The Lindon City Council held a regularly scheduled meeting beginning with a Work Session at 6:30 p.m. on **Tuesday, December 4, 2007**, in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

Conducting: James A. Dain, Mayor

**WORK SESSION** – 6:30 P.M.

**PRESENT**

- James A. Dain, Mayor
- Eric Anthony, Councilmember
- H. Toby Bath, Councilmember
- Lindsey Bayless, Councilmember
- Bruce Carpenter, Councilmember
- Jerald I. Hatch, Councilmember
- Ott H. Dameron, City Administrator
- Debra Cullimore, City Recorder

**ABSENT**

Scott McBeth of Mountainland Association of Governments was present to address the Council regarding Senior Citizen programs and services in the county. Mr. McBeth explained that discussion is being held with governments of participating MAG cities to receive input regarding funding options for senior programs. He noted that there is no eminent decision at this time, and that this meeting is being held for discussion purposes only.

Mr. McBeth explained that current funding for senior programs comes from state and federal revenue sources. Matching funds requirements are provided through “in kind” donations which result from services and programs within respective cities. Mr. McBeth also explained that funding is allocated based on need rather senior population in any given area.

Mr. McBeth reviewed a report which was given to the MAG Executive Council in January 2007 which studied available programs and eligibility, as well as funding and service gaps in programs and services. He noted that a significant increase is expected in the senior population in the next ten years, and that it may be difficult to keep pace with funding and services.

Mr. McBeth stated that the operating principal of MAG senior programs is to serve those most in need. He noted that services are targeted at a specific demographic, and are intended to keep seniors in their home where they are most comfortable. Programs provided through MAG include Meals on Wheels, as well as in home nursing and support services. He explained that providing in-home services is significantly less expensive than institutional services. Senior programs provided through MAG are intended to supplement rather than replace family care-givers.
Mr. McBeth explained that available federal and state funds are very limited, and that the increasing need for services makes it necessary for MAG to investigate alternative funding sources. He stated that CDBG funds, as well as private donation are being investigated. In addition, the possibility of local government funding participation is being considered. Mr. McBeth explained several methods of local participation which are under consideration. One method being considered would be a flat rate assessment to cities for services provided in the community. Another method would be “recapture” of funding which is currently reimbursed to cities for lunch programs staged at city senior facilities. He noted that the methods currently under consideration will provide short term funding for programs, but that at some time in the future a dedicated tax at the state level will likely be necessary. He noted that the intent of increased funding is to not only maintain the current level of service, but to decrease the waiting list for in home services.

Mayor Dain observed that some smaller municipalities do not have senior centers within the city, and that seniors utilize programs and services in larger neighboring communities. He noted that participation in funding may be inequitable if cities without local senior programs are not assessed in some way. Councilmember Carpenter noted that funding participation from cities may be challenging, as participation in senior programs which have historically been administered at a county level represent a new financial responsibility without an associated source of revenue.

The Council went on to discuss program eligibility, which is based on several components, including income and assets. Eligibility for the Meals on Wheels program requires that participants be homebound, meaning that they are unable to leave their residence without assistance. Councilmember Anthony observed that participation in senior programs such as Meals on Wheels provides some sense of independence for seniors, as family members are not responsible to meet that specific need on a daily basis. He stated that he strongly supports the programs and services.

Mr. McBeth thanked the Council for their time and input. Discussion regarding city participation in senior programs will continue at future meetings. Mr. McBeth distributed copies of the task force report which as presented to the MAG Executive Committee.

REGULAR SESSION –

Conducting: James A. Dain, Mayor
Pledge of Allegiance: Nicole Thorley
Invocation: Eric Anthony

PRESENT

ABSENT

James A. Dain, Mayor
Eric Anthony, Councilmember
H. Toby Bath, Councilmember
Lindsey Bayless, Councilmember
Bruce Carpenter, Councilmember
Jerald I. Hatch, Councilmember
Ott H. Dameron, City Administrator
PRESENTATION – The Mayor and City Council will be presented with the Character Connection Poster Calendar by the students who created the original artwork.

