

2 The Lindon City Council held a regularly scheduled meeting beginning with a Work
Session, at 6:00 p.m., on **Tuesday, March 06, 2007** at the Lindon City Center, City
Council Chambers, 100 North State Street, Lindon, Utah.

4 **WORK SESSION** – 6:00 p.m.

6 Conducting: Jeff Acerson, Mayor

8 **PRESENT**

ABSENT

10 Jeff Acerson, Mayor
12 Eric Anthony, Councilmember
H. Toby Bath, Councilmember
14 Bruce Carpenter, Councilmember
Jerald I. Hatch, Councilmember
16 Ott H. Dameron, City Administrator/Recorder
Adam Cowie, Planning Director
18 Debra Cullimore, Deputy Recorder

Lindsey Bayless, Councilmember

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

22 **Discussion** – *The Mayor and City Council will meet in a work session with business*
owners in the commercial zones of the City to discuss the recently approved amendments
24 *to the City's Sign Ordinance.*

26 Mayor Acerson welcomed Lindon business owners Stuart Haun, Richard
Tomlinson, and Steve Francom, to the meeting. He explained that the purpose of the
28 meeting is to discuss recently approved amendments to the City's Sign Ordinance.
Mayor Acerson turned the meeting over to Mr. Cowie to discuss specific changes.

30 Mr. Cowie explained that approximately 75 letters were hand delivered by the
Planning Department to Lindon City business owners regarding approved changes and
32 the opportunity to participate in this discussion. He noted that there has not been a
significant response to the letters, but that two or three business owners have called to ask
34 questions or voice concerns. Mr. Cowie noted that at the direction of Council, recently
approved changes have not yet been enforced, but that enforcement will begin following
36 this discussion.

38 Mr. Cowie went on to review specific changes to the Sign Ordinance. He stated
that temporary signage was the biggest single issue. Temporary signage is defined in the
ordinance as banner signs, pennant signs, balloons signs, or balloon displays. Previous
40 ordinance requirements allowed display of temporary signage for 30 days per calendar
year. Approved revisions increase the time limit to 75 days per calendar year. The 75
42 day limit is a combined time for all types of temporary signage, and not 75 days per type
of signage. Mr. Cowie explained that upright banner signs on flexible poles, as well as
44 banners attached to fixed posts anywhere on the property are prohibited. He explained
that approved banner signs can hang from fencing, and that the size can not exceed 32
46 square feet. Banner signs can also be attached to the building, but can not exceed 10% of

the size of the building face to which the sign is attached. No permit is required for temporary signage, but time limits will be enforced by the Code Enforcement Officer.

Mr. Cowie reviewed approved changes to monument sign requirements. He noted that monument signs can be placed up to the property line, or two feet behind the sidewalk. Approved revisions also allow calculation of monument sign size based on acreage rather than only on property frontage. This will allow appropriate signage for lots with a deep narrow configuration.

Current ordinance requirements allow a maximum of three flag poles per lot, with one primary pole displaying only the U.S. Flag, and two smaller secondary poles which can display state or company flags, but can not be used for advertising purposes. The City Council and Planning Commission each approved revisions which allow flag poles up to 100 feet in height with a $\frac{3}{4}$ mile separation distance in the T-zone.

Mr. Cowie noted that any sign not specifically listed in the sign ordinance is deemed prohibited. However, if alternative signage is requested by a business owner, there is an opportunity available for the applicant to request specific types of signage to be added to the sign ordinance definitions as approved signage.

Mr. Francom asked if display of a U.S. flag on patriotic holidays would be allowed in addition to the 75 day time limit. It was the general feeling of the Council that there would not be any objection to patriotic displays on national holidays.

Councilmember Anthony explained that it is the intent of the City to find a balance between the desires of business owners and the needs of the community. He observed that the Council is making an effort to create a community with visual appeal that is attractive to both residents and visitors, and avoid the look present in some other communities where a proliferation of signs has impacted the look of the community. He noted that differing opinions have made it difficult for the Council to come to an agreement on sign ordinance requirements. Councilmember Anthony noted that while the Council wants to create an attractive visual appearance, they understand the importance of advertising in helping businesses to grow and prosper.

