

2 The Lindon City Council held a regularly schedule meeting on **Tuesday, April 3, 2012**
3 **beginning with a Work Session at 6:00 p.m.** in the Lindon City Center, City Council
4 Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:00 p.m.

8 Conducting: James A. Dain, Mayor

10 **PRESENT**

10 James A. Dain, Mayor
11 Mark L. Walker, Councilmember
12 Matt Bean, Councilmember
13 Randi Powell, Councilmember
14 Jeff Acerson, Councilmember
15 Ott H. Dameron, City Administrator
16 Kathryn Moosman, City Recorder

ABSENT

Bret Frampton, Councilmember

18 The work session began at 6:00 p.m.

20 **DISCUSSION** – *The Mayor and City Council met in a Work Session with Don Peterson,*
21 *Public Works Director, to hear a report on current year data and discuss issues and*
22 *concerns for Fiscal Year 2012-2013.*

24 Mayor Dain welcomed Don Peterson, Public Works Director, to the work session.
25 Mr. Peterson opened the discussion by reporting on culinary water projects that are
26 needed in the city. Mr. Peterson further noted the culinary projects that are foremost are
27 two pressure reducing stations, one on 200 South below the canal and another one on 600
28 North between 200 East and 400 East, which divides the mid-zone and the lower zone in
29 the city. He went on to say that the Public Works Department installed 7 stations 10
30 years ago, but there are still two needed that did not get put in. Mayor Dain inquired
31 about the cost of the stations. Mr. Peterson replied that they are approximately \$17,000
32 per station installed. Mr. Peterson then explained in some detail pressure reducing
33 stations and their function. Mr. Peterson explained there are two other culinary projects
34 to consider; the transfer of water service from a 4' to an 8" line and kill the 4' line. This
35 would run from 200 East and Center Street to 200 South and 400 West to 600 South. Mr.
36 Peterson stated that the cost to do all of the above mentioned items is approximately
37 \$130,000.

38 Mr. Peterson further discussed the secondary water system and noted that it is in
39 good shape. Mr. Peterson added some pumps were delivered (for the 1200 East pump
40 station) and will be installed this week, and Zone #3 Reservoir is currently being cleaned
41 and will be finished up this week also. Mr. Peterson noted that he met with the canal
42 companies last Tuesday, and "Big Bench" announced they will turn on the secondary
43 water April 14th and his employees will be ready.

44 Mr. Peterson then discussed the waste water system. He noted there are two areas
45 that are in need of some slip lining (approximately 975 ft. of 8" pipe). Mr. Peterson then
46 showed a map identifying the two areas. He noted one area flat lines on 200 East and one

2 area flat lines in Jerald Hatch's pasture. Mr. Peterson stated that the cost is
3 approximately \$40,000 to do this project.

4 Mr. Dameron commented that the Budget Committee Meeting should be held
5 before the tentative budget is presented to the full Council. Mayor Dain,
6 Councilmember Walker and Councilmember Bean will attend. Mr. Dameron noted that
7 he will check with the Finance Director, Kristen Colson, to see if she will be ready with
8 the budget. Tentative dates were discussed: April 19th or April 20th at 1:30 p.m. Mr.
9 Dameron noted he will confirm the date with the Mayor and Councilmembers.

10 Mr. Peterson moved on to discuss the storm water system. He noted they are
11 looking at changing out part of the structure at the Cobbley pump station to eliminate
12 restrictions so it won't back up. Mr. Peterson then showed the map and pointed out the
13 UDOT property and the highlighted item as the State Detention Basin. He noted that the
14 basin takes water off of Geneva Road and down Center Street and then returns the water
15 back into the basin. Mr. Peterson added this basin is very inadequate in what it can hold
16 and what it needs to hold. Mr. Peterson stated that he has approached the State to see if
17 they would be willing to sell the property to the City as to enlarge the basin so it can
18 handle twice the drainage or more. If so, they can take the drainage directly into the
19 basin and eliminate 200 feet of piping. Mr. Peterson asked for the Council's approval to
20 approach the State to see what their feeling is about acquiring the piece of property (4
21 acres). Mr. Dameron stated Dave Thurgood recommended acquiring the property in the
22 storm water master plan. The Council approved Mr. Peterson's request to contact the
23 State. Mr. Peterson added they would like to create some storm water drying beds at the
24 public works yard. They have estimates from Mark Christensen, City Engineer, for this
25 project. This would give them a place to legally dump street sweepings to let them dry as
26 to pick up and dispose of easily. Mr. Peterson added this will also be a station to wash
27 out trucks etc. Mr. Peterson added that these items are required through the stormwater
28 water management plan, and if they don't comply the city may get audited.

