

2 The Lindon City Council held a regularly scheduled meeting beginning with an Open
House, at 6:00 p.m. on **Tuesday, February 20, 2007**, in the Lindon City Center, City
Council Chambers, 100 North State Street, Lindon, Utah.

4 **OPEN HOUSE** – 6:00 p.m.

6 Conducting: Jeff Acerson, Mayor

8 **PRESENT**

ABSENT

10 Jeff Acerson, Mayor
12 H. Toby Bath, Councilmember
Lindsey Bayless, Councilmember
14 Jerald I. Hatch, Councilmember
Ott H. Dameron, City Administrator
16 Adam Cowie, Planning Director
Debra Cullimore, Deputy Recorder

Eric Anthony, Councilmember
Bruce Carpenter, Councilmember

18 The meeting began at 6:00 p.m.

20 **Open House** - *The Mayor and City Council hosted an Open House where the results of
22 the Citizen Recreation Survey were presented by Brent Tippetts of the architectural firm,
VCBO.*

24 Mayor Acerson welcomed approximately 55 Lindon residents, and thanked them
26 for their time in attending the Open House. He then introduced Brent Tippetts of VCBO
Architecture, and turned the time over to Mr. Tippetts for review of the survey results.
28 Mr. Tippetts also introduces Dan Yorgasen of VCBO Architecture who is assisting with
the feasibility study.

30 Mr. Tippetts went on to review the survey results. He stated that surveys were
mailed to each home in Lindon, and that 481 responses were received, which represents a
32 22% response rate. Mr. Tippetts asserted that the high response rate gives a fairly
accurate view of the needs and desires of the community. He explained that the survey
34 established household size, and the population the facilities would serve. He noted that
of the 481 responses, 148 households consisted of 6 or more family members, and that
36 80% of households consisted of at least three family members. The survey also identified
economic demographics of respondents, and prioritized amenities based on the desires of
38 the community.

40 Mr. Tippetts showed graphs of amenity rankings. He explained that the highest
priority amenity base on survey results is an area for swim lessons associated with an
aquatics facility, followed by a walking/jogging track, a gymnasium, and cardio
42 equipment areas. Mr. Tippetts also reviewed the ranking of other amenities listed in the
survey. He noted that typically, there is a demand for meeting and class room type
44 facilities, but that those particular features did not receive a high ranking in the responses
of Lindon residents.

2 Mr. Tippetts noted that when responding to questions regarding rate structures for
the facility, the majority of residents did not specify the lowest or the highest rates listed,
4 but indicated that they felt that mid-range rates would be fair and reasonable for use of
the facilities. Mr. Tippetts explained that 169 respondents felt that the proposed facilities
6 are a very high priority in the City, and that an additional 145 respondents felt that the
facilities are a high priority as compared to other possible projects in the City.

8 Mr. Tippetts then took questions from residents regarding the facilities. Residents
inquired as to whether it may be possible to complete both facilities at the same time,
rather than only a recreation center or an aquatics facility. Mr. Tippetts explained that the
10 survey is the first step in the feasibility study process. He stated VCBO will now put
together models using various designs and amenities and make specific proposals to the
12 City, including costs of construction and operation. He noted that construction costs
represent only 1/10 of the operating costs of the facility over a 20 year period.

14 Another resident asked if VCBO has designed any other facilities in the area
which residents could visit to get a better idea of specific amenities. Mr. Tippetts listed
16 several projects completed by VCBO, including South Summit Fitness Center, Dimple
Dell Recreation Center, South Davis Recreation Center, and Payson Recreation Center.
18 Mr. Tippetts also displayed photographs taken at the various facilities.

20 Residents inquired as to the possibility of using a bubble to provide winter use of
the pool facilities. Mr. Tippetts stated that bubbling is a possibility, but that it is not the
most cost effective method of providing winter use. He noted that bubbles cost
22 approximately \$350,000, and require replacement ever five to ten years. He observed
that air quality issues also tend to be associated with bubbles.