Stuart Haun noted that his auto repair business has been located on State Street for 24 years, and that he still has customers come into his business and say they didn't realize he was there. He stated that while he appreciates what the Council is trying to accomplish, a balance is needed to allow businesses adequate opportunity to advertise and identify their business. Councilmember Carpenter noted that the Council had hoped for a larger representation of business owners to participate in this discussion. He stated that the Council wants to continue a dialogue with business owners to determine possible compromises which would benefit both the City and local businesses. Mayor Acerson commented that the Council wants local business owners to feel welcome and appreciated, and to be part of the decision making process.

Mr. Tomlinson inquired as to whether LED type signs are allowable. Mr. Cowie explained that LED signs of limited size are allowed along the freeway, but that they are not permitted along the State Street or 700 North corridors.

Curtis Sampson, of Mercedes Benz of Lindon, arrived at the meeting at this time. Mr. Cowie briefly reviewed recent changes to the sign ordinance for Mr. Sampson. Mr. Sampson commented that in his opinion, the 75 day limit for temporary signage does not allow adequate opportunity for promotional events at businesses. He stated that sales and other promotional events are typically held on weekends, and that the 75 day time limit

2 does not allow businesses to take full advantage of weekend promotions. Mr. Sampson
noted that it is difficult to determine what type of advertising is most advantageous to
4 businesses, but that a combination of techniques, such as radio, television, newspaper,
direct mail and on-site promotions are typically used in an effort to promote business.

6 Mayor Acerson noted that sign regulations will vary from city to city, but that if
programs are in place, and all businesses are subject to the same regulations, it eliminates
8 “one-ups-man-ship” between businesses to attract customers. Mayor Acerson
commented that it is difficult to justify the value of any particular advertising method for
the money spent. He observed that the City may consider allowing greater use of banner
10 signs if businesses are able to provide some factual information that use of flags or
banners equates to a measurable increase in business.

12 Mr. Francom inquired as to whether sign ordinances in neighboring cities were
considered in determining appropriate standards for Lindon City. Mr. Cowie stated that
14 sign ordinances from several other communities were reviewed as part of the revision
process. He noted that some aspects of the Lindon City ordinance are more restrictive,
16 and some aspects are less restrictive than those in neighboring communities.
Councilmember Anthony noted that the City Council is open to suggestions from
18 business owners, and that the sign ordinance can be revised if the Council feels that
suggested revisions better meet the needs of the community. Mayor Acerson thanked
20 those present for their attendance and input. He encouraged an ongoing dialogue
between business owners and City officials.

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24 The Work Session ended at 6:48 p.m. The Council recessed until the regular session at
7:00 p.m.

26 **REGULAR SESSION** – 7:00 p.m.

28 Conducting: Jeff Acerson, Mayor
Pledge of Allegiance: Brandon Adamson, Boy Scout
30 Invocation: Bruce Carpenter

32 **PRESENT**

ABSENT

34 Jeff Acerson, Mayor
Eric Anthony, Councilmember
36 H. Toby Bath, Councilmember
Bruce Carpenter, Councilmember
38 Jerald I. Hatch, Councilmember
Ott H. Dameron, City Administrator/Recorder
40 Adam Cowie, Planning Director
Debra Cullimore, Deputy Recorder

Lindsey Bayless, Councilmember

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

44 **MINUTES** – The minutes of the regular meeting of February 20, 2007 were reviewed.

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

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6 **OPEN SESSION** –

8 Mayor Acerson called for comments from any resident present who wished to
address an issue not listed as an agenda item. Craig Hendricks, a Boy Scout present in
the audience, inquired as to whether it may be possible to install additional street lights in
10 dark areas of the City. Mayor Acerson explained that installation of street lights City
wide would represent a significant expense, and would be beyond the current financial
12 capabilities of the City. He stated that if there is broad based support throughout the
community for installation of street lights, bonding is a method which may be considered
14 to obtain necessary funding.