Kathy Allred of Lindon Character Connection was present at the meeting to introduce the artists chosen to participate in the 2008 Character Connection calendar and poster project. Artists participate in a contest to create artwork for each monthly “value” depicted in the annual calendar. Values represented on the calendar included integrity, honesty, respect, etc. Ms. Allred presented the winners as follows: Cassidy Wood, Marlee Johnson, Madison McBride, Nicole Thorley, Alyssa Reese, Nicole Nordin, Kaitlin Beelek, Mickayla Ressler, Jenny Haskell, Abby Mitton, Hayden Dobyns, and Chandler Eady. Each of the winners was presented with a Certificate of Artistic Excellence by Mayor Dain.

Ms. Allred noted that her husband recently returned to the United States from service in the war in Iraq. Ms. Allred explained to those present at the meeting that they are very fortunate to live in a country where citizens have the opportunity to participate in government processes. She observed that there are many good things happening in Iraq which are not routinely reported in the news. She stated that the military has been successful in assisting Iraq in getting schools, hospitals, roads and other infrastructure operational in the country. She noted that many Iraqi people have expressed appreciation for the invaluable services provided by the United States military in Iraq, and that they are very thankful to have us there. Mayor Dain asked Ms. Allred to convey appreciation to her husband for his service to the country. He then thanked the students for their exceptional art work and contribution to the Character Connection.

At this time, Mayor Dain recognized members of the Little Miss Lindon Royalty present at the meeting. He invited the young ladies to address the Council. The Royalty presented Mayor Dain with various awards which were received by the Little Miss Lindon Royalty at various parade events during the summer. Awards received include the Grand Marshall’s Award, Queen’s Choice Award, Sunshine Award, and 3rd Place Award. The Royalty also presented the Mayor with gingerbread houses to display at the City Center during the holiday season. Mayor Dain thanked the Royalty and their parents for their hard work, and for being exceptional representatives of Lindon. The 2008 Royalty will be selected at the annual Little Miss Lindon Pageant held in April.

MINUTES – The minutes of the regular meeting of November 20, 2007 were reviewed.

COUNCILMEMBER CARPENTER MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 20, 2007 MEETING. 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.

OPEN SESSION –

Mayor Dain called for comments from any resident present who wished to address an issue not listed as an agenda item. Brigham Ashton approached the Council and inquired as to the possibility of an alteration in ordinance requirements relative to required 40 foot setbacks for commercial development adjacent to residential uses in the Old Station Square subdivision. Mr. Cowie explained that any variation would require an ordinance change, and that current requirements are not subject to any variance unless specific criteria established by the state are met. He noted that this particular development would not meet the required criteria to allow a variance. Mr. Ashton stated that he would work within ordinance requirements.

Lindon resident, Doug Christensen then approached the Council. He expressed concern regarding not being allowed to comment during review of a development application at the November 28th Planning Commission meeting. He also noted that he was not allowed to comment on an agenda item at the previous City Council meeting during the Public Comment period.

Councilmember Bayless explained that comments on items which are on the agenda at a meeting must be addressed during review of the item, and not during the public comment period. She noted that this allows orderly review of items, and allows applicants to respond if appropriate. She explained that the written comments submitted by Mr. Christensen were read during review of the agenda item and entered into the minutes of the meeting.

Mr. Christensen commented on Special Meetings which were held during November which he was unable to attend because he was unaware of the meetings. Mayor Dain explained that all meetings are properly and legally noticed, and that Special Meetings are typically held to accommodate specific needs of developers or the public. He stated that Special Meetings are not intended to “hide” actions of the City, and that the minutes of both Special Meetings are available on the City web site. Mr. Christensen expressed a desire to remain involved with discussions between the Fellowship Bible Church and the City regarding the 400 North right-of-way. Mayor Dain thanked Mr. Christensen for his comments.

MAYOR’S COMMENTS/REPORT –

Mayor Dain commented on the Annual Christmas Tree Lighting Ceremony which was held the previous evening. He expressed appreciation for the efforts of those who planned and presented the event.