24 Residents inquired as to the status of ball parks located in the area proposed for
the recreation facilities. Mr. Dameron explained that two baseball diamonds will be
26 included in Pheasant Brook Park to replace the diamonds at the City Center Park if they
are removed.

28 Another resident asked if the possibility of a cooperative effort with Pleasant
Grove to construct recreation facilities is being considered. Mayor Acerson stated that
30 there has been some discussion, but that the final direction the City will take to provide
recreation facilities is not clear at this time.

32 One resident noted that while it is feasible for residents to provide exercise
opportunities for their families at home or through other activities, it is not possible for
34 families to provide aquatics programs at home. He felt that a pool facility should be the
highest priority for the City if both facilities are not built at the same time.

36 Residents with children who participate in the Swim Team program at Pleasant
Grove inquired as to the status of the participation of Lindon residents in Pleasant Grove
38 programs until a Lindon facility is completed. Mayor Acerson stated that discussion is
taking place with Pleasant Grove, but that it is unclear what level of participation will be
40 available for Lindon residents. He noted that Pleasant Grove has the responsibility to
serve Pleasant Grove residents, but that every effort will be made to allow participation
42 of Lindon residents in Pleasant Grove programs until a facility is completed in Lindon.

44 Mayor Acerson again thanked residents for their attendance. He invited Mr.
Tippetts to join residents in the lobby area to discuss the facilities further.

46 **REGULAR SESSION** – 7:00 P.M.

2 Conducting: Jeff Acerson, Mayor
Pledge of Allegiance: Dustin Sweeten
4 Invocation: Toby Bath

6 **PRESENT**

ABSENT

8 Jeff Acerson, Mayor
H. Toby Bath, Councilmember
10 Lindsey Bayless, Councilmember
Jerald I. Hatch, Councilmember
12 Ott H. Dameron, City Administrator
Adam Cowie, Planning Director
14 Debra Cullimore, Deputy Recorder

Eric Anthony, Councilmember
Bruce Carpenter, Councilmember

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

18 **MINUTES** – The minutes of the regular meeting of February 6, 2007 were reviewed.

20 COUNCILMEMBER BATH MOVED TO APPROVE THE MINUTES OF THE
FEBRUARY 6, 2007 MEETING. COUNCILMEMBER HATCH SECONDED THE
22 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

24 **OPEN SESSION** –

26 Mayor Acerson called for comments from any resident present who wished to
address an issue not listed as an agenda item. Lindon resident Marilyn Mansfield
28 inquired as to the time frame for planned road improvements on 200 East in the area of
the cemetery. Mr. Dameron explained that award of the bid for the 200 East street
30 project will be awarded by the City Council tonight, and that work is expected to begin
on the project within the next month. Mayor Acerson explained that a savings of over
32 \$100,000 dollars will be realized as a result of delaying the project until spring rather
than beginning construction last fall.

34 Ms. Mansfield also expressed concern that the area of 200 East near the Valley
Center Playhouse is not properly maintained during winter storms. Mr. Dameron stated
36 that he will pass the concern along to Public Works crews, but encouraged Ms. Mansfield
to call the City if unsafe conditions exist on the roadway. Mr. Dameron pointed out that
38 the City has four snowplows, but that it takes time to reach all areas of the City. He
noted that the City regularly receives positive feedback from residents regarding the
40 efficient manner in which snow removal is completed during and after winter storms.

42 Rod Mansfield noted that there appear to be several dips and holes in the street
area of 200 East that are in need of repair prior to completion of the road repair project.
He stated that he had observed crews digging holes in the roadway and then filling them
44 back in. Mr. Dameron explained that the activity described by Mr. Mansfield was
EarthTech crews completing soil compaction tests on the roadway in conjunction with
46 the road project.

2 **MAYOR’S COMMENTS/REPORT** –

4 Mayor Acerson commented that he has attended legislative sessions on behalf of
6 the City and the Utah League of Cities and Towns. He commented on legislation
8 currently under consideration regarding the food tax and income tax revenues. He noted
10 that changes to the taxing structure may have a significant impact on municipalities. He
encouraged residents to educate themselves and become involved in the legislative
process. He noted that citizen involvement is an important aspect of government
operations.