16 Lindon resident Jack Frank inquired as to whether any road repair project is
scheduled on 400 East. Councilmember Carpenter stated that road repair projects are
prioritized based on various criteria, and that this particular road is scheduled for repairs
18 fairly soon. He noted that road projects are completed as funds become available.

20 **MAYOR'S COMMENTS/REPORT** –

22 Mayor Acerson gave no report at this meeting.

24 **CONSENT AGENDA** –

26 No items.

28 **CURRENT BUSINESS** –

- 30 1. **Preliminary Plat** – *Harding Estates Residential Subdivision, Plat "A"*. This is a
request by Mike Marchbanks for preliminary plat approval of Harding Estates
32 Residential Subdivision, Plat "A", 1 lot, in the R1-20 zone at approximately 110
South 400 West. The Planning Commission recommended approval with no
34 conditions.

36 Mike Marchbanks was present as the representative for this application. Mr.
Cowie stated that this is a request for a 1-lot subdivision in the R1-20 zone. He noted
38 that Mr. Marchbanks owns the surrounding property, including the existing residence,
and that the proposed lot will be divided from the property owned by Mr. Marchbanks.
40 Mr. Marchbanks was also asked to submit a concept drawing of potential development of
surrounding properties in the future if this proposed subdivision lot is approved. Mr.
42 Cowie noted that future development of the surrounding property appears to be
technically feasible. Mr. Cowie stated that the Planning Commission recommended
44 approval with no conditions, and that there are no significant staff concerns related to this
application. Mayor Acerson called for further comments or discussion. Hearing none, he
46 called for a motion.

2 COUNCILMEMBER ANTHONY MOVED TO APPROVE THE HARDING
ESTATES RESIDENTIAL SUBDIVISION PLAT "A" PRELIMINARY PLAT.
4 COUNCILMEMBER HATCH SECONDED THE MOTION. ALL PRESENT VOTED
IN FAVOR. THE MOTION CARRIED.

- 6
8 2. **Preliminary Plat** – *Homesteads at Coulson Cove Residential Subdivision, Plats
"B" and "C"*. This is a request by Steve Phelon for preliminary plat approval of
Homesteads at Coulson Cove Residential Subdivision, Plats "B" and "C", 14 lots,
10 in the R1-12 zone at approximately 650 East 700 North. The Planning
Commission recommended approval with conditions.

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14 The applicant for this item had not yet arrived at the meeting. Mayor Acerson
suggested that the Council proceed with review of the next agenda item and return to
review of Homesteads at Coulson Cove when the applicant arrived. The Council agreed
16 that it would be appropriate to proceed with other agenda items.

- 18 3. **Preliminary Plat** – *High Ridge Court Residential Subdivision, Plat "A"*. This is
a request by Ken Gordon for preliminary plat approval of High Ridge Court
20 Residential Subdivision, Plat "A", 9 lots, in the R1-12 zone at approximately 580
East 800 North. The Planning Commission recommended approval with
22 conditions.

24 Ken Gordon was present as the representative for this item. City engineer, Mark
Christensen was also present to address questions or concerns regarding this application.
26 Mr. Cowie stated that this development is located on 800 North in Lindon, but will have
primary access from Murdock Drive in Pleasant Grove. Murdock Drive will be
28 reconstructed to meet proposed collector road standards based on the Master Plan of both
cities. The developer has reached an agreement with Pleasant Grove City and Lindon
30 City regarding the road reconstruction. Mr. Gordon will pay an additional \$50,000 above
actual development costs towards the road reconstruction, which will primarily be paid
32 towards restoration of yards along the road right-of-way. Mr. Cowie noted that several
neighboring property owners attended review of this item by the Planning Commission,
34 and that no significant concerns were expressed. Mr. Cowie noted that Lindon City and
Pleasant Grove City recently completed a boundary adjustment which aligns the City
36 boundary with the south side of the roadway.

Mr. Cowie presented an overhead view of the proposed development, including
38 the new cul-de-sac which runs to the north and south. The proposed subdivision includes
9 total lots in the R1-12 zone. Six of the lots are owned by Mr. Gordon, two lots are
40 owned by Jack Frank, and one lot is owned by the McKnight family.