29 Mr. Peterson then discussed street projects. He noted they would like to do work
30 on the water lines on 200 East. They would also like to pulverize the road and then
31 rebuild and finish it after the water projects are completed. He added they would also
32 like to install 900 feet of sidewalk to complete that street on the east side. Mr. Peterson
33 stated a portion of the sidewalk area is an orchard on the south side of 200 South (1,000
34 ft.) so that area wouldn't need anything, as any development would have to put in the
35 improvements. He added that there are other pieces that are spotty in the area with the
36 newer homes that have developed, and a few homes that are bonded for the
37 improvements but have not put the improvements in yet. Mr. Peterson asked the council
38 what their feelings are on this issue. Mayor Dain asked if there is money in the sidewalk
39 fund that cannot be used for anything else. Mr. Dameron replied there are some monies,
40 deposits from homeowners, in the fund, but he would have to check the amounts. Mayor
41 Dain commented that the Center Street crossing is going to be a big cost, and that issue
42 needs to have top priority. Mr. Peterson suggested concentrating on Center Street and to
43 keep in mind the patching areas where the roads are deteriorating, and work on those
44 issues with the remaining funds. Mayor Dain stated that almost all of the Class C funds
45 will be used for the Center Street Project. Mayor Dain supported Mr. Peterson's
46 suggestion to concentrate on the Center Street Project, but added not to be lacking on
road maintenance.

2 Mr. Peterson reported the water projects include repairing the asphalt where the
3 roads have been trenched, so as to have a drivable surface. He went on to say that some
4 surfaces can be pulled rather than dug, which will save money also. Mr. Dameron
5 reiterated that the priority is the Center Street crossing. Mayor Dain confirmed that
6 Center Street will have to be number one; he added that from a budget standpoint it
7 would be best to do bare bones maintenance.

8 Mayor Dain then thanked Mr. Peterson for the update and for the great work he
9 and his department provides to the City.

10 **WORK SESSION** – 6:30 p.m.

12 Conducting: James A. Dain, Mayor

14 **PRESENT**

15 James A. Dain, Mayor
16 Mark Walker, Councilmember
17 Matt Bean, Councilmember
18 Randi Powell, Councilmember
19 Jeff Acerson, Councilmember
20 Ott H. Dameron, City Administrator
21 Adam Peterson, Planning Director
22 Kathryn Moosman, City Recorder

ABSENT

Bret Frampton, Councilmember

24 The work session began at 6:30 p.m.

26 **DISCUSSION** – *The Mayor and City Council met in a Work Session with Heath*
27 *Bateman, Parks and Recreation Director to discuss issues and concerns for Fiscal Year*
28 *2012-2013.*

30 Mayor Dain welcomed Mr. Bateman to the work session. Mr. Bateman opened
31 the discussion by presenting a slideshow with general information. He noted the Parks
32 Department has 2 full time employees (Wade Webb and Jake Woodcox) that do a great
33 job along with 2 seasonal employees. Mr. Bateman reported there are 55 acres of
34 developed property comprised of 13 parks and 110 acres of parks as well as the cemetery,
35 and the Heritage Trail that the Parks Department maintains.

36 Mr. Bateman further reported that the landscape maintenance is contracted
37 through Elite Grounds and overseen by the Parks Department and runs from April
38 through October, which has a 4 year renewable contract. Elite Grounds has provided
39 landscape maintenance services for Lindon City for approximately 10 years and they treat
40 the city well and it is a good partnership.

Mr. Bateman then went over the 2 goals of the Parks Department as follows:

- 42 1. *Documentation:* The parks department will be adding a daily log book for
43 documentation of activities worked, tasks completed, assessments,
44 inspections and threats. This will be filled out daily and turned in to Parks
& Recreation Director.

2. *Continue to Build the Yearly Seasonal Work Schedule and Plan:* Parks Department will work with staff to calendar tasks and larger project deadlines. The deadlines are set on the calendar and coincide with the work that is required of the department in leading up to and accomplishing each goal.

Mr. Bateman then addressed the Major Projects Accomplished this year:

- Lindon Heritage Trail Relocation
- Fryer Park Grand Opening
- Community Center start up, Boiler, etc.
- Squaw Hollow Park basketball court (Ben Nolte). He would like to change the name of the park to Citizenship Park. There was then some discussion between Mr. Bateman and the Council regarding this issue.

Mr. Bateman then discussed Park Issues as follows:

- New pavilion construction.
- Preservation and care of the new pavilions wood structures.
- New garbage cans.
- New picnic tables at the Main Park.
- New playground at City Park.

Mayor Dain suggested when allocating funds to park needs to look at all of the parks to see where the priorities are and where the money would be best utilized. Mr. Bateman noted there is an issue with the old playground equipment at the City Center Park and it needs to be replaced. Councilmember Bean asked Mr. Bateman if he could provide a park inventory list. Mr. Bateman stated that he does have an inventory list and will provide a copy to the council

Mr. Bateman then gave an update on the Tree Advisory Board. He noted that the Board has been busy with a few major issues, the removal of trees at Canberra, the Arbor Day Celebration, and they recently received the Tree City USA award for the 7th year. He also suggested that Ben Nolte be recommended as a member to the Tree Advisory Board.

Mr. Bateman then reported on Sports Field Usage issues. He explained the Parks Department has had numerous requests from outside organizations to use the ball fields for tournaments etc. The policy in the City has been to not rent out ball fields; Mr. Bateman noted he is not in favor of renting out the ball fields as the rental cost is not sufficient to cover staffing costs and the fields are needed in the city for girl sports.