12 **CONSENT AGENDA** –

14 No items.

16 **CURRENT BUSINESS** –

18 1. **Preliminary Plat** – *Sweeten Residential Subdivision, Plat “A”*. This is a request
20 by Dustin Sweeten for preliminary plat approval of Sweeten Residential
22 Subdivision, Plat “A”, 5 lots, in the R1-20 zone at approximately 40 South 450
West. The Planning Commission recommended approval with two conditions.

24 Dustin Sweeten was present as the representative for this application. Mr. Cowie
26 explained that this is a request for a five lot subdivision consisting of two lots with
existing residential dwellings and three new building lots located in the R1-20 zone. The
proposed development will also include an extension of the 450 West roadway and cul-
de-sac.

28 During Design Review of this proposed project, the Planning Commission and
30 City Council felt that at least the west side of the cul-de-sac should be realigned and
straightened to address traffic safety concerns. The current proposal submitted by the
32 applicant is to straighten both sides of the cul-de-sac and leave the existing sidewalk in
place. New curb and gutter structures will be installed along the roadway, and
34 landscaping will be installed by the developer in the area between the existing sidewalk
and the new curb and gutter structures. Mr. Cowie noted that the road right-of-way will
be maintained due to the location of utilities in the roadway.

36 Mr. Cowie noted that it is assumed that adjacent property owners will maintain
the new landscape area between the sidewalk and the curb. He observed that a large
38 portion of the area will consist of extensions of concrete driveway accesses to adjacent
lots.

40 Mr. Cowie pointed out that a small remnant parcel of property will be deeded to
the neighboring property owner to eliminate the remnant parcel. All lots meet standard
42 subdivision requirements set forth in the Lindon City Code.

44 The Planning Commission recommended approval with two recommendations.
The recommendations of the Planning Commission were that landscaping and driveway
46 improvements be installed by the developer in the area between the new curb and the
existing sidewalk. Maintenance of the landscape area was not mentioned in the motion,

2 but was discussed extensively. The City is assuming that adjacent property owners will
4 be responsible for maintenance of the new landscaping in the city right-of-way. The
6 second recommendation of the Planning Commission was that a 20 mile per hour
8 advisory speed limit sign be installed due to the 115 foot center line radius of the road.
Mr. Cowie explained that the curvature of the road is not in compliance with policy
standards of 150 feet. However, the City engineer felt that the 115 foot radius would be
adequate in this particular situation due to the short length of the curvature and the
limited traffic flow on the street, provided that an advisory 20 mile per hour speed limit
sign is installed.

10 Mr. Cowie noted that neighboring property owners in a 300 foot radius were
noticed regarding this subdivision proposal.

12 Mayor Acerson called for public comment. Sandy Harris, property owner at 60
14 South 450 West, commented that the proposed road realignment will affect her front
yard, and that she will be responsible to maintain a portion of the new landscape area.
16 Ms. Harris also noted that the small remnant parcel will be deeded over and attached to
her property. Ms. Harris expressed concern that elements of this proposed development
may have a negative effect on her property.

18 Cory Walker inquired as to whether it may be possible to leave the cul-de-sac in
place. He noted that he bought his property in a cul-de-sac in order to allow access to his
20 property with large trailers, etc. Councilmember Bayless explained that according to
engineering recommendations, the cul-de-sac could present traffic safety concerns if left
22 in place. Mr. Walker suggested the possibility that the roadway be a private gated
roadway. Councilmember Bayless observed that private roadways present significant
24 challenges in relation to maintenance, garbage pick up, and snow removal, among other
issues.

26 Mr. Sweeten expressed a willingness to address the concerns of neighboring
property owners in whatever manner necessary to mitigate negative impacts. Mayor
28 Acerson observed that the City Council is trying to find a balance between the needs of
resident and the requirements of the City.