Mayor Dain also commented on a recent meeting he attended with representatives of Habitat for Humanity. He explained that the organization is very interested in acquiring property to be used in housing construction projects. He presented information on a retail facility operated by Habitat for Humanity, which sells used construction materials and equipment, as well as other household items. Profits from the store help fund construction of homes.
Mayor Dain noted that organizers of the annual Marriage Week event are in search of couples who have been married for 70 or more years. He asked that if anyone is aware of such a couple that they forward contact information to him.

Mayor Dain reported that creation of the Lindon City Police Department has made significant progress. He thanked Chief Cullimore for his efforts.

Mayor Dain noted that the December City newsletter includes a message from him asking for residents who would be willing to host an open house event in their home. He stated that it is his intention to hold open houses on a monthly basis throughout the City to meet with residents and find out what their concerns are. He invited interested residents to contact him to schedule dates and times for meetings.

**CONSENT AGENDA** –

1. **Zoning Map and General Plan Land Use Map Amendments (Ordinance #2007-13).** This item was approved with corrections during the meeting November 20, 2007. The action was taken on behalf of Nature’s Way. The corrected Ordinance is now presented for final approval.

   COUNCILMEMBER BATH MOVED TO APPROVE ORDINANCE #2007-13 AMENDING PORTIONS OF THE LINDON CITY ZONING MAP AND PORTIONS OF THE LINDON CITY GENERAL PLAN LAND USE MAP AND PROVIDING FOR AN EFFECTIVE DATE. COUNCILMEMBER BAYLESS 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.

**CURRENT BUSINESS** –

1. **Public Hearing – Alteration of Non-Conforming Use.** This is a request by Michael and Dorothy Carter and Keith Wilkinson for approval of a property line adjustment between two non-conforming lots at 295 East and 307 East Center Street. The City Council reviewed this request as a Concept Review item on August 21, 2007. The Planning Commission recommended approval with no conditions.

   COUNCILMEMBER BATH MOVED TO OPEN THE PUBLIC HEARING TO CONSIDER THE ALTERATION OF NON-CONFORMING USE REQUEST. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

   Mike and Dorothy Carter were present as representatives for this application. Mr. Cowie explained that the City Council discussed this proposal as a Concept Review item
during a previous City Council meeting. Based on feedback from the Council during the Concept Review, the Carters have submitted an Alteration of Non-Conforming Use application. Mr. Cowie explained that the property line will be shifted approximately two feet to the east of the current location. The proposed alignment would bring the side yard setback on the Carter property into conformance with current standards. The Wilkinson property would maintain the required ten foot setback.

Mr. Cowie showed several photographs of the site. He noted that the lot line adjustment is intended to provide vehicular access to the rear of the Carter property. Mr. Cowie noted that the only potential negative effect of the proposed alteration is the 280 square foot reduction in the size of the Wilkinson property. However, the Carter property would be brought more into conformance due to the increased side yard setback.

The Planning Commission recommended approval of this request with the finding that the proposed alteration brings the property more into conformance with current standards. Mr. Cowie also explained that this alteration will be completed using a fence line agreement recorded at the County. The subject property is not part of a subdivision, so a re-plat will not be required to adjust the property line. The agreement will be signed by both property owners prior to recording with the County.

Councilmember Carpenter observed that it is not possible to bring the existing lots into full compliance, and that the proposed adjustment will not be detrimental to the community.

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.

COUNCILMEMBER CARPENTER MOVED TO CLOSE THE PUBLIC HEARING TO CONSIDER THE ALTERATION OF NON-CONFORMING USE REQUEST. COUNCILMEMBER BATH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

COUNCILMEMBER CARPENTER MOVED TO APPROVE THE PROPOSED LOT-LINE ADJUSTMENT ON THE NON-CO0NFORMING LOTS OWNED BY THE CARTERS AND THE WILKINSONS. 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.

2. Review and Action – Site Plan – Architectural Review. This is a request by BMA Construction for site plan/architectural review and approval for Phase 2 of the Experience Dental Lab Office within the Old Station Square Commercial Subdivision at 239 North 290 West. The Planning Commission recommended approval with no conditions.
Brigham Ashton was present as the representative for this application. Mr. Cowie explained that the site plan for this development, as well as the elevations for the dental lab on the site, was previously approved by the Planning Commission. The Planning Commission approved this building as Phase 2 of the original site plan. The development will include a plaza area with trees between the two buildings. The site plan also includes shared accesses between lots.

