

2 The Lindon City Council held a regularly scheduled meeting beginning at 7:00 p.m. on
3 **Tuesday, January 17, 2012** in the Lindon City Center, City Council Chambers, 100
4 North State Street, Lindon, Utah.

5 Conducting: James A. Dain, Mayor
6 Pledge of Allegiance: Jay Clift, Lindon Elementary Student
7 Invocation: Mark Walker, Councilmember

8 **PRESENT**

ABSENT

9 James A. Dain, Mayor
10 Mark L. Walker, Councilmember
11 Bret Frampton, Councilmember
12 Matt Bean, Councilmember
13 Randi Powell, Councilmember
14 Jeff Acerson, Councilmember
15 Ott H. Dameron, City Administrator
16 Adam Cowie, Planning Director
17 Cody Cullimore, Chief of Police
18 Kathryn Moosman, City Recorder

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

20
21 **PRESENTATION** – The Mayor and City Council will be presented with the Character
22 Connection Poster Calendar by the children who created the original artwork. Kathy
23 Allred will make the presentations.

24
25 Mayor Dain introduced Kathy Allred, from the Character Connection program,
26 who was in attendance to present the Mayor and Council with the 2012 Character
27 Connection poster and calendar. Mayor Dain commended Mrs. Allred, and expressed
28 his appreciation for her fine work and dedication to the program. Mayor Dain also noted
29 that Mrs. Allred has single handedly been moving the program ahead as of late. Mrs.
30 Allred explained that the Character Connection Program has been a Lindon tradition
31 since 1995, and commented that they did partner with Wasatch Mental Health
32 approximately eight years ago, and have printed calendars for those eight years, but she
33 also noted that they have produced a poster every year since the program's inception.
34 Mrs. Allred commented that due to the lack of funds and the economy, the amount of
35 calendars printed has lessened, and noted that they have not had the financial support or
36 the volunteers they have had in the past. She also noted that any volunteers would be
37 greatly appreciated.

38
39 Mrs. Allred went on to say the Character Connection started with some PTA
40 moms who met together, and decided they wanted to be on the same page with
41 businesses, homes and schools, with the purpose of being connected to promote
42 character in the community. That is when the Lindon Character Connection was started,
43 and they have done a curriculum every year for teachers, which is currently online
44 because of the lack of funding to do the notebooks. Mrs. Allred stated that they have
45 always presented a poster to the Mayor and Council that will hang in the City Building.

2 Mrs. Allred then presented the 2012 Character Connection poster to Mayor Dain.
3 She further noted that this year's poster has a picture for each month of the year that the
4 students have created, with the main participants coming from Aspen and Lindon
5 Elementary Schools. Mrs. Allred then invited the Principals of Lindon Elementary,
6 (Kate Ross) and Aspen Elementary, (Brad Davies) forward; she then expressed her
7 appreciation for their support of the program. Mrs. Allred noted in the past, the Boy
8 Scouts have helped to distribute the calendars to all Lindon residents, but due to the lack
9 of funding from the Alpine School District, the calendars will not be distributed this year.
10 Mrs. Allred then invited the participating students forward to receive their awards, after
11 which a photo was taken of the students with the Mayor and the Principals of the schools.

12 Mrs. Allred expressed her thanks and appreciation to the City Council and Mayor
13 Dain for their support of the Character Connection program. Mayor Dain thanked Mrs.
14 Allred for all of her hard work, service, and dedication to the Character Connection
15 Program and stated that this is a wonderful program and we have a better community
16 because of her service.

17 **MINUTES** - The minutes of the regular meeting of January 3, 2012 were reviewed.

18
19 COUNCILMEMBER FRAMPTON MOVED TO APPROVE THE MINUTES
20 OF THE MEETING OF JANUARY 3, 2012 AS CORRECTED OR AMENDED.
21 COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS
22 RECORDED AS FOLLOWS:

23 COUNCILMEMBER WALKER AYE
24 COUNCILMEMBER FRAMPTON AYE
25 COUNCILMEMBER BEAN AYE
26 COUNCILMEMBER POWELL AYE
27 COUNCILMEMBER ACERSON AYE
28 THE MOTION CARRIED UNANIMOUSLY.

29 **OPEN SESSION** - Citizens comments.

30
31 Mayor Dain called for comments from any audience member who wished to
32 address an issue not listed as an agenda item.

33
34 Audience member, Kate Ross, Principal of Lindon Elementary, approached the
35 Council with a matter of safety regarding the parking situation on the south side of
36 Lindon Elementary school, which is a Lindon City street right of way. Ms. Ross noted
37 that there are currently no crosswalks at the south location because, as she was informed
38 by the Alpine School District, they did not want to cross the children into the existing dirt
39 and gravel area. She further noted that the problem they are having is that the
40 Kindergartener's are on the south side of the school, and the students are being picked up
41 on the south side and waved across busy traffic by their parents instead of walking east to
42 the crosswalk. Ms. Ross proposed the possibility installing a small sidewalk and some 45
43 degree paved parking along the fence, so the students could cross to a sidewalk in front of
44 the cars as opposed to crossing behind the cars which poses a real safety concern. Ms.
45 Ross noted that the additional parking would also be an asset to the community, and
46

2 would be beneficial for Lindon citizens, including the Lindon Community Center and
Timpanogos Academy.