30 Councilmember Bayless expressed concern regarding maintenance of the
landscaped area. She stated that while she is confident that Mr. Sweeten will work
32 cooperatively with adjacent property owners, it may be beneficial to require an agreement
between the developer and property owners regarding maintenance in order to avoid
34 setting a precedent in future situations. Councilmember Bath agreed that it would be
necessary for Mr. Sweeten and neighboring property owners to work out an agreement
36 which clearly defines responsibilities to avoid conflict or misunderstandings in the future.
Mr. Sweeten noted that he plans to be a resident in this neighborhood indefinitely, and
38 that he would not have proceeded with plans if he felt there was a potential for
unresolved conflicts with his neighbors. He stated that he is willing to work with
40 neighbors to resolve concerns, and is willing to do whatever is necessary within
reasonable limits.

42 Mayor Acerson called for further comments or discussion. Hearing none, he
called for a motion.

44

COUNCILMEMBER HATCH MOVED TO APPROVE THE SWEETEN
2 SUBDIVISION PRELIMINARY PLAT APPLICATION WITH THE FOLLOWING
CONDITIONS:

- 4 1. THAT THE LANDSCAPING AND DRIVEWAY IMPROVEMENTS
6 BE INSTALLED BY THE DEVELOPER IN THE AREA BETWEEN
THE NEW CURB AND THE EXISTING SIDEWALK.
- 8 2. THAT AN ADVISORY 20 MILE PER HOUR SPEED LIMIT SIGN
RECOMMENDATIONS.
- 10 3. THAT THE DEVELOPER ENTER INTO WRITTEN AGREEMENTS
12 WITH NEIGHBORING PROPERTY OWNERS TO CLARIFY
MAINTENANCE RESPONSIBILITIES FOR THE NEW
14 LANDSCAPED AREA, AND RELOCATION OF FENCING ON THE
HARRIS PROPERTY IN RELATION TO THE REMNANT PARCEL.

COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL PRESENT
16 VOTED IN FAVOR. THE MOTION CARRIED.

- 18 2. **Design Review** – *Hatfieldadelphia (Reception Center) and Vacation of Main*
20 *Street at 130 South.* This is a request by Ron Hatfield for the Mayor and City
Council’s review/feedback relative to his request to use his existing home and
22 grounds in the CG zone as a commercial reception center. He would also like
feedback on the possibility of vacation of a portion of Main Street south of State
24 Street. The Planning Commission also reviewed this proposal and provided
feedback.

26 Ron Hatfield was present to address the Council regarding this design review.
Mr. Cowie explained that Mr. Hatfield has applied for a business license to convert the
28 existing residence and park area to a commercial reception center. Mr. Cowie noted that
reception centers are a permitted use in the commercial zone, but that the change in use
30 from residential to commercial will require site plan approval, including compliance with
current standards for commercial zones.

32 Mr. Cowie also explained that Mr. Hatfield is the owner of the small triangular
piece of property located across the street from his residence and adjacent to State Street.
34 Mr. Hatfield is proposing a possible vacation of Main Street between the two parcels and
creation of a cul-de-sac for access to his property and surrounding properties. Mr. Cowie
36 noted that Mr. Hatfield has submitted preliminary information regarding the possible
vacation, and the Planning Commission discussed the possibility with Mr. Hatfield. Mr.
38 Cowie explained that if the road vacation is pursued, proper noticing and a public hearing
will be required. Mr. Cowie stated that the general feeling of the Planning Commission
40 regarding the possible road vacation was that significant safety concerns are associated
with the roadway section, and that vacation may be considered. The City engineer has
42 also expressed the opinion that vacation of the roadway section could be beneficial to
adjacent commercial properties, and would address safety concerns associated with the
44 roadway.