Mr. Bateman then gave an update on Recreation and the Senior Center. He noted that staff includes Program Coordinator, Emilie Iliff and 3 building attendants and volunteers. They average 40 people per day for lunch and take in an average of \$40 per day, which is \$4,584.66 collected so far this year which goes right to the city. He noted that the lunch program will go to five days a week in August 2012. Mr. Bateman then went over some of the classes and activities offered at the senior center and future sports plans for girl's basketball, indoor soccer, start smart sports, girl's volleyball, tumbling and cheerleading. Mr. Bateman requested another part time coordinator and a portable /inflatable movie screen for movies in the park. Tracey Whitehead would pay half of the \$12,000 cost for the movie screen out of the Lindon Days funds.

Mr. Bateman noted some of the yearly events held at the Community Center as follows:

- Mayor’s Thanksgiving Dinner
- Halloween Carnival
- Staff Christmas Party
- Volunteer Appreciation Banquet
- Christmas Tree Lighting Ceremony

Mr. Bateman noted some of the Visual and Performing Arts activities held at the Community Center as follows:

- Utah Valley Skyline Chorus
- Youth Recitals and performances
- Arts Shows
- Open Microphone Night

Mr. Bateman then reported on the Aquatics Center and noted the opening of the pool is scheduled for May 26th. He also noted that there are only 3 days left available for the pool weekend rentals, and added that Wise Guys Pizza is the new concessions stand at the Aquatics Center and Norton Industries provides the custodial services. He also noted the special events held at the Aquatics Center include the Flow Tour and the Rubber Ducky Derby.

Mr. Bateman listed some of the programs held at the Aquatics Center as follows:

- Swim Lessons
- Birthday Parties
- Junior Lifeguard
- Water Aerobics
- Swim Team
- Flow Rider Lessons
- Morning Exercise

Mr. Bateman stated he is applying for a grant (that will pay half) for a climbing wall at the pool. Mr. Bateman asked if there were any questions. He concluded by thanking the Mayor and Council for all of their support to his department.

Mayor Dain thanked Mr. Bateman for his good work and commended him and his staff for the great job they do for the City.

REGULAR SESSION – 7:00 p.m.

Conducting: James A. Dain, Mayor
 Pledge of Allegiance: Jordan Strong, Troop 1183
 Invocation: James A. Dain, Mayor

PRESENT

ABSENT

James A. Dain, Mayor
 Mark L. Walker, Councilmember
 Bret Frampton, Councilmember – arrived 7:17
 Matt Bean, Councilmember
 Randi Powell, Councilmember
 Jeff Acerson, Councilmember
 Ott H. Dameron, City Administrator

Adam Peterson, Planning Director
2 Cody B. Cullimore, Chief of Police
Kathryn Moosman, City Recorder

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

6 **PRESENTATION** – *ICORE staff, Robert Stewart, Deputy Project Director, and Dave Asay, Public Involvement Coordinator, will present an update to the I-15 Reconstruction Project*
8 *including upcoming street and ramp closures which directly affect Lindon City.*

10 Mayor Dain invited ICORE representatives Robert Stewart, Deputy Project
Director, and Dave Asay, Public Involvement Coordinator, forward for the presentation.
12 Mr. Stewart opened the discussion by noting their purpose tonight is to give an update to
the I-15 Reconstruction Project to the Mayor and Council. He went on to say that they
14 are in the last major push for the project, and they want to make sure everyone is aware
that construction is going to be ramping up between now and the end of the year. Mr.
16 Stewart added that the project is 75% complete and 95% of the traffic is currently on
permanent concrete. They have placed 2 million square yards of concrete with 800,000
18 square yards of concrete yet to place. They are also on schedule for completion in
December of 2012. Mr. Stewart noted that Segment #1, from Lehi to Pleasant Grove,
20 will be completed by June 30th of this year, and the stretch between Lindon and Pleasant
Grove should be done at the same time. He went on to say this will be the fastest billion
22 dollar highway project delivered in United States history.

Mr. Stewart further discussed the 1600 North closures which are specific to
24 Lindon. He noted they will be closing the north ramps on April 23rd which is the north
bound on ramp and southbound off ramp at 1600 North. The ramps will be closed for
26 approximately 30 days. The intersection at the Home Depot and Lindon Park Drive is
slated to be closed for the duration of this closure. UDOT has talked with the businesses
28 and are working with them regarding the impact this closure will have. They will create
signage and detour signs for people to get around to the businesses. Mr. Stewart further
30 reported the south side closure will happen as early as August through mid September,
subject to change due to weather and or equipment availability, without doing any
32 closures. Mr. Stewart added they will then move to 800 north and do a full closure at that
interchange and then the Center Street interchange in Orem. Mr. Stewart stated that after
34 800 North and Center Street are completed they will jump back to 1600 north again and
will close the north bound off ramp and the south bound on ramp for the duration of 30
36 days while UDOT does the ramp termini. Mr. Stewart noted that 1600 north will shut
down for 15 days for ancillary striping and configuration of the road and should be
38 finished around mid September. Mr. Stewart noted research shows that residents don't
realize that construction ends in December, and drivers are expecting the construction
40 impact to decrease this year. Mr. Stewart added this is the final year of the education
outreach campaign and they are advertising for the public to go to the UDOT website for
42 updates. Mr. Stewart stated they will also provide noticing through all of the social media
avenues, email, twitter, website, text message, hotline, and face book. Mr. Asay then
44 provided a publication that summarizes what will happen on the project through the end
of the year to the Mayor and Council.

