

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, July 5, 2011**
3 beginning at 7:00 p.m. in the Lindon City Center, City Council Chambers, 100 North
4 State Street, Lindon, Utah.

5 Conducting: James A. Dain, Mayor
6 Pledge of Allegiance: Johnny Warren, Troop 831, American Fork
7 Invocation: Bret Frampton

8
9 **PRESENT**

ABSENT

10 James A. Dain, Mayor
11 Bret Frampton, Councilmember
12 Jerald I. Hatch, Councilmember
13 Mark Walker, Councilmember
14 Ott H. Dameron, City Administrator
15 Adam Cowie, Planning Director
16 Cody Cullimore, Chief of Police
17 Debra Cullimore, City Recorder

Lindsey Bayless, Councilmember
Bruce Carpenter, Councilmember

18
19 The meeting was called to order at 7:05 p.m.

20
21 **SWEARING IN CEREMONY -**

22
23 The recently hired City Recorder, Kathryn A. Moosman, will take the oath of
24 office given by Mayor Dain. The Utah State Code requires that this position be
25 formally appointed by the Mayor and Council.
26

27 Mayor Dain administered the oath of office to Kathryn A. Moosman, the newly
28 appointed City Recorder, who has replaced the outgoing Recorder Debra Cullimore.
29

30
31 **MINUTES** – The minutes of the regular meeting of June 21, 2011 were reviewed.

32
33 COUNCILMEMBER WALKER MOVED TO APPROVE THE MINUTES OF
34 THE MEETING OF JUNE 21, 2011. COUNCILMEMBER FRAMPTON SECONDED
35 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

36 COUNCILMEMBER FRAMPTON AYE

37 COUNCILMEMBER HATCH AYE

38 COUNCILMEMBER WALKER AYE

39 THE MOTION CARRIED UNANIMOUSLY WITH TWO ABSENT.

40
41 **OPEN SESSION** – Citizens comments

42
43 Sam Gustafson approached the City Council. He represents a company by the
44 name of Capitol Industries. He stated that they are currently in the process and under
45 contract to acquire a piece of property located at approximately 1500 West off of I-15.
46 This is a 12 acre parcel of land, with the current property owner being Mike Jarrett. Mr.
Gustafson went on to say that he has met several times with the City's Development

2 Review Committee and has been favorably impressed with the response they have
4 received. He also commented that they have done a significant amount of due diligence
6 and are now in the process of moving forward based upon the parameters and some
8 conditions the property poses. He stated that their purpose for coming to City Council
10 tonight was to introduce themselves and to let the Council know who they are and what
12 they represent. He commented that his company was formed in 1953 and is located in
14 Salt Lake City.

8 Mr. Gustafson went on to say that they are a commercial builder and developer
10 of industrial office warehouse type projects and mentioned that they did send pictures to
12 Mr. Cowie, for his review, about the work they have done. He also commented that they
14 do interior and exterior work. He went on to say that his company builds, leases and
16 operates everything from inside the company and that they have their own construction
18 people maintain and manage them, and that they currently do not have any clients in
mind for the property. Mr. Gustafson met with Mr. Cowie and feels like this might be a
great place to do business. Their plan is to build an office warehouse structure and lease
it out; he also thinks that this project will be very complimentary to other projects to the
south. He stated that he is not sure of the configuration on the roads but he will accept
any and all conditions to join the roads.

20 Mr. Gustafson stated that they haven't closed yet on the property because there
22 are still some issues to work through, but feels that they are resolvable at this point in
24 time. He went on to reiterate that their purpose for attending Council tonight was just to
26 introduce themselves and the company. Mayor Dain commented that the Council would
like the back of the building to look as attractive from the freeway side as well as the
front. Mr. Gustafson stated that in fact, they will front the freeway for best exposure to
attract the best clientele; he then showed some pictures of other buildings they have
completed on the freeway that are compatible that they have done in Salt Lake City.

28 Mayor Dain stated that there have been traffic studies done on this section of the
30 freeway and the studies all show that particular stretch through Lindon will probably
32 have more vehicle traffic and exposure than any other stretch on the 1-15 corridor. Mr.
34 Gustafson also said that this proposed structure meets the height requirements and zoning
ordinance requirements. He also stated that they are scheduled to close next week
because of survey issues etc. Mr. Gustafson then thanked the council for their time
regarding this issue. Mayor Dain thanked Mr. Gustafson for coming and presenting this
concept to the Council.