4 Ms. Ross commented that they have approached the Alpine School District about
the possibility of purchasing the neighboring property for additional parking, but was
6 informed that the owners do not want to sell. Ms. Ross reiterated that this is a dangerous
location, and the possibility of an added crosswalk to enable the students to cross to a
8 sidewalk would help immensely. Mayor Dain asked if the School District would
entertain the possibility of helping with the improvements if the City stepped in to help
also. Ms. Ross replied that she thought that would be a good possibility. Mayor Dain
10 stated the City will take this issue under advisement and get an estimate of costs from the
City Engineer. He further noted that budgets are tight but the City may be able to help.
12 Councilmember Walker inquired how much of the property is city owned. Mr. Dameron
replied he will have the City Engineer look into right of way ownership.

14 Councilmember Acerson asked if the school has published information regarding
the policy and procedures regarding picking up and dropping off students. Ms. Ross
16 confirmed that they do have information for the parents and commented that you can
educate the parents but you cannot control them.

18 Councilmember Frampton asked Chief Cullimore if parking is currently allowed
in the area in question. Chief Cullimore stated that parking in the area is not regulated as
20 a designated parking area, but they have allowed the parking if caution is used with cars
backing into traffic etc. Councilmember Powell commented that as a resident and as a
22 citizen, whose children have attended Lindon Elementary, she has watched it evolve over
the years with the tenure of the different principals and the way the community has
24 developed. Councilmember Powell further noted that the school affects the citizens and
the citizens affect the school, and added that we all need to be more cautious. She also
26 commented that typically things have been running smoother than in the past few years.

28 Ms. Ross commented that the north parking lot is working a lot better, because of
the re-striping and adding cones etc., but the younger grades are on the south side, and
she also noted that there are teachers out at that time to help, but they are not always
30 available. She further noted that they will certainly consider things that may help the
situation on their end, but they have done their best to educate the parents and are just
32 looking to partner with the City on a solution. Ms. Ross thanked the Mayor and Council
for their time and consideration into this matter. Mayor Dain thanked Ms. Ross for her
34 good work at Lindon Elementary.

36 Mayor Dain asked if there were any other public comments. Lindon resident,
Roy Shepherd approached the Council. Mr. Shepherd had concerns with three items as
follows:

38 1. Was the water pipeline from Vineyard approved?

Mayor Dain stated that it was approved.

40 2. Has UDOT offered any encouragement on the State Street Widening
Project? Mr. Cowie replied that nothing has changed since the last time
42 Mr. Shepherd addressed the Council.

44 3. When will the Center Street connection at the canal be on the agenda?

Mayor Dain replied that this issue will be worked into the budget followed
by some discussion on getting cost estimates and looking at the next

2 year's budget. Mayor Dain noted that the City hopes to move
ahead within the next few months on the Center Street project.

4 Mr. Shepherd thanked the Mayor and Council for their time. Mayor Dain asked if
there were any further public comments.

6 A Scout Leader and his troop were in attendance to address the Council. The
Scout Leader mentioned that he and his scout troop had spoken with Councilmember
8 Powell to voice their concerns regarding State Street. They mentioned to
Councilmember Powell that there is not a location to cross State Street between Kneaders
10 and the underpass, and they would like to request a crossing, perhaps by Walker's.
Mayor Dain stated that will likely not happen unless UDOT puts in a signalized
12 intersection, and further noted that State Street is a State road, and the City does not have
much input. Mayor Dain added that UDOT has talked about the possibility of putting a
14 signal at Center Street some time in the future, but until then, the best and safest place to
cross would be the underpass or at a signalized crossing.

16 Mayor Dain then thanked the scouts for coming and voicing their concerns and
opinions. Councilmember Acerson also addressed the scouts and stated that he can't
18 impress enough the importance of not crossing State Street without going to a light or the
underpass, he further emphasized that it is a dangerous street, and it is not worth taking a
20 chance by not crossing at a signalized light or the underpass. Mayor Dain asked if there
were any other public comments.

22 Chief Cullimore, Joanna Larsen and Jan Rogers were in attendance to present
information on the "Emergency Great Utah Shake Out." They opened the discussion by
24 explaining what the Emergency Great Utah Shake Out entails and what is going to
happen on that day. Ms. Larsen noted that this will be a full scale exercise with state
26 agencies, counties, cities, and some federal partners involved. She further noted that
there will also be an initiative to have citizens exercising the drill at the same time on
28 April 17, 2012 at 10:15 a.m. Ms. Rogers stated the objective is to have the whole state
participating at the same time. She went on to say that there is the option, as a city, to do
30 more drills on that date if so desired. Ms. Rogers then referred to a booklet that she
provided to the Council regarding the drill, which includes a simple, basic and
32 intermediate plan. Ms. Larsen noted that they are encouraging everyone to get signed up
and participate in the "Drop, Cover and Hold On" exercise on April 17th.