46 Mr. Cowie reviewed specifics of a zone change which was approved on the
Hatfield property approximately one year ago. He noted that a slight mapping error will

2 need to be corrected to align the boundary line with property lines. Mr. Cowie noted that
the area which was rezoned commercial includes three existing residential dwellings.
4 Mr. Cowie also pointed out a small parcel of property owned by Mr. Hatfield which is
currently zoned residential adjacent to commercially zoned property. The Planning
6 Commission expressed concern regarding creation of an “island” of residential property
surrounded by commercial property. Mr. Hatfield was encouraged by the Planning
Commission to consider a rezone of the residential property to commercial.

8 Mr. Cowie showed photographs of the site, including existing structures and the
section of Main Street proposed for vacation. Mr. Cowie noted that the current
10 residential dwelling is proposed for use as a reception center with a possible art gallery or
museum component. All three proposed uses are permitted in the CG zone.

12 Councilmember Bath inquired as to utility easements currently located in the road
right-of-way. Mr. Cowie stated that the utility easement currently located in the roadway
14 will be maintained, which would prohibit construction of any permanent structure in the
easement area. Mr. Hatfield stated that he is aware of the existing utility easements and
16 the need to maintain the easements.

18 Mr. Cowie noted that the Planning Commission discussed some form of
compensation to the City if the roadway is vacated. The Planning Commission noted that
there was some benefit to the City when a section of Lakeview Drive was vacated.

20 Councilmember Bayless expressed concern regarding the feasibility of the
proposed cul-de-sac to access properties, particularly the small triangular parcel adjacent
22 to State Street. Mr. Hatfield stated that due to small size of the triangular parcel, it is not
usable in any other manner than the current use unless it is integrated in some way with
24 adjacent properties. He noted that the only feasible method of integration is vacation of
the roadway.

26 Mr. Hatfield commented that he is willing to rezone the residential property to
commercial to address the concerns of the Planning Commission. He observed that this
28 action would create commercial property along the entire roadway.

30 Mr. Hatfield noted that the property is expected to receive approximately 10,000
visitors during the next year. He asserted that if the current road configuration were
proposed as part of current development, it would not be approvable based on current
32 standards. He noted that in addition to alignment with State Street, the dip located at the
intersection with State Street presents significant safety concerns.

34 Mr. Hatfield noted that at the recommendation of the Utah Film Commission the
Home and Garden cable channel will be doing a feature on his property in the near future.
36 He stated that he expects visitors to increase at the site, and that the area is quickly
becoming a destination to many visitors. He asserted that the property has the potential
38 of creating name recognition and visibility for Lindon City. He stated that the increase in
usage generates increased operation and insurance costs, and that commercial use of the
40 property will provide a mechanism for users to share in the cost of operations. He
asserted that it is not beneficial to neighboring reception centers for him to provide a free
42 space for wedding receptions in such close proximity to other similar businesses.

44 Mr. Hatfield noted that he has discussed the possible vacation with representatives
of Wells Fargo Bank, as well as property owner David Lee. According to Mr. Hatfield,
neither property owner expressed any concern that the road vacation would have a
46 negative impact. He noted that Orem City has not expressed any concern regarding the

2 potential vacation, and that there appears to be no concern or opposition from the Fire
Department.

4 Mr. Dameron requested clarification on actual access to the property. Mr.
Hatfield explained that the existing legal access point from State Street will be
6 maintained, but will be bermed to eliminate usage. Practical access will provided from
the cul-de-sac area. Mr. Dameron observed that the cul-de-sac would function as a street
8 if access is provided to lots only from the cul-de-sac. Mr. Hatfield stated that a gate will
be installed to control access to the property.

10 Councilmember Bath stated that he is having difficulty understanding the need for
the cul-de-sac. Mr. Hatfield stated that vacation of the street and installation of the cul-
de-sac ties adjacent parcels together and makes commercial development more viable.
12 Mr. Hatfield stated that if it appears that closure of the road is possible, he will proceed
with a more comprehensive traffic study, and will submit an official application and site
14 plan for review and approval.

