

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

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

7 Pledge of Allegiance: Mark Walker, Councilmember

8 Invocation: Randi Powell, Councilmember

10 **PRESENT**

**ABSENT**

11 James A. Dain, Mayor

12 Mark L. Walker, Councilmember

13 Bret Frampton, Councilmember

14 Randi Powell, Councilmember

15 Matt Bean, Councilmember

16 Jeff Acerson, Councilmember

17 Adam Cowie, City Administrator

18 Cody Cullimore, Chief of Police

19 Hugh Van Wagenen, Planning Director

20 Kathryn Moosman, City Recorder

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

24 2. **Presentations/Announcements** –

- 26 a) **Mayor/Council Comments** – Councilmember Powell mentioned the  
27 Drill Down for Safety will be held on September 16<sup>th</sup> and encouraged  
28 everyone to participate. Councilmember Acerson asked for an update on  
29 the recent water issue on the North Union Canal. Mr. Cowie noted that he  
30 will be addressing that issue later in the meeting.

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

34  
35 COUNCILMEMBER ACERSON MOVED TO APPROVE THE MINUTES OF  
36 THE MEETING OF AUGUST 20, 2013 AS AMENDED. COUNCILMEMBER  
37 FRAMPTON SECONDED THE MOTION. THE VOTE WAS RECORDED AS  
38 FOLLOWS:

39 COUNCILMEMBER WALKER AYE

40 COUNCILMEMBER FRAMPTON AYE

41 COUNCILMEMBER POWELL AYE

42 COUNCILMEMBER BEAN AYE

43 COUNCILMEMBER ACERSON AYE

44 THE MOTION CARRIED UNANIMOUSLY.

46 4. **Consent Agenda** – No items.

5. **Open Session for Public Comment** – Mayor Dain called for any public comment not listed as an agenda item. There were not public comments.

**CURRENT BUSINESS**

6. **Recess to Lindon City Redevelopment Agency Meeting (RDA).**

COUNCILMEMBER WALKER MOVED TO RECESS THE REGULAR MEETING OF THE LINDON CITY COUNCIL AT 7:15 PM AND CONVENE THE MEETING OF THE LINDON CITY REDEVELOPMENT AGENCY. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

BOARDMEMBER WALKER MOVED TO ADJOURN THE MEETING OF THE LINDON CITY REDEVELOPMENT AGENCY AT 8:03 PM AND RE-CONVENE THE MEETING OF THE LINDON CITY COUNCIL. BOARDMEMBER POWELL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

7. **Public Hearing** – *700 North Community Development Project Area Plan* – Consideration of Ordinance No. 2013-10-O adopting the 700 North Community Development Project Area Plan, as approved by the Redevelopment Agency of Lindon City, as an official Community Development Project Area Plan, and directing that notice be given.

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

Mayor Dain stated that this is a duplicate of the same topic discussed in the Redevelopment Agency meeting. Mr. Cowie noted this action is on an ordinance to adopt the CDA plan that was just approved by the RDA.

He then called for any public comments. Hearing none he called for a motion to close the public hearing.

COUNCILMEMBER FRAMPTON MOVED TO CLOSE THE PUBLIC HEARING. COUNCILMEMBER ACERSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

COUNCILMEMBER FRAMPTON MOVED TO APPROVE ORDINANCE #2013-10-O, ADOPTING THE 700 NORTH COMMUNITY DEVELOPMENT PROJECT AREA PLAN, AS APPROVED BY THE REDEVELOPMENT AGENCY OF LINDON CITY, AS AN OFFICIAL COMMUNITY DEVELOPMENT PROJECT

AREA PLAN, AND DIRECTING THAT NOTICE BE GIVEN. COUNCILMEMBER  
2 POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS  
FOLLOWS:

4 COUNCILMEMBER WALKER AYE  
COUNCILMEMBER FRAMPTON AYE  
6 COUNCILMEMBER BEAN AYE  
COUNCILMEMBER POWELL AYE  
8 COUNCILMEMBER ACERSON AYE  
THE MOTION CARRIED UNANIMOUSLY.

