

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, September 2,**
3 **2008,** beginning with a Work Session at 6:00 p.m. in the Lindon City Center, City
4 Council Chambers, 100 North State Street, Lindon, Utah.

6 Conducting: James A. Dain, Mayor

8 **WORK SESSION** – 6:00 p.m.

10 **PRESENT**

10 **ABSENT**

12 James A. Dain, Councilmember
12 Eric Anthony, Councilmember
14 H. Toby Bath, Councilmember
14 Lindsey Bayless, Councilmember
16 Bruce Carpenter, Councilmember
16 Jerald I. Hatch, Councilmember
18 Ott H. Dameron, City Administrator
18 Jamie Bennee, Finance Director
20 Debra Cullimore, City Recorder

22 The meeting began at 6:02 p.m.

24 **DISCUSSION** – *The Mayor and City Council received a financial update from City
26 Staff.*

28 The City’s Auditor, Michael Stoddard, was present to discuss current financial
30 issues being faced by the City. Finance Director, Jamie Bennee, was also present. Mr.
32 Dameron explained that he had distributed a memorandum to the Mayor and City
Council outlining budget concerns for the coming fiscal year. He noted that the next
budget year will be affected by the state of the economy to a large degree, but that if there
is no change in the current economic situation, a budgetary shortfall is likely.

34 Mr. Dameron reviewed various projects and expenditures in the current budget
36 which have been delayed to alleviate budgetary concerns. He noted that improvement of
Orchard Park has been delayed, as have improvements to the cemetery property and
several equipment items. Mr. Dameron stated that a hiring freeze has been instituted for
the current fiscal year, with no new positions being added to current staff positions. In
38 addition, one position which was previously full time and another which was previously
¾ time have been filled as half time positions.

40 Mr. Dameron then reviewed possible strategies for increasing revenues in the
42 coming year. He suggested that the Council consider loans from enterprise funds, and
increase in administrative fees, transfer of revenue from the park CIP fund of \$300,000
which was appropriated to the Park Fund from the General Fund, and an increase in the
44 franchise tax. Mr. Dameron noted that each of the suggestions can be implemented by
City staff at the direction of the Mayor and City Council. He also suggested the

possibility of sponsorships and donations for the aquatics center to offset projected expenditures.

Mr. Stoddard noted that the intent of any increase would be to build reserve funds which may be used to meet budget shortfalls. He stated that the drawdowns resulting from a budget shortfall could leave the City somewhat unprotected financially, and that building reserve revenues back up would increase the financial stability of the City.

Mr. Stoddard went on to review financial information affecting governments at all levels. He noted that the City has two primary revenue sources, sales tax revenue and property tax revenue. He observed that sales tax revenue is somewhat cyclical and is affected by the economic climate, and that property taxes are somewhat more stable. He explained that qualified sources predict that the current economic downturn will continue to impact sales tax revenues for at least another year.

Mr. Stoddard reviewed inflation statistics since 1913, but specifically since 1971. He explained that 85% of the purchasing power of the dollar has been lost since 1971 due to inflation. He stated that the Federal Reserve will likely either deflate the dollar or inflate the dollar to resolve the current financial crisis. Councilmember Carpenter noted that if the dollar is deflated, the consumer will pay the price, while if the dollar is inflated, lenders will pay the price, but under either scenario, there is a financial price to be paid. He noted that from a practical approach, the City is obligated to “shore up” financial reserves.

Councilmember Carpenter noted that any adjustment to fixed revenues in the form of property taxes have been largely ignored by the City for the past 20 years because sales tax revenues have increased dramatically over that same period of time. The Council discussed the possibility of holding Truth In Taxation hearing regarding possible adjustments to property taxes next year. Councilmember Carpenter noted that public perception of any tax adjustment may be viewed as a tax increase, when in reality any adjustment would be intended to compensate for inflation of the dollar. He suggested that residents be educated regarding the current tax rate as compared to an anchor year, such as 1971, to show the dramatic decrease in the value of the dollar since the City portion of property tax revenues was last adjusted. Mr. Stoddard noted that in order to keep pace with inflation, if the City collected 1.2 million in tax revenues in 1985, it would be necessary to collect approximately 2.5 million now to maintain the same level of purchasing power. He observed that at the current tax rate, the City has essentially lost half of the value of property tax revenues since 1985. Councilmember Carpenter noted that the Utah League of Cities and Towns encourages municipalities to adjust property taxes annually based on the Consumer Price Index to avoid the need for larger periodic increases to keep pace with inflation.

Mr. Stoddard stated that his annual audit report for the City will include a recommendation that a property tax adjustment be considered to bring the revenue received by the City in line with inflation. The Council discussed various methods which could be used to educate residents as to why there is a need to adjust property taxes. Councilmember Carpenter noted that a pro-active approach on the part of the City will avoid the need to react to a financial crisis. He observed that public support of an increase is likely if the residents are properly informed.

2 The Council thanked Mr. Stoddard his time and expertise in discussing financial
concerns. The Council will continue to discuss possible tax adjustments at future
meetings.

4 **REGULAR SESSION** – 7:00 p.m.

6 Conducting: James A. Dain, Mayor
8 Pledge of Allegiance: Nick Yarrow, Boy Scout Troop 889
Invocation: Jerald Hatch

10 **PRESENT**

ABSENT

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

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

26 **MINUTES** – The minutes of the Regular Meeting of August 19, 2008 were reviewed.

28 COUNCILMEMBER BATH MOVED TO APPROVE THE MINUTES
OF THE MEETING OF AUGUST 19, 2008. COUNCILMEMBER BAYLESS
30 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER ANTHONY AYE
32 COUNCILMEMBER BATH AYE
COUNCILMEMBER BAYLESS AYE
34 COUNCILMEMBER CARPENTER AYE
COUNCILMEMBER HATCH AYE

36 THE MOTION CARRIED UNANIMOUSLY.

38 **OPEN SESSION** -

40 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.

42 **MAYOR'S COMMENTS/REPORT** –

44 Mayor Dain noted that the annual United Way Day of Caring would be held on
46 September 4, 2008. He encouraged everyone to attend and participate if possible.