Mr. Cowie went on to review the elevations of the new building. He stated that they are similar in character to the previously approved dental lab. The building is proposed as an all brick single part block structure. Architectural details include vertical soldier course brick layers, pre-cast concrete sills on the windows, as well as pre cast lentil feature which will extend around the perimeter of the building. Mr. Cowie noted that the Planning Commission recommended approval of this application with no conditions.

Councilmember Anthony expressed concern regarding possible maintenance issues associated with the proposed low-pitch roof. Mayor Dain noted that low-pitch membrane roofs are used quite extensively at the BYU campus without significant maintenance issues. He observed that if the roof is constructed correctly there should not be excessive maintenance problems.

The Council reviewed other specific architectural details proposed on the building. Mr. Cowie noted that this application is being reviewed by the City Council at the request of a Councilmember. He stated that the application appears to be in compliance with the Commercial Design Guidelines. Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER HATCH MOVED TO APPROVE THE EXPERIENCE DENTAL OFFICE PHASE 2 SITE PLAN. COUNCILMEMBER ANTHONY 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.

3. Preliminary Plat – Mickelson Industrial Subdivision, Plat “A”. This is a request by Jeff Mickelson for preliminary plat approval of Mickelson Industrial Subdivision, Plat “A”, 2 lots in the LI zone at 190 South 1800 West. The Planning Commission recommended approval with explanation of code interpretations.

Andy Spencer and Jeff Mickelson were present as representatives for this application. Mr. Cowie explained that this is a request for approval of a two-lot industrial subdivision in the LI zone. The applicant previously received site plan approval for a diesel repair facility, which will be located on the front lot, #101, of this proposed subdivision. This proposed subdivision will create lot #201 at the rear of the property.
Mr. Cowie explained that the primary issue relative to this proposed subdivision is the maximum allowable 3-1 width-to-depth ratio. He clarified that while the current ordinance does not generally allow a width-to-depth ratio in excess of 3-1, there is a provision which allows the Planning Commission and City Council to grant up to a 20% increase in the allowable width-to-depth ratio if it is determined to be the best use of the property.

Mr. Cowie noted that there is some ambiguity in the ordinance, and that it does not clearly define whether measurements used to determine the allowable width-to-depth ratio are based on an average of lot dimensions, the widest point, or the narrowest point of the property. He explained that if the widest point of this particular lot is used to calculate the ratio, a 12.6% increase would be required. Following review and discussion of this request, the Planning Commission felt that because of the ambiguity of ordinance requirements, it would be appropriate to rule in favor of the applicant, and to grant the requested 12.6% increase to the width-to-depth ratio. The Planning Commission also recommended that the applicable ordinance be reviewed for possible revisions to clarify requirements.

Mr. Cowie presented the proposed site plan for the development, including cross easements and shared access for both lots. He noted that the applicant is not planning to develop the rear lot at this time. The area proposed as lot #201 was shown as an area for future development on the approved Mickelson Diesel site plan. The specific future use of the lot is not clear at this time.

Councilmember Carpenter observed that it does not appear that the applicant is attempting to circumvent other requirements with this request. Councilmember Bayless stated that it does not appear that there is any other feasible method to subdivide the property. She stated that she does not have concerns with this request, but felt that it may be advisable to revisit the existing ordinance in order to clarify requirements. Councilmember Hatch agreed that the shape of this particular parcel of land is unusual, and that the request is reasonable. Mayor Dain observed that if the property is not subdivided, the owner will still develop the rear portion at some point, and that the appearance of the property will not be affected by this requested subdivision. Councilmember Bayless felt that based on the recommendations of the Planning Commission and the suggested interpretation of the existing ordinance, it would be reasonable to grant this subdivision request. Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER ANTHONY MOVED TO APPROVE THE PROPOSED MICKELSON SUBDIVISION PLAT “A” PRELIMINARY PLAT.
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.
4. **Concept Review – Request for R2-Overlay Amendment.** This is a request from Marion Johnson to discuss with the Mayor and City Council the feasibility of an ordinance amendment to the R2 Overlay section of the Lindon City Code(LCC 17.46) to allow access from other lots to a private driveway that is part of an R2 Overlay project.