10  
8. **Review and Action** – *Resolution #2013-14-R – Lindon /RDA Interlocal Agreement*  
12 *for 700 N. CDA.* Consideration of Resolution No. 2013-14-R, a resolution approving  
14 an Interlocal Cooperation Agreement between Lindon City and the Redevelopment  
16 Agency of Lindon City for the collection and remittance of incremental property  
taxes collected from property within the 700 North Community Development Project  
Area.

18 Mayor Dain stated that this is also a duplicate of the same topic discussed in the  
20 Redevelopment Agency meeting. Mayor Dain called for any further comments or  
discussion. Hearing none he called for a motion.

22 COUNCILMEMBER WALKER MOVED TO APPROVE RESOLUTION  
#2013-14-R, WHICH ESTABLISHES AN INTERLOCAL COOPERATION  
24 AGREEMENT BETWEEN LINDON CITY AND THE REDEVLOPMENT AGENCY  
OF LINDON CITY FOR THE COLLECTION AND REMITTANCE OF  
26 INCREMENTAL PROPERTY TAXES COLLECTED FROM PROPERTY WITHIN  
THE 700 NORTH COMMUNITY DEVELOPMENT PROJECT AREA.

28 COUNCILMEMBER FRAMPTON SECONDED THE MOTION WITH THE  
CLARIFICATION ON PAGE 4 OF THE PROJECT PLAN. THE VOTE WAS  
30 RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE  
32 COUNCILMEMBER FRAMPTON AYE  
COUNCILMEMBER BEAN AYE  
34 COUNCILMEMBER POWELL AYE  
COUNCILMEMBER ACERSON AYE  
36 THE MOTION CARRIED UNANIMOUSLY.

38 9. **Concept Review** – *Storage Units at 439 West Gillman Lane.* This is a concept being  
40 proposed by Craig Fryer for mini-storage units located at 439 West Gillman Lane.  
The property is split-zoned between residential and commercial, although it has been  
42 used for commercial purposes in the past. Storage units are not permitted under  
either zoning designation. The applicant has met with the Planning Commission and  
44 seeks Council input.

46 Brad Fryer, on behalf of the Fryer family, addressed the Council at this time. He  
then read a prepared statement including a summary and history of the property. He  
commented that his father, Craig Fryer, has been a resident of Lindon City for the past 69

2 years and has strong roots in the community. Mr. Fryer noted that they would like to see  
4 the zone on their property changed back to a mixed commercial zone to allow them to  
6 develop some storage units on their property on 30 West Gillman Lane, as they realize  
8 the demand for such facilities. He added that the property is a tax burden and they can't  
10 keep paying high taxes on property they can't do anything with as it is landlocked.

12 Mr. Van Wagenen explained that this concept review is a request for feedback  
14 only from the Council with no motion needed. Mr. Van Wagenen noted that the property  
16 is split-zoned between residential and commercial, although it has been used for  
18 commercial purposes in the past. Mr. Van Wagenen went on to say that storage units are  
20 not permitted under either zoning designation. He added that the applicant has met with  
22 the Planning Commission and is now seeking Council input. Mr. Van Wagenen explained  
24 that storage units are permitted in the Mixed Commercial (MC) and Light Industrial (LI)  
26 zones.

28 Mr. Van Wagenen further explained that zone changes into the MC or LI zones  
30 require a minimum zone area of 30 acres and parcels must have 100 feet of frontage on a  
32 public road; this parcel is 1.6 acres and has 65 feet of frontage. Mr. Van Wagenen added  
34 that a sketch of the plan is provided for the Council's review. Mr. Van Wagenen  
36 commented that this is an interesting piece of property at this location, and generally, the  
38 Planning Commission thought this would be an appropriate use in this area. He added  
40 that if this is something the Council agrees would be a good use for this specific piece of  
42 land, then there are options to facilitate getting this done. Mr. Van Wagenen also  
44 referenced a sketch plan submitted by the Fryer's proposing what they would like to  
46 develop on their property.

