

2 The **Lindon City Council held a regularly scheduled meeting on** Tuesday, October 20,
2009 at 7:00 p.m. in the Lindon City Center, City Council Chambers, 100 North State
Street, Lindon, Utah.

4 Conducting: James A. Dain, Mayor
6 Pledge of Allegiance: Brent Bonney, Boy Scout Troop 928
Invocation: Toby Bath

8 **PRESENT**

ABSENT

10 James A. Dain, Mayor
12 Eric Anthony, Councilmember
H. Toby Bath, Councilmember
14 Lindsey Bayless, Councilmember
Bruce Carpenter, Councilmember
16 Jerald I. Hatch, Councilmember
Ott H. Dameron, City Administrator
18 Adam Cowie, Planning Director
Cody Cullimore, Chief of Police
20 Debra Cullimore, City Recorder

22 The meeting was called to order at 7:00 p.m.

24 Mayor Dain invited residents to participate in the upcoming Meet the Candidates
night on Thursday, October 22, 2009. He also reminded residents of Election Day on
26 Tuesday, November 3, 2009.

28 **PRESENTATION** – *Kathy Allred of the Lindon Character Connection presented the
2010 Character Connection calendar and poster to Mayor Dain and the City Council.*

30 Mayor Dain introduced Ms. Allred, and invited her to address the Council and the
32 audience. Ms. Allred explained that the Character Connection was founded by a group of
residents who approached the schools with an idea to enhance character education
34 opportunities in the schools. She noted that the program offers opportunities for schools,
families and businesses to work together to instill a sense of character in youth. She
36 explained that the program provides a full year of curriculum to school teachers for
lessons centered on building character.

38 Ms. Allred explained that Character Connection partners with Wasatch Mental
Health to produce the annual calendar. She introduced Eagle Scout, Kevin Goodrich, and
40 explained that Mr. Goodrich coordinated distribution of the calendars to every home and
business in Lindon as his Eagle Scout project. Mr. Goodrich reported that over 200
42 scouts participated in the project, which involved over 300 hours of community service.

44 Ms. Allred then introduced the students who created the artwork for the 2010
calendar and poster. Students were introduced as follows:

Stephanie Sosa – Community and Character
46 Quince Hansen – Conflict Resolution

Megan McBride – Courtesy
2 Rachel Farr – Dependability
Madison McBride – Friendship
4 Aurora Elizabeth Nelson – Cooperation
Micaila Sandberg – Honesty
6 Rachael Hardin – Accountability
Jessica Anne Pollister – Self Control
8 Avery Bigler – Worth and Potential
Sara Cousins – Family Spirituality
10 Erin Anderson – Family Work Ethic

Each of the artists was presented with a certificate and a prize, and had their picture taken with the Mayor. The Council thanked Ms. Allred for efforts in enhancing the education of students in Lindon.

14 **MINUTES** – The minutes of the Regular Meeting of October 6, 2009 were reviewed.

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18 COUNCILMEMBER HATCH MOVED TO APPROVE THE MINUTES OF
THE MEETING OF OCTOBER 6, 2009. COUNCILMEMBER BAYLESS
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

20 COUNCILMEMBER ANTHONY AYE
COUNCILMEMBER BATH AYE
22 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
24 COUNCILMEMBER HATCH AYE
THE MOTION CARRIED UNANIMOUSLY.

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28 **OPEN SESSION** – Citizen comments.

Mayor Dain called for comments from any resident present who wished to address an issue not listed as an agenda item. There was no public comment.

32 **MAYOR’S COMMENTS/REPORT** –

34 Mayor Dain read a letter he received from a Lindon family expressing
appreciation for the aquatics center. He noted that he has received many similar
36 comments from other families, and that the pool has been a great benefit for Lindon
families.

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40 **CONSENT AGENDA** –

No items.

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44 **CURRENT BUSINESS** –

- 46 1. **Public Hearing** – *Plat Amendment – Stable Ridge Residential Subdivision, Plat “D”*. The City Council will hear public comment and possibly act to approve this

2 request by Vaughn Heath for preliminary plat approval of a plat amendment to
3 Plat "A" of the Stable Ridge Residential Subdivision. If approved, this
4 amendment will shift the shared property line for Lot #6 and Lot #7 of Plat "A"
5 thereby creating a new Plat "D". No additional lots will be created by this
6 proposal. The Planning Commission recommended approval with no conditions.