2 **CONSENT AGENDA** –

4 No items.

6 **CURRENT BUSINESS** –

- 8 1. **Review and Action** – *Sewer Connection Waiver Request*. This is a request by
10 Mike Anderson, representing the Church of Jesus Christ of Latter Day Saints, for
12 a proposed storage building with a planned indoor restroom on the LDS Cannery
14 Lot at 945 West Center Street. The City Council may approve other sewage
disposal methods in cases of undue hardship only when such alternate method of
sewage disposal is approved by the Health Department.

16 Mike Anderson was present as the representative for this application. Mr. Cowie
18 explained that Mr. Anderson was making this request on behalf of the Church of Jesus
20 Christ of Latter Day Saints. The request is for waiver of the sewer connection
requirements for a new storage building in the LI zone. The storage building would be
used in conjunction with the existing cannery at the same location. The building will be
constructed on the northwest corner of the site, and will include one restroom facility.

22 Mr. Cowie explained that City Code does provide an allowance for waiver of a
24 sewer connections and use of a septic system if distance requirements are met. He stated
that given the distance on this property of over 500 feet to the nearest sewer main, as well
and the grade of the site, the applicant is requesting approval for waiver of sewer system
connection. Mr. Cowie noted that County Health Department approval of the septic
system will also be required.

28 Mr. Anderson explained that restroom facilities are available in the main cannery
30 building, but that missionaries working in the garden would be onsite after cannery hours
and on Saturdays when the restroom would not be available. He asserted that connection
to the sewer system does not seem feasible based on the location of existing lines and the
minimal use the restroom facility will receive.

32 Mr. Dameron asked if pumping into the sewer system would be a possibility. Mr.
Anderson stated that pumping would require a 14 to 15 foot lift, and that the parking area
34 would be destroyed to install the necessary infrastructure.

36 Councilmember Anthony inquired as to whether the main building could be
unlocked to allow access to the existing restroom facilities rather than constructing a new
38 facility. Mr. Anderson stated that it would be necessary to walk through the warehouse
and cannery area, which would provide access to multiple facilities including the
Bishop's Storehouse. He stated that there would be significant security and safety issues
40 related to allowing use of the restroom facilities in the main building after hours. He
explained that the proposed restroom facility will be built using high pressure low
42 volume toilets, and will include electronic sensors on sinks to minimize water usage.

44 Councilmember Bath asked if the facility would be used seasonally or year round.
Mr. Anderson stated that the facility will be used seasonally, closing in October or
November each year and re-opening in the spring. He stated that 30 – 45 volunteers
46 would be on the site several times per week during the growing season.

2 Councilmember Bayless asked Mr. Anderson if he has contacted the Health
Department regarding this request. Mr. Anderson stated that he has discussed the septic
4 system with the Health Department, as well Orem City sewer inspectors. He stated that
inspectors recommended use of a septic system on the site.

6 Councilmember Carpenter inquired as to requests which may be made in the
future for waiver of sewer connections. Mr. Cowie stated that if a development is within
300 feet of sewer lines, connection to the sewer system is required. If sewage demands
8 are not compatible with a septic system, connection is required regardless of the distance.
Councilmember Carpenter noted that the distance from this development to the sewer
10 system combined with the minimal use of the restroom facility creates a unique situation
which appears to meet the requirements of the ordinance.

12 Councilmember Anthony asked if a “port-a-potty” has been considered for the
site. Mr. Anderson stated that church officials feel that use of a “port-a-potty” would not
14 be an acceptable facility for volunteers working at the site. He explained that the garden
on the site will be used to provide food for humanitarian service projects. Mr. Anderson
16 stated that many options were considered to provide the restroom facility, and that a
septic system seems to be the only viable option.

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

20

COUNCILMEMBER BATH MOVED TO APPROVE THE USE OF A SEPTIC
22 SYSTEM FOR THE LINDON CANNERY STORAGE BUILDING, BASED ON THE
DISTANCE TO EXISTING SEWER LINES, THE DEPTH OF THE EXISTING
24 SEWER, AND LOW SEASONAL USE OF THE FACILITY, AND UPON APPROVAL
BY THE UTAH COUNTY HEALTH DEPARTMENT. COUNCILMEMBER HATCH
26 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

28 COUNCILMEMBER ANTHONY	NAY
COUNCILMEMBER BATH	AYE
COUNCILMEMBER BAYLESS	AYE
30 COUNCILMEMBER CARPENTER	AYE
COUNCILMEMBER HATCH	AYE

32 THE MOTION CARRIED (4-1).

34 2. **Preliminary Plat** – *Fellowship Bible Church Commercial Subdivision, Plat “A”*.
This is a City initiated request for preliminary plat approval of the Fellowship
36 Bible Church Commercial Subdivision, Plat “A”, 2 lots, in the CG zone at 375
North State Street. The Planning Commission recommended approval with
38 conditions.

40 Michael Tharp and Christian Burton were present as representatives of this
application. Councilmember Bayless expressed appreciation to the applicants for their
42 cooperation as details of the agreement for this project have been negotiated.

44 Mr. Cowie explained that the City and representatives of the Fellowship Bible
Church have worked cooperatively for the past two years on an agreement allowing the
City to purchase the road right-of-way for the 400 North extension west of State Street.
46 Mr. Cowie noted that the Master Planned 400 North extension was discussed at length

2 last fall, and the City determined that the roadway should remain on the Master Plan
3 Maps. The location of the existing church facility in relation to the Master Planned
4 roadway precipitated discussion regarding an agreement to allow the City to purchase the
5 right-of-way for future roadway. The existing structure does cross the boundary line of
6 the lots shown on the proposed subdivision plat. The agreement which will be entered
7 into allows the City to purchase the existing building and property for the right of way at
8 current market value. The building will technically be owned by the City, but the church
9 will retain full use of the facility until construction of the roadway becomes necessary.
10 Insurance and maintenance of the facility will be the responsibility of the church.

11 The agreement stipulates that the City will be required to give the church a one
12 year written notice to vacate the existing building prior to construction of the roadway.
13 Mr. Cowie clarified that the City has no current plans to construct the roadway. He noted
14 that the 400 North intersection will likely be realigned during the UDOT State Street
15 widening project. Parking lot entrances for the church and Los Hermanos are also
16 expected to be reconstructed as part of the UDOT project. Mr. Cowie noted that the
17 right-of-way line cuts through the north half of the existing building.