Mr. Cowie stated that there are several complicated issues related to this proposed
42 subdivision. He noted that the Jordan Valley Aqueduct runs through the subdivision. No
permanent structures are allowed over the aqueduct easement, and types of utilities which
44 are allowed in the easement area are limited.

Mr. Cowie noted that lots 1 and 2 front onto the new roadway. He stated that due
46 to the fact that the roadway will not be used until further development occurs, staff

2 recommends that sidewalk, curb, and gutter structure be installed at this time, but that the
3 developer install road base only in the roadway area until future development occurs. He
4 noted that any asphalt installed in the roadway area will require removal when
5 construction of the roadway is completed in the future. The Planning Commission also
6 recommended that road base be installed in the roadway area adjacent to lots 1 and 2 at
7 this time.

8 Mr. Cowie explained that the proposed Homesteads at Coulson Cove project is
9 located adjacent to this project. He noted that a proposed sewer line will run between the
10 projects. Several of the lots in the upper cul-de-sac will feed into this line and flow into
11 the Lindon City sewer system. According to Mr. Gordon, Pleasant Grove City has
12 agreed to provide sewer service to the remaining lots on the north side of the hill, due to
13 the slope of the land and the location of the aqueduct easement.

14 Mr. Cowie went on to discuss the proposed offset between 1660 East in Pleasant
15 Grove, and the proposed 580 East cul-de-sac in Lindon. He noted that development
16 policy manual recommendations of both cities requires a 150' roadway offset. The
17 proposed offset in this particular development is less than the recommended 150 feet.
18 However, the City engineer feels that due to the fact that both roads are small cul-de-sacs
19 which will generate relatively low traffic volume, the proposed configuration should not
20 present any significant traffic safety concerns.

21 Mr. Cowie noted that there is a provision in City ordinance which requires
22 installation of a safety mechanism on lots adjacent to a canal or ditch. Fencing is
23 proposed along lot 1 similar to vinyl fencing which will be installed along the canal in
24 Homesteads at Coulson Cove in order to create a consistent boundary.

25 Mr. Cowie explained that lot 4 is technically a double frontage lot, with the main
26 access to the lot from the cul-de-sac. He noted that City ordinance allows approval of
27 double frontage configurations if there are significant topographical constraints. He
28 noted that this particular lots has a 30 foot elevation change, and that the Planning
29 Commission felt that the double frontage configuration could be allowed if access is
30 prohibited from the lower road. Mr. Cowie noted that the lot is large enough that future
31 subdivision of the lot would be feasible, but that the owner has not expressed any interest
32 in subdividing at this time.

33 Councilmember Carpenter inquired as to whether alternatives had been
34 considered for roadway alignment. Mr. Christensen stated that access from the north was
35 explored thoroughly, and that the proposed configuration is the only practical access. Mr.
36 Gordon explained that if the road is realigned, three lots would be adversely affected. He
37 also noted that flood plain issues and the aqueduct easement affected the proposed road
38 alignment.

39 The Council then discussed the footprint of the dwelling on lot 7. Mr. Gordon
40 stated that lot 7 is challenging, but that the footprint will accommodate an appropriately
41 placed structure.

42 Mayor Acerson asked Mr. Christensen if he felt the road configuration as
43 presented is a workable plan. Mr. Christensen answered affirmatively. Councilmember
44 Anthony inquired as to whether installation of asphalt in front of lots 1 and 2 in the future
45 would be the responsibility of the developer. Mr. Cowie stated that he anticipates that
46 installation of asphalt will be completed as part of a City project. Councilmember
Anthony clarified that curb, gutter, sidewalk and road base will be installed by the

2 developer. Mr. Cowie confirmed that the developer is responsible for installation of curb,
gutter, and sidewalk in front of lots 1 and 2, and throughout the development.
4 Councilmember Anthony inquired as to whether bonding for curb, gutter, and sidewalk
had been discussed. Mr. Cowie stated that bonding was discussed, but that it was the
6 general feeling of the engineer and the developer that installation of curb, gutter, and
sidewalk would allow property owners to complete landscaping improvements, and
would establish accurate property lines.