34 Ms. Larsen further noted that they will provide booklets for community leaders to
educate them on the drill. Councilmember Walker asked if this drill is similar to what we
36 have already been doing in the community with the Drill Down for Safety, and if there is
a way to put it all together or if they need to be done separately. Ms. Larson replied that
38 this is the largest exercise in Utah history, and is a one time event, and is separate from
the Drill Down for Safety. She reiterated that everyone is encouraged and invited to
40 participate. Chief Cullimore noted that this exercise will add to what is already in place,
as far as emergency preparedness, and will give everyone more practice for an emergency
42 situation. Chief Cullimore further stated that he will get the information out to businesses
and schools, and all contacts from the Drill Down for Safety, and let them know that as a
44 City we would like to incorporate this into our overall emergency plan. He also noted
that if this exercise is repeated in few years that will also be beneficial.

2 Councilmember Powell commented that she went to businesses with Mrs. Larsen
in September for the Drill Down for Safety. She further noted that the businesses they
4 visited were very excited to participate with the City in the drill; and suggested that we,
as a Council, can help by contacting a few businesses within the community to let them
6 know we care about their safety and encourage them to participate in this drill. She
further noted that as a resident it was a really great experience. Ms. Larsen asked for the
8 direction of the City Council to encourage everyone to participate as a City and
incorporate this program into their overall emergency plan.

10 Councilmember Acerson asked Chief Cullimore to identify businesses that
present a greater danger to the citizens, and to make them aware; and to be proactive to
12 find ways to decrease potential dangers to customers or participants in the event of an
emergency. Chief Cullimore stated that the businesses that have more hazardous
14 materials and industrial uses have been approached; they are agreeable to participate and
want to be involved because they realize that they may be responsible for several
16 thousand people and their safety in the event of an emergency. Chief Cullimore added
that both the big businesses and smaller businesses are included. Ms. Larsen then
suggested two things to practice that can make a big difference for preparedness.

- 18 1. Personal preparedness by having the basics.
- 20 2. Securing things to prevent injuries from falling items.

22 Ms. Rogers expressed that these are just guidelines not a mandate, but they would
like to see as many people as possible participate in the drill. Councilmember Walker
24 asked what the best advice is if you are in your car in the event of an earthquake. Ms.
Rogers replied that in an emergency earthquake situation it is best advised to stay in your
26 car if you are driving, and to pull over, but not to be under an underpass or on a bridge,
and to stay away from power lines or large trees. Chief Cullimore stated that they will
28 make some plans and come back to the Council when they see what the overall
participation in the drill will be.

30 Mayor Dain expressed his thanks for the valuable information presented. He then
called for any further public comment. Being no further public comment he moved on to
32 the next agenda item.

34 **MAYOR'S COMMENTS/REPORT** - Mayor Dain stated that he had already covered
all reportable items.

36 **CONSENT AGENDA** –

38 No Items

40 **CURRENT BUSINESS** –

- 42 1. **Public Hearing** – *Ordinance Amendment, Off Premise Signs (Ordinance*
44 *#2012-1-0)*. The City Council will hear public comment and possibly act to
approve Ordinance #2012-1-0, amending Title 18 “Sign Ordinance” of the
46 LCC for off premise signs. This is a request by Garrett Smith with Tri-City
Medical for approval of this proposed change. This proposal was reviewed by

2 the Council as a concept during the meeting of September 6, 2011. The
3 Planning Commission recommended approval.

4 COUNCILMEMBER WALKER MOVED TO OPEN THE PUBLIC HEARING.
5 COUNCILMEMBER FRAMPTON SECONDED THE MOTION. ALL PRESENT
6 VOTED IN FAVOR. THE MOTION CARRIED.

8 Dr. Garret Smith with Tri City Medical was in attendance for this agenda item.
9 Mr. Cowie opened the discussion by stating that Mr. Smith has submitted an application
10 requesting an ordinance change on a sign permit. Mr. Cowie noted that the applicants
11 proposed off-premise monument sign will be used as a directional sign and also used for
12 advertising for their business. This item came as a concept review to the City Council
13 and the Planning Commission several months ago. Mr. Cowie further explained that the
14 applicant would like to place the monument sign at a location on the corner of State
15 Street and 200 North near the Utah Idaho map store. They have already received
16 permission from the owner, Ray Taylor, to install the sign at that site. Mr. Cowie noted
17 a lot of time was spent at Planning Commission discussing this issue and they did
18 recommend approval of the ordinance to the City Council.

19 Mr. Cowie then went over some of the suggested changes in the ordinance
20 language from the Planning Commission, and noted on page two (2) the language
21 underlined is new wording and any items crossed out have been removed from the
22 current ordinance.