18 Mr. Cowie noted that the Planning Commission recommended approval of the
19 subdivision plat with conditions, including the recommendation that the City Council
20 consider an addition to the development agreement requiring the church to pay a monthly
21 amount into an escrow account that will accumulate towards funds needed to demolish or
22 remove the existing structure.

23 Mr. Cowie explained that the current agreement will apply a rent assessment from
24 the church each month while the existing facility is used by the church. When removal of
25 the building becomes necessary, if rent amounts have not exceeded the cost of
26 demolition, the City will be responsible for the difference between rent assessments and
27 demolition costs. If rent assessments exceed the estimated cost of demolition, the church
28 will be responsible for all demolition costs. The Planning Commission expressed some
29 concern regarding the financial liability to the church, and their ability to meet the
30 obligation in the future. The Commission felt that paying a cash amount into an escrow
31 account would assure that necessary funds would be available at the appropriate time.

32 The Planning Commission also recommended that the City Council consider an
33 addition to the development agreement allowing the existing building to be sold and re-
34 located rather than demolished.

35 Mr. Cowie noted that staff had not received any response regarding the
36 recommendations of the Planning Commission from the applicant. Mr. Burton and Mr.
37 Tharp each expressed that they were comfortable with a provision in the agreement
38 which would allow the building to be sold and moved rather than demolished.

39 Councilmember Carpenter stated that he was trying to consider the possibility that
40 future demolition costs may be problematic. Mr. Tharp stated that demolition costs are
41 estimated at \$30,000. He stated that it is the intent of the church to set those funds aside
42 prior to the one year notice period to assure that funds are available when necessary. He
43 stated that the church does anticipate that demolition costs will be a financial burden.
44 Councilmember Carpenter inquired as to the possibility of the church providing some
45 accounting of funds to City. Mr. Tharp stated that it would be necessary to discuss
46 accounting reports with the Elder Board of the church, but that it would likely not be
47 problematic. Mr. Tharp also noted that there is potential for demolition costs to be offset

2 by volunteer hours, as well as salvage rights which are currently given to the church for
the existing facility.

4 Mayor Dain noted that there should be some language included in the agreement
which precludes the City from giving the required one year notice to the church prior to
6 completion of the new facility. Mr. Cowie will forward the suggestion to the City
Attorney.

8 Mr. Cowie noted that one letter of protest has been received from neighboring
resident, Doug Christiansen. Mayor Dain invited Mr. Christiansen to address the
Council. Mr. Christiansen expressed concern regarding the terms of the development
10 agreement. He stated that the 400 North extension is a small part of the overall
transportation puzzle. He felt that the City should have some assurance from UDOT that
12 other components will be completed as planned. Mr. Tharp stated that representatives of
the church and representatives from Los Hermanos met with UDOT approximately six
14 months ago to discuss the projects in relation to one another. He stated that UDOT
indicated at that time that construction on the State Street project is expected to begin in
16 one to two years, and that the intersection will be realigned to connect to the Master
Planned roadway. Mr. Cowie indicated that the City also met with UDOT in separate
18 meetings, and that the same information was given to the City.

20 Councilmember Anthony inquired as to ownership of the property adjacent to the
intersection if the roadway is not constructed in the coming years. Mr. Cowie explained
that the City will own the ground and the existing building, and that the agreement allows
22 the church to retain full use of the existing facility until the roadway is built.

24 Councilmember Anthony asked about law enforcement on the site, and whether laws are
enforced differently depending on whether the land is public or private. Chief Cullimore
explained that some traffic laws are not enforceable on private property, but that reckless
26 driving and driving under the influence are enforceable. He stated that the right-of-way
area will be treated as private property until the roadway is constructed. Following
28 completion of the roadway, the property will be deeded as a public street.

30 Councilmember Anthony observed that the future realignment of the intersection
appears to be a safety improvement whether or not the roadway is ever completed.
Mayor Dain noted that UDOT has indicated that the current alignment of the Los
32 Hermanos driveway creates significant safety concerns, and that the realignment will
address those issues.

34 Councilmember Anthony asked Mr. Tharp what the impact to the church would
be if the purchase was delayed for a year or two. Mr. Tharp reviewed the history of this
36 issue. He noted that approximately two years ago, the church applied for a building
permit to expand the existing facility in the current location. At that time, the City
38 informed the church that expansion in that location would not be permitted due to the
location of the Master Planned 400 North extension. The church took a neutral position
40 during subsequent discussions and public hearing regarding the roadway, and felt that
they would either build in the current location if the roadway was removed from the
42 Master Plan, or relocate south on the site if the roadway was left on the Master Plan. Mr.
Tharp stated that the congregation at the church has outgrown the facility, and immediate
44 expansion has become necessary. Councilmember Bayless observed that the church has
already delayed the expansion project for two years while the roadway issue was
46 resolved, and that it would not be appropriate to ask them to delay the project any further.

2 Councilmember Anthony observed that given current budget constraints, it is
3 important to review and consider each budget expenditure carefully. Councilmember
4 Bayless agreed that there may be some projects which would be appropriate to delay.
5 She noted that development in Lindon makes it necessary to leave the roadway on the
6 Master Plan, and that it is also necessary to allow the church to proceed with their
7 expansion. Councilmember Carpenter observed that while it may be possible to not
8 purchase the right-of-way and building, leave the roadway on the Master Plan and allow
9 the church to expand in the current location, that particular course of action would be a
10 disservice to the church and to the community.

11 The Council went on to discuss specific language changes and additions to the
12 development agreement between the church and the City. Following discussion, the
13 Council felt that item 2(d) regarding the purchase price of the property in relation to the
14 appraised value was an unnecessary clause. The Council also discussed addition of
15 language which would protect the church from being required to vacate until the new
16 facility is complete.

17 Mr. Christiansen stated that his original question has not been answered to his
18 satisfaction. He asked whether the City has discussed the intersection configuration and
19 extension with UDOT, The Pizza Factory, and neighboring property owner Gary
20 Thornton to determine whether the proposed alignment is agreeable. Mr. Cowie stated
21 that he met with Mr. Thornton on site to discuss the road alignment. Mr. Cowie stated
22 that Mr. Thornton is very well aware of the future alignment, and is also aware that
23 development of his property will be the likely trigger for development of the roadway.
24 Mr. Christiansen inquired as to any discussion between the City and owners of The Pizza
25 Factory. Councilmember Bayless explained that any effect on The Pizza Factory would
26 be a matter between the property owner and UDOT.