7 COUNCILMEMBER BAYLESS MOVED TO OPEN THE PUBLIC HEARING.
8 COUNCILMEMBER BATH SECONDED THE MOTION. ALL PRESENT VOTED IN
9 FAVOR. THE MOTION CARRIED.

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11 Vaughn Heath was present as the representative for this application. Mr. Cowie
12 explained that this is a request for a plat amendment in to a single family lot in the R1-20
13 zone. The request entails shifting a property line which is shared between two lots
14 currently owned by Mr. Heath. The proposal would shift the shared property line
15 between lot #6 and lot #7 to north.

16 Mr. Cowie went on to explain that in 2003, the Board of Adjustments approved a
17 variance to the north lot due to an error during construction of the existing home which
18 placed the dwelling too close to the property line. The Board of Adjustments approved
19 the variance, which permitted the north lot to be below the minimum 20,000 square foot
20 requirement. The approved variance runs with the land, and is still valid. The final
21 square footage of the lot based on this proposal is 19, 098 square feet.

22 Mr. Cowie presented a layout of the proposed plat, which shifts the property line
23 to the north, creating additional square footage to lot 14 in order to maintain required
24 setbacks. The proposed lot #13, which is currently vacant, would be reduced to 19,098
25 square feet. The existing Heath home is located on the south lot, with the vacant lot to
26 the north.

27 Councilmember Bayless inquired as to when it became apparent that the home
28 was not constructed in the correct location on the lot. Mr. Cowie stated that the minutes
29 of the 2003 Board of Adjustments meeting show some discussion of issue, but that
30 responsibility for the mistake was not established. He noted that there was some public
31 comment during the Planning Commission review of this application on October 6, 2009,
32 but that concerns expressed at that time were not relevant to the plat amendment, but
33 were specific to development of the lot in the future.

34 Mayor Dain invited Mr. Heath to address the Council. Mr. Heath stated that he
35 does not recall exactly when it became apparent that the home was not in the correct
36 location. He explained that the Gardner family owned the vacant lot at that time, but that
37 he purchased it from them when the mistake was identified with the intent to develop the
38 lot at some time in the future.

39 Mayor Dain called for public comment. Kevin Adamson stated that he is the
40 owner of lot #5 located directly west of the existing Heath home. Mr. Adamson stated
41 that he is not opposed to the plat amendment. He stated that his concern is that all
42 required setbacks and height requirements will be maintained when the vacant lot
43 develops. Mr. Adamson noted that there is a ground water problem associated with the
44 Heath property. Mr. Adamson asserted that a French drain installed by Mr. Heath in the
45 pool area on his developed lot currently drains into the vacant lot. He stated that the
46 drainage has overflowed onto his property, but that no damage to his home has occurred.

2 He expressed concern that if lot #7 develops, he may experience flooding problems on his property.

4 Mayor Dain assured Mr. Adamson that no variances to building height or setbacks would be permitted unless the property owner could prove a particular hardship. Mr. Cowie stated that setback and height requirements on this property would be the same as every other property in the R1-20 zone. He noted that CCR's associated with this subdivision may impose additional requirements, but that the City does not enforce CCR requirements which are in excess of City ordinance.

10 Brad Bentley stated that he owns lot #4. Mr. Bentley stated that water is piped from the developed Heath property to the adjacent vacant lot, and that he has experienced flooding on his property as a result of the drainage. Councilmember Bath noted that the water table is very high in this area. He also felt that the nearby irrigation canals may contribute to flooding issues in the area. Mr. Adamson agreed that some of the water issues may result from seepage from the canal. He stated that neighbors have contacted the canal company requesting to tar seams in the canal to reduce seepage, but that the canal company would not allow them to alter the canal channel.

18 Matt Brown stated that he lives on the lot adjacent to the Heath property. He agreed that ground water and potential flooding are issues which need to be addressed. He stated that he does not have any concern with the proposed property line adjustment, but is concerned that vacating the existing plat may also vacate the CCR requirements recorded on the plat. He felt that the CCR requirements imposed on the rest of the subdivision should be maintained as the vacant lot develops in order to protect the integrity of the neighborhood. He noted that the increased setbacks required by the CCR's would allow additional area to maintain drainage on the lot, thereby reducing flooding onto adjacent lots. Mayor Dain reiterated that the homeowners in the subdivision are responsible for enforcement of any CCR requirements, and that the City would only enforce requirements of City ordinance.