Marion Johnson was present as the representative for this application. Mr. Cowie explained that Mr. Johnson submitted an ordinance change application requesting that wording be added to the R2 Overlay Ordinance which would allow some leeway in access requirements in specific circumstances if there were no significant safety or other concerns related to the proposed access are identified.

Mr. Cowie noted that this request is scheduled as a Public Hearing during the December 12, 2007 Planning Commission meeting. It is Mr. Johnson’s desire to receive general feedback from the City Council regarding the feasibility of this request prior to the Planning Commission meeting.

Mr. Cowie went on to review specific circumstances related to this project. He stated that Mr. Johnson previously had an R2 Overlay project approved on his property on 200 South. The project was subsequently sold to another owner, Westview Cottages. The existing R2 project consists of two duplexes which are currently under construction.

The property includes adequate frontage to create an additional lot to the west of the duplex structures. Mr. Johnson is proposing access to the future lot from the private turn around road that is included in the Westview Cottages site. The current ordinance will not allow access to additional lots through R2 project accesses unless there is no other feasible option to create access.

Mayor Dain inquired as to installation of utilities to the rear lot. Mr. Johnson stated that all underground utilities are already installed. Councilmember Carpenter asked Mr. Johnson if he understood that the City would not be responsible for maintenance of the private access drive associated with this project. Mr. Johnson stated that he is aware that the owners will be responsible for maintenance of the street. He stated that he has discussed maintenance with the current owners of the R2 project, and that creation of a homeowners association to address maintenance is being considered.

The Council discussed the location of the proposed access in relation to 200 South and the school crossing in the area. Councilmember Bath and Councilmember Anthony commented that it may be safer to access an additional lot from the private drive rather than creating an additional access on 200 South. Councilmember Bayless expressed concern that a previous request to create access through an R2 project was denied on the Lee property. Mr. Cowie explained that the Lee property did not have the required street frontage to create a legal lot, and that this proposed lot meets street frontage requirements.

The Council discussed specific language which should be included in ordinance revisions which would clarify that allowing access to additional lots from private R2 drive accesses is not intended to circumvent typical development requirements, and will only be allowed in specific situations if certain criteria are met. Councilmember Carpenter suggested that the ordinance specify that typical street frontage requirements must be met. Councilmember Bayless felt that additional language should be added to specify that the proposed access must show a direct safety or other benefit to the
community as well. Mayor Dain suggested that language be included to clarify that utilities can not be located in the private drive area. Following further discussion, there was general agreement among the Council that proposed ordinance amendments would allow some leeway in access requirements while protecting the health, safety and welfare of the community.

Councilmember Carpenter noted that the guest parking area shown on the site plan for the existing R2 project may interfere with access to the single-family lot. He suggested that agreements with all property owners be established to maintain access. Mayor Dain clarified that the City will not enforce any agreement between the property owners to maintain access, and that any agreement will be handled exclusively between the property owners.

Mayor Dain asked how the lot would be addressed. Mr. Cowie stated that addresses for the R2 project and the single family lot will be established from the private cul-de-sac, 120 West.

The Planning Commission will consider proposed ordinance amendments on December 12, 2007 and will forward recommendations to the City Council for action.

5. **Review and Action – Interlocal Agreement between Lindon City and Vineyard Town.** This is a proposed agreement between Lindon City and Vineyard Town concerning development at the common boundary in the southwest area of Lindon City.

City Attorney, Brian Haws, was present to discuss this agreement with the Council. Mr. Haws noted that references to a potential boundary adjustment have been removed from the agreement. Allocation of tax revenues is specified in the agreement, as well as a 50 year term for the agreement. Vineyard Town Council has reviewed the agreement, and indicated that they have no concerns and expect to approve the final agreement following review and approval by the Lindon City Council.