23 Mr. Cowie then went over the ordinance changes as follows:

- 24 1. Maximum height and size will be determined by the street frontage or
25 acreage of the parcel the sign is to occupy.
- 26 2. A maximum of one (1) off-premise monument sign is permitted per
27 business.
- 28 3. A minimum separation distance of fifty feet (50') shall be required from
29 any other monument sign.
- 30 4. Off-premise monument signs are not permitted to be located within a
31 residential zone or on the same lot or parcel as a residential use.
- 32 5. Each business/use advertised by the off-premise monument sign must be
33 within eight hundred feet (800') from the center line of a major arterial or
34 collector street; State Street, Geneva Road, 700 North and 200 South.
- 35 6. Off-premise signs shall only be permitted on the same side of the arterial
36 or collector street as the business for which it is serving.
- 37 7. At the time of building permit, the sign owner must submit to the City a
38 written easement from the owner of the property for which the sign will be
39 located.

40 Councilmember Walker asked about the option of the 3 ft. berming that is allowed
41 in the ordinance to obtain clearance over the white fencing, and if that would be
42 controlled. Mr. Cowie stated that the height of the sign and visibility would be controlled
43 and evaluated through a building permit when submitted. Councilmember Acerson
44 inquired if the State Street widening project will affect this proposed sign. Mr. Cowie
45 stated that with the current UDOT proposal, they will not be removing any curb, gutter or
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2 sidewalk, so the state street widening will not affect the proposed sign or the map world
3 property. Mr. Smith then expressed his thanks to Mayor Dain, Mr. Cowie and the
4 Council for their time and direction regarding this issue. Mr. Smith also noted that the
5 need for a directional sign for the medical urgent care is the main focus for this proposed
6 sign, and noted that there have been instances where patrons cannot find the location in
7 an emergency situation, and when patrons “Google” the clinic it comes up to the Lindon
8 Park across the street. Mr. Smith further explained the second purpose for the signage is
9 to advertise for some of the struggling businesses in their building. Mr. Smith noted that
10 they also do not want the sign to pose any visibility issues. Mr. Cowie added that there
11 will be some flexibility with the clear visibility issue and will be evaluated. Mayor Dain
12 called for any further public comment. Being no further public comments, he called for a
13 motion to close the public hearing.

14 COUNCILMEMBER FRAMPTON MOVED TO CLOSE THE PUBLIC
15 HEARING. COUNCILMEMBER ACERSON SECONDED THE MOTION. ALL
16 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

18 Councilmember Walker commented to Mr. Smith that he feels that the Council
19 has a good idea of what is proposed and what they want to do, and throughout all of the
20 discussions he feels that this issue has come full circle. Councilmember Frampton added
21 that he also feels comfortable with the ordinance and noted that the Planning Commission
22 was unanimous on this issue. Councilmember Powell asked about the construction of the
23 off-premise monument signs and if the sign needs to be similar to the construction of the
24 building. Mr. Cowie replied that in the language of the monument sign ordinance they do
25 not regulate the lighting, and the use of natural materials is encouraged. He further noted
26 that the City does not allow LED or electronic display signs. Mr. Cowie noted, as per
27 City Attorney Brian Haws, the sign ordinance must remain content neutral, as to what can
28 be written on a sign, as that would delve into free speech issues, so content is not
29 regulated through the ordinance.

30 Councilmember Powell questioned who will monitor the off-premise signs. Mr.
31 Cowie replied that the monitoring will be done by code enforcement officials through the
32 building department, and attempts to make off premise signs that avoid the ordinance will
33 be tagged by code enforcement, and if they do not comply they will be removed.
34 Councilmember Powell commented that this type of ordinance gives businesses the
35 opportunity to do better, as far as advertising, and gives a little more latitude in our sign
36 ordinance. Mr. Cowie added that he feels this ordinance for off-premise signs is pro
37 business for Lindon and an option that will help businesses succeed in Lindon City.

38 Mayor Dain called for any further discussion or comments. Being no further
39 comments, he called for a motion.

40 COUNCILMEMBER FRAMPTON MOVED TO APPROVE ORDINANCE
41 AMENDMENT, OFF PREMISE SIGNS (ORDINANCE #2012-1-0).
42 COUNCILMEMBER WALKER SECONDED THE MOTION. THE VOTE WAS
43 RECORDED AS FOLLOWS:

44 COUNCILMEMBER WALKER AYE
45 COUNCILMEMBER FRAMPTON AYE

2 COUNCILMEMBER BEAN AYE
3 COUNCILMEMBER POWELL AYE
4 COUNCILMEMBER ACERSON AYE
5 THE MOTION CARRIED UNANIMOUSLY.

6 **2. Public Hearing** – *Ordinance Amendment, R2 Overlay – Detached Accessory*
7 *Apartments (Ordinance #2012-2-0)*. The City Council will hear public comment and
8 possibly act to approve Ordinance #2012-2-0, amending Chapter 17.46 “R2
9 Overlay Zone” of the LCC for detached accessory apartments. This is a city
10 initiated request for approval of this proposed change. The Planning Commission
11 recommended approval after much discussion.