8 Councilmember Anthony inquired as to whether there are any concerns related to
the finished grade of roadways in the development. Mr. Gordon explained that road
10 grades vary from 2.2% to 9.46%. Mr. Christensen explained that all roads in the
development are in compliance with ordinance standards which do not allow road grade
12 to exceed 12%. Mr. Christensen stated that he is comfortable with the roadways as
presented.

14 Mr. Cowie noted that existing overhead power lines which serve the Frank
property will be removed or under grounded as part of the development in compliance
16 with existing City ordinance.

18 Mr. Cowie went on to discuss the Hillside Overlay Ordinance in relation to this
development. He noted that based on engineering calculations, lots 8 and 9 exceed the
allowable slope, and are technically subject to the requirements of the Hillside Overlay
20 ordinance. He explained that the ordinance allows the Planning Commission and City
Council to waive applicable standards based on specific findings. Mr. Christensen
22 explained the method used to calculate average slope of each individual lot. He noted
that it may be possible to adjust lot lines to bring the lots under the allowable 20%
24 average slope. He explained that the slope on lot 8 and 9 are in large part due to
depressions, which will be filled in as part of the road construction project. He stated that
26 the 30% slope areas on the lots do not meet the criteria for "legitimate" 30% slopes, and
that there are no restrictions on grading to address slope issues on these lots. He noted
28 that additional geo-tech studies may be required after the depressions are filled, but that
the final grade of lots would not meet the established criteria of the Hillside Overlay
30 Ordinance once depressions are filled. Mayor Acerson observed that based on
engineering recommendations, fill of depressions associated with road construction
32 would render lot 8 and 9 buildable. Mr. Christensen confirmed that fill associated with
road construction will address slope issues associated with the Hillside Overlay
34 Ordinance.

36 Mayor Acerson asked Mr. Christensen if he felt from an engineering perspective
that the recommendations of the Planning Commission effectively address engineering
concerns. Mr. Christensen stated that the Planning Commission recommendations
38 effectively address engineering concerns related to the proposed development. Mr.
Christensen noted that installation of retaining walls on lots 1, 2, and 3 may have some
40 effect on the finished grade of those particular lots. He noted that those issues would be
appropriately addressed during the building permit phase of the development.

42 Mayor Acerson called for further comments or discussion from the Council.
Hearing none, he called for a motion.
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COUNCILMEMBER CARPENTER MOVED TO APPROVE THE HIGH RIDGE COURT SUBDIVISION PRELIMINARY PLAT WITH THE FOLLOWING CONDITIONS:

1. THAT THE APPLICANT INSTALL CURB, GUTTER AND SIDEWALK IN FRONT OF LOTS 1 AND 2 AS PROPOSED, AND THAT THE ROAD AREA IN FRONT OF LOT 1 AND PART OF LOT 2 BE COMPLETED BY THE DEVELOPER WITH ROAD BASE ONLY, EXCEPT A PAVED DRIVEWAY ACCESS INTO LOT 1 AS PROPOSED ON SUBMITTED PLANS.
2. THAT THE REDUCED OFF-SET BETWEEN THE NEW ROAD AND THE EXISTING 1660 EAST PLEASANT GROVE ROADWAY TO THE NORTH IS PERMITTED DUE TO THE CLOSE PROXIMITY OF THE PLEASANT GROVE ROADS. THE CITY ENGINEER ANTICIPATES LOW TRAFFIC VOLUMES DUE TO BOTH ROADS BEING SMALL CUL-DE-SACS. BASED ON REVIEW OF THE CITY ENGINEER, THERE DOES NOT APPEAR TO BE ANY OTHER FEASIBLE ROAD ACCESS TO THE PROPERTYT DUE TO THE TOPOGRAPHY AND LOCATION OF THE AQUEDUCT EASEMENT.
3. THAT THE REQUIREMENTS OF THE HILLSIDE OVERLAY ORDINANCE ARE NOT APPLICABLE ON LOTS 8 AND 9 DUE TO ROAD CONSTRUCTION TO MEET CITY DESIGN STANDARDS ON MURDOCK DRIVE WHICH WILL FILL MANY OF THE 30% SLOPE AREAS. FILLING OF THE DEPRESSIONS WILL HELP PROMOTE THE INTENT OF THE ORDINANCE BY IMPROVING DRAINAGE, DECREASING SLOPE INSTABILITY, AND DECREASING EROSION POTENTIAL. WRITTEN COMMENTS SUBMITTED BY THE CITY ENGINEER INDICATE THAT “WHETHER OR NOT LOTS 8 AND 9 ARE SUBJECT TO THE HILLSIDE ORDINANCE WILL HAVE LITTLE EFFECT ON HOW THEY ARE GRADED AND WHAT THEY LOOK LIKE AFTER THE LOTS ARE DEVELOPED.” THE LETTER SUBMITTED BY THE CITY ENGINEER IS INCLUDED BY REFERENCE IN THE FINDINGS OF THIS MOTION.
4. THAT VINYL FENCING SIMILAR TO THE ADJACENT HOMESTEADS AT COULSON COVE SUBDIVISION BE INSTALLED ALONG THE CANAL TO ACT AS A SAFETY BARRIER BETWEEN LOT 1 AND THE CANAL.
5. THAT THE PROPSOED LOT 4 (OWNED BY THE MCKNIGHTS) IS PERMITTED TO HAVE DOUBLE FRONTAGE DUE TO THE TOPOGRAPHICAL CONSTRAINTS FOUND ON THE PROPERTY AND ADJACENT SUBDIVISION. ACCESS TO THE LOT SHALL ONLY BE PROVIDED FROM THE PROPOSED 580 EAST CUL-DE-SAC. ACCESS FROM THE LOWER ROAD IN THE HOMESTEADS AT COULSON COVE SUBDIVISION IS

PROHIBITED UNLESS THE LOT IS SUBDIVIDED IN THE FUTURE.

6. THAT THE EXISTING OVERHEAD POWER LINES ON THE SOUTH SIDE OF THE SUBDIVISION SERVING THE FRANK DWELLING BE UNDERGROUNDED OR REMOVED ACCORDING TO CURRENT CITY ORDINANCE.
7. THAT THE PLEASANT GROVE DETENTION BASIN ON MURDOCK DRIVE BE RE-EVALUATED AND INSPECTED TO ENSURE ADEQUATE CAPACITY AND PROPER FUNCTIONALITY OF THE EXISTING ORIFICE FOR PROPER RELEASE OF FLOWS. THE PREVIOUSLY PROPOSED DETENTION BASIN ON LOT 3 IS NOT REQUIRED SINCE STORM WATER WILL FLOW INTO THE PLEASANT GROVE DETENTION BASIN.
8. THAT DURING THE BUIDLING PERMIT PHASE, STAFF PAY PARTICULAR ATTENTION TO ANY PROPERTY OWNER PLANS THAT MIGHT INFRINGE ON NORMAL AND REASONALBE GRADES.

COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Homesteads at Coulson Cove –

Steve Phelon had arrived at the meeting. Mr. Cowie explained that this is an application for Homesteads at Coulson Cove, Plat “B”, and if necessary Plat “C”. He noted that this proposed project is located adjacent to the High Ridge Court development, and also involves a portion of the Frank property. Mr. Cowie noted that preliminary approval for Plat “A” was given by the City in 2006, but that phasing of the development was necessary due to the location of existing FEMA mapped flood zones associated with Plat “B” and Plat “C”. Mr. Cowie noted that inaccuracies in land descriptions submitted with a request by the developer to have the flood zone maps revised resulted in a wider than necessary flood zone area being shown on current maps. If flood zone issues are not resolved by the time Mr. Phelon is ready to record the plat, lots affected by the flood zone will be recorded as Plat “C” when flood zone issues are resolved.