28 Councilmember Carpenter asked Mr. Heath if he would be willing to comply with the 15 foot side yard setback required by the existing CCR's. Mr. Heath stated that he would be willing to comply with the requirements if possible, but that some adjustment to setbacks may be necessary due to the reduced lot size.

32 Councilmember Carpenter inquired as to whether it would be appropriate to include a note on the plat which specifies requirements which are in excess of typical ordinance requirements. Mr. Cowie stated that staff would discourage including any notes on the plat which are not a City requirement. Mr. Cowie noted that home owners associations can amend CCR's at any time without any notification to the City. He reiterated that the City has not historically enforced CCR requirements.

38 Mr. Cowie observed that the existing CCR's may have a transferability clause which would transfer the requirements to the new plat. He suggested that it may be appropriate to have the City Attorney investigate the issue. Councilmember Carpenter observed that if the requirements are transferable, then the concerns raised by Mr. Brown would be eliminated. Mr. Cowie restated that the City has not typically enforced CCR's, and that by requiring recordation of CCR's on the plat, the City would be enforcing the CCR's.

46 Mr. Brown stated that it is his understanding the vacation of the existing plat also vacates the CCR requirements. Mr. Cowie noted that the City Council recently approved

2 a similar plat adjustment to the Magleby property in the same subdivision without
3 consideration to the possible vacation of CCR's. He noted that the City has not
4 considered CCR requirements in any other situation he is aware of.

5 Mr. Adamson inquired as to what action would be taken to address the potential
6 flooding issues which have been discussed. Mr. Dameron noted that engineering and
7 drainage issues would be addressed during the engineering and building permit stage as
8 the lot develops. He clarified that drainage issues are not related to this proposed plat
9 amendment.

10 Mayor Dain called for further public comment. Hearing none, he called for a
11 motion to close the public hearing.

12 COUNCILMEMBER BATH MOVED TO CLOSE THE PUBLIC HEARING.
13 COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL PRESENT
14 VOTED IN FAVOR. THE MOTION CARRIED.

15 Mayor Dain called for further comments or discussion from the Council. Hearing
16 none, he called for a motion.

17 COUNCILMEMBER CARPENTER MOVED TO CONTINUE THE
18 STABLERIDGE SUBDIVISION PLAT "D" PRELIMINARY PLAT PENDING
19 REVIEW BY THE CITY ATTORNEY AS TO WHETHER VACATION OF THE
20 EXISTING PLAT WOULD VACATE EXISTING CCR REQUIREMENTS.
21 COUNCILMEMBER BAYLESS SECONDED THE MOTION. THE VOTE WAS
22 RECORDED AS FOLLOWS:

23 COUNCILMEMBER ANTHONY AYE
24 COUNCILMEMBER BATH AYE
25 COUNCILMEMBER BAYLESS AYE
26 COUNCILMEMBER CARPENTER AYE
27 COUNCILMEMBER HATCH AYE

28 THE MOTION CARRIED UNANIMOUSLY.
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- 32 2. **Public Hearing** – Ordinance Amendment – Lindon City Code Section 17.33 and
33 17.34 – "Plat Amendment and Property Line Adjustments." (Ordinance #2009-9-
34 0). The City Council will hear public comment and possibly act to amend the
35 Lindon City Code, Section 17.33 and 17.34, "Plat Amendments and Property Line
36 Adjustments." This change would add these new sections of the LCC allowing
37 property owners, within certain parameters, the ability to amend existing
38 subdivision plat and 'meets and bounds' parcels without having to go through a
39 more significant subdivision application process. The Planning Commission
40 recommended approval with conditions.

41 COUNCILMEMBER BATH MOVED TO OPEN THE PUBLIC HEARING.
42 COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL PRESENT
43 VOTED IN FAVOR. THE MOTION CARRIED.
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2 Mr. Cowie stated that this proposed ordinance creates new code sections relative
3 to plat amendments and property line adjustments. He stated that the Planning
4 Commission recommended approval of the Ordinance as presented to the City Council at
5 this meeting. He explained that in November 2008, the City Council approved an
6 ordinance specifying the Land Use Authority for each type of land use application. The
7 ordinance designates the City Council as the Land Use Authority for plat amendments
8 with the Board of Adjustments as the appeal authority, and staff as the Land Use
9 Authority for property line adjustments with the Planning Commission as the appeal
10 authority. This proposed ordinance outlines the process applicants must follow for each
11 of these types of applications, eliminating the need for a complete subdivision
12 application.