12 COUNCILMEMBER WALKER MOVED TO OPEN THE PUBLIC HEARING.
13 COUNCILMEMBER FRAMPTON SECONDED THE MOTION. ALL PRESENT
14 VOTED IN FAVOR. THE MOTION CARRIED.

15
16 Mr. Cowie opened the discussion by explaining that the Planning Commission has
17 spent several meetings discussing this ordinance. Mr. Cowie further noted that this is a
18 City initiated item with public input, and added there is no rush on the proposal. He went
19 on to say the majority of the discussion was on the size limits of the detached apartment.
20 Mr. Cowie further discussed that three of the seven commissioners felt the intent of this
21 accessory apartment ordinance was to allow smaller “cottage” style units only, but the
22 majority (4 members) felt a larger unit of up to 1,000 sq/ft + with no limit on garage or
23 storage spaces was fitting for many of the larger lots in Lindon. Final voting on the
24 ordinance was a 6-1 motion in favor recommending the proposed changes on the size,
25 with Commissioner Kallas voting against the proposal. He felt that the size was too large
26 for an accessory dwelling, not because he was against proposed detached accessory
27 apartments in general. Mr. Cowie further noted as the Commission discussed this issue a
28 few different options were suggested as follows:

- 29
30
- 31 a. Limit the size of the accessory unit by allowing it to not exceed a
32 percentage of the footprint of the primary residence, and not to exceed a
33 certain square footage.
 - 34 b. Limiting size based on percentage of primary residence footprint, with
35 size cap – but allowing the larger of the % or cap to be used (allows larger
36 unit for homes with smaller footprint).
 - 37 c. Limiting size of livable area, but not other attached garage and/or storage
38 space.
 - 39 d. Limit size of both living space and attached garage/storage.
- 40

41 Mayor Dain asked if this ordinance would include all zones. Mr. Cowie replied
42 any residential zone would apply, and they would have to meet all required setbacks,
43 which would apply everywhere except in the Fieldstone Development. Mr. Cowie
44 referred to the added definitions on page two (2) and also the purpose statements on page
45 seven (7) of the ordinance. Mr. Cowie stated that the Planning Commission tried to focus
46 on purpose statements and definitions. Height limits were also part of the discussions.

2 Mr. Cowie also referenced the utilities section on page eight (8) of the ordinance, and
multi-family and moderate income housing projects on page nine (9) of the ordinance.

4 Mr. Cowie added that the applicant will be required to sign, as a certification of
agreement, a form stating they will comply and meet the HUD rental rates, and the State
6 requirements for moderate income housing. Mr. Cowie then referenced two forms that
have been included in the packets, the Occupancy Restriction form and the Second
8 Kitchen form. Councilmember Walker commented that one thing he does not want to see
happen is two primary homes on one lot, and he wants this ordinance to be hardship
generated, more than revenue generated. Mr. Cowie replied that the HUD rental rates are
10 restrictive, and he further noted that the City would be tracking what is charged for rent.
Councilmember Bean commented that as the Planning Commission discussed this issue it
12 was agreed that the factor of affordability to put in an accessory apartment will deter
people, and it will be self governing to an extent.

14 Mayor Dain then called for any public comment. Lindon resident, Toby Bath was
in attendance and noted that he has listened to all of the discussion on this issue, and
16 agrees that the detached accessory apartments need to be restricted to a smaller size
because the large garages and barns in the city are unattractive. Councilmember Powell
18 commented that the aging population wants to stay somewhere familiar, and would opt to
be near their families and their community if possible. Mayor Dain noted that the
20 requirement of shared utilities will help to control and regulate detached apartments.
Councilmember Acerson commented that in principle, the purpose for detached
22 accessory apartments is to try and accommodate families and allow them to have the
option to transition, as to not go to a rest home, but to stay in their community and near
24 their families. Mr. Cowie referenced page 7, letter G and page 8 of the ordinance. There
was then some discussion on the breezeway attachment section of the ordinance.

26 Planning Commission Chairperson Call was in attendance and commented that
the 1,000 square feet was a compromise by the Commission, and it was difficult to keep
28 the focus on the purpose and intent; but their comments and concerns were very much the
same as the City Council. Councilmember Powell asked Commissioner Mike
30 Marchbanks, who was in attendance, from a developer's standpoint, if he would push this
issue as a guest house vs. a rental property. Commissioner Marchbanks replied that
32 would probably not happen, only in the Sun City markets i.e., St. George, Arizona, and
Las Vegas. He further added that this needs to be practical, and as far as Lindon City's
34 purpose in looking at this issue, and he feels that 800 or 1,000 sq. ft. would suffice.
Commissioner Marchbanks added that this will be a very restrictive ordinance because of
36 the required setbacks, and added that it will be self regulating. Mayor Dain stated that the
Council should start conservatively and see where the ordinance takes us, because it can
38 always be revisited, or continue the discussion and come back to it.