Mr. Cowie stated that this is a request to subdivide a total of 14 lots. He noted that the existing Frank home is included in this proposed development. If the Frank home is left in place, it will be necessary to verify that all required set backs are met on the lot. Mr. Phelon is proposing vinyl fencing along the canal, and the Planning Commission asked that Mr. Frank continue the vinyl fencing in order to create a consistent boundary.

The existing dwelling on Parcel #2 is owned by the Story’s. Mrs. Story attended the Planning Commission review of this application. She expressed concern regarding cuts along the rear of her property. Mr. Phelon stated during the Planning Commission meeting that a retaining wall and chain link fence will be installed along the cut. Mrs. Story inquired as to whether it may be possible to install vinyl fencing rather than chain

link fencing. Mr. Phelon expressed a willingness to pay the cost of chain link fencing towards installation of vinyl fencing at the request of the property owner.

Mr. Cowie noted that when road construction is complete, the flood zone should be confined to the road area only, and will have no effect on any lots in the proposed development.

Councilmember Carpenter inquired as to whether any direction is necessary regarding utilities or power lines that will be removed. Mr. Cowie stated that the majority of utility issues are associated with the High Ridge Court development, and that any outstanding issues can be addressed by staff based on ordinance requirements.

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

COUNCILMEMBER CARPENTER MOVED TO APPROVE HIGH RIDGE COURT SUBDIVISION PLAT "B" AND PLAT "C" (if necessary) PRELIMINARY PLAT WITH THE FOLLOWING CONDITIONS:

1. THAT LOTS NOT AFFECTED BY THE FEMA FLOOD ZONE MAPS BE RECORDED AS PLAT "B", AND THAT LOTS AFFECTED BY THE FEMA FLOOD ZONE MAPS BE RECORDED AS PLAT "C" WHEN FLOOD ZONE ISSUES ARE RESOLVED.
2. THAT THE DEVELOPER MEET WITH THE STORY'S TO COOPERATE ON INSTALLATION OF FENCING ON TOP OF THE RETAINING WALL ADJACENT TO THE STORY PROPERTY ON THE EAST SIDE OF THE SUBDIVISION.
3. THAT IF POSSIBLE, VINYL FENCING BE INSTALLED ON THE FRANK PROPERTY TO MATCH VINLY FENCING ALONG THE CANAL ON THE SOUTHERN LOTS OWNED BY MR. PHELON.
4. THAT THE HOME SHOWN ON LOT #7 MEET ALL SETBACKS AND RESIDENTIAL HOME SITE STANDARDS.

COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

4. **Review and Action** – *Ratification of Right-of-Way Cooperative Agreement 07-8355 – Modification 1 for the Lindon Heritage Trail.* This is a request by staff for the Council's ratification of the Lindon Heritage Trail Agreement with UDOT for Modification number 1. This modification is necessary due to additional slope easements which are needed for tie-ins to the trail from adjacent properties. Due to time constraints, the Mayor previously signed the agreement. This modification requires an additional City match of \$11,535.74 which is within the current year's budget.

Mr. Dameron explained that this is Modification number 1 for the Right-of-Way Cooperation Agreement between UDOT and the City relative to the Lindon Heritage Trail. Time constraints dictated that the Mayor sign the document prior to the meeting. Action taken by the City Council at this meeting will ratify the Mayor's signature on the document. The modification includes an additional \$11,535 in matching funds from the

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

4 COUNCILMEMBER ANTHONY MOVED TO RATIFY THE MAYOR'S
SIGNATURE ON MODIFICATION 1 – RIGHT-OF-WAY COOPERATION
6 AGREEMENT, INCLUDING THE ADDITIONAL \$11,535 IN MATCHING FUNDS.
COUNCILMEMBER BATH SECONDED THE MOTION. THE VOTE WAS
8 RECORDED AS FOLLOWS:

COUNCILMEMBER ANTHONY AYE

10 COUNCILMEMBER BATH AYE

COUNCILMEMBER CARPENTER AYE

12 COUNCILMEMEMBER HATCH AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

14 **COUNCIL REPORTS –**

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

18 Councilmember Hatch had no items to report.

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

22 Councilmember Bayless was not present at the meeting.

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

26 Councilmember Bath reported that he recently attended a budget meeting with the
28 Police Department to review budget plans for the 2007/2008 fiscal year. Captain Cody
Cullimore of the Police Department was present at the meeting, and invited the Mayor
30 and Council to attend a press conference Wednesday, March 07, 2007 at 11:30 to
publicize the Polaris Ranger which was recently awarded to the Police Department
32 through a grant from the US Smokeless Tobacco Company.