36 Mike Jarrett approached the Council regarding the plan presented. He is the
38 current owner of the property. Mr. Jarrett stated that he has lived in Lindon since 1969 at
40 which time he owned and operated a gas station here in Lindon. He also commented that
42 he currently has another business (automotive shop) here in Lindon that is operated by his
44 son. He has now decided to sell his property and feels that this group of investors are
46 good people with good intentions and he is excited about the prospect of the purchase of
his property. He also commented that he has been trying to sell his property for quite
some time now and wants to think about retirement. Mr. Jarrett stated that he feels
everything is falling into place right now for him and the investors and is confident that
the Council will appreciate the new roadway. Mr. Jarrett concluded by thanking the
Council for their time and that he appreciates them working with the developers to make
this happen.

2 **MAYOR'S COMMENTS/REPORT** –

4 Mayor Dain extended his thanks to everyone for the budget process and
6 appreciation of everyone working together to get through the budget. Councilmember
8 Walker commented that he appreciated all the communication to get through the process
10 and the help understanding and sorting through all of the dialogue etc. The Mayor
12 thanked Mr.Dameron for all of his expertise and help throughout the budget process. He
continued to say that it was a good process and that the City will continue to move
forward and that the City is in a great position. Mayor Dain extended thanks again to all
for their hard work.

12 **CONSENT AGENDA** –

14 No Items

16 **CURRENT BUSINESS** -

- 18
1. **Public Hearing** – *General Plan Amendment*. The City Council will hear public
20 comment and possibly act to amend the city’s General Plan on a request by staff
22 for consideration of a change to the long-range Street Master Plan Map along
24 Main Street (between State Street and 200 South). The change recommended by
the Planning Commission calls for narrowing the width of the street from a 66’
right-of-way (50’ of asphalt) to a 54’ right-of-way (38’ of asphalt).

26 COUNCILMEMBER FRAMPTON MOVED TO OPEN THE PUBLIC
HEARING. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL
28 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

30 Mr. Cowie stated that this is a City initiated request to look at Main Street
(between State Street and 200 South). This section of roadway is one that staff
32 recommended be narrowed on the general plan and that has already gone through
Planning Commission, as far as the General Plan review, and was also presented at the
34 open house last fall. Mr. Cowie went on to say that he just wanted to speed up the
application process because of the Castle Park Reception Center, and that the Castle Park
36 developers are actually required to put in curb, gutter and sidewalk improvements on the
street frontage in that area, and this width would determine where that falls in the road
38 right-of-way. Planning Commission has met and discussed this issue at several different
meetings and they have asked for more information from our City Engineer and that
40 information has been provided to the Council to weigh out some pros and cons of his
opinion on the issues.

42 Mr. Cowie noted that what has been looked at is a 66’ width that is currently there
44 from fence line to fence line along Main Street and also what is currently on the plan. He
went on to say that it is our thought is to narrow the width so that it comes into State
Street at a right angle similar as to what was done on the north side on Main Street. The
46 Planning Commission was concerned about the 50’ right-of-way that has 34’ feet of
asphalt, which is the typical residential street, and which would be the same width as 60

2 North. The Planning Commission is also concerned with how close the reception center
4 is to the street and concerns with more people parking on the street, even if the parking is
6 adequate, they felt a few extra feet of width on the asphalt would be beneficial for on
8 street parking. The Planning Commission's recommendation is actually to go with a 54'
asphalt, which is actually 38' of asphalt, which is 2 ft. additional on each side. He
went on to say that this is a little bit larger than the standard cross section, so the asphalt
width would be 34 ft. and then a 2 ft. curb and gutter combination with a 4 ft. walk. The
Planning Commission is recommending extending the asphalt out from 34' to 38' of
asphalt.