2 In conclusion, Mr. Stewart noted there is a standard construction warranty which
is a one year warranty plus an additional year, so a two year total warranty, for contractor
maintenance until it shifts to the state.

4 Mayor Dain thanked Mr. Stewart and Mr. Asay for the presentation and the
updated information.

6 **MINUTES** – The minutes of the meeting of March 20, 2012 were reviewed.

8
10 COUNCILMEMBER POWELL MOVED TO APPROVE THE MINUTES OF
THE MEETING OF MARCH 20, 2012. COUNCILMEMBER WALKER SECONDED
THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

12 COUNCILMEMBER WALKER AYE

14 COUNCILMEMBER FRAMPTON AYE

COUNCILMEMBER BEAN AYE

16 COUNCILMEMBER POWELL AYE

COUNCILMEMBER ACERSON AYE

18 THE MOTION CARRIED UNANIMOUSLY.

20 **OPEN SESSION** – Citizen Comments.

22 Roy Shepherd, Lindon resident, approached the Council. Mr. Shepherd asked if
UDOT had been contacted regarding signage on State Street. He also noted that the past
24 2 weeks the traffic has doubled on State Street and there have been several fender
benders. Mr. Shepherd reiterated the need for signage on State Street and the dangerous
26 situation in that area where the traffic merges. Mr. Shepherd also inquired about Utopia,
and if the City is still involved with the funding. Mayor Dain confirmed that the City is
28 as committed with Utopia. Mayor Dain added it seems there has been some movement
with Utopia and a lot of people have been signing up, so the connections are going up.
30 Mr. Dameron noted the connections have gone up 3%.

32 Mr. Shepherd stated that he feels the City never should have gotten involved with
a utility company in the first place. Mayor Dain replied that at the time, no one would
provide internet service to the area, and that was the mood in the valley. He added that
34 things are different now, and in hindsight the City may have done something different,
but what was going on in that time and place is clearly different now. Mr. Shepherd
36 asked if the open house is scheduled for the Center Street crossing at the Murdock Canal.
Mayor Dain confirmed the open house is scheduled for April 4th at 6:00 p.m. and invited
38 Mr. Shepherd to attend to have his questions addressed.

40 Linda Smith, Lindon resident, questioned the fireworks restriction and if the
restriction is just for this current year or if it is permanent. Mrs. Smith noted that she is
not in favor of a permanent fire restriction and feels this is a drastic solution. She went
42 on to say she feels the restriction is based on a fire incident that was 25 years ago and
started in Pleasant Grove. Mrs. Smith added that there should be some solution to keep
44 Lindon safe, but suggested not to ban fireworks completely, and she feels this ban is not
fair to some residents. Mayor Dain noted that he received an email from Mike Smith,
46 Linda Smith's husband, regarding his feelings towards this issue.

Craig Harvey, Lindon resident who lives on 800 West, approached the council.
2 Mr. Harvey brought up the issue of steers on his neighbors property. He noted this is the
3 third time the residents have had the steers in their yard, and this year they have brought
4 in 4 steers. Mr. Harvey added they never clean the pens, and there is an accumulation of
5 manure and excrement, and the odor is extremely offensive and the animals are treated
6 badly. Mr. Harvey added they cannot enjoy their hot tub or gardening in their yard. He
7 stated that a letter was sent to Gary Hogle, Code Enforcement Officer, on February 1st,
8 but it has taken intervention by PETA, and others to get the City to move on this issue.
9 Mr. Harvey stated that the Lindon City Code specifically states that animals should be
10 humanely treated; the premises shall be kept clean and sanitary and shall not constitute
11 fly breeding reservoirs or cause offensive odors. Mr. Harvey noted they are using 3
12 panels, in a 10' x 10' enclosure, which is not sufficient. He further noted that they keep
13 the cows under the guise of a 4H project. He also noted if the property was 88' square
14 feet less they would not be able to have the animals at all. Mr. Harvey commented that
15 clearly some steps need to be taken regarding this issue. Mayor Dain asked Mr. Dameron
16 where code enforcement is on this issue and if a formal letter has been sent. Mr.
17 Dameron replied there has not been a formal letter sent as of yet. Mr. Dameron stated
18 that Mr. Hogle has been trying to work with the owners of the cows. He noted that
19 there is a problem with odors, etc. He went on to say they have 4 cows when they are
20 allowed 2, if maintained properly. Mayor Dain commented that it is clear there need to
21 be some steps taken and suggested a formal letter should be sent.