27 Mr. Christiansen observed that the area of right-of-way being purchased by the
28 City is 19,000 square feet. He inquired as to the possibility that the property purchase be
29 expanded to 20,000 feet to create a legal lot if the roadway is eventually removed from
30 the Master Plan. Councilmember Carpenter observed that the site does not have adequate
31 frontage to allow the City to purchase additional square footage. Councilmember
32 Bayless noted that access to the church and the restaurant would be damaged if
33 construction were allowed in the right-of-way area. Councilmember Anthony stated that
34 he is supportive of leaving the roadway on the Master Plan to allow the City the choice to
35 complete the road in the future if it becomes necessary. He also supports the realignment
36 of the intersection and the added safety benefit to both adjacent uses.

37 Mayor Dain called for further public comment. There were no additional
38 comments. He called for further comments or discussion from the Council. The Council
39 discussed the recommended conditions set forth by the Planning Commission. Following
40 discussion, the Council felt that it would not be appropriate to require a cash amount paid
41 into escrow to cover the cost of demolition. Councilmember Carpenter stated that he felt
42 reasonably comfortable with the assurance of the church that necessary funds would be
43 available for demolition at the appropriate time. The Council and that the applicants
44 agreed that a provision allowing sale and removal of the building, or demolition of the
45 building, would be reasonable. Mayor Dain called for a motion.

2 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE FELLOWSHIP
BIBLE CHURCH MINOR SUBDIVISION PRELIMINARY PLAT WITH THE
FOLLOWING CONDITIONS:

- 4 1. IN RESPONSE TO THE RECOMMENDATION OF THE PLANNING
COMMISSION, THE COUNCIL FINDS THAT REQUIRING A CASH
6 PAYMENT TO ESCROW TO COVER FUTURE DEMOLITION COSTS
WOULD NOT BE REASONABLE. THE CHURCH AND THE CITY WILL BE
8 BOUND BY THE TERMS OF THE DEVELOPMENT AGREEMENT
REGARDING FUTURE DEMOLITION COSTS
- 10 2. THAT LANGUAGE BE INCLUDED IN THE DEVELOPMENT AGREEMENT
GIVING THE OPTION FOR THE EXISTING BUILDING TO BE SOLD AND
12 REMOVED FROM THE SITE BY THE PURCHASER, OR DEMOLISHED
AND REMOVED FROM THE SITE.

14 AND APPROVE THE DEVELOPMENT AGREEMENT WITH LANGUAGE
CHANGES AS DISCUSSED WITH APPROVAL OF THE FINAL AGREEMENT
16 LANGUAGE BY MAYOR DAIN. COUNCILMEMBER HATCH SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

18 COUNCILMEMBER ANTHONY	AYE
COUNCILMEMBER BATH	AYE
20 COUNCILMEMBER BAYLESS	AYE
COUNCILMEMBER CARPENTER	AYE
22 COUNCILMEMBER HATCH	AYE

THE MOTION CARRIED UNANIMOUSLY.

- 24 3. **Public Hearing** – Site Plan/Alteration of Non-Conforming Use – Fellowship
26 Bible Church. This is a request by Michael Tharp, pastor of the Fellowship Bible
Church, for approval of a site plan and alteration of a legal non-conforming use in
28 the CG zone at 375 North State Street. The Planning Commission recommended
approval with the following conditions:

30 COUNCILMEMBER BATH MOVED TO OPEN THE PUBLIC HEARING TO
32 CONSIDER THE SITE PLAN/ALTERATION OF NON-CONFORMING USE –
FELLOWSHIP BIBLE CHURCH. COUNCILMEMBER BAYLESS SECONDED THE
34 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

36 Michael Tharp and Christian Burton were present as representatives for this
application. Mr. Cowie explained that this is a request for site plan approval for a 4600
38 square foot church building in the CG zone. The new structure will be required to meet
all setbacks. One section shown on the current site plan has only a 32 foot setback.
40 Adjustments to the foot print of the building will be required to come into conformance
with the required 40 foot setback.

42 Mr. Cowie stated that the church and the neighboring restaurant, Los Hermanos,
have a shared parking agreement. A lighted crosswalk will be installed between the two
44 uses during the UDOT State Street project which will include realignment of the 400
North State Street intersection. On weekdays, Los Hermanos employees use the church

2 parking area, and on Sundays, church members use the restaurant parking area. The
3 agreement has been signed by both property owners.

4 Mr. Cowie presented the final landscape plan for the site. He explained that the
5 new structure will be built in two phases, with construction on phase one beginning in the
6 near future, and phase two being built on to phase one when the existing building is
7 removed.

8 Councilmember Carpenter asked Mr. Cowie to explain why this is an alteration of
9 a non-conforming use. Mr. Cowie explained that recent revisions to the Standard Land
10 Use Table designate churches, temples and synagogues and not-permitted uses in the CG
11 zone. The church facility is a legal non-conforming use based on the current Standard
12 Land Use Table.

13 Mr. Cowie went on to review the architectural elevations. He noted that the
14 Commercial Design Guidelines call for some relief of wall faces. The Planning
15 Commission was particularly interested in the relief of the columns shown on the front
16 elevations. Mr. Tharp stated that although architectural features are in the preliminary
17 planning phase, he has verified with the architect that there will be some depth to the
18 columns. Mr. Tharp reviewed additional architectural elements, including various weight
19 stucco treatments, cultured stone, and columns. Mr. Burton noted that some architectural
20 treatments, such as columns, will be added to the rear elevation to provide required relief.
21 Mr. Tharp noted that the facility will have two stories.

22 Councilmember Anthony asked Mr. Tharp to clarify the plan for phased
23 development of the facility. Mr. Tharp stated that construction of phase one will begin in
24 the near future, including a chapel or sanctuary area, a gymnasium, and classrooms.
25 Phase two will add three walls to the rear of phase one, and will include additional
26 classrooms.

27 Councilmember Bayless noted that the Planning Commission had expressed
28 concern regarding screening of mechanical equipment, which the applicants have
29 addressed. She observed that columns have been added to the rear elevation of phase
30 two, and the applicants have indicated that earth toned colors will be used on all
31 elevations as well as the roof. Councilmember Bayless asked Mr. Cowie if there were
32 any other concerns which should be addressed based on ordinance requirements. Mr.
33 Cowie stated that the site plan and elevations appear to be in compliance with ordinance
34 requirements.