There was then some general discussion regarding this concept review for mini-  
storage units. Mayor Dain commented that although there is a general consensus that this  
may work on this site, however, it may open the door to other similar projects. He added  
that previous Council's had no desire to open storage units up in the General Commercial  
zone. Mr. Van Wagenen noted that if the 30 acre minimum isn't suiting any city purpose  
at this time (for example, the mixed commercial zone), that may be the avenue to go from  
the city standpoint to change that, because it might benefit other property owners in the  
city. He noted that because the property is split zone and has been used as commercial  
for all these years, even though on a map it is cut in half, it is currently considered  
commercial. Mayor Dain then permitted a comment from Jeff Southard. Mr. Southard  
commented that he feels it is odd that the property is zoned general commercial with no  
frontage on State Street. He added that he is aware the city does not want storage units  
on State Street in the general commercial zone, but if there were an exception made, it  
could have wording that says "if there is no frontage on State Street" and then the general  
commercial zone would not be opened up to every possible use for storage units because  
there isn't any retail value. He further stated that storage units make sense, and it is a  
way to keep from opening up a can of worms, but would accommodate what the Fryer's  
are requesting.

Mayor Dain commented that he feels that the Council has given sufficient  
feedback to the Fryers, but there are ordinance amendments, notifications, etc., that that  
have to happen that takes time. Mayor Dain added that it seems the general consensus of  
the Council is that this concept is a possibility. Mr. Van Wagenen stated that he will  
meet with the Fryer's to discuss the options available moving forward.

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

10. **Concept Review** – *Avalon Senior Housing, 175 North State Street*. This is a concept being proposed by Jeff Southard for age 55 and older senior living apartments located at 175 North State Street. The City recently passed an ordinance allowing for senior housing facilities to be located in commercial zones. The property is currently split-zoned between commercial and residential with a commercial business being the primary use on the property (Somewhere Inn Time). The applicant has met with the Planning Commission and now seeks Council input.

Mr. Van Wagenen opened the discussion by explaining this is a concept being proposed by Jeff Southard for age 55 and older senior living apartments located on the back three (3) acres at 175 North State Street (formerly Somewhere Inn Time). The property is currently split-zoned commercial and residential, although it is being used as a commercial piece of property. Mr. Van Wagenen noted the City recently passed an ordinance allowing for high density senior housing facilities to be located in commercial zones. He added no motion is necessary for a concept review and is for feedback only. Mr. Van Wagenen noted that as soon as the City Council approved the senior housing facility overlay zone Mr. Southard contacted him about a three (3) acre parcel behind the “Somewhere Inn Time” property. Mr. Van Wagenen then turned the time over the Mr. Southard.

Mr. Southard presented his site plan and explained how his concept ties in with Mr. Osmond’s concept of his assisted living facility and how his three (3) acre parcel would be used (a total of 5 acres including Mr. Osmond’s parcel). Mr. Southard pointed out that the zone approved from the City Council allows 30 units per acre, so they have 3.000 acres and, with that, 90 units, that would maximize the density allowed in the zone in two different buildings. Mayor Dain pointed out that the Council had lengthy discussion regarding the senior housing overlay to ensure that it would fit within the regulations. Mr. Southard noted the biggest challenge with the project was the topography and the utilities and storm drainage. Mr. Southard further explained they have had design review meetings with engineers, architects and staff and have worked extensively on building layouts, engineering, utility flows, etc. Mr. Southard noted (regarding access) that there would be a crash gate with pavers in the grass that would support the weight of a fire engine and also a secondary access was created for safety reasons but not a through way for traffic to either site. Mr. Southard also noted they are working with Curtis Miner Architecture on the building layout which will be a four (4) story building (he also presented a sketch of the proposed building).

Mr. Southard went on to say that he has worked closely with Mr. Osmond to ensure their concept of having apartments for seniors and an assisted living facility next to each will work great and this is a great location and concept. He added that this concept will be a four (4) story building to accommodate 30 units per acre. There was then some general discussion regarding this issue. Mayor Dain invited Sharon Call to comment at this time. Ms. Call, who serves as the acting Chairperson on the Planning Commission, expressed some of her concerns. She noted that another project was just approved for a 90 unit complex and expressed her concerns for the market need for so