13 Mr. Cowie clarified that to be considered under the new ordinance, a plat
14 amendment must not create any new lots or parcels. Submission requirements are
15 reduced, such as no geo-technical or engineering reports, for simple plat amendments.
16 He stated that all development requirements in the specific zones, such as setbacks,
17 would be required for any plat amendment. In order to qualify for a plat amendment
18 application, no new utility services can be included in the proposal. If any new
19 improvements will be required, a complete subdivision application rather than a plat
20 amendment application would be required.

21 Mr. Cowie stated that property line adjustments are similar to plat amendments,
22 but are associated with lots which are not part of a platted subdivision. He stated that
23 property line adjustment applications on metes and bounds parcels would be reviewed by
24 staff to ensure compliance with all requirements of the zone. He explained that state law
25 allows a property line adjustment to be recorded when accompanied by a letter from the
26 City indicating that the property meets all City requirements.

27 Mr. Cowie stated that property line adjustments do not currently require City
28 approval, and that lot lines on metes and bounds parcels can be adjusted without any
29 knowledge of the City. Mr. Cowie noted that the proposed ordinance would require any
30 existing sidewalk, curb or gutter improvements to be extended to the new property line to
31 avoid small sections without improvements. If no improvements exist on the lot, no new
32 improvements would be required for a lot line adjustment.

33 Councilmember Carpenter inquired as to whether a public hearing would be
34 required for plat amendments or property line adjustments. Mr. Cowie stated that plat
35 amendments do require a public hearing, but the application process is simplified from a
36 full subdivision application. He noted that either type of application which creates a new
37 lot or a new parcel would be required to submit a complete subdivision application.
38 Councilmember Anthony noted that the intent of the ordinance is not to lessen the burden
39 on the City Council, but to simplify the process for the applicant.

40 Mayor Dain called for public comment. There was no public comment. He
41 called for further comments or discussion from the Council. Hearing none, he called for
42 a motion.

43 COUNCILMEMBER CARPENTER MOVED TO CLOSE THE PUBLIC
44 HEARING. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL
45 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.
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COUNCILMEMBER CARPENTER MOVED TO APPROVE ORDINANCE
2 #2009-9 ADDING CHAPTER 17.33 AND 17.34 TO THE LINDON CITY CODE,
CREATING THE PROVISION OF THE CODE AND PROVIDING FOR AN
4 EFFECTIVE DATE WITH CORRECTIONS AS DISCUSSED REQUIRING
EXISTING IMPROVEMENTS TO BE EXTENDED TO THE NEW PROPERTY LINE.
6 COUNCILMEMBER BAYLESS SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

8 COUNCILMEMBER ANTHONY AYE

COUNCILMEMBER BATH AYE

10 COUNCILMEMBER BAYLESS AYE

COUNCILMEMBER CARPENTER AYE

12 COUNCILMEMBER HATCH AYE

THE MOTION CARRIED UNANIMOUSLY.

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3. **Presentation** – *Metropolitan Water District of Salt Lake and Sandy – Plans for Licensing Improvements Along the Aqueduct Right-of-Way Corridor.* Ammon Allen of the Metropolitan Water District will make a presentation to the Mayor and Council outlining the process for cleaning up the aqueduct right-of-way corridor, particularly through Lindon. Notices will soon be mailed to affected Lindon City residents explaining the plan.

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22 Ammon Allen, Project Engineer for the Metropolitan Water District of Salt Lake
and Sandy (MWDSL), was present to discuss this item with the Council. Mr. Ammon
24 gave an introduction of the organization and their history and purpose. He stated that the
Metropolitan Water District was organized in 1935 by the Utah State Legislature. The
26 Board is currently administered by a seven member Board of Trustees, with five
representatives for Salt Lake City and two from Sandy City.