40 Mayor Dain called for any further public comment or discussion. Hearing none,
he called for a motion to close the public hearing.

42 COUNCILMEMBER FRAMPTON MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
44 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

2 Mayor Dain then called for further discussion from the Council. Councilmember
3 Frampton stated that he feels comfortable with the ordinance and he trusts the Planning
4 Commission on their decision and suggested that the Council move ahead.
5 Councilmember Acerson added that he sees no benefit by prolonging it, but does see
6 benefits from reviewing it over time to see how it really works. Councilmember Walker
7 asked Councilmember Bean if he thought the size seemed to be the issue with the
8 Commission and if there was not a lot of negative feedback. Councilmember Bean
9 replied that it was difficult to decide on the size, and 1,200 sq. ft. was fine with the
10 breezeway in his opinion, and generally, there was never a big difference among the
11 members regarding size that caused any major concerns. Councilmember Frampton
12 commented that if the Council moves to approve the ordinance, Mr. Bath can move
13 ahead. Mayor Dain noted that the issue can always be revisited if there is something
14 happening that is alarming. Mr. Dameron asked Mr. Cowie to review a couple of new
15 items in the ordinance. Mr. Cowie referenced page 2, line 16 (owner occupant
16 restrictions). Mr. Cowie then went over the owner occupant section. There was then
17 some discussion between the Council and Mr. Cowie regarding owner occupants. Mr.
18 Dameron also referenced page 3, line 63 (separation distance/multi-family housing).
19 There was then some discussion between the Council and Mr. Cowie regarding
20 separation distances and multi-family housing. Councilmember Bean had a question on
21 page 8, line 4 (footprint of the primary residence) and he presumed this is the footprint of
22 the livable floor area, not including a garage etc. Mayor Dain asked Mr. Cowie if he
23 thought that line needs to be clarified. Mr. Cowie stated he will add in “the livable floor
24 area” on page 8, line 4.

25 Councilmember Frampton expressed his thanks to the Planning Commission for
26 all of their hard work on this issue, and noted that a lot of the legwork was done by the
27 Commission. Mr. Cowie noted one more change on Page 4 line 9; “these provisions will
28 not be effective until March 1, 2012.” Mr. Cowie stated this date was added anticipating
29 that this agenda item would carry on to more meetings, but he also noted the date can be
30 changed to today’s date or the date the council chooses to make it effective. Mayor Dain
31 stated he feels the Council should not delay, once it is made effective, and opted to get
32 the ordinance approved and posted. Mr. Bath thanked the Council and expressed his
33 appreciation for all of their hard work on this issue.

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

36 COUNCILMEMBER FRAMPTON MOVED TO APPROVE ORDINANCE
37 AMENDMENT, R2 OVERLAY. DETACHED ACCESSORY APARTMENTS
38 (ORDINANCE #2012-2-0). COUNCILMEMBER POWELL SECONDED THE
39 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

40 COUNCILMEMBER WALKER AYE
41 COUNCILMEMBER FRAMPTON AYE
42 COUNCILMEMBER BEAN AYE
43 COUNCILMEMBER POWELL AYE
44 COUNCILMEMBER ACERSON AYE
45 THE MOTION CARRIED UNANIMOUSLY.

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2 **3. Review and Action** – *Lease of Police Vehicles (Resolution #2012-1-R)*. This is a
3 request by Chief Cullimore for approval of a resolution approving the lease
4 agreement with Zion’s First National Bank for the lease of the Police Chief’s
5 vehicle for the next two years.

6 Mr. Dameron opened that discussion by explaining that January is the renewal
7 date for Chief Cullimore’s leased vehicle. Mr. Dameron noted that Chief Cullimore’s
8 truck is the first vehicle up for renewal in 2012; the rest of the fleet will follow. Mr.
9 Dameron further explained that tonight’s action is the first step in requesting approval of
10 the resolution to get the paperwork started to lease the vehicle.

11 Mayor Dain called for any comments or discussion from the Council. Hearing
12 none, he called for a motion.

13 COUNCILMEMBER POWELL MOVED TO APPROVE RESOLUTION #
14 2012-1-R LEASE OF POLICE VEHICLE. COUNCILMEMBER FRAMPTON
15 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
16 COUNCILMEMBER WALKER AYE
17 COUNCILMEMBER FRAMPTON AYE
18 COUNCILMEMBER BEAN AYE
19 COUNCILMEMBER POWELL AYE
20 COUNCILMEMBER ACERSON AYE
21 THE MOTION CARRIED UNANIMOUSLY.
22