22 Jim Cross, a neighboring resident, then addressed the council. He stated there are
23 3 problems that can be solved quickly. He also referred to the code, and noted that the
24 animals and the pens should be kept sanitary and shall not constitute a fly breeding
25 reservoir. Mr. Cross added they do nothing to maintain the pens. There are offensive
26 odors and the excrement is not removed. Mr. Cross noted he offered to rent a pasture and
27 pay for the feed; he even offered to buy the rights to the cows, and replace the lawn and
28 dig up the manure and put in fill. He went on to say there are too many cows and if they
29 would just clean the pens it may be different. His position, along with the other
30 concerned neighbors, is not to cause a stir with the mini farms in Lindon, but would ask
31 the Council to look at individual residential areas where there are serious health issues
32 because of the confinement of the cows and the vinyl fences that trap the odors. Mr.
33 Cross noted he has no animosity or bitter feelings towards the Banks, but his home is his
34 sanctuary and this issue is causing serious health hazards. He further stated that the code
35 is being broken, and he does not see keeping the cows until the middle of May as an
36 option. There was then some general discussion and comments regarding this issue from
37 other neighbors who were in attendance.

38 Councilmember Walker inquired if there are 4 cows or 2 cows if it would make a
39 difference with the odors, flies, etc. Mr. Cross replied that it would not make a difference
40 as they do not clean the pens and ignore any direction from the city anyway, and the
41 situation poses a serious health risk. Mr. Harvey noted they have cleaned up a little
42 around the pens but not inside the pens. Mayor Dain noted this should not be a long term
43 issue and should be rectified soon. Councilmember Powell commented that the code
44 needs to be revisited for clarification. Mayor Dain suggested a councilmember should go
45 with Mr. Hogle to address this issue with the Banks. Councilmember Acerson agreed
46 to visit the Banks residence with Mr. Hogle. Mr. Cowie noted that the City met with

2 the County Health Officials today along with Mr. Hoglund, and they have also had
3 contact with PETA about this issue, so the City is in communication with these
4 individuals. Mr. Cowie indicated that Gary Hoglund, Code Enforcement Officer, has
5 been handling this issue. There was then some discussion and comment between the
6 Council regarding options to rectify this situation.

7 Mayor Dain asked if there were any other public comments. Being none he
8 moved on to the next agenda item.

9 **MAYOR'S COMMENTS/REPORT** – Mayor Dain mentioned the Open House to be
10 held at the City Building for the Center Street Crossing at the Murdock Canal will be on
11 April, 4th at 6:00 p.m. He also reported that the Southfield Metropolitan Water District
12 has officially been formed with members Don Peterson, Nathan Diehl and Ken Anderson.
13 Mayor Dain also reported that local Mayors delivered meals to seniors which was
14 sponsored through Mountainland Association of Governments. He added that they went
15 with “Meals on Wheels” to four different families, and the experience was a real eye
16 opener to see the real needs of these families. He noted there is no longer a waiting list,
17 so if anyone knows of someone who is homebound, and needs the assistance, to contact
18 Mountainlands Association of Governments and they will do an assessment. Mayor Dain
19 commented that “Meals on Wheels” is a great program and there is a real need in the
20 community for these programs.

21 **CONSENT AGENDA** –

22 No items.

23 **CURRENT BUSINESS** –

- 24
25 1. **Preliminary Plat** – “Speed” Residential Subdivision, Plat “A”. This is a request
26 by Sue Speed for approval of the preliminary plat of the Speed Residential
27 Subdivision, Plat “A”, 2 lots, in the R1-20 zone at 139 South 400 East. The
28 Planning Commission recommended approval with no conditions.

29
30
31 Mayor Dain welcomed the applicant, Sue Speed, to the meeting. Adam Cowie,
32 Planning Director, opened the discussion by stating this is a simple and straightforward
33 request to subdivide the applicant’s property into two lots. Mr. Cowie explained that
34 under the current ordinance street improvements (curb, gutter, and sidewalk) will be
35 required on both 400 East and 500 East. He further explained that due to the lack of
36 adjacent improvements along 400 East, the applicant has the option of paying into the
37 city sidewalk fund instead of installing improvements in front of the existing home on
38 400 East. Mr. Cowie noted that after review and discussion, the Planning Commission
39 recommended approval to the City Council with no conditions. He added that staff finds
40 the proposed request meets all subdivision requirements needed for approval. Mr. Cowie
41 added the applicant is required to post a bond for the improvements.

42
43 Mayor Dain asked if there were any comments or questions. Hearing none he
44 called for a motion.

COUNCILMEMBER FRAMPTON MOVED TO APPROVE SPEED
RESIDENTIAL SUBDIVISION PLAT "A". COUNCILMEMBER POWELL
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE
COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
COUNCILMEMBER ACERSON AYE

THE MOTION CARRIED UNANIMOUSLY.

2. **Preliminary Plat** – *Gillman Farms Residential Subdivision, Plat "B"*. This is a request by Deny Farnworth and Cameron Larsen for approval of a re-plat of two parcels within the Gillman Farms Residential Subdivision to adjust property line boundaries between their two lots. The new plat will be titled Gillman Farms Residential Subdivision, Plat "B". The lots affected are 592 W and 584 W on Gillman Lane.

