

2 The Lindon City Council held a Special Meeting on **Tuesday, November 10, 2009**  
beginning at 5:30 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: James A. Dain  
Invocation: Bruce Carpenter

8  
10 **PRESENT**

**ABSENT**

10 James A. Dain, Councilmember  
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  
Woodworth Mataele, Assistant Planner  
20 Cody Cullimore, Chief of Police  
Debra Cullimore, City Recorder

22 The meeting was called to order at 5:35 p.m.

24 **PROCLAMATION** – This proclamation sets the day of November 19, 2009 one week  
26 before the traditional Thanksgiving Day as “Feed America Day.”

28 Mayor Dain commented on the need in the community to support the food bank.  
He read the Proclamation designating Thursday, November 19, 2009 “Feed American  
30 Day” and encouraged residents to support the food drive.

32 **MINUTES** – The minutes of the Regular Meeting of October 20, 2009 were reviewed.

34 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE MINUTES  
OF THE MEETING OF OCTOBER 20, 2009. COUNCILMEMBER HATCH  
36 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER ANTHONY AYE  
38 COUNCILMEMBER BATH AYE  
COUNCILMEMBER BAYLESS AYE  
40 COUNCILMEMBER CARPENTER AYE  
COUNCILMEMBER HATCH AYE

42 THE MOTION CARRIED UNANIMOUSLY.

44 **OPEN SESSION** –

2 Mayor Dain called for comments from any resident present who wished to  
address an issue not listed as an agenda item. Lindon resident, Ben Nolte, approached the  
Council. Mr. Nolte stated that he has developed a new website, lindonvision.org, which  
4 is intended to provide a forum for residents to discuss community issues. He explained  
that the site can also be used to coordinate volunteer projects in the community. The  
6 Council discussed various possible uses for the site.

8 Mayor Dain asked that Mr. Nolte include some type of disclaimer on his site to  
differentiate the site from the official Lindon City website, and to coordinate with the  
appropriate City department on any community projects. The Council thanked Mr. Nolte  
10 for his work in behalf of the residents of Lindon.

## 12 **MAYOR'S COMMENTS/REPORT** –

14 Mayor Dain reported that the Board of Health recently adopted a policy which  
prohibits smoking in public parks. Parks in Lindon are subject to this policy, unless the  
16 City adopts an ordinance which permits smoking in parks, or in other designated areas in  
public spaces. Following brief discussion, the Council felt that it would be appropriate to  
18 support the policy, noting that enforcement would generally be based on complaint.

## 20 **CURRENT BUSINESS** –

- 22 1. **Public Hearing** – *Potential Projects for CDBG Small Cities Program.* The City  
Council will hear public comment concerning potential projects for an application  
24 for the Community Development Block Grant Small Cities Program through  
Mountainland Association of Governments for program year 2010. Suggestions  
26 for potential projects will be solicited, both verbally and in writing, from all  
interested parties.

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30 COUNCILMEMBER CARPENTER MOVED TO OPEN THE PUBLIC  
HEARING. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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34 Mr. Mataele explained that the purpose of this Public Hearing is to discuss  
possible projects which could be funded under the CDBG Small Cities Program  
for Program Year 2010. Mr. Mataele explained that approved projects must serve  
36 low to moderate income residents. He noted that MAG will receive \$1.5 million  
in grant revenue which will be distributed among a variety of approved projects.

38 The Council discussed several projects which may be appropriate for the  
program, including completion or retrofitting of additional ADA sidewalk ramps  
40 and remodeling the LDS church facility which has been purchased by the City to  
accommodate a senior citizen center. The Council felt that remodeling the senior  
42 center facility would be a priority project, and that the timing of the grant funding  
and the City taking possession of the facility would facilitate completion of the  
44 remodel to start programming for seniors as quickly as possible. Mr. Mataele  
noted that the application deadline is December 4, 2009.