23 **ADMINISTRATORS REPORT:**

24 Mr. Dameron reported on the following items:

- 25 1. Mr. Dameron gave each of the Councilmembers a set of keys to the Vet
26 Hall and the Community Center.
- 27 2. Engineering and Coordination meeting will be held on January 31, 2012.
28 Councilmember Walker and Councilmember Acerson will attend.
- 29 3. The next City Council meeting will be held on February 7, 2012.
- 30 4. There will be a public hearing for surplus property on February 7, 2012.
31 There will be some items from the Community Center including a snow
32 blower and 40 blue choir chairs. Bids will be open to the public.
- 33 5. Cemetery Ordinance Amendments will be brought to the Council at the
34 next meeting.
- 35 6. Project Tracking List. Mr. Dameron noted that any member of the
36 Council can request if there is something you want brought to the council.
- 37 7. Mr. Dameron presented the Council with the agenda for the Retreat.
38 There were no questions regarding the agenda.
- 39 8. Mr. Dameron reported that he received a call from the Provo River Water
40 Users Association regarding the Murdock Canal. The County is planning
41 to build a rest area at the end of 750 east. PRWUA is requesting the City
42 purchase the land. Mr. Dameron noted that it would be in the best interest
43 of the City to have the property rather than the County. Mr. Dameron will
44

take this item to the board and advise them that the City would like to buy the property (several acres) if the cost is reasonable.

9. Mr. Dameron noted that Heath Bateman has been approached by Utah Valley Skyline Chorus. They are requesting to use the Community Center every Tuesday night for 3 ½ hours to rehearse. The Community Center would need to provide storage space and a single parking space for their use. He also noted that rehearsals would be open to the public along with 2 dress rehearsals and 4 free concerts each year. Mr. Dameron further reported that they would also offer free voice lessons, use of the choral risers and free labor to remove the choir seats. The City would provide limited advertising. The Council would like this issue brought up to the Community Center Advisory Committee to see what their feelings are on this matter.

10. The John Hancock Charter School would like to pay half price for 190 passes, so they would actually get 85 free day passes, for the students to come to the pool. The Council agreed that passes should be limited to Lindon Schools only.

COUNCIL REPORTS:

COUNCILMEMBER WALKER – Councilmember Walker reported that he will be out of town from January 20th to January 28th. He further noted that he spent some time with the Van Wagoner’s concerning their property on Center Street; and noted that they had a good conversation and they were very accommodating. Councilmember Walker added that the Van Wagoner’s realize the changes on Center Street are coming through sometime and they would like to have some discussion and negotiations. Mayor Dain noted that good open dialogue is needed regarding this issue.

Councilmember Walker also suggested that the marquee at the park either needs to be moved or another marquee needs to be built at the City Center Building or at the Community Center because of visibility issues. There was then some discussion that the RDA State Street funds could be utilized for this project. Mr. Dameron stated that he will look into this issue. Mayor Dain commented that it would be nice to have a new marquee at both the City Building and at the Community Center. Councilmember Walker invited Chief Cullimore do give his report at this time.

CHIEF CULLIMORE – Chief Cullimore reported that the Community Center was burglarized and the suspects have been arrested. He further reported that they are in the process of getting a security system at the Community Center. Chief Cullimore noted that the suspects have been in the system for a along time, and further noted that restitution will be ordered by the courts. Mayor Dain noted that if the burglary was connected to the HEAT program being conducted at the Community Center then MAG would most likely reimburse the city for the loss.

Chief Cullimore then expressed his thanks and appreciation to the Mayor and Council for their support while he was recuperating from surgery. Chief Cullimore also reported on Parrish Chemical and noted that the State of Utah has deemed what is stored at that facility is legal. Chief Cullimore noted that Adam Cowie is checking all zoning

avenues to see if there are any implications there to have Parrish Chemical removed from the location. Councilmember Acerson asked if there was a detailed report on Parrish Chemical that he could review. Chief Cullimore confirmed that and stated that he will get a copy of the report to Councilmember Acerson. Councilmember Powell also requested a copy of the report.

COUNCILMEMBER FRAMPTON – Councilmember Frampton reported that he will be meeting with the tree board on the 25th. Councilmember Frampton also reported that they have had some applicants for removing the trees and they are in the process of deciding and will move forward as soon as possible.

COUNCILMEMBER BEAN – Councilmember Bean reported that the two new planning commissioners, Rob Kallas and Mike Marchbanks have been appointed. He also reported that the Commission voted in Sharon Call as Chairperson and Ron Anderson as Vice Chair.

COUNCILMEMBER POWELL – Councilmember Powell reported that she met with the Lindon Days committee and further noted that Tracey Whitehead, Lindon Days Chair, is excited about this year’s events and she has a lot of great ideas, and a lot of new plans for Lindon Days. Councilmember Powell noted that they will be putting a blurb in the newsletter regarding volunteers for Lindon Days. Councilmember Powell also reported that she had spoken with Kathy Allred with the Character Connection program, and she had asked about a request for funding. Mr. Dameron stated that Mrs. Allred will have to submit a letter of request for the budgeted funding (1,000/per year) to the Council. Councilmember Powell stated that the Character Connection program does a great job and is the epitome of how character should be taught. Councilmember Powell added that Mrs. Allred would like to know what direction the Council would like to see the Lindon Character Connection go. Councilmember Powell noted that as a Council can we come up with a new focus for Mrs. Allred and give feedback. Councilmember Acerson commented that the challenge is values; and maybe a character value, that we as a Council feel strongly about, would be appropriate and timely with the Council articles.