Councilmember Carpenter inquired as to where the property boundaries included in agreement are referenced. Mr. Haws stated that Exhibit “A” will define the property boundaries, and will be attached to the agreement. Mr. Cowie observed that a map will need to be finalized which outlines the boundaries of property included in the agreement. Mr. Haws suggested that the agreement be approved contingent upon approval of the Exhibit.

Mr. Haws noted that tax revenues will be divided with Lindon receiving 60% of revenues and Vineyard receiving 40% of revenues. Mr. Dameron explained that development applications will be processed by Lindon, and that Lindon will provide necessary services. He noted that during previous discussion, both Councils seemed to be in agreement with the proposed allocation of sales tax revenues.

Mr. Dameron inquired as to whether property taxes will be shared. Mr. Haws stated that this agreement addresses only sales tax revenues. The Council discussed allocation of property tax revenue if the property is platted as one lot which crosses the boundary line. Mr. Haws stated that he will contact the county to verify the method for property tax assessment. He will also discuss property tax revenues with Vineyard.

Chief Cullimore inquired as to which municipality will have legal jurisdiction over the property. Mr. Haws stated that Lindon will have jurisdiction, but that it is not
specifically addressed in this agreement. Chief Cullimore suggested that jurisdiction be
addressed in the agreement. The Council felt that emergency services could be left out of
the agreement at this time, and that the issue could be addressed later if complications
arise.

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

    COUNCILMEMBER CARPENTER MOVED TO APPROVE THE
    AGREEMENT BETWEEN LINDON CITY AND VINEYARD TOWN CONCERNING
    DEVELOPMENT ON THE COMMON BOUNDARY BETWEEN THE TWO CITIES
    WITH THE FOLLOWING CONDITION:
    1. THAT ATTACHMENT “A” BE REVIEWED BY MAYOR DAIN, AND THAT
    SO LONG AS THERE IS REASONABLE PROPORTIONALITY IN THE
    AGREEMENT, THAT THE MAYOR BE AUTHORIZED TO SIGN THE
    AGREEMENT.
    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.

    Police Department. This is a request by Chief Cody Cullimore, Lindon City
    Police Chief, for the City Council’s consideration of approval for the staffing plan
    of the Lindon City Police Department.

    Chief Cullimore addressed the Council regarding this Resolution. He stated that
the staffing proposal in the Resolution differs somewhat from preliminary plans. The
proposed staffing plan increase police department personnel by three sworn officers, as
well as two part time civilian personnel.

    Chief Cullimore explained that the proposed staffing increase will allow the
department to provide a wide variety of high quality community services, and will allow
adequate staffing to meet patrol and investigative needs. The proposed civilian positions
will be six hour positions, which will allow the police department offices to remain open
from 8:00 a.m. to 8:00 p.m. Monday through Friday. The staffing plan provides 16 full
time positions, including one civilian administrative assistant and 15 sworn officers, and
two part time civilian positions. The staffing plan provides a minimum of two officers on
duty at all times in the City, with as many as six officers during historically busier times.

    Councilmember Anthony inquired as to whether there would be any times when
the part time civilian employees may be alone in the police station. Chief Cullimore
stated that the part time employees would be at the office alone for approximately three
hours each evening. He noted that the City is investigating the possibility of installing a
security camera system to monitor the building and parking area. He also noted that the
police station will be a secure locked facility, and that the public will not have direct access to the facility unless an employee allows them through the locked entrance. Employees will be trained to not allow access into the facility without the presence of an officer at the station. Residents will speak with the employee through a glass partition, and an officer will be called to respond to the facility when necessary.

Councilmember Anthony requested that Chief Cullimore outline specific changes to the staffing plan from the original staffing plan considered by the City. Chief Cullimore stated that the plan provides two supervisory Sergeant positions rather than one. Patrol officer positions will increase by two, and two part time civilian positions will be added. Chief Cullimore explained that Sergeants will work patrol shifts, and will supervise and conduct investigations. Chief Cullimore stated that he will also conduct investigations when necessary. Chief Cullimore also noted that existing crossing guard positions which are currently administered under the Public Works Department will be administered through the Police Department.