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Mr. Ammon reviewed the facilities owned by the District, including the Salt Lake
Aqueduct, the Little Cottonwood Water Treatment Plan, and the Point of the Mountain
30 Water Treatment Plant. He went on to review the history of the Salt Lake Aqueduct,
noting that title was transferred to the MWDSL on October 2, 2006. He explained that
32 the width of the right-of way associated with the aqueduct varies from 50 feet to 250 feet.
A written agreement with the District is required for any vehicle access, excavation,
34 earthwork, construction or surface improvements performed in the easement area.

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Mr. Ammon went on to discuss encroachments into the easement area which were
36 inventoried beginning in January 2009. He stated that over 4,000 encroachments have
been identified in the easement, and that the vast majority of those encroachments have
38 not been approved through an agreement. Seventy three of the identified encroachments
are located in Lindon City.

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Mr. Ammon reviewed the procedures which will be followed in contacting
property owners who have encroached into the easement area with landscaping or
42 structures. He stated that the first step in the process is to contact each city and notify
them of the process. Following notification to each city, neighborhood open houses will
44 be scheduled to provide information to property owners living along the aqueduct.
Property owners will receive an introductory letter explaining the need to maintain the
46 easement, and any encroachment issues on their property. If the property owner does not

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2 respond at that time, up to two additional letters will be sent, followed by possible legal
3 action if the property owner does not respond to the letters.

4 Mr. Ammon clarified that it is not the intent of the District to require all structures
5 or landscaping to be removed at this time. He stated that the focus at this time will be to
6 create a record that all property owners have been notified of violations, and notified that
7 if and when it becomes necessary to provide access to the aqueduct for replacement or
8 repairs, it may be necessary to remove structures. He noted that the current plan is to
9 proceed slowly with any action, with as little disruption to property owners as possible.

10 The Council thanked Mr. Ammon for his time and the approach being taken by
11 the District.

12 4. **Review and Action** – *Lindon City and UDOT – “Master Utility Agreement.”*

13 This is a request by staff for the Council’s review and approval of an agreement
14 between Lindon City and UDOT for necessary work along the I-15 corridor
15 widening project affecting Lindon City utilities. This agreement sets out the
16 terms and conditions under which the utility work will be performed.

18 City Engineer, Mark Christensen, was present to discuss this agreement with the
19 Council. Mr. Christensen explained that this is the third agreement the City has entered
20 into with UDOT relating to the I-15 Core project. The previous agreements addressed
21 landscaping and betterments associated with the project. This agreement addresses
22 master utilities which will be impacted by the project. An additional agreement
23 pertaining to storm drainage will be addressed at a future meeting.

24 Mr. Christensen explained that UDOT initiated this particular agreement which
25 establishes the terms of operation for mitigation of impacts to City utilities during the
26 road construction project. The agreement protects the City from damages to
27 infrastructure. UDOT will be required to survey utilities in the area of the project before
28 and after construction, and repair any damage resulting from the project. He noted that
29 there is some potential for damage to utilities as additional fill brought in for the project
30 settles. He noted that the contractor will take every precaution to prevent such damage,
31 and that there is more incentive than damage to the utilities to make certain that settling
32 does not occur.

34 Councilmember Carpenter inquired as to what financial protection the City has
35 under the design build structure of this project since there is no pricing incentive for the
36 contractor. Mr. Christensen stated that the cost of betterments in the betterment
37 agreement is set, and additional costs will not be incurred by the City. He noted that the
38 Master Utility Agreement encompasses all other agreements, and outlines the
39 responsibilities of the City, the contractor and UDOT.

40 Mayor Dain noted that this agreement is budget neutral, with the betterment
41 agreement representing a cost to the City, and the storm water agreement representing a
42 payment to the City from UDOT. Mr. Christensen noted that UDOT will reimburse the
43 City any engineering costs associated with this agreement.

44 Mayor Dain called for further comments or discussion. Hearing none, he called
45 for a motion.

2 COUNCILMEMBER HATCH MOVED TO APPROVE THE MASTER
UTILITY AGREEMENT BETWEEN LINDON CITY AND UDOT FOR NECESSARY
4 WORK ASSOCIATED WITH THE 1-15 CORE WIDENING PROJECT AND ANY
IMPACTS TO CITY UTILITIES RESULTING FROM THE PROJECT.