16 Mayor Acerson called for public comment on this item. Jeff Scott of the
neighboring reception center, Somewhere Inn Time, commented that he is not
particularly concerned with the road closure, but with the history of the development of
18 the property. He noted that Mr. Hatfield constructed the building with the understanding
that the use would be residential, rather than commercial, in nature. Mr. Scott stated that
20 they are aware that the use can not be prohibited, but hope that approval of Mr. Hatfield's
project will create a "level playing field" with similar uses in the City. Mr. Cowie
22 explained that the change in use will require the same approval process as a business
starting from scratch, and that Mr. Hatfield will be required to come into compliance with
24 current standards for all aspects of the business.

26 Mr. Scott also inquired as to whether any compensation would be provided to the
City if the roadway is vacated. Mr. Dameron explained that typically, vacated roadway
areas are deeded to neighboring property owners without required compensation to the
28 City, but that details of this particular vacation would be discussed in greater detail if the
vacation is pursued.

30 The Council went on to discuss use of the road as a "short cut" to Aspen
Elementary. It was also noted that the dip at the State Street intersection, as well the road
32 alignment, may generate some safety concerns. Mr. Hatfield noted that safety issues will
compound over the years as traffic on the roadway increases. Councilmember Bayless
34 inquired as to whether Mr. Hatfield will pursue the reception center if the road vacation is
not approved. Mr. Hatfield stated that the reception center and road vacation are separate
36 issues, and that it is his intention to pursue the reception center regardless of the outcome
of the road vacation. Mr. Cowie explained that Mr. Hatfield has applied for a business
38 license, but that the license will not be issued until an engineered site plan is approved,
including elements such as parking, drainage, and ADA compliance.

40 Following further discussion, the Council recommended that Mr. Hatfield return
to discuss the road vacation with the full Council in order to better determine the
42 feasibility of the request. This item will be rescheduled for discussion at a future
meeting.

- 44
46 3. **Discussion** – *Manufacturing Uses in the Standard land Use Table*. This is a
request by staff for the Mayor and Council's review of the Manufacturing Section

2 of the SLU Table regarding small, indoor manufacturing uses in the LI, HI, and
MC zones.

4 Mr. Cowie explained that during a recent Planning Commission meeting, the
Commission reviewed an application for a Conditional Use Permit for a cabinet shop in
6 the LI zone. Following review of that particular application, there was some discussion
among the Commission as to the need for Conditional Use Permits related to indoor
8 manufacturing uses in the LI zone. As a result, the Commission has reviewed and
discussed several possible revisions to the Standard Land Use Table. Mr. Cowie further
10 explained that prior to adoption of any changes, the Planning Commission must hold a
Public Hearing and make a recommendation to the City Council. Mr. Cowie reviewed
12 the proposed changes as suggested by the Planning Commission. The Council felt that it
would be appropriate to proceed with a Public Hearing to review potential changes
14 further. Mr. Cowie will schedule a Public Hearing to be held during a future Planning
Commission meeting.

16
18 4. **Public Hearing** – *Uniform Building Codes Updates Ordinance Amendment,*
Chapter 15.08 of the LCC, (Ordinance #2007-4). The City Council will hear
public comment and possibly act to approve this request for an ordinance which
20 will amend Chapter 15.08 of the LCC relative to the International Building Codes
updates.

22
24 COUNCILMEMBER BATH MOVED TO OPEN THE PUBLIC HEARING TO
CONSIDER UPDATES TO THE UNIFORM BUILDING CODES, CHAPTER 15.08
OF THE LCC. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL
26 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

28 Mr. Dameron explained that updates to the Uniform Building Codes are being
proposed at the request of the Chief Building Official, and will bring the City code into
30 conformance with the International Building Code.