2 many senior rental units (180 unit's total) and the impact it would have on Lindon, and is  
3 this too much all at once. She further stated that she feels one facility should be tried  
4 before approving another to see what the market and traffic impacts will be. Ms. Call  
5 also mentioned that at the Planning Commission meeting Mr. Southard mentioned his  
6 intent was to possibly negotiate an offer on Mr. Gneiting's property that was just  
7 approved. Councilmember Walker stated that he feels the Council doesn't have the right  
8 to impede developers or businessmen the right to compete or deny them the opportunity  
9 to be successful. However, he feels we need to be careful as to not have a building that is  
10 not being utilized. Mayor Dain pointed out that staff mentioned that each one of these  
11 types of facilities comes under a conditional use permit, so there is the opportunity to  
12 deny under the zone change request to manage growth. Mr. Southard noted that they did  
13 present an offer on Mr. Gneiting's property but they are not under contract. He further  
14 noted that he prefers the area by Mr. Osmond's proposed facility and feels it is better  
15 suited to this type of project because of the density and to build it as a "campus". He  
16 noted that they have also made their application for a site plan and they are also in the  
17 process of getting a market analysis performed as they will not invest in a project if it  
18 doesn't make financial sense and there is not a demand. Mr. Southard commented that it

19 would also make good sense to have an option to sell these units rather than rent them.  
20 Mr. Van Wagenen reminded the Council that this item is a concept review only  
21 with no motion or decisions required; he added that the next agenda item is where the  
22 decisions will be made on whether or not the Council wants to see this happen.

23 Councilmember Acerson commented that the primary desire would be to have Lindon  
24 resident's be able to transition into these facilities and still remain in Lindon if they  
25 choose to, but he is not so sure it is the city's directive to create housing for others to  
26 come here. Mayor Dain commented about the architectural elements discussed with the  
27 previous project. He suggested that Mr. Southard add some lower elements to the  
28 building that would soften the four story façade and give it more of a residential feel.

29 Councilmember Powell commented that she prefers this site better than the other  
30 proposed site, and she appreciates where he is heading with the campus idea and that it  
31 will complement what Mr. Osmond is proposing; this is a valuable asset for seniors. She  
32 went on to say there is a need for these types of facilities, at large, in Utah County, and  
33 she is grateful that Lindon is taking a proactive stand.

34 Mr. Southard noted they came with a concept review for feedback and input from  
35 the Council to get a feel of where they are; he expressed his appreciation to the  
36 suggestions and comments he has received from the Council. Mr. Southard commented  
37 that he feels Lindon is overdue for these types of facilities and there is a market demand  
38 for this type of affordable housing. Mr. Southard concluded that he is as committed to  
39 Lindon as anyone and he would ensure that this project would be done right. There was  
40 then some additional general discussion regarding this issue.

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

43 11. **Public Hearing** – *Zoning Map Amendment – Senior Housing Facility Overlay – 175*  
44 *North State Street*. This is a request by Jared Osmond to rezone 4.85 acres currently  
45 zoned General Commercial (CG) to Senior Housing Facility Overlay zone. Rezoning  
46 the property to this designation will allow senior housing facilities as a conditional

2 use on the property. The Planning Commission recommended approval of the zone  
change.

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

8 Mr. Van Wagenen opened the discussion by explaining this is a request by Jared  
10 Osmond to rezone 4.85 acres currently zoned General Commercial (CG) to Senior  
Housing Facility Overlay zone. He noted that rezoning the property to that designation  
12 will allow senior housing facilities as a conditional use on the property. Mr. Van  
Wagenen this item was forwarded to the Council from the Planning Commission with a 4  
14 to 2 vote, with Chairperson Call and Commissioner Gunnell voting against the zoning  
map amendment.

16 The applicant, Jared Osmond, was in attendance to address the Council at this  
time. He commented in watching this project unfold he has seen that these properties  
18 work because of the demographic who lives there. He noted that this is in a commercial  
zone, and there is a great need for a campus like this to exist and a great way to  
20 accommodate seniors. He noted that Mr. Southard and his architect are very open to  
seeing this campus unfold and come together. He noted that he spoke with the Ivory  
22 Home representative and he was very open to it and they also feel like it will be a good  
fit. He went on to say that most assisted living is private pay and the majority of them are  
24 too expensive; he is proposing something that will be affordable. Mr. Osmond added that  
he doesn't feel the height of the building will be an issue or look out of place in the  
general commercial zone.

