40 THE MOTION CARRIED UNANIMOUSLY.

42 4. **Consent Agenda** – No items.

44 5. **Open Session for Public Comment** – Mayor Acerson called for any public
comment not listed as an agenda item. There were several residents in
46 attendance who addressed the council as follows:

2 **Larry Walker, 264 E. Center Street:** Mr. Walker approached the Council at this time.
Mr. Walker had a question regarding LCC 17.32.220 (utility underground) code. He then
4 referenced a portion of the code regarding underground utilities. Mr. Cowie stated that
any new development is required to go underground except in certain circumstances
6 (relocating or moving a pole). Mr. Walker asked what determines when it is feasible to
allow above ground utilities and gave an example (development south of Noah's on 700
8 north) as there are fees involved. Mr. Cowie explained that he has not been involved in
that development application process and will check with the planning department staff
10 on how that decision was made.

Mr. Cowie noted the city encourages the use of underground utilities when
12 required (initial/new developments), but if moving or relocating poles they hope to not
have a net increase in overhead powerlines. Mr. Walker expressed his opinion that the
14 city is abusing the code and forcing residents to pay 1200 % over and beyond what it
would take to get service to their homes if overhead power lines were allowed with an
16 existing pole on their lot. He feels someone in the city is interpreting the code that is
costing our residents extra and there should be some common sense used in making these
18 decisions. Mr. Cowie stated he would encourage developers/owners to come to a
Development Review Committee meeting in the planning department to discuss with
20 staff the issues and other possible options.

22 **Randy Hunter, 420 So. 280 West:** Mr. Hunter brought up the issue of the flooding of
his home and the meeting held when he was told by Libby Lowther from URMMA that
24 the city has no responsibility to maintain the storm water. He questioned if the city claims
no responsibility for storm water then why is it a service that residents are billed for.
26 Mayor Acerson commented that he understood that every city bills to a certain standard
that doesn't take into account incidents or occurrences where the flow is beyond that
28 standard. Mr. Cowie added that the city has chosen to develop storm water infrastructure
to a certain level noting there are not storm drains on every street with some areas having
30 them while others don't. He noted that new development is required to meet a certain
standard but each city picks their own level of storm water level and there is nothing in
32 state code that he is aware of that requires a certain level. Mr. Hunter reiterated if the city
claims no responsibility to manager storm water it seems irresponsible to bill residents
34 for it and in his personal situation the level provided is not working. Mayor Acerson
asked Mr. Hunter if he is following up with this issue based on the last meeting. Mr.
36 Hunter confirmed that Mr. Cowie is working with Orem City to look at possible
solutions.

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40 **Andrew Ingaman, 733 N 400 E:** Mr. Ingaman commented that he is 100% in favor of
the proposed fire station. He also mentioned that he would like the Council to include the
fireman in the process and let them have input on the station as it makes a big difference.
42 He noted he is excited for the new station and he would be happy to help out. Mr. Cowie
stated the Orem City Fire Chief, Battalion Chief and firemen have all been involved with
44 the process.

46 **CURRENT BUSINESS**

2 6. **Review and Action** – ***Appointment of Poll Workers & Polling Location.*** The
4 City Council will review and consider appointment of the receiving and alternate
6 poll workers and polling location for the 2015 General Election. The City
 Recorder recommends all voting occur at the Lindon Community Center located
 at 25 North Main Street.

8 Adam Cowie, City Administrator, opened the discussion by stating pursuant to
10 Section 20A-5-602 of the Utah State Code, the City Council must consider and appoint
12 election poll workers at least fifteen days prior to the election. He noted that pursuant to
 code approval of the voting locations must also be approved by the City Council.
 Mr. Cowie stated the City Recorder, Kathy Moosman, recommends the City Council
 approve by motion the following items:

- 14 1. Appoint the receiving and alternate poll workers for the 2015 General Election as
 shown on the attached list of poll workers; and
16 2. Approve the city-wide polling location at the Lindon City Community Center
 located at 25 North Main Street.

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

22 COUNCILMEMBER POWELL MOVED TO APPOINT THE POLL
24 WORKERS AS LISTED, NOTING THAT THE CITY RECORDER MAY APPOINT
26 ADDITIONAL AND/OR ALTERNATE POLL WORKERS AS NEEDED, AND MOVE
 TO APPROVE THE LINDON CITY COMMUNITY CENTER AT 25 NORTH MAIN
 STREET AS THE POLLING LOCATION FOR ALL OF LINDON CITY.
 COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS
28 RECORDED AS FOLLOWS:

30 COUNCILMEMBER POWELL AYE
 COUNCILMEMBER BEAN AYE
 COUNCILMEMBER BRODERICK AYE
32 COUNCILMEMBER HOYT AYE
 COUNCILMEMBER LUNDBERG AYE
34 THE MOTION CARRIED UNANIMOUSLY.

36 7. **Review and Action** – ***Declaration of Surplus Equipment - Resolution***
38 ***#2015-6-R.*** The City Council will review and consider Resolution #2015-6-R to
40 declare surplus city equipment to be auctioned off to the highest bidder through
 the website www.publicurplus.com. Items not sold within a specified time period
 will be disposed of at the discretion of the city administration.

42 Mr. Cowie explained this action is to review and approve the resolution tonight
44 that lists the exhibits with surplus property including photos and descriptions. Mr. Cowie
 then referenced the equipment to be auctioned off. He noted that items not sold will be
46 disposed of at the discretion of staff. There was then some general discussion regarding
 several of the auction items. Mr. Cowie then explained the auction site and bid process.