32 Mayor Acerson 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.

34
36 COUNCILMEMBER BAYLESS MOVED TO CLOSE THE PUBLIC
HEARING TO CONSIDER UPDATES TO THE UNIFORM BUILDING CODES,
CHAPTER 15.08 OF THE LCC. COUNCILMEMBER HATCH SECONDED THE
38 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

40 COUNCILMEMBER BATH MOVED TO APPROVE ORDINANCE #2007-4
AMENDING CHAPTER 15.08 “ADOPTION OF UNIFORM CODES” OF THE
42 LINDON CITY CODE AND PROVIDING FOR AN EFFECTIVE DATE.
COUNCILMEMBER BAYLESS SECONDED THE MOTION. THE VOTE WAS
44 RECORDED AS FOLLOWS:

46 COUNCILMEMBER BATH AYE
COUNCILMEMBER BAYLESS AYE

COUNCILMEMBER HATCH AYE

2 THE MOTION CARRIED UNANIMOUSLY WITH TWO ABSENT.

4 5. **Public Hearing** – *Storm Water Ordinance Amendment, Chapter 13.23 of the*
6 *LCC. (Ordinance #2007-5).* The City Council will hear public comment and
8 possibly act to approve this request for an ordinance which will amend Chapter
 13.23 of the LCC relative to the size of a parcel which requires a state storm water
 permit.

10 COUNCILMEMBER BAYLESS MOVED TO OPEN THE PUBLIC HEARING
12 TO CONSIDER AMENDMENTS TO CHAPTER 13.23 OF THE LCC, STORM
 WATER DRAINAGE. COUNCILMEMBER HATCH SECONDED THE MOTION.
14 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

 Mr. Dameron explained that proposed changes bring the City code into
16 compliance with existing State code. Mayor Acerson called for public comment. There
18 was no public comment. He called for further comments or discussion from the Council.
 Hearing none, he called for a motion.

20 COUNCILMEMBER BAYLESS MOVED TO CLOSE THE PUBLIC
22 HEARING TO CONSIDER AMENDMENTS TO CHAPTER 13.23 OF THE LCC,
 STORM WATER DRAINAGE. COUNCILMEMBER BATH SECONDED THE
24 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

 COUNCILMEMBER BAYLESS MOVED TO APPROVE ORDINANCE
26 #2007-5 AMENDING CHAPTER 13.23 “STORM WATER DRAINAGE” OF THE
 LINDON CITY CODE AND PROVIDING FOR AN EFFECTIVE DATE.
28 COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS
 RECORDED AS FOLLOWS:

30 COUNCILMEMBER BATH AYE

 COUNCILMEMBER BAYLESS AYE

32 COUNCILMEMBER HATCH AYE

 THE MOTION CARRIED UNANIMOUSLY WITH TWO ABSENT.

34

36 6. **Review and Action** – *Interlocal Cooperation Agreement Pertaining to Seeking*
38 *Grant Funding for a Study to Protect, Preserve, and Replenish Groundwater in*
 Northern Utah County. This is a request by the City of Highland for Lindon
40 City’s participation in an Interlocal Agreement involving all the northern Utah
 County cities for the purpose of obtaining grant money to study the best methods
 to protect, preserve and replenish the groundwater in northern Utah County.

42

 Mr. Dameron explained that this agreement will include all northern Utah County
44 cities, and is intended to create more impact when applying for grant funding used for a
 study related to protection and preservation of ground water in the area. Mayor Acerson
46 asked Mr. Dameron if there were any staff concerns related to this agreement. Mr.

2 Dameron stated that there are no staff concerns. Mayor Acerson called for further
comments or discussion. Hearing none, he called for a motion.

4 COUNCILMEMBER HATCH MOVED TO APPROVE THE INTERLOCAL
COOPERATION AGREEMENT WITH HIGHLAND CITY PERTAINING TO
6 SEEKING GRANT FUNDING FOR A STUDY TO PROTECT, PRESERVE, AND
REPLENISH GROUNDWATER IN NORTHERN UTAH COUNTY.
8 COUNCILMEMBER BATH SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

10 7. **Review and Action** – *Bid Award – 2006/2007 Street Improvement Projects*. This
12 is a request by staff for the Council’s review and approval of the bid award for the
2006/2007 Street Improvement Projects – 200 East (400 North to 800 North) and
14 400 North (200 North to Canal Drive). Request for bids were properly advertised
and received for this project. Four bids were received with the low bid being in
16 the amount of \$415,573.22 by Staker & Parson Company. Staff recommends
awarding the bid to Staker & Parson Company.