26 Mr. Osmond stated that he feels this will be a great project with a lot of  
congregate areas and many good amenities; this campus makes sense. Mr. Osmond  
28 expressed that he feels that this project is more than business; it is something he feels  
very strongly about and this site makes more sense all the way around. He further stated  
30 that he does not know what other development could be put in there and he is asking for  
approval to develop a campus at the location, which will be one of the first in Utah. They  
32 will re-skin the building and create some great architectural features that will blend with  
the building. There was then some additional general discussion regarding this zoning  
34 map amendment for senior housing facility overlay.

36 Mayor Dain called for any public comment at this time. Ms. Call asked if this is  
zoned with the senior housing overlay and the other facility has already been approved, is  
there any way that the council would have to allow both sites to be completed. Mayor  
38 Dain stated that there is nothing in the ordinance that states there is some kind of a  
controlled rate; it is at the council's discretion to approve another one or not. Ron  
40 Anderson commented that it seems if everything happens the way Mr. Southard and Mr.  
Osmond have presented this it should be a good facility. Mr. Cowie noted, per the 2010  
42 census, 16% of the city is 55 years of age and older.

44 Mayor Dain called for any further comments or questions from the Council.  
Hearing none he called for a motion to close the public hearing.

2 COUNCILMEMBER FRAMPTON MOVED TO CLOSE THE PUBLIC  
HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

4

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

8 Councilmember Walker commented that the Council is back to the discussion of  
how much, how big, and how soon, and now it is a reality check if there is really a need  
10 and how big of a need is there. Councilmember Frampton commented that he feels this is  
a good fit for this location and it makes more sense at this location than other businesses.  
12 Mayor Dain pointed out the obvious; do we want to limit the senior housing in the  
commercial zone and at what point do we say no. Councilmember Powell commented  
14 that if we wait 10 years we are behind the curve and won't be able to catch up. She feels  
this is a great spot for this overlay and she would hate to see it sunk because of the  
16 proximity of another facility; when it comes to this overlay we are meeting a need that  
needs to be met. Councilmember Acerson commented that after something is built we  
18 could see how it plays out. Councilmember Bean commented that he appreciates the  
valid comments heard tonight, and because this is such a stretch from what the city has  
20 ever done in past decades it merits a lot of discussion about how to approach this new  
experiment. He noted that it is difficult to say at what point do we step back and say how  
22 many are enough because these types of businesses involves potential heavy impact upon  
our own lives. Following some additional discussion, Mayor Dain called for a motion.

24

COUNCILMEMBER POWELL MOVED TO APPROVE THE REQUEST FOR  
26 A ZONING MAP AMENDMENT TO PROPERTY LOCATED AT 175 NORTH  
STATE STREET FROM GENERAL COMMERCIAL TO SENIOR HOUSING  
28 FACILITY OVERLAY ZONE. COUNCILMEMBER FRAMPTON SECONDED THE  
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

30 COUNCILMEMBER WALKER AYE

COUNCILMEMBER FRAMPTON AYE

32 COUNCILMEMBER BEAN AYE

COUNCILMEMBER POWELL AYE

34 COUNCILMEMBER ACERSON AYE

THE MOTION CARRIED UNANIMOUSLY.

36

12. **Review and Action** – *Minor Subdivision: Osmond Senior Subdivision, Plat A – 175*  
38 *North State Street.* This is a request by Jared Osmond for a two (2) lot subdivision on  
4.85 acres in the General Commercial (CG) zone generally location at 175 North  
40 State Street. The Planning Commission recommended approval of the plat.

42 Mr. Van Wagenen led the discussion by explaining this is a request by Jared  
Osmond for a two (2) lot subdivision on 4.85 acres in the General Commercial zone  
44 generally located at 175 North State Street. The intent of the subdivision is to allow  
Osmond Senior Living to operate an assisted care facility on the front 1.85 acres with  
46 Avalon Senior Housing utilizing the back three (3) acres for senior apartments. Mr. Van

Wagenen noted that this item was unanimously approved by the Planning Commission. There was then some general discussion regarding this minor subdivision.

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

COUNCILMEMBER POWELL MOVED TO APPROVE THE REQUEST FOR A TWO (2) LOT MINOR SUBDIVISION ON THE PROPERTY LCOATED AT 175 NORTH STATE STREET WITH THE RECORDING OF THE CULLIMORE PLAT. COUNCILMEMBER ACERSON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE  
COUNCILMEMBER FRAMPTON AYE  
COUNCILMEMBER BEAN AYE  
COUNCILMEMBER POWELL AYE  
COUNCILMEMBER ACERSON AYE

THE MOTION CARRIED UNANIMOUSLY.