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

36 Councilmember Anthony inquired as to the time frame for completion of the 200
East road repair project. Mr. Dameron stated that piping of the irrigation canal should be
38 completed by March 15th, and that completion of the project is expected within 90 days.

40 Councilmember Anthony also commented on the progress in City parks,
including construction of pavilions, and a tree planting project in Pheasant Brook Park
planned as part of the annual Arbor Day Celebration on May 5, 2007.

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

44 Councilmember Carpenter had not items to report.

ADMINISTRATOR'S REPORT –

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Mr. Dameron reported on the following items:

1. The Council reviewed the project tracking list.
2. The City has completed bond payments for the secondary water system. The system was paid for 20 years sooner than original projections, resulting in a savings of several million dollars to the City.
3. The City has received Tree City USA designation for the upcoming year. Requirements must be met annually to receive ongoing designation. Mr. Dameron noted that Councilmember Anthony and the Tree Advisory Board are to be commended on efforts to achieve and maintain the designation.
4. A potential new road which would follow the east side of Utah Lake from American Fork to Orem has been proposed for study by UDOT. Councilmember Carpenter noted that the proposed road may have a significant impact on commercial properties located on the west side of Lindon, but that the road may address traffic congestion issues in the valley.
5. A meeting with Alpine School District representatives will be held Wednesday, March 7, 2007 at 11:45 a.m. at the School District offices.
6. Regularly scheduled City Council meetings will begin with Work Sessions at 6:00 p.m. through April 17, 2007.
7. Mayor Acerson invited Councilmembers and residents to attend a formal signing of the Interlocal Cooperation Agreement establishing The Utah Lake Commission on Friday, March 9, 2007 at 11:00 a.m. Governor Huntsman will be present to sign the agreement.
8. The annual Easter Egg Hunt will be held Saturday, April 7, 2007 at 9:00 a.m. at the City Center Park.
9. Verizon Wireless is requesting removal of the small cell tower located in the upper level of the City Center Park. Mr. Dameron has instructed Verizon to send a written request which will allow the Council to take official action.
10. Ron Hatfield was under the impression that review of his request to vacate a portion of Main Street would be on the agenda for this meeting. Mr. Dameron informed Mr. Hatfield that the direction of the Council was that he return for further discussion with the full Council. Due to the fact that Councilmember Bayless was not present at this meeting, further review of Mr. Hatfield's request will be delayed until the full Council is present.

38 Mayor Acerson commented that he and other north Utah County mayors met recently with a potential candidate for Salt Lake City Mayor, Keith Christenson. Mr. Christenson has expressed an interest in working cooperatively with other Wasatch Front mayors.

42 Mayor Acerson also noted that the Mayor of Lehi City contacted him and asked that he discuss possible cooperative efforts in completion of a study to determine whether a potential roadway located west of Lehi may be feasible. The proposed roadway would serve through traffic which would not stop in Utah County. Councilmember Carpenter commented that he was under the impression that UDOT had already completed such

studies, and that the road does not appear to serve the needs of the community.
2 Councilmember Bath felt that the proposed road may be desirable in concept, but that it is
not likely in the near future. Mayor Acerson agreed that the road would be beyond the
4 funding capabilities of UDOT at this time.

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

10 **ADJOURN** –

12 COUNCILMEMBER HATCH MOVED TO ADJOURN THE MEETING AT
8:21 P.M. COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL
14 PRESENT VOTED IN FAVOR. THE MOTION CARRIED

16 APPROVED – March 20, 2007

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Ott H. Dameron, City Administrator/Recorder

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Jeff Acerson, Mayor