35 Mayor Dain asked Mr. Cowie what other particular concerns the Planning
36 Commission had discussed. Mr. Cowie stated that the Commission requested
37 clarification on architectural features. The Commission also discussed fencing on the
38 south corner of the site on the border of the existing residential use. Mr. Cowie stated
39 that fencing will be installed as required in City Code, which allows alternatives to the
40 required seven foot masonry fence if approved by the Planning Commission. Mr. Tharp
41 stated that any variation to fencing requirements will be addressed with the Planning
42 Commission at the appropriate time.

43 Councilmember Anthony requested clarification of setback requirements. Mr.
44 Cowie stated that a 40 foot setback is required from any residential zone or use. He noted
45 that the site does not technically border a residential zone, but that there are existing
46 residential uses which would require the 40 foot setback, as well as appropriate fencing.

2 Mr. Cowie noted that the site plan currently shows a 32 foot setback in one area, and that
the building will need to be adjusted slightly to meet required setbacks.

4 Councilmember Bayless noted that the neighboring Thornton property currently
has split zoning, with a portion of the property designated for commercial use and a
6 portion designated for residential use. The church site currently borders the commercial
portion of the Thornton property. She asked if fencing would be required on the
8 boundary of the Thornton property if the entire property were rezoned for residential use
in the future. Mr. Cowie explained that there would be no additional fencing
requirements imposed on the church if the Thornton property were rezoned because the
10 church was built prior to the rezoning.

12 Mr. Tharp noted that the Commission had also expressed concern regarding
installation of white two rail vinyl fencing along 400 North when the road is constructed.
He stated that final plans include the fencing on 400 North, which will be installed at the
14 appropriate time.

16 Mr. Burton expressed appreciation to the Council for their hard work on this
project. Councilmember Bayless stated that working with church representatives has
been a very positive experience. Mayor Dain thanked the applicants for their
18 involvement in the community.

20 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.

22
24 COUNCILMEMBER BATH MOVED TO CLOSE THE PUBLIC HEARING TO
CONSIDER THE SITE PLAN/ALTERATION OF NON-CONFORMING USE –
FELLOWSHIP BIBLE CHURCH. COUNCILMEMBER CARPENTER SECONDED
26 THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

28 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE
FELLOWSHIP BIBLE CHURCH SITE PLAN/ALTERATION OF NON-
30 CONFORMING USE WITH THE FOLLOWING CONDITIONS:

- 32 1. THAT PLANS BE MODIFIED TO BRING THE BUILDING INTO
COMPLIANCE WITH THE 40 FOOT SETBACK REQUIREMENT.
- 34 2. THAT FENCING BE INSTALLED IN COMPLIANCE WITH CITY CODE
BORDERING THE ADJACENT RESIDENTIAL USE.
- 36 3. THAT THE PLANNING DEPARTMENT MONITOR COMPLIANCE WITH
THE REQUIREMENTS OF THE COMMERCIAL DESIGN GUIDELINES.
- 38 4. THAT WHITE TWO RAIL VINYL FENCE BE INSTALLED ON 400 NORTH
AT THE TIME THE ROAD DEVELOPS.

40 COUNCILMEMBER BAYLESS SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

COUNCILMEMBER ANTHONY AYE

42 COUNCILMEMBER BATH AYE

COUNCILMEMBER BAYLESS AYE

44 COUNCILMEMBER CARPENTER AYE

COUNCILMEMBER HATCH AYE

46 THE MOTION CARRIED UNANIMOUSLY.

2 4. **Report** – *I-15 Widening and Reconstruction*. Merrill Jolley, 1-15 Corridor
4 Project Manager of UDOT Region 3, will be present to show the City Council the
6 results of the Record of Decision for the I-15 Corridor Environmental Impact
 Statement and the plan for widening and reconstruction of 1-15.

8 Merrill Jolley and Dal Hawks of UDOT were present to update the Council on
10 plans for the I-15 widening project. Mr. Hawks noted that Mr. Jolley and his team were
 responsible for completion of the Environmental Impact Study for the project, and that
 the team has now been expanded to include the construction and implementation phases
 of the project.

12 Mr. Hawks went on to review results of a community survey which was recently
14 completed. The survey asked residents questions regarding traffic congestion, current
 expansion plans, and whether residents felt that alternate routes during construction
16 would provide adequate travel corridors. Study results indicated that the public generally
 has a high confidence level in UDOT. Results also indicated that the public is skeptical
 that the project will be completed within the established budget.

18 Mr. Hawks reviewed the status of the project to date. He stated that the
20 Environmental Impact Study has been underway for approximately four years, and that a
 Record of Decision was signed on August 15, 2008. He stated that appropriate permits
 relative to wetlands impacts are expected in the near future. Construction of the first
22 phase of the project will begin in the spring of 2009 at the American Fork interchange,
 and will include an arterial to Saratoga Springs. The Vineyard Connector will also tie
24 into the American Fork interchange area, which will become a major arterial hub.

26 Mr. Hawks explained that the project defined in the Environmental Impact Study
 is a 43 mile corridor. The State Legislature has not identified funding for the entire
 project at this time, but has allocated 2.6 billion dollars to fund the project from the
28 American Fork interchange to Spanish Fork. This area currently includes four lanes each
 direction, and will be expanded to six lanes each direction. Lanes will be phased down to
30 the current configuration at either end of the project. Mr. Hawks noted that if the road
 were to exceed six lanes, it would lose effectiveness for drivers to operationally get from
32 the inside lane to an exit ramp. He noted that six lanes is maximum capacity for this
 roadway.

34 Mayor Dain inquired as to when preliminary designs of the 1600 North Orem
36 interchange would be available. Mr. Hawks stated that preliminary designs are included
 in the final Environmental Impact Study, and can be found on the project website. He
 stated that the project team will work with City staff during the final design phase to
38 look in detail at utility crossings, storm water systems, trails and other City facilities
 which could be impacted. He noted that UDOT will typically replace impacted facilities
40 in kind as part of construction. He explained that if the City would like to increase any
 facilities during construction, the City would be responsible for any difference in costs.