13. **Review and Action** – 800 West roadway striping plan. The Council will review and take action on the proposed roadway striping plan for 800 West, between 200 South and Lakeview Road.

Mr. Cowie opened the discussion by referencing the attached striping plan that shows the proposed roadway striping on 800 West. He noted that what was officially proposed as part of the original approval was to narrow the cross section on 800 west by 2 feet. Mr. Cowie explained that what was proposed was a 7 ft. parking area and a 10 ft. lane on the northbound and 12 ft. on the southbound. Mr. Cowie then presented photos of the area (taken within the past week). Mr. Cowie stated that what was approved as part of the original contract is now up to the city because 800 West will be slurry sealed. How the striping is implemented will be up to the Council. Following discussion the Council agreed to implement a center line on 800 West.

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

COUNCILMEMBER POWELL MOVED TO APPROVE THE ROADWAY STRIPING PLAN FOR 800 WEST BETWEEN 200 SOUTH AND LAKEVIEW ROAD WITH THE CONDITION THAT A DOUBLE YELLOW CENTER LINE IS USED ONLY. COUNCILMEMBER WALKER SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER NAY  
COUNCILMEMBER FRAMPTON AYE  
COUNCILMEMBER BEAN AYE  
COUNCILMEMBER POWELL AYE  
COUNCILMEMBER ACERSON AYE

THE MOTION CARRIED 4 TO 1.

14. **COUNCIL REPORTS**

2 **Councilmember Powell** – Councilmember Powell reported that the Historical  
3 Preservation Commission room at the Community Center is progressing. She noted that  
4 Mr. Van Wagenen is implementing better communication with the commission and they  
5 are being more productive. Councilmember Powell reported also reported that the recent  
6 yard sale was profitable. Councilmember Powell mentioned that she received a call from  
7 a citizen wanting to know why the Community Center is not open on Sundays for parties  
8 etc. Mr. Cowie noted that this issue was discussed by the Council in the past and it was  
9 agreed to not allow any city facilities be rented out on Sundays, however, he mentioned  
10 that the issue could be re-visited. Mayor Dain stated that he feels the facilities should  
11 remain closed to rentals on Sunday’s. The Council was in agreement to leave the policy  
12 in place. Councilmember Powell reported that she will not be able to attend the October  
13 1<sup>st</sup> City Council meeting.

14 **Councilmember Walker** – Councilmember Walker commented that he has been  
15 approached by a citizen when the Fieldstone park will be getting a pavilion. Mr. Cowie  
16 commented that this would be a great reason to encourage the PARC tax. Councilmember  
17 Walker reported that he attended the animal shelter meeting and public safety building  
18 meeting.

20 **Chief Cullimore** – Chief Cullimore reported that 65 people attended the “Earthquake  
21 Lady” presentation. He also reported that 180 people attended the block captain training,  
22 including one area in Orem that will be participating. Chief Cullimore reported that a  
23 Draper City Police Officer was killed in the line of duty. He noted that he is encouraging  
24 his officers to attend the services. Chief Cullimore reported that they conducted alcohol  
25 and tobacco checks last week noted they had to cite an employee at Wal-Mart for selling  
26 alcohol (first citation in 5 years). He also mentioned that he sent out an email to the  
27 councilmember’s about a registered sex offender.

28 Chief Cullimore also reported that the hiring process for the police officer is down  
29 to the top 8 and then will be narrowed down to 2 or 3 and then they will hold interviews.  
30 Mayor Dain and Councilmember Walker will attend He further reported that Office  
31 Andy Farrer has left the force but will stay on as a reserve officer. He also mentioned  
32 that he will be attending the Clerk’s conference in Cedar City to give a presentation.

34 **Councilmember Bean** – Councilmember Bean commented that the Planning  
35 Commission takes their job very seriously, and when there is an opportunity to look at  
36 what they do it is beneficial. He also mentioned the traffic backup on 200 South the  
37 landfill It was suggested to get Jerald Hatch involved to get people through more easily.  
38 Mr. Cowie noted that he will contact the landfill director.