Mayor Dain noted that the city may be able to give more money this year to show that we appreciate what they do. Mayor Dain further noted that a lot of people have been involved with the program over the years, but it is a smaller group now because of funding. Councilmember Powell stated that she will report back to Mrs. Allred. Mr. Dameron suggested an agenda item increasing the allocation \$200 for the Character Connection. Councilmember Acerson suggested that a meeting with a representative from the School District and with the Mayor may be beneficial. Councilmember Powell also stated that she will be attending the legislative lunch next week, and also reported that she attended the League of Cities and Towns training. Councilmember Powell also mentioned to be thinking about a Grand Marshall for Lindon Days, and she would welcome any suggestions.

COUNCILMEMBER ACERSON – Councilmember Acerson distributed a letter to the Councilmember’s and the Mayor. Councilmember Acerson asked the Councilmembers to email any comments regarding the letter back to him. Councilmember Acerson

2 explained they are trying to approach leaders in the community to make them aware that
3 many citizens of the community attend Utah Valley University and work collaboratively
4 to provide a well connected environment. Councilmember Acerson further explained
5 they want to work together to provide mentors, internships, and leadership to help move
6 the students along in the practical applications of what they are learning. Councilmember
7 Acerson commented that he is the acting Chair on the advisory board for this program.
8 Councilmember Acerson also noted that as a Council they could even suggest and
9 identify people in the community to be mentors or teach (adjunct). Councilmember
10 Acerson added that all facets are open and this will help to develop a base of individuals
11 who will meet once a month with their mentors. Councilmember Acerson added that this
12 would include anything that teaches core values and leadership. Councilmember Acerson
13 asked the Council to give some thought and suggest names of people and businesses who
14 may be interested in participating. Councilmember Acerson expressed that there is a real
15 need to help these kids to be successful.

16 Councilmember Acerson also reported that he would like to arrange a time for
17 city employees to attend a Jazz game. Councilmember Acerson stated that he has talked
18 to Mr. Dameron about an opportunity for city employees going to a jazz game, and they
19 will look at a couple of options, and if the price is right they may get the tickets covered.
20 He also stated that he would like to have the reception before the game again if possible.
21 Councilmember Acerson also brought up the possibility of a business letter being sent out
22 to businesses, and to also look at the existing business base and encourage the businesses
23 to stay in the community. Mr. Dameron noted that a letter has already been sent out to
24 local businesses. Councilmember Acerson stated he will be happy to follow up with any
25 responses to let the businesses know how much we appreciate them here in the
26 community.

27 **MAYOR DAIN** – Mayor Dain reported that he and Mr. Dameron and Mr. Cowie met
28 with the Andersons and he noted that the Andersons feel like they want to leave their
29 property zoned as is for now. Mayor Dain further reported that the Anderson’s will talk
30 to the other property owners in the area. Mayor Dain stated that the Anderson’s want
31 their options to stay open to see what comes through the door and then change it as
32 development occurs. Mayor Dain also commented that other property owners would
33 make an offer to the Andersons if they were going to sell, so they want to sit tight and
34 wait. Mayor Dain commented that the meeting was a good, cordial exchange.

35 Mayor Dain also reported on the Redevelopment Agency (District 3); and noted
36 that the tax increment goes into the RDA and there is currently a million dollars in the
37 RDA fund. Mayor Dain noted that the money in the RDA cannot be spent anywhere but
38 in the RDA to get landscaping and sidewalks done on vacant lots etc. Mayor Dain
39 further noted that there is also enough funding to do the underground storm water for
40 Hyundai to expand their operation into the debris basin. He added that the City had
41 agreed to participate up to \$400,000. Mr. Dameron stated that this issue will be covered
42 in more detail at the retreat. Mr. Dameron further noted that if someone came in on a
43 vacant parcel and wanted help, we would put infrastructure in because the money has to
44 be spent. Mayor Dain added there will be more discussion on this issue at a later date.

2 COUNCILMEMBER WALKER MOVED TO APPROVE THE PAY
VOUCHERS. COUNCILMEMBER BEAN SECONDED THE MOTION. THE VOTE
WAS RECORDED AS FOLLOWS:

4 COUNCILMEMBER WALKER AYE
COUNCILMEMBER FRAMPTON AYE
6 COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
8 COUNCILMEMBER ACERSON AYE
THE MOTION CARRIED UNANIMOUSLY.

10 **ADJOURN** –

12 COUNCILMEMBER FRAMPTON MOVED TO ADJOURN THE MEETING
14 AT 11:00 P.M. COUNCILMEMBER WALKER SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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18 Approved – February 7, 2012

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Kathryn A. Moosman, City Recorder

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James A. Dain, Mayor