Mayor Dain inquired as to whether officers would be willing to report problems which they observe when patrolling the City which do not require police action, such as needed road or sign repairs. Chief Cullimore stated that officers will be obligated to report any needed maintenance, repairs or other problems they observe while on duty.

Mr. Dameron explained that passage of this Resolution will allow the Chief to order necessary equipment for delivery in the spring in anticipation of the July 1, 2008 start date. A budget for January through July of 2008 will be presented to the Council in January. Mayor Dain asked Chief Cullimore if he felt confident that the Police Department will be prepared to be operational by July 1, 2008. Chief Cullimore stated that he had no concerns, and that he is confident that the anticipated start date will be met.

Councilmember Anthony asked if the City has any sense of the financial impact of the proposed staffing changes. Mr. Dameron stated that the total year projected budget for fiscal year 2008/2009 was approximately $1,600,000. The proposed staffing plan increases the projected budget to approximately $1,750,000. Councilmember Bayless noted that the financial impact must be balanced with the benefit. She noted that residents will be provided a higher level of service with the proposed staffing plan.

Councilmember Carpenter noted that the cost for contract services through Pleasant Grove would have likely increased next budget year as well, resulting in a similar fiscal impact.

Mr. Dameron observed that the cost increase for the approved staffing plan will be approximately 10% more than contract services through Pleasant Grove, with a significantly higher level of service. Chief Cullimore explained that national averages for law enforcement are typically one officer per 1,000 residents. In Utah County the average is less than one officer per 1,000 residents, and contract services through Pleasant Grove provided approximately .8 officers per 1,000 residents. The proposed staffing plan will provide 1.2 officers per 1,000 residents in Lindon, which exceeds national averages and will allow the City to provide high quality public safety services.
COUNCILMEMBER BATH MOVED TO APPROVE RESOLUTION #2007-19 APPROVING THE STAFFING PLAN FOR THE LINDON CITY POLICE DEPARTMENT AND SETTING AN EFFECTIVE DATE. COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

7. **Review and Action** – Trail Cross Section – 400 East 250 North. This is a request by staff for the direction of the City Council as to whether or not the trail cross section should be required to be built as development occurs in the area of 250 North 400 East. The trails master plan map shows this area as a 10’ wide asphalt trail that will eventually connect into Hollow Park.

Mr. Cowie explained that the current General Plan Parks and Trails Map calls for a 10 foot asphalt trail section in the area of pending development on 400 East north of the Williams property near the Pennant Hills Subdivision. He noted that installation of the trail section associated with new development in the area may require participation of the City on certain sections where existing curb, gutter and sidewalk are located. Completion of the trail would require the City to remove the existing sidewalk adjacent to the Aston property and rebuild the area using the 10 foot asphalt trail to maintain a consistent cross section through the area. Mr. Cowie explained that at this time, the Aston property is not included in the area of pending development, and that the property owner or the developer can not be required to install the trail in that area. He noted that there is a potential that lot lines may be adjusted, and that the Aston property may become part of the current development project. However, if lot lines are not adjusted, it would be the responsibility of the City to complete the trail section in that area.

Mayor Dain inquired as to how costs compare for installation of a ten foot asphalt trail as compared to curb, gutter, and sidewalk. Mr. Cowie stated that costs are comparable.

Following further discussion, there was general agreement among the Council that the City should proceed with installation of trails sections in compliance with the current General Plan Parks and Trails Map, with participation from the City where necessary to work cooperatively with pending and future development. Mr. Cowie noted that the location of the trail section associated with the Pennant Hills development is not finalized at this time, but that regardless of the final location the developer will be required to participate financially in installation of the trail.

The Council held general discussion regarding maintenance of gravel trail sections throughout the City. Mayor Dain suggested that funding be allocated to provide additional trail maintenance as revenue becomes available.

Mayor Dain called for further comments or discussion. Hearing none, he called for a motion.
COUNCILMEMBER BAYLESS MOVED TO IMPLEMENT USE OF THE TRAILS CROSS SECTION AS ADOPTED IN 2006 MASTER PLAN. COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER ANTHONY AYE
COUNCILMEMBER BATH AYE
COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
COUNCILMEMBER HATCH AYE
THE MOTION CARRIED UNANIMOUSLY.