42 Councilmember Anthony inquired as to the biggest challenges anticipated as part
44 of the project. Mr. Hawks stated that the project is extensive with a variety of challenges,
 included interchange reconstruction. He stated that the project team is currently in the
 process of identifying relevant issues.

2 Councilmember Anthony asked how the project will be prioritized. Mr. Hawks
stated that construction will be ongoing in multiple areas simultaneously, and that the
4 contractor will make every effort to keep traffic flowing as much as possible during
construction.

6 Councilmember Anthony asked for clarification of the anticipated time line for
the project. Mr. Hawks stated that construction of the American Fork interchange will
begin in spring of 2009, with the balance of the project beginning in 2010. The project is
8 scheduled for completion in 2014.

10 Councilmember Bayless inquired as to the closure of the over-crossing at Sam
White Lane. Mr. Hawks stated that the over-crossing has been damaged by oversized
vehicles, and will be removed in the near future, and will be out of service until
12 reconstruction is completed.

14 Councilmember Bath asked if the Pleasant Grove/Lindon interchange would be
impacted. Mr. Hawks stated that there will be no major impacts to the Pleasant
Grove/Lindon interchange. The project will include ramp modifications and will require
16 removal of some existing landscaping.

18 Mr. Hawks explained that a large multi-disciplinary team is working to complete
all aspects of the project. He reviewed the goals of the project, which are to complete the
project within budget, minimize inconvenience for the public, complete the project by
20 2014, and uphold the public trust.

22 Councilmember Bath inquired as to any incentives which may be given to the
contractor if the project is completed early. Mr. Hawks stated that an incentive plan will
be implemented, but that details of that plan have not yet been established.

24 Mayor Dain noted that the majority of wetlands mitigation areas are proposed in
Lindon, which will significantly impact commercial areas of the City. Mr. Hawks stated
26 that the footprint of the wetlands bank in Lindon will be minimized as much as possible.
Mayor Dain suggested that the wetlands bank be broken into smaller pieces and
28 distributed among other communities. Mr. Hawks explained that there is a benefit to
providing one large area rather than multiple smaller areas. He stated that the project
30 team will consider impacts to Lindon for the wetlands bank as well as construction of the
Vineyard Connector. Councilmember Carpenter stated that it is the hope of the City that
32 the project team will take the concerns of the City seriously and consider an alternative
which would distribute the impact fairly. He noted that the current plan encroaches
34 substantially on commercial property in Lindon, which reduces the potential of adjacent
lands due to limited access.

36 The Council thanked Mr. Jolley and Mr. Hawks for their time. Mr. Hawks also
introduced Emily Stingham, who is member of the Public Outreach Team for the project.
38

40 Mayor Dain suggested that due to the late hour, that the discussion regarding
Elderly Group Homes be moved forward to accommodate audience members who were
present for that discussion. He called for a motion to amend the agenda.
42

44 COUNCILMEMBER CARPENTER MOVED TO AMEND THE AGENDA TO
CONSIDER THE ELDERLY GROUP HOMES ORDINANCE LANGUAGE AT THIS
TIME. COUNCILMEMBER BATH SECONDED THE MOTION. ALL PRESENT
46 VOTED IN FAVOR. THE MOTION CARRIED.

2 **Elderly Group Homes Discussion** - *Elderly Group Homes – LCC Section 17.07.030.*
This is a request for clarification of the Code Section 17.07.030 dealing with residential
4 elderly group homes.

6 City Attorney, Brian Haws, was present to discuss this item with the Council. Mr.
Cowie explained that this issue was discussed by the Planning Commission and City
8 Council as a concept review for Ray Taylor. Mr. Taylor was also present in the audience.
Members of the Commission and Council requested interpretation of specific language in
10 the ordinance, specifically language regarding “family type” living arrangements. Mr.
Cowie explained that the language in the City Code is taken from State statute, and that
12 there is no language in the statute which specifically defines a “family type” living
arrangement.

14 Mr. Cowie noted that the Planning Department reviewed elderly group home
ordinances from several neighboring communities, and that the majority of language in
16 ordinances from other municipalities is also consistent with the language in the statute
used by Lindon. Mr. Haws noted that State law specifies what elements the City has
18 authority to regulate. He suggested that the Council consider items which should be
clarified in order to improve the ordinance.

20 Mayor Dain expressed concern that the proposed facility would essentially be an
8-plex structure. Councilmember Bath noted that each unit could potentially have two
22 occupants, a husband and a wife. Mr. Haws explained that the ordinance specifies a
maximum of eight residents at facilities located in residential zones. He noted that State
24 statute does not define “family type” living arrangements, but does define a resident of an
elderly group home as someone who has the ability to live independently, but chooses to
26 live in a group setting. Mr. Haws noted that City ordinance does define live in staff as a
care taker who lives on the site and is compensated for their services. He noted that the
28 definition of compensation is very broad, and could include items such as free rent.

Mr. Haws clarified that a “family type” arrangement can not be defined using
30 architectural elements of the structure which are not regulated on other structures in the
residential zone, such as number of kitchens or garage doors, etc. Mr. Cowie explained
32 that State code does allow the City to regulate the structure to maintain the residential
character of the home. He noted that the number of garages or kitchens in residential
34 structures is not currently limited by City code. He observed that one building permit
recently issued by the City for a single family residential structure includes seven garage
36 doors.

Mayor Dain inquired as to interpretation of language which specifies that group
38 homes in residential zones can not operate as a business. Mr. Haws explained that fees
can be charged to cover expenses. He clarified that if the home is making a profit, it
40 constitutes a business. The Council discussed potential challenges in regulating whether
the home was operating as a business. Mr. Haws stated that the City would have the
42 ability to require verification that the home was not operating as a business.

Mr. Haws explained that the requirement that the home be owned by a resident of
44 the home could be addressed using an ownership trust.

2 Mayor Dain inquired as to the difference between a group home and an apartment
complex. Mr. Haws stated that individual outdoor access rather than one main entrance
would likely constitute an apartment complex.