2 Mayor Dain called for public comment. There was no public comment.  
He called for further comments or discussion from the Council. Hearing none, he  
called for a motion to close the public hearing.

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6 COUNCILMEMBER BATH MOVED TO CLOSE THE PUBLIC  
HEARING. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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10 2. **Review and Action** – *Canvass and Certification of General Election Results.*  
The City Council will sit as a Board of Canvassers for the November 3, 2009  
Municipal General Election and certify the results of that election. By state law  
12 the City Council, as the Board of Canvassers, must canvass the election no later  
than 14 days after the completion of the ballot. After canvassing has been  
14 completed, it will be necessary for the Council, by motion, to officially certify the  
results of the canvass.

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18 The City Recorder presented election information from each of the voting  
precincts for the November 3, 2009 Municipal General Election. Members of the Board  
of Canvassers reviewed election night vote totals by candidate and precinct. A  
20 discrepancy was found in vote total for James A. Dain. Precinct LI-03 reported 194 votes  
for Mayor Dain on election night, and the actual count was 189. Final election results  
22 were amended to reflect this discrepancy. The Board discussed other mathematical errors  
on reporting sheets which did not affect the final vote tally or the outcome of the election.

24 Verified provisional ballots were counted and those votes were added to the final  
tally. One additional ballot which was disallowed on election night, but later determined  
26 to be valid, was also counted. The final election results were certified by the Board of  
Canvassers as follows:

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<i>Candidate</i>	<i>LI-01</i>	<i>LI-02</i>	<i>LI-03</i>	<i>LI-04</i>	<i>LI-05</i>	<i>LI-06</i>	<i>Early</i>	<i>Prov.</i>	<i>Total</i>
<b>*James A. Dain</b>	155	239	189	137	244	157	66	8	1195
<b>Eric Anthony</b>	43	108	106	62	130	67	27	3	546
<b>Bruce L. Armstrong</b>	66	53	122	79	99	111	14	3	547
<b>*Bret D. Frampton</b>	96	167	75	60	133	63	41	6	641
<b>*Mark L. Walker</b>	133	202	101	107	206	135	50	5	939
<i>Precinct Totals</i>	493	769	593	445	812	533	198	25	3868
<i>Total Ballots Cast</i>	174	276	213	159	293	195	78	10	1398
<i>Registered Voters</i>	1007	1031	761	970	991	929			5689
<i>Percent</i>	17%	27%	28%	16%	30%	21%			25%

30 At the conclusion of the General Election Canvass, the follow motion was made:

32 BOARDMEMBER BAYLESS MOVED TO CERTIFY THE RESULTS OF THE  
NOVEMBER 3, 2009 MUNICIPAL GENERAL ELECTION, AND TO CERTIFY THE  
34 ELECTION OF JAMES A. DAIN AS MAYOR FOR A FOUR YEAR TERM, AND THE  
ELECTION OF BRET D. FRAMPTON AND MARK L. WALKER AS COUNCILMEMBERS  
36 FOR A FOUR YEAR TERM. BOARDMEMBER HATCH SECONDED THE MOTION. THE  
VOTE WAS RECORDED AS FOLLOWS:

2 BOARDMEMBER ANTHONY AYE  
BOARDMEMBER BATH AYE  
4 BOARDMEMBER BAYLESS AYE  
BOARDMEMBER CARPENTER AYE  
6 BOARDMEMBER HATCH AYE  
THE MOTION CARRIED UNANIMOUSLY.

8 **COUNCIL REPORTS** –

10 No Council reports were given at this meeting.

12 **ADMINISTRATOR'S REPORT** –

14 Mr. Dameron gave no report at this meeting.

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

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

26 **ADJOURN** –

28 COUNCILMEMBER BATH MOVED TO ADJOURN THE MEETING AT 6:40  
P.M. COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL PRESENT  
30 VOTED IN FAVOR. THE MOTION CARRIED.

32 Approved – November 17, 2009

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Debra Cullimore, City Recorder

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James A. Dain, Mayor