6 COUNCILMEMBER ANTHONY SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

8 COUNCILMEMBER ANTHONY AYE

8 COUNCILMEMBER BATH AYE

10 COUNCILMEMBER BAYLESS AYE

10 COUNCILMEMBER CARPENTER AYE

12 COUNCILMEMBER HATCH AYE

12 THE MOTION CARRIED UNANIMOUSLY.

14 **COUNCIL REPORTS** –

16 **COUNCILMEMBER ANTHONY** – *Parks, Recreation, Engineering, Lindon Days,*
Newsletter.

18 Councilmember Anthony had no items to report.

20 **COUNCILMEMBER HATCH** – *Water, Sewer, Solid Waste, Housing Consortium.*

22 Councilmember Hatch reported that the County will not apply for additional
24 CDBG funding this year due to eligibility issues which may be raised for consortium
funding. Councilmember Hatch also reported on the Utah League of City and Towns
26 annual conference he recently attended as the City representative. He distributed notes
and contact information from the conference to other Councilmembers.

28 **COUNCILMEMBER BAYLESS** – *Trails, Planning, Zoning, Board of Adjustments,*
30 *Administration.*

32 Councilmember Bayless reported on a potential traffic safety issue associated
with delivery trucks at Los Hermanos. Chief Cullimore will follow up on the report.

34 **COUNCILMEMBER CARPENTER** – *General Plan, Streets & Sidewalks, Public*
36 *Buildings.*

38 Councilmember Carpenter noted that Engineering Coordination Meeting will
continue to be held every other month until development in the City increases. He also
40 reported that it appears that issues for the City related to the upcoming state legislative
session are not expected to be significant as the legislature addresses budget issues as
42 their primary focus. Mr. Dameron asked if the Legislative Policy Committee had
discussed upcoming changes to the Utah Retirement Systems programs. Councilmember
44 Carpenter stated that he did not have any specific information, but would follow up on
the question and report back to Mr. Dameron.

COUNCILMEMBER BATH – *Public Safety, Court, Building Inspections*

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Councilmember Bath invited Chief Cullimore to report on Police Department activities. Chief Cullimore reported that the department recently completed training at a home scheduled for demolition. The training provided opportunities for officers to practice appropriate techniques in entering and clearing buildings, and well as other valuable skills.

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Chief Cullimore stated that due to complaints regarding traffic in school zones, and significant safety concern, the Police Department is initiating strict enforcement of all traffic laws in school zones. The public will be notified of the enforcement program in the City newsletter.

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The City has received a request for a permit to hold an outdoor concert at the City Center Park. It appears at this time that the request will be denied, as the applicant has not met the requirements to hold the event, including paid security and restroom facilities.

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ADMINISTRATOR’S REPORT –

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Mr. Dameron reported on the following items:

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1. The Council reviewed the Project Tracking List.
2. Mr. Dameron and Mr. Christensen reviewed changes to the street and drainage project currently underway, and necessary changes to the design that have come to light as the project has proceeded. Changes include approximately 2,000 square feet of additional asphalt, with an additional cost of approximately \$11,000. The City is working with the adjacent property owner on a cost sharing agreement. Mr. Christensen stated that the proposed improvements will be a mutual benefit to the property owner and the City, and that a cost sharing agreement would be appropriate in this circumstance. Crews will proceed with the work, and the City Council will ratify the change order at a future meeting.
3. The next regular City Council meeting will be held November 17, 2009 due to the November 3, 2009 election. A Special Meeting will be held on November 10, 2009 to canvass the election results.
4. Mayor Dain reported that agreements outline the City’s responsibilities relative to the Murdock Canal trail project are pending, and will be reviewed at future meetings as the project proceeds.

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COUNCILMEMBER BAYLESS MOVED TO APPROVE THE PAY VOUCHERS. COUNCILMEMBER CARPENTER SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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COUNCILMEMBER ANTHONY AYE

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COUNCILMEMBER BATH AYE

COUNCILMEMBER BAYLESS AYE

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COUNCILMEMBER CARPENTER AYE

COUNCILMEMBER HATCH AYE

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THE MOTION CARRIED UNANIMOUSLY.

2 **ADJOURN** -

4 COUNCILMEMBER BATH MOVED TO ADJOURN THE MEETING AT 9:30
6 P.M. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

8 Approved – November 10, 2009

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Debra Cullimore, City Recorder

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James A. Dain, Mayor

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