Adam Cowie, Planning Director, opened the discussion by noting this is a simple and straightforward request for a re-plat of two parcels within the Gillman Farms residential subdivision to adjust some property line boundaries. Mr. Cowie noted that all required lot sizes and setbacks from the new property lines to the existing structures are met. He added that the Planning Commission recommended approval to the City Council with no conditions. Mr. Cowie stated that staff finds the proposed request meets all subdivision requirements needed for approval.

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

COUNCILMEMBER ACERSON MOVED TO APPROVE GILLMAN FARMS
RESIDENTIAL SUBDIVISION PLAT "B". COUNCILMEMBER FRAMPTON
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE
COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
COUNCILMEMBER ACERSON AYE

THE MOTION CARRIED UNANIMOUSLY.

3. **Public Hearing** – *Fireworks Restricted Area (Resolution #2012-6-R)*. This is a request by staff for the Mayor and Council's review and approval of Resolution #2012-6-R which defines a restricted area in the residential interface area near the foothills of Lindon City where no fireworks may be ignited. This action has been requested by the city's Public Safety personnel to help deter the danger of wildfires in the foothills.

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

2 Cody Cullimore, Chief of Police, and Reed Shelley, with the Forest Service, were
in attendance to address this issue. Chief Cullimore opened the discussion by explaining
4 the undergrowth and foliage in the foothills of Lindon has been reviewed and the fire
hazard this summer could be extreme. Chief Cullimore then showed photos from past
6 years of fires in the foothills. Chief Cullimore also referenced the notice that was hand
delivered to all residents who will be affected by this restriction. He went on to say the
8 backyard boundary is roughly 500 ft. from the forest service boundaries. Chief Cullimore
noted that many communities along the Wasatch Front have similar proposed restrictions.

10 There was then some discussion between Chief Cullimore and the Council
regarding what fireworks should be allowed and if the restriction should be permanent or
reviewed each year. Mayor Dain then called for any public comment.

12 David Simmons, Lindon resident, addressed the council. He mentioned that his
home borders Dry Canyon, and every year the fireworks are a problem. He went on to
14 say they have to stay at home to protect their home from the possible fire hazards posed
by fireworks. He added that the aerals do not stop when required and extend a month
16 past the ending date. Mrs. Simmons noted that she would like to see the restriction made
permanent as she has witnessed 3 fires in 15 years in the area. Mrs. Simmons added that
18 the concern about preventing aerals and allowing ground fireworks is that people will
use aerals anyway until they get caught. She would like to see the Council make the
20 fireworks restriction permanent.

22 There was then some discussion regarding the boundary map. Mayor Dain
asked if there was any further public comment or discussion. Hearing none he called for
a motion to close the public hearing.

24
26 COUNCILMEMBER FRAMPTON MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

28
30 Mayor Dain called for any further comments or discussion from the council.
Councilmember Walker expressed his concerns that the Council should have the
opportunity to revisit and address minor house problems, borders, adjustments,
32 boundaries and maps etc. He also noted that as long as that condition is included in the
motion he will feel comfortable knowing that the process is in place.

34
36 Mayor Dain called for any further comments or discussion from the council.
Hearing none, he called for a motion.

38 COUNCILMEMBER POWELL MOVED TO APPROVE RESOLUTION
#2012-6-R, FIREWORKS RESTRICTED AREA, AS A PERMANENT RESTRICTION
40 WITH NO ENDING DATE.

42 Mayor Dain noted there was motion to approve the resolution before the council
with the change to make the resolution permanent with no ending date; which will allow
44 the council to move forward and make changes with the boundaries and revise the map as
the council sees fit. Mayor Dain then called for any further comments or discussion from
46 the council.

2 Councilmember Acerson suggested approving the original resolution with an
ending date. He also suggested easing into it to see how it works through the next fire
4 season, and whatever feedback comes back the council can review and decide then to
make it permanent. He noted that would give the council time to see how the residents
6 feel about the new restrictions so everyone is represented. He also noted that this will be
an educational process to the public as to why the fire restriction needs to be enforced.
8 Councilmember Frampton was in agreement with Councilmember Acerson. There was
then some discussion on setting an ending date to the resolution.

10 Mayor Dain asked Councilmember Powell if she would like to leave her motion
on the table as stated or if she would like to amend it. Councilmember Powell stated she
12 will leave the motion as stated. Mayor Dain called for a second to the motion. Hearing
no second on the motion Mayor Dain called the motion dead for lack of a second.

14 Mayor Dain asked if there was further discussion or comments. Being none he
called for a motion.

16 COUNCILMEMBER WALKER MOVED TO APPROVE RESOLUTION
#2012-6-R WITH THE STIPULATION OF SETTING JANUARY 31, 2013 AS AN
18 EXPIRATION DATE AND THE CONDITION OF ALLOWING CHIEF CODY
CULLIMORE TO MAKE MINOR ADJUSTMENTS TO THE BOUNDARIES AND
20 PROVIDE NOTIFICATION TO THE RESIDENTS. COUNCILMEMBER BEAN
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

22 COUNCILMEMBER WALKER AYE
COUNCILMEMBER FRAMPTON AYE
24 COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
26 COUNCILMEMBER ACERSON AYE

THE MOTION CARRIED UNANIMOUSLY.

