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.

Conducting: James A. Dain, Mayor
Pledge of Allegiance: James A. Dain
Invocation: Bruce Carpenter

PRESENT

James A. Dain, Councilmember
Eric Anthony, Councilmember
H. Toby Bath, Councilmember
Lindsey Bayless, Councilmember
Bruce Carpenter, Councilmember
Jerald I. Hatch, Councilmember
Ott H. Dameron, City Administrator
Adam Cowie, Planning Director
Woodworth Mataele, Assistant Planner
Cody Cullimore, Chief of Police
Debra Cullimore, City Recorder

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

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

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 Day” and encouraged residents to support the food drive.

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

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

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

THE MOTION CARRIED UNANIMOUSLY.

OPEN SESSION –
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
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
Council discussed various possible uses for the site.

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
for his work in behalf of the residents of Lindon.

MAYOR'S COMMENTS/REPORT –

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
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
support the policy, noting that enforcement would generally be based on complaint.

CURRENT BUSINESS –

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

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

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 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.

The Council discussed several projects which may be appropriate for the program, including completion or retrofitting of additional ADA sidewalk ramps 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 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 remodel to start programming for seniors as quickly as possible. Mr. Mataele noted that the application deadline is December 4, 2009.
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.

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

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 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 completed, it will be necessary for the Council, by motion, to officially certify the results of the canvass.

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 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 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.

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 to be valid, was also counted. The final election results were certified by the Board of Canvassers as follows:

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

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

BOARDMEMBER BAYLESS MOVED TO CERTIFY THE RESULTS OF THE NOVEMBER 3, 2009 MUNICIPAL GENERAL ELECTION, AND TO CERTIFY THE 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 FOR A FOUR YEAR TERM. BOARDMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER BAYLESS MOVED TO APPROVE THE PAY VOUCHERS. COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

ADJOURN –

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

Approved – November 17, 2009

____________________________________
Debra Cullimore, City Recorder

____________________________________  
James A. Dain, Mayor