8. **Review and Action** – *Annual Meeting Schedule.* The annual meeting schedule for calendar year 2008 will be reviewed and approved by the Mayor and City Council. The schedule includes meeting dates for the City Council, Planning Commission, Board of Adjustments, Redevelopment Agency, and Municipal Building Authority.

The Council suggested that a statement be added to the Annual Meeting Schedule which clarifies that Special Meetings may be called as necessary with a minimum of 24 hours notice.

COUNCILMEMBER CARPENTER MOVED TO APPROVE THE 2008 ANNUAL MEETING SCHEDULE. COUNCILMEMBER BAYLESS 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.

9. **Review and Action** – *Bid Award – Traffic Calming Project – 800 West.* This is a request by staff for the Council’s review and approval of the bid award for the 800 West Traffic Calming Project adjacent to Pheasant Brook Park. Request for bids were solicited and received from three contractors.

COUNCILMEMBER HATCH MOVED TO AWARD THE BID FOR THE 800 WEST TRAFFIC CALMING PROJECT TO FARNWORTH CONCRETE IN THE AMOUNT OF $35,036.00. COUNCILMEMBER CARPENTER 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.
10. **Review and Action** – **Historic Preservation Commission Appointment.** This is a request by Mayor Dain for the City Council’s consent and approval for the appointment of Lynn Lemone to the Lindon City Historical Preservation Commission.

Mayor Dain stated that he approached Mr. Lemone and his wife to request that he serve as the Chair of the Historic Preservation Commission. Both Mr. Lemone and his wife were excited about the opportunity. Mayor Dain clarified that Mr. Lemone has not been appointed to the Tree Advisory Board, although he was approached by the Chair of the committee to serve. The Council discussed pending appointments to other boards and committees. Mayor Dain called for a motion.

COUNCILMEMBER BAYLESS MOVED TO APPROVE THE APPOINTMENT OF LYNN LEMONE TO THE LINDON CITY HISTORICAL PRESERVATION COMMISSION. COUNCILMEMBER CARPENTER 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.

**COUNCIL REPORTS**

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

Councilmember Hatch reported on his ride on the Front Runner commuter rail line in Salt Lake County. He stated that he was very impressed with the facility, and that it will provide a valuable service.

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

Councilmember Bayless had no items to report.

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

Councilmember Bath had no items to report.

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

Councilmember Anthony reported that the frequency of meetings of the Tree Advisory Board is being evaluated, and that procedures and practices of the committee are also being evaluated.
GENERAL PLAN, STREETS & SIDEWALKS, PUBLIC BUILDINGS –

Councilmember Carpenter reported that he recently attended a Legislative Policy Committee meeting. He encouraged Councilmembers to contact legislators now in anticipation of the January legislative session. The Council discussed issues before the legislature which will impact municipalities, including proposed changes to the justice court system.

Mayor Dain noted that he will attend an open house with residents in the area of 140 North to discuss the recent auto/pedestrian accident which occurred on that road. The discussion will be held at the Anderson home.

ADMINISTRATOR’S REPORT –

Mr. Dameron reported on the following items:

1. The annual Lindon City staff Christmas party will be held Friday, December 7, 2007 at 6:30 p.m.
2. Quarterly Coordination Meeting with Pleasant Grove is scheduled for Tuesday, December 11, 2007 at 5:30 at Pleasant Grove.
3. The Council reviewed the Project Tracking List. Councilmember Carpenter inquired as to the status of the indoor soccer facility Concept Review application. Mr. Cowie stated that the applicant was not present for two meeting where the Concept Review was an agenda item.

COUNCILMEMBER BATH MOVED TO APPROVE THE PAY VOUCHERS. COUNCILMEMBER BAYLESS 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 BAYLESS MOVED TO ADJOURN THE MEETING AT 10:20 P.M. COUNCILMEMBER BATH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – December 18, 2007

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Debra Cullimore, City Recorder

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James A. Dain, Mayor