4 The Council went on to discuss elements of the current proposal for a group home
which includes kitchens in individual units, separate garages, as well as common kitchen
6 and living areas. The Council discussed at length whether including kitchens in each of
the individual units violated the “family type” concept, and whether the proposed facility
8 would be compatible in a residential area. Councilmember Bayless clarified that she is
not opposed to providing appropriate facilities for residents with various needs, but that
10 the impact to the surrounding neighborhood must also be considered. Mayor Dain
suggested that anticipating occupancy of two residents per unit, it may be appropriate to
12 limit the facility to only four units rather than the proposed eight units. Mr. Haws stated
that the intent of limiting the number of residents is to assure that the facility will be
14 compatible with surrounding residential uses. Councilmember Hatch observed that the
R2-Overlay ordinance allows only three units.

16 Mr. Taylor stated that he understands why the City would not want to negatively
impact residential areas. He observed that the question is how State and City ordinances
18 will allow appropriate services to be provided. He noted that revised drawings show
garages moved to the rear of the structure. The revised floor plan includes individual
20 units which open into a 3,000 square foot common area. He stated that the exterior of the
structure will have the appearance of a single family home.

22 Councilmember Bayless inquired as to whether a caretaker would live at the
facility. Mr. Taylor stated that a caretaker would live on site. A separate unit is proposed
24 for the caretaker which does not connect to the common area. He stated that the
caretaker would be responsible to coordinate services for residents, including emergency
26 medical response. Mr. Haws noted that if the caretaker is compensated, the home would
not meet the requirements for an eight resident facility, and would be allowed only four
28 residents. Mr. Taylor stated that it is his intent to find an appropriate person to serve as
caretaker without compensation. He noted that the position could possibly be filled on a
30 volunteer basis.

32 Mayor Dain asked if all the residents of the facility would be members of the
same family. Mr. Taylor stated that he has contacted senior programs, and that there will
be a waiting list of residents who are not related. Mr. Haws stated that if the home is
34 placed in trust for residents, there would be no requirement that residents be related.

36 The Council discussed required landscaping on the site. Mr. Cowie explained that
City code requires 40% of the site to be landscaped in residential zones.

38 Mayor Dain invited comments from several audience members. Carl Carter asked
if there are models of similar facilities in other communities that are operating
successfully. Mr. Taylor stated that this is being modeled after a facility in Scottsdale
40 Arizona. Mayor Dain encouraged Mr. Taylor to find out what zone the Scottsdale facility
is in, and what specific requirements were imposed to protect surrounding residential
42 properties. He noted that the facility may be located in a zone other than a single family
residential zone.

44 Richard Griffith expressed concern regarding potential impacts to the surrounding
residential neighborhood. He stated that if there is a need for elderly group home

2 facilities in the City, larger facilities should be built in commercial areas to minimize
3 impacts to existing residences.

4 Sandra Christensen asked if the proposed facility would be similar to a Beehive
5 Home. Mr. Haws stated that this facility would differ from Beehive Homes due to
6 separate kitchen facilities in each unit and garages as opposed to parking areas.

7 The Council went on to discuss individual kitchens, and whether including
8 kitchens changes the character of the facility from a “family type” group home to an
9 apartment complex. Mr. Haws reiterated that the number of kitchens in this facility can
10 not be regulated unless similar regulations apply to other residential structures in the
11 same zone.

12 In conclusion, the Council encouraged Mr. Taylor to find a successful model of a
13 similar project in another community for comparison. Mr. Cowie explained that Mr.
14 Taylor has submitted an application for the project under current ordinance requirements.
15 The application will be reviewed by the Planning Commission and City Council at future
16 meetings.

17 Mayor suggested that due to the late hour, as many agenda items as possible be
18 continued to the next City Council meeting. Mr. Cowie requested that the Council
19 consider amendments to the landscaping ordinance requirements tonight due to pending
20 approvals.

21 5. **Public Hearing** – *Ordinance Amendments – LCC Section 17.47.050, 17.48.030,*
22 *17.48.100, 17.49.060 and 17.05.060 – Landscaping Requirement Modifications.*

23 This is a City initiated review of proposed modifications to the City’s landscaping
24 requirements in the R&B zone, the CG zone, the PC zone, the MC zone, the LI
25 zone, and the HI zone. The Planning Commission recommended approval as
26 presented.

27
28 COUNCILMEMBER HATCH MOVED TO OPEN THE PUBLIC HEARING
29 TO CONSIDER ORDINANCE AMENDMENTS FOR LANDSCAPING
30 REQUIREMENTS. COUNCILMEMBER CARPENTER SECONDED THE MOTION.
31 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.
32

33 Mr. Cowie explained that this discussion was spurred based on previous
34 discussion regarding existing landscaping on the Cardon Landscaping which does not
35 comply with current ordinance requirements which call for 20 feet of sod and trees every
36 30 feet on center. The Planning Commission discussed possible revisions which would
37 allow a certain percentage of xeroscaping or other elements. Mr. Cowie noted that
38 proposed revisions also standardize requirements in all zones. He noted that the Mixed
39 Commercial Zone currently only requires 15% of the site to be landscaped, while the
40 Commercial Zone requires 20%. The Planning Commission recommended that the
41 existing percentages be maintained.

42 Proposed ordinance revisions would allow up to 25% of the required landscaping
43 to include xeroscape elements, such as bark, rock, or other non-living materials. Current
44 ordinance allows use of only Little Leaf Linden trees in the landscape strip. At the
45 recommendation of the Tree Advisory Board (TAB), the ordinance will be changed to
46

reference an approved tree list created by the TAB which allows a variety of trees. He noted that a tree planting plan was approved for 700 North which specifies certain trees, but that any tree from the approved list could be used in other areas.

Mr. Cowie reviewed fencing requirements. He noted that white two rail vinyl fence is not required in Industrial Zones, but is required in the CG, MC, PC and RB zone. He stated that the fencing requirement for the RB zone was previously addressed in the CG ordinance, which resulted in inconsistent implementation of fencing requirements in that zone.

Mr. Cowie presented photographs of various sites in the City which currently have a portion of the area landscaped with non-living materials and/or drought tolerant plants. He noted that all but one of the sites with non-living landscape elements was approved by the City. Councilmember Anthony noted that in most of the photographs, areas of sod were continuous, and areas of other elements were continuous. He noted that maintenance would be simplified if areas of sod were separated from areas of bark or rock elements.

Councilmember Carpenter noted that maintenance of xeroscape areas may become problematic as opposed to maintenance of sod. Mr. Cowie observed that there are several sites currently in violation of the code regarding maintenance of sod. He stated that maintenance of landscaping can be controlled using the nuisance abatement ordinance.