10 Mr. Cowie then showed some photos of 60 north when the pool is open, showing
12 parking on both sides where vehicles can still cross; however, the Planning Commission
14 feels like it is still constrained. Councilmember Frampton asked if that would be 4 ft
bigger, 2 more ft on each side. Mr. Cowie stated that it would help a little bit, and that
the Commission discussed about going wider, but the City Engineer, Mark Christensen,
comments were that the median between a 66 ft. road right of way is huge.

16 Councilmember Walker asked Mr. Cowie if this would even be an issue without
18 the development of the Castle Park Reception Center as far as the size of the road. Mr.
20 Cowie stated that we were, in fact, on track to recommend that originally and it was just
22 to go to a 50' right of way; and once this business came in they thought there may be
more on street parking than what would occur with any other business. Mr. Cowie stated
that was the driving issue of wanting it a little bit wider, and with this 66' right-of-way
the reasoning for the wider width is to carry a large amount of traffic and with Mark's
projections he doesn't think that would be necessary on this segment.

24 Councilmember Frampton inquired as to how much traffic would actually be on
26 the road. Mr. Cowie replied that the intent of the 66ft. width is to provide for the turning
lane and with the on street parking there is a large amount of room with no projected
median on this stretch of roadway. He also stated that this is what it will be like if the
28 width is 50 ft., which will be 4 ft wider with the Planning Commission recommendations.
He went on to say that with this huge decision to make and we are not putting in any
30 improvements; this is just a change on the map, so as properties develop they will build
to whatever they determine.

32 Mayor Dain asked Mr. Cowie if the City owns the 66 ft. right of way. Mr. Cowie
34 confirmed that the City does own it. Mayor Dain asked what happens with the property
we don't use. Mr. Cowie stated that was part of their discussion. He went on to say that
when the north side was changed it was actually vacated 8 ft on the sides of the roadway.
36 The Planning Commission recommendation is to vacate 6 ft on the sides.

38 Mr. Cowie commented that this was discussed and he thought it was good
foresight about what happens in 20 or 30 years if the segment needs to be widened. He
also noted that is what the City Engineer is trying to convey, that this is probably not a
40 stretch of road that should encourage more through traffic since there is a signal so close
on 200 South. In that time frame, the City Engineer doesn't see that we will need to
42 widen to a 66ft width or so sure that we wouldn't need a turning lane.

44 Councilmember Walker inquired about making any adjustments on the road
coming off of State Street where it dips. Mr. Cowie stated that will be included in the
State Street widening project. He also stated that people will be going faster off of State
46 Street as they turn south and so that was part of the reasoning. If we go to a wider street,

people will tend to speed, so as you narrow the road people will tend to slow down.
2 Mayor Dain asked about vacating the property and just giving it to them or if it would be
appraised and sold. Mr. Cowie stated that is what has been done in the past. Mr.
4 Dameron said it takes a process and that this is just a General Plan Amendment now and
then the process will have to come back and a portion of the right-a-way will be vacated.
6 Mr. Cowie said that you could choose not to do that.

Councilmember Hatch asked about what UDOT will do about the water issue.
8 Mr. Cowie said that it his understanding that they will put a culvert on either side.
Councilmember Hatch commented that he lives in the area and travels the road frequently
10 and thinks that this would be a good decision. Mr. Dameron commented that part of this
idea is the recommendation for passive traffic calming where the travel lanes narrow.

12 Councilmember Walker inquired if there were any other roads that had fit these
criteria in the past. Mr. Cowie commented that we had a similar situation on the road
14 behind Walkers and Steve Frampton Auto.

16 Mayor Dain asked if there were any others present who would like to address the
Council at the Public Hearing on this particular issue. Seeing no comment from the
public the Mayor took a motion to close the public hearing.

18
20 COUNCILMEMBER WALKER MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

22
24 COUNCILMEMBER HATCH MOVED TO APPROVE THE CITY INITIATED
GENERAL PLAN AMENDMENT WITH RECOMMENDED CONDITIONS FROM
THE PLANNING COMMISSION. COUNCILMEMBER WALKER SECONDED THE
26 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

28 COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER HATCH AYE
COUNCILMEMBER WALKER AYE

30 THE MOTION CARRIED UNANIMOUSLY WITH TWO ABSENT.

- 32 2. **Review and Action** – *Agreement between Lindon City and Utah County.*
34 “Community Activities Fund Grant” The City Council will consider approving an
agreement between Lindon City and Utah County for a County grant to the city
36 from the County’s “Community Activities Fund” to be used for a cover for the
lap pool in the Aquatics Center. This amount has been accumulated for two years
and will completely fund the pool cover.