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

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6 COUNCILMEMBER HOYT MOVED TO DECLARE SURPLUS CITY
EQUIPMENT AS DESCRIBED IN RESOLUTION #2015-6-R AND AUTHORIZE
STAFF TO AUCTION OFF AND DISPOSE OF THE EQUIPMENT.
8 COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

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

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

20 8. **COUNCIL REPORTS:**

22 **Councilmember Powell** – Councilmember Powell reported that the Community Center
Advisory Board meeting was postponed. She noted a citizen asked about a public notice
24 regarding the Osmond Senior Living Facility. Mr. Cowie stated they are going to be
starting the Phase II of the facility.

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28 **Councilmember Bean** – Councilmember Bean reported there is an opening in the
Planning Department with the resignation of Jordan Cullimore, Planning Associate.

30 **Chief Cullimore** – Chief Cullimore reported on the Drill Down for Safety results noting
the plan was to test to see what residents would remember to do on their own without
32 encouragement or advertisement and it turned out amazingly well. He reported that 72%
of the community participated. He noted he is very encouraged by those numbers. He
34 also mentioned that the Everbridge emergency system was utilized and 1,930 people
received the message, which is a pretty good response. Chief Cullimore also reported that
36 they have joined with the Department of Justice and the Utah Attorney General's office
on the Internet Crimes against Children Task Force. There will be two officers trained
38 and they will be working with Cyber Crimes against children which is very good training
and investigative experience including equipment grants and they will be providing a
40 good service.

42 **Councilmember Lundberg** – Councilmember Lundberg reported that she met with
Hugh Van Wagenen, Planning Director, today regarding the presentation by Bret
44 Overson regarding architectural guidelines. She noted that Mr. Van Wagenen is in the
process of making changes to the guidelines to strengthen different areas.
46 Councilmember Lundberg also mentioned that several years ago the Tree Board put
together a specific plan of how to landscape design the 700 north corridor which would

be a great long term idea. She mentioned that a similar common theme (tree plan) concept to continue on to State Street may also be a great idea. In addition, a lot of interest is starting to percolate on the 700 north corridor and there are questions of what we want for the corridor. She would suggest to the Council to create an area specific plan for 700 north in order to establish and create a detailed development plan and to set goals and a vision to achieve long term objectives to market to. She stated this is the gateway to the city and feels being proactive is vital. She noted that the Planning Director was in favor of a committee. Following discussion the Council was in agreement to move forward with creating a site specific committee for the 700 North corridor.

Councilmember Hoyt – Councilmember Hoyt reported that he met with the Utah Valley Chamber of Commerce today along with Mayor Acerson and Hugh Van Wagenen. He mentioned they reduced the price and they will try to get more involved which will be very beneficial.

Councilmember Broderick – Councilmember Broderick gave Councilmember Lundberg two names for possible Tree Board members, Sarah Allred and Terry Cowser. He noted both have expressed interest in serving on the board.

Mayor Acerson – Mayor Acerson reported that the Utah League of Cities and Towns Fall conference starts tomorrow.

Administrator's Report:

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

Misc. Updates:

- September City newsletter is posted on the city website
- Project Tracking List
- Councilmember Bean is Mayor pro tem from July through September 2015
- Councilmember Powell is Mayor pro tem from October through December 2015
- Employee positions soon to be open: Associate Planner, Police Officer, Receptionist
- Misc. Items

Upcoming Meetings & Events:

- Newsletter Assignment: Van Broderick – November newsletter article. *Due by last week in October.*
- September 14th – Drill down for safety (city-wide emergency drill)
- September 16th – 18th – Utah League of Cities and Towns Fall Conference in SLC
- September 25th, 8 pm to Midnight. DUI checkpoint at Geneva Road and Center Street
- October 22nd at 7:00 pm - Meet the Candidates Night at the Community Center
- October 30th – “All Hallows Eve” party at the Community Center
- November 3rd – Election night

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

8 COUNCILMEMBER POWELL MOVED TO RECESS THE REGULAR CITY
10 COUNCIL MEETING AND MOVE INTO A CLOSED EXECUTIVE SESSION TO
 DISCUSS THE SALE, PURCHASE, EXCHANGE, OR LEASE OF REAL PROEPRTY
 AT 7:52 P.M. COUNCILMEMBER BRODERICK 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 COUNCILMEMBER HOYT MOVED TO ADJOURN THE CLOSED
20 EXECUTIVE SESSION AND RE-CONVENE THE CITY COUNCIL MEETING AT
 8:53 P.M. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE
22 VOTE WAS RECORDED AS FOLLOWS:

 COUNCILMEMBER POWELL AYE
24 COUNCILMEMBER BEAN AYE
 COUNCILMEMBER BRODERICK AYE
26 COUNCILMEMBER HOYT AYE
 COUNCILMEMBER LUNDBERG AYE
28 THE MOTION CARRIED UNANIMOUSLY.

30 At this time Councilmember Broderick commented on the topic of hiring a police
32 officer to replace Alan Purvis who is retiring. He questioned, due to budget difficulties,
 what level of service changes or how it would decrease if the position was not
34 immediately filled. Chief Cullimore stated an investigator or school resource officer
 would be eliminated as there currently are not any spare people. His priority is to cover
36 shifts and he would have to move someone from a current job to patrol which increases
 workloads on investigators or pulls the school resource officer (who is at the schools
38 daily). Councilmember Broderick noted that he is just wanting to gather information
 considering the budget and agrees a school resource officer is a wonderful service
40 provided by the police department. Following discussion the Council was in agreement to
 fill the vacant police officer position.

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

44 **Adjourn** –

2 COUNCILMEMBER POWELL MOVED TO ADJOURN THE MEETING AT
9:16 PM. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL
4 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

6 Approved – October 6, 2015

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Kathryn Moosman, City Recorder

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Jeff Acerson, Mayor