Mayor Dain observed that there is a statewide campaign to encourage water conservation. He felt that it would be appropriate for the City to encourage water conservation by allowing some type water wise landscaping elements. He noted that requiring sod does not insure that the landscaping will be properly maintained. He suggested that the Council set aside personal preferences and opinions and consider what is best for the community. Mr. Cowie noted that trees will still be required every thirty feet even in the areas of non-living materials.

Mayor Dain observed that there are a variety of opinions as to what landscaping elements have the appropriate look. He stated that the pro-active approach for the City would be to allow landscaping elements which encourage water conservation. Councilmember Anthony expressed concern regarding maintenance of landscaping and potential problems as new landscaping standards are implemented. Councilmember Bayless expressed concern regarding the loss of uniformity in streetscape. She noted that a variety of landscaping styles would be permitted under the suggested ordinance revisions, which may result in a less than desirable look.

Mr. Cowie suggested the possibility of requiring a landscape architect to design landscaped areas other than sod. Following discussion, the Council felt that requiring a landscape architect may be somewhat cumbersome to developers, and would not be reasonable. The Council discussed specific ordinance language, and allowable percentages for non-living elements. Following further discussion, it was the general consensus of the majority of Council that up to 30% of the landscaped area could include non-living elements. Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER BAYLESS MOVED TO CLOSE THE PUBLIC HEARING TO CONSIDER ORDINANCE AMENDMENTS FOR LANDSCAPING

2 REQUIREMENTS. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

4 COUNCILMEMBER BATH MOVED TO APPROVE LANDSCAPING
ORDINANCE AMENDMENTS TO ALLOW UP TO 30% OF LANDSCAPED AREAS
6 TO INCLUDE NON-LIVING ELEMENTS IN THE 20 FOOT LANDSCAPE STRIP
WITH THE FOLLOWING CONDITIONS:

- 8 1. THAT LANGUAGE REQUIRING PROPER MAINTENANCE OF ALL
LANDSCAPED AREAS BE INCLUDED IN THE FINAL ORDINANCE.
- 10 2. THAT THE LANDSCAPE PLAN BE APPROVED BY THE PLANNING
DIRECTOR.
- 12 3. THAT TREES BE SELECTED FROM THE LIST APPROVED BY THE TREE
ADVISORY BOARD.

14 COUNCILMEMBER CARPENTER SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

16 COUNCILMEMBER ANTHONY	NAY
COUNCILMEMBER BATH	AYE
18 COUNCILMEMBER BAYLESS	NAY
COUNCILMEMBER CARPENTER	AYE
20 COUNCILMEMBER HATCH	AYE

THE MOTION CARRIED (3-2).

22
The Council discussed the impact of revisions on existing sites, including Cardon
24 Landscaping and Timpanogos Harley Davidson. Mr. Cowie noted that approved changes
will allow Timp Harley to leave street frontage as is. Mayor Dain requested that the
26 Council consider further discussion with the owner of Timp Harley regarding fencing and
other elements. Following discussion, the Council agreed to discuss required
28 improvements with the property owner. Mr. Cowie will contact the owner and invite him
to meet with the Council.

30
Mayor Dain called for a motion to continue remaining agenda items to a future
32 meeting.

34 COUNCILMEMBER BAYLESS MOVED TO CONTINUE REMAINING
AGENDA ITEMS TO THE MEETING OF SEPTEMBER 16, 2008.

36 COUNCILMEMBER BATH SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

44

- 2 6. **Public Hearing** – *Ordinance Amendments – LCC Section 17.49.070 –*
3 *Architectural Design Standards in the Industrial Zones.* The Planning
4 Commission recommended approval as presented.

5 This item was continued.

- 6 7. **Discussion** – *Width to Depth Ratio – LCC Section 17.46.090(4).* This is a City
7 initiated review of Code Section 17.46.090(4) with regards to width to depth
8 ratios for developable lots.

9 This item was continued

- 10 8. **Discussion** – *Elderly Group Homes – LCC Section 17.07.030.* This is a request
11 for clarification of the Code Section 17.07.030 dealing with residential elderly
12 group homes.

13 This item was addressed earlier in the meeting.

14 **COUNCIL REPORTS** –

15 **WATER, SEWER, SOLID WASTE, HOUSING CONSORTIUM** –

16 Councilmember Hatch suggested that the Council consider use of lighted LED
17 stop signs at the intersection of 800 West and 200 South to increase visibility.

18 **TRAILS, PLANNING, ZONING, BD OF ADJ., ADMINISTRATION** –

19 Councilmember Bayless invited the Council to attend the Healthy Lindon
20 Community Education Class on September 18, 2008. She also reminded the Council
21 about the Night Out Against Crime on September 8 at 7:00 p.m.

22 **PUBLIC SAFETY, COURT, BUILDING INSPECTIONS** –

23 Councilmember Bath had no items to report.

24 **PARKS, RECREATION, ENGINEERING, LINDON FAIR, NEWSLETTER** –

25 Councilmember Anthony had no items to report.

26 **GENERAL PLAN, STREETS & SIDEWALKS, PUBLIC BUILDINGS** –

27 Councilmember Carpenter reported that UTOPIA is ready to begin construction
28 on additional infrastructure. Fees are being restructured to offset the cost of installation.

29 **ADMINISTRATOR'S REPORT** –

30 Mr. Dameron reported on the following items:

1. The Utah League of Cities and Towns Conference will be held in Salt Lake City September 10 -12.
2. The Mayor's Open House will be held Wednesday, September 17th at 7:00 p.m. at Mayor Dain's home.
3. The Council reviewed the Project Tracking List.
4. Work is well underway on the aquatics center, including footings and the parking area.
5. Gordon Raymond of Allied Waste will report to the Council by the end of the year the feasibility of collecting garbage only on one side of the street.
6. The Police Department has received radar units for patrol cars, and will begin active traffic enforcement in the coming weeks.

COUNCILMEMBER CARPENTER MOVED TO APPROVE THE PAY VOUCHERS. COUNCILMEMBER BATH 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 CARPENTER MOVED TO ADJOURN THE MEETING AT 11:55 P.M. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – September 16, 2008

Debra Cullimore, City Recorder

James A. Dain, Mayor