38
40 Mr. Dameron explained that this fund is from a restaurant tax (County) that is
given out for the “Community Activities Fund Grant”. Lindon City plans to use this
42 grant for a cover for the lap pool at the Aquatics Center. This is an accumulation of
two years of grant money. The fund amount is about \$6,321.00 which will pay for
this cover.

44
46 COUNCILMEMBER FRAMPTON MOVED TO APPROVE THE
AGREEMENT BETWEEN LINDON CITY AND UTAH COUNTY “COMMUNITY

ACITIVITES FUND GRANT”. COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER FRAMPTON AYE

COUNCILMEMBER HATCH AYE

COUNCILMEMBER WALKER AYE

THE MOTION CARRIED UNANIMOUSLY WITH TWO ABSENT.

COUNCIL REPORTS –

COUNCILMEMBER FRAMPTON – Councilmember Frampton stated that he went over to the Community Center to talk with Heath Bateman about the Tree Board and wrap things up to get the recommendations finalized. Mr. Frampton was very impressed with the fitness equipment that was acquired at the Community Center. He also mentioned that we still need to get the plaque to Shirl Tomlinson.

COUNCILMEMBER HATCH – Councilmember Hatch thanked Ott Dameron for going to the grand opening at the Artisan Salon. He also stated that he received a comment from a citizen who really appreciates the tunnel under State Street and what an asset it is to the City. He also stated that the remodel of the offices at the landfill is nearly completed.

COUNCILMEMBER WALKER – Councilmember Walker commented that Don De St. Jeor has finished up this year with baseball. He also stated that Don De St. Jeor wants to know if he can reset the fencing with removable fencing. He also commented that money would be an issue and that this should actually be run by Councilmember Frampton. He also inquired if the City would entertain seeding this program and that these issues can be brought up with Heath Bateman, the Parks and Recreation Director. Councilmember Walker commented that these programs really benefit the kids of Lindon. Mayor Dain commented that his only concern would be if you seed one program there are more behind in line that want to be seeded also. He also stated that maybe some kind of arrangement could be worked out, or that it may be a good Eagle project.

CHIEF CULLIMORE – Chief Cullimore reported that they are in the hiring process for a new police officer. They have had over 50 applicants with several of them not being qualified; they are weeding them down after the physical test and written test to about six applicants and will be interviewing between July 18th to the 22nd. He also noted the Firearms Training on July 20, 2011 at 6:00 at the Orem Range for those who would like to attend.

ADMINISTRATOR’S REPORT –

Mr. Dameron reported on the following items:

1. The Council reviewed the Project Tracking List.
2. Joint Work Session on Creekside Retirement scheduled for July 7, 2011.
3. Engineering Coordination meeting will be held on Tuesday July 12, 2011.
4. Flow rider tour is on Friday July 22, 2011 – all day event.

- 2 5. Tuesday August 16, 2011 at 6:00 – Joanna Larsen will be giving Emergency
Response Training.
4 6. Artisan Salon opened.
7. First public hearing for general plan update on Tuesday, July 19, 2011.
6 8. Topping Ceremony for the Utah Valley Convention Center on July 11, 2011 at
2:00 p.m.

8 COUNCILMEMBER WALKER MOVED TO APPROVE THE PAY
VOUCHERS. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE
10 VOTE WAS RECORDED AS FOLLOWS:

12 COUNCILMEMBER FRAMPTON AYE
11 COUNCILMEMBER HATCH AYE
12 COUNCILMEMBER WALKER AYE

14 THE MOTION CARRIED UNANIMOUSLY WITH TWO ABSENT.

16 **ADJOURN** –

18 COUNCILMEMBER HATCH MOVED TO ADJOURN THE MEETING AT
8:25 P.M. COUNCILMEMBER FRAMPTON SECONDED THE MOTION. ALL
20 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

22 Approved – July 19, 2011

24

26

28

Kathryn Moosman, City Recorder

30

32

34

James A. Dain, Mayor

36

38