18 Mayor Acerson noted that bids were originally accepted for this project during the
20 fall of 2007. The Council determined at that time that it may be beneficial to delay the
project until spring of 2007. Delay of the bid award resulted in a savings to the City of
22 over \$100,000. Mayor Acerson called for further comments or discussion. Hearing
none, he called for a motion.

24 COUNCILMEMBER BAYLESS MOVED TO AWARD THE BID FOR THE
26 200 EAST AND 400 NORTH STREET IMPROVEMENT PROJECTS TO STAKER &
PARSONS COMPANY IN THE AMOUNT OF \$415,573.22. COUNCILMEMBER
28 HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER BATH AYE
30 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER HATCH AYE
32 THE MOTION CARRIED UNANIMOUSLY WITH TWO ABSENT.

34 **COUNCIL REPORTS** –

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

38 Councilmember Hatch reported that at a recent Provo Bench Water Users
meeting, it was explained that although snow pack is below average in the mountains at
40 this time, reservoirs contain sufficient supplies to provide for the needs of users this
summer.

42 Councilmember Hatch also reported that he has been informed that some
neighboring cities require irrigation companies to sign plats for subdivisions and commit
44 to functionally maintaining ditches owned by the irrigation companies. Mr. Dameron
will investigate the possibility of including irrigation company signatures on plats.

2 Councilmember Hatch commented that piping of the main ditch is complete, and
that final restoration work will be completed when the ground is dryer. He noted that
4 VanCon has been a pleasure to work with.

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

8 Councilmember Bayless reported that ten Education Grant applications have been
received, and that all ten will be awarded.

10 Councilmember Bayless also reported that the Lindon Heritage Trail will be
completed in two phases due to funding and timing issues. Phase One will consist of
12 Lakeview Drive from 800 West to 400 West, and Center Street from Main Street to Canal
Drive. Phase One construction will begin in spring of 2007. Phase Two will include the
14 State Street tunnel at the City Center Park, and 400 West to Main Street. Phase Two will
be completed in 2008. Lindon resident Doug Christensen requested additional
16 information regarding phasing of the trail. Councilmember Bayless invited Mr.
Christensen to attend the Trail Committee meetings to obtain additional details regarding
the trail.

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

20 Councilmember Bath had no items to report.

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

24 Councilmember Anthony was not present at the meeting.

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

28 Councilmember Carpenter was not present at the meeting.

30 **ADMINISTRATOR'S REPORT** –

32 Mr. Dameron reported on the following items:

- 34
- 36 1. Engineering coordination meeting will be held Wednesday, February 21, 2007 at
3:00 p.m. Mayor Acerson and Councilmember Bayless will attend.
 - 38 2. Representatives of the Fellowship Bible Church will attend DRC meeting
Thursday, February 2, 2007 at 2:00 p.m. Mayor Acerson and Councilmember
Bath will attend.
 - 40 3. The Heritage Trail Committee meeting will be held March 5, 2007 at 3:00 p.m.
 - 42 4. City Council meetings will begin at 6:00 p.m. during the next month to allow
discussion with department heads regarding budget plans for the upcoming year.
 - 44 5. The Council reviewed the Project Tracking List.
 6. Councilmember Bath will attend a Public Safety budget meeting in Pleasant
Grove Wednesday, February 21, 2007.

2 7. Mr. Dameron explained that Jason Burningham was expected to attend the
meeting to discuss bonding options for the community center and aquatics
4 facility. When Mr. Burningham did not arrive after a period of time, the meeting
was adjourned.

6 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE PAY
VOUCHERS. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL
8 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

10 **ADJOURN** –

12 COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE MEETING AT
9:50 P.M. COUNCILMEMBER BATH SECONDED THE MOTION. ALL PRESENT
14 VOTED IN FAVOR. THE MOTION CARRIED.

16 APPROVED – March 6, 2007

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Ott H. Dameron, City Administrator/Recorder

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Jeff Acerson, Mayor