40 **Councilmember Acerson** – Councilmember Acerson mentioned that some resident’s  
41 contacted him about concealed carry permits and were wondering if it would be  
42 appropriate to have an open house to give counsel on how to better interact during an  
43 emergency. Chief Cullimore commented that should be covered in the course they take.  
44 He added that he would be cautious about doing that, but they could talk about  
45 awareness. Councilmember Acerson also mentioned the restroom at the new park by the  
46 trail suggested that some bushes etc., could be put there to create a barrier between the

2 restroom and the residents. Councilmember Acerson also asked about the North Union  
4 Canal leak. Mr. Cowie noted that the problem was detected (some flooding into several  
6 residents property) and the public works department fixed the issue within a couple of  
8 days.

6 **Councilmember Frampton** – Councilmember Frampton reported that he was impressed  
8 with Lindon Days and commented that Heath Bateman did a great job.

10 **Mayor Dain** – Mayor Dain asked Chief Cullimore for an update on the Parrish Chemical  
12 storage building. Chief Cullimore noted that nothing has changed in 3 years and the  
14 same concerns remain as before with no changes. Mayor Dain commented that he hopes  
16 it doesn't become an issue. Chief Cullimore noted that they can put pressure on Central  
Bank to rectify the issue. Mayor Dain mentioned that a stop sign is down at Home  
Depot. He also mentioned the landscaping plan down by Murdock Hyundai. Mr. Cowie  
commented that tax increment money could possibly be used for the landscaping in that  
area.

### 18 **Administrator's Report**

20 Mr. Cowie reported on the following items:

#### 22 **Misc Updates:**

- 24 • Project Tracking List was reviewed.
- 26 • 6:00 p.m. department work sessions prior to City Council meetings for the  
28 remainder of the year.
- 30 • Fire station call report for July was reviewed.
- 32 • Utah Valley Chamber of Commerce board voted to endorse PARC and CARE  
34 taxes in Lindon/Orem.
  - 36 ○ Link to Frequently Asked Questions about PARC available here:
- 38 • Bicycle Master Plan study is out for bid. Proposals being accepted through Sept  
40 5<sup>th</sup>. See RFP at this link: Steering Committee will evaluate bids to select firm to  
42 do full study.
- 44 • Thoughts on appointing a citizen representative (Ron Whitely) to the North Union  
46 Canal Board.
- Financial reports have been uploaded to Google Drive account in 'Financial  
Statements/Reports' folder.

#### 38 **Upcoming Meetings & Events:**

- 40 • Newsletter Assignment: Mayor Dain - November newsletter article. *Due by last  
42 week in October.*
- 44 • September 4<sup>th</sup> – Mayor Dain, Councilmember's Acerson and Bean – Alpine  
46 School Dist CDA discussion, 4:30 p.m. at the city center.
- September 11<sup>th</sup> - 13<sup>th</sup> – ULCT conference in SLC. Councilmember Powell and  
Adam Cowie will attend.
- September 12<sup>th</sup> – United Way Day of Caring
- September 16<sup>th</sup> – Drill Down for Safety, 6 p.m. to 8 p.m. Mayor & Council will

meet at City Center for training.

- September 24<sup>th</sup> at 6:00 p.m. – Joint training session with Planning Commission, Board of Adjustment
- October 8<sup>th</sup> at Noon – Engineering coordination meeting at Public Works. Mayor Dain and Councilmember Acerson will attend.
- October 17<sup>th</sup> at 6:30 p.m. – Mayor’s Open House at Sharon Call home. Mayor Dain, Councilmember Acerson and Councilmember Bean will attend.
- October 24<sup>th</sup> at 7 p.m. – Meet the Candidates night at Community Center.
- November 5<sup>th</sup> – General Elections

**Future items:**

- Lindon Days report – Sept 17<sup>th</sup>
- Justice Court financial review and evaluation
- Sewer billing options (average vs. monthly)
- Lindon Days streamlining discussion
- JRCA public safety building study – report to 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 ACERSON MOVED TO ADJOURN THE MEETING AT 11:05 P.M. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – September 17, 2013

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Kathryn A. Moosman, City Recorder

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James A. Dain, Mayor