- 28
30 4. **Concept Review** – *Used Autos in the CG Zone*. This is a request by Steve
Lundquist for the City Council's review and feedback concerning a proposal to
32 permit used auto dealerships within the CG zone.

34 Mr. Cowie explained this is a Concept Review for discussion only and does not
require a motion. Mr. Cowie further explained the current ordinance prohibits used
36 autos dealerships from locating in the CG (General Commercial) zone (adopted 2004).
He noted that the code does say that a new dealership could locate in the CG (General
38 Commercial) zone. Mr. Cowie explained that the applicant is looking at purchasing the
old Utah Auto Sales building located on 17 North State Street, and use it as an office
40 facility and possibly a used auto dealership. Mr. Cowie noted that staff feels car
dealerships are one of the highest sales tax producing businesses in the city, regardless of
42 new or used cars. He added the Planning Commission did not express any significant
concerns with this concept of allowing used auto sales within the commercial zone.

44 The applicant, Steve Lundquist, addressed the Council at this time. He explained
his proposed concept for the property. He reiterated that the property (approx. 67,000
46 sq. ft.) was originally designed and built for commercial use as an auto dealership. He
noted he has had dialogue with the Larry H. Miller Group and Gene Harvey Chevrolet

2 regarding bringing vehicles to the property for the purpose of a used auto dealership to
3 help defray the costs of servicing the debt of the mortgage on the property. Mr.
4 Lundquist added that his intent is to first and foremost fill the office with like minded
5 people and professional services; he noted he will also have his office at this location.
6 Mr. Lundquist stated that he is open to suggestion from the Council to make the space
7 work and to realize his investment in the property. Mr. Lundquist noted that he will do
8 everything needed to bring the building into compliance. He added the property is
9 currently owned by Hacienda Properties. There was then some general discussion
10 between the Council and Mr. Lundquist regarding used auto dealerships in the CG
11 (General Commercial) zone and the uses at the facility. Mr. Cowie advised the Council
12 to keep in mind this action could initiate an ordinance change that would open up used
13 auto dealerships at any spot in the city, not just at this one location. Mr. Cowie noted the
14 applicant would have to apply for an ordinance change to amend the Standard Land Use.

15 There was then some discussion between the council and Mr. Cowie regarding the
16 difference between used and new cars sales in the commercial zone. Mayor Dain stated
17 the council should consider re-opening the discussion now and proceed with an ordinance
18 amendment to the zoning ordinance that says used car dealerships are allowed anywhere
19 in the CG (General Commercial) zone or look into the possibility of an overly zone with
20 this particular parcel. There was then some discussion between the council regarding an
21 ordinance amendment or overlay zone applied on this particular parcel. Mayor Dain
22 noted it appears the council is more favorable to an overlay zone which would address
23 this specific site and maybe branch out from there; rather than swinging the door wide
24 open and changing the zoning ordinance. The Council was in agreement to direct Mr.
25 Cowie to take this issue to the Planning Commission as a city initiated item for a new
26 overlay zone.

- 27
28 5. **Review and Action** – *Appointment of Member to the Lindon City Community*
29 *Center Advisory Board.* This is a request by Mayor Dain for the Council’s
30 consent to the appointment of Rick Priddis as a member of the Community Center
31 Advisory Board.

32 Mayor Dain commented that he has not has a chance to speak with Rick Priddis
33 regarding the Advisory Board. Councilmember Powell noted that she has talked to Mr.
34 Priddis about serving on the Community Center Advisory Board. She also commented
35 she felt like he would be open to serving, but thought that it would be appropriate to
36 include in the motion his appointment pending interview and conversation with Mayor
37 Dain.

38
39 COUNCILMEMBER ACERSON MOVED TO APPROVE THE
40 APPOINTMENT OF RICK PRIDDIS AS A MEMBER OF THE LINDON CITY
41 COMMUNITY CENTER ADVISORY BOARD PENDING THE MAYOR’S
42 INTERVIEW WITH MR. PRIDDIS. COUNCILMEMBER FRAMPTON SECONDED
43 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

44 COUNCILMEMBER WALKER AYE
45 COUNCILMEMBER FRAMPTON AYE
46 COUNCILMEMBER BEAN AYE

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

6 **COUNCIL REPORTS** –

8 **COUNCILMEMBER POWELL** – Councilmember Powell reported that April is
9 National Volunteer month and noted that a flyer regarding volunteer month will go out in
10 the utility bill. She also noted that she would like to submit Ben Nolte to serve on the
11 Community Center Advisory Board. Councilmember Powell added that Mr. Nolte has
12 a lot of enthusiasm and could be well served by the City. Councilmember Powell further
13 reported that she attended the Business Alliance with the Chamber of Commerce at
14 Saratoga Springs, and there are a lot of new things on the horizon. She also noted that
15 Lindon could possibly incorporate a Business Alliance similar to Saratoga Springs, as
16 Lindon does not have a specific business identity. Councilmember Powell also
17 mentioned the roadway to the dump on 200 South is always very trashy, and questioned
18 where the fees go for non-covered vehicles.

20 **COUNCILMEMBER WALKER** – Councilmember Walker reported the animal shelter
21 adoptions are down because of the economy. Councilmember Walker also reported that
22 the budget is being discussed and \$16,637 is the unofficial cost. Councilmember Walker
23 noted that other cities pay more. Councilmember Walker noted there are no legislative
24 rules that will affect the shelter this year. He added that tours are available and he invited
25 everyone to go and visit the shelter. Councilmember Walker noted the animal shelter
26 would like to have a booth at Lindon Days to provide some information to help with
27 adoptions. Councilmember Walker also mentioned there is some debate between the
28 commissioners on the current policy of appointing board member to the animal shelter,
29 and he noted he will keep the council informed on this issue. Councilmember Walker
30 informed Mr. Dameron he will not be able to attend the engineering meeting next
31 Tuesday. He also asked Mr. Dameron if he has heard anything more about the Center
32 Street striping on 200 East. Mr. Dameron stated he will check in to that issue.
33 Councilmember Walker noted that everything is ready for the Memorial Day Celebration.

34 **CHIEF CULLIMORE** – Chief Cullimore had nothing to report.

36
37 **COUNCILMEMBER BEAN** – Councilmember Bean reported that the planning
38 commission gave approval to the Fellowship Bible Church to install a chain link fence
39 with privacy slats in place of the masonry fence. Councilmember Bean noted this was a
40 good decision made by the planning commission.

42 **COUNCILMEMBER ACERSON** – Councilmember Acerson reported on Utopia and
43 noted they have discussed the possibility of moving Utopia westward. He also noted that
44 Utopia likes to broadcast and update what is going on with UIA. Councilmember
Acerson stated Utopia will do the leg work to see if there is an interest and what the “take

rate” would be on the west side. Councilmember Acerson also reported he met today with UDOT for an update on the west side closure.

COUNCILMEMBER FRAMPTON – Councilmember Frampton reported the Easter Egg Hunt will be held on Saturday, April 7th at 9:00 a.m. sharp. He further reported that May 7th is the Arbor Day celebration and they will be planting a tree at Creekside Park. Councilmember Frampton noted they will need a proclamation for Arbor Day for the next meeting.

MAYOR DAIN – Mayor Dain reported on the Center Street Open House and stated that he wants the council to be on the same page. He noted that some items have been added to project since the last time they met. City Engineer, Mark Christensen, was in attendance to explain the items that may be discussed at the open house. The maps and materials that will be provided to residents at the open house were presented for the council’s review. There was then some lengthy discussion between Mr. Christensen and the council regarding items that may be discussed at the Center Street open house.

ADMINISTRATOR’S REPORT –

Mr. Dameron reported on the following items.

1. The Council reviewed the Project Tracking List.
2. Open House for the Center Street Crossing will be held April 4th at 6:00 p.m. in the council chambers.
3. Engineering meeting will be held on April 10, 2012. Councilmember Frampton and Councilmember Acerson will attend.
4. Easter Egg Hunt will be held on April 7th at the City Center Park at 9:00 a.m.
5. Utah League of Cities and Towns will be held April 11th to April 13th in St. George.
6. The City-wide spring clean up will be held from April 14th - 21st .
7. The Great Utah Shake out will be held on April 17th at 10:15 a.m.
8. Councilmember Powell and Mr. Dameron will meet with the Manager of Wal-Mart to discuss volunteer projects.
9. The Secondary water system will be turned on April 14th .
10. Annual letter will be going out from public works.
11. Mr. Cowie has prepared the clarifications on the animal code, and will be discussed at the second meeting in May.
12. Budget Committee Meeting – Mr. Dameron will get back on dates after he checks with Kristen Colson.
13. The Jordan Aqueduct, which runs through Lindon City, they will be sending letters out to inform people to stay off of the easement.
14. Finance Director, Kristen Colson, received an award, and will be recognized at when the plaque comes in.
15. Mr. Dameron sent back the questionnaire of “Things to Save the Earth” to the Utah Valley Forum.
16. IT Services is out for bid. There have been 10 responses submitted and 5 companies were interviewed; “Executech” won the bid.

2 17. Murdock Hyundai will be to City Council meeting on May 1st for a certificate
of recognition.

4 18. Mr. Dameron noted that Mayor Dain will contact Gary and Karma Fryer.
COUNCILMEMBER FRAMPTON MOVED TO APPROVE THE PAY
6 VOUCHERS. COUNCILMEMBER POWELL SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE

8 COUNCILMEMBER FRAMPTON AYE

COUNCILMEMBER BEAN AYE

10 COUNCILMEMBER POWELL AYE

COUNCILMEMBER ACERSON AYE

12 THE MOTION CARRIED UNANIMOUSLY.

14 **ADJOURN** –

16 COUNCILMEMBER BEAN MOVED TO ADJOURN THE MEETING AT
10:55 P.M. COUNCILMEMBER ACERSON SECONDED THE MOTION. ALL
18 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

20

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Approved – April 17, 2012

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Kathryn Moosman, City Recorder

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32

34

36 James A. Dain, Mayor