

2 The Lindon City Council held a regularly schedule meeting on **Tuesday, September 18,**  
3 **2012 beginning with a Work Session at 6:30 p.m.** in the Lindon City Center, City  
4 Council Chambers, 100 North State Street, Lindon, Utah.

6 **BUDGET WORK SESSION** – 6:30 p.m.

8 Conducting: Randi Powell, Mayor Pro Tem

10 **PRESENT**

10 Randi Powell, Councilmember  
11 Mark L. Walker, Councilmember  
12 Matt Bean, Councilmember  
13 Ott H. Dameron, City Administrator  
14 Kathryn Moosman, City Recorder

**ABSENT**

James A. Dain, Mayor  
Bret Frampton, Councilmember  
Jeff Acerson, Councilmember

16 The work session began at 6:10 p.m.

18 **DISCUSSION** – *The Mayor Pro Tem and City Council will meet in a work session with*  
19 *Jason Burningham, the city’s financial advisor, to discuss the formation of a Community*  
20 *Development Area (CDA) and the concept of a Revolving Loan Fund for business*  
21 *upgrades along State Street utilizing the RDA fund.*

22  
23 Ott Dameron, City Administrator, opened the discussion by stating this work  
24 session was facilitated to discuss the possible formation of a Community Development  
25 Area (CDA). He noted that Jason Burningham, the city’s financial advisor, is in  
26 attendance to address the council about utilizing the RDA fund along State Street. He  
27 noted they will discuss the Community Development Area (CDA) and the concept of a  
28 revolving loan fund for business upgrades along State Street.

29 Mr. Burningham noted that he also provides Economic Development Consulting  
30 and one of the areas they focus on is economic development. He then referenced the 700  
31 North Corridor and noted that he has been exploring ways to create some economic  
32 development tools that could be used to incentivize or encourage business to locate there.  
33 He added that one of the primary motivations is to create jobs, but to also create a sales  
34 tax base and to grow that for the community.

35 Mr. Burningham then defined one of the tools provided by the Utah State  
36 Legislature is the Community Development & Renewal Agency Act which is similar to a  
37 redevelopment agency that creates a defined geographic designated area where certain  
38 types of economic development can occur; of which the funds can be used for that type of  
39 program and are referred to as a tax increment. Mr. Burningham noted under the  
40 Community Development Renewal Agency Act (CRDA) there are 3 available tools.

- 41 1. URA – Urban Renewal Area - used more for redevelopment. Has eminent  
42 domain. Limited authority and not broadly used. Can be effective but is  
43 limited. 20% of the tax increment generated is required to be used  
44 for subsidized housing.
- 45 2. EDA – Economic Development Area – very specific to projects that  
46 promote job oriented type of development, but intended for retail

development. One benefit is the state provides incentives and will participate with the local municipalities up to 30 %. Drawback is it is not retail oriented. TEC (Taxing Entity Committee) process is in place for and EDA and a URA does deal with the CDA.

3. CDA – Community Development Area – Intended to be the best of all of the tools but does not have eminent domain. Can be used for any kind of development and is funded by tax increment also (as are the URA and EDA).

Mr. Burningham then discussed the concept of a revolving loan fund. He noted that several cities have used this option to their benefit and there are couple of projects created in the past with tax increments that have been created; some of the tax increment could be available for revolving loans to incentivize businesses to locate in a specific area. He stated that business recruitment is one aspect and also putting a plan in place, and then identifying that there is a tax increment and being able to market that is an important part and the second phase. Once the CDA is put into place, the active business recruitment of specific businesses can take place. Mr. Burningham added that if the Council approves and sets up the CDA you don't have to pull the trigger immediately on the tax increment, that it is negotiable and the key is to set it up sooner rather than later.

Mayor Pro Tem Powell then thanked Mr. Burningham for the presentation and for the valuable information provided to the Council.

**REGULAR SESSION** – 7:00 p.m.

Conducting: Randi Powell, Mayor Pro Tem  
Pledge of Allegiance: Keaton Gaskell, Payson Scout Troop 1553  
Invocation: Matt Bean, Councilmember

**PRESENT**

Randi Powell, Councilmember  
Mark L. Walker, Councilmember  
Matt Bean, Councilmember  
Ott H. Dameron, City Administrator  
Adam Cowie, Planning Director  
Cody Cullimore, Chief of Police  
Kathryn Moosman, City Recorder

**ABSENT**

James A. Dain, Mayor  
Bret Frampton, Councilmember  
Jeff Acerson, Councilmember

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

**PRESENTATION** – *The City Council and the Police and Fire Departments will present a "Community Service Commendation" to Boy Scout Troop 1553 from Payson, Utah for their extraordinary service in efforts to rescue a critically injured person in Dry Canyon on August 1, 2012.*

Mayor Pro Tem Powell welcomed the Police and Fire Departments and Boy Scout Troop 1553 from Payson, Utah. Mayor Pro Tem Powell then turned the time over to Chief Cullimore to make the presentation. Chief Cullimore also welcomed Troop 1553 and the members of the Police and Fire Departments in attendance. Chief

2 Cullimore stated that the emergency team was fortunate to receive some extraordinary  
3 service from the members of Boy Scout Troop 1553 and their leaders. He went on to say  
4 that on August 1, 2012 an individual had fallen (around 70 ft.) in Dry Canyon above  
5 Lindon, and Troop 1553 were in the area practicing crisis intervention and rope skills and  
6 witnessed this tragedy. The scouts and their leaders offered first aid and assistance  
7 tending to the critically injured individual until emergency rescue personnel were on the  
8 scene. Chief Cullimore noted that without their assistance, what would have been a 3  
9 hour rescue was a 1 ½ hour rescue due to the efforts offered by the scouts. Chief  
10 Cullimore noted that sadly the individual did not survive his injuries. Chief Cullimore  
11 commended the scouts on their valiant efforts and selfless service and stated this troop  
12 embodies the Boy Scout Motto to be prepared. He then presented a plaque to the scouts  
13 and leaders in recognition and commendation for their community service. Mayor Pro  
14 Tem Powell also expressed her thanks on behalf of the Council to Boy Scout Troop 1553.

15 **PRESENTATION** – *The City Council will present a “Certificate of Recognition” to Universal*  
16 *Industrial Supply (UIS) for the positive impact this company has brought to our community.*

17 Mayor Pro Tem Powell welcomed Martin Snow, with Universal Industrial Sales  
18 (UIS). Martin Snow was invited forward. Adam Cowie, Planning Director, gave a brief  
19 biography of Mr. Snow and Universal Industrial Sales. Mr. Cowie noted that Universal  
20 Industrial Sales has had an enormous impact in the business community in Lindon City.  
21 Mr. Cowie then presented Mr. Snow with a certificate of appreciation recognizing Mr.  
22 Snow for the positive impact his companies have had on the community and the city. He  
23 added that Mr. Snow donated a galvanized pedestrian bridge for the Heritage Trail, which  
24 is greatly appreciated. Mr. Cowie concluded by thanking Mr. Snow for what he brings to  
25 the community and the city and is very grateful for his business here in Lindon. Mr.  
26 Snow commented that he is grateful for the support from the City and appreciates doing  
27 business here in Lindon.  
28

29 Mayor Pro Tem Powell also expressed her thanks and appreciation to Mr. Snow  
30 for his contributions to the city and for the great example he sets.

31 **PRESENTATION** – *David Goeres, Chief Safety Office for UTA, will present a status update*  
32 *of the Frontrunner project.*

33 Mayor Pro Tem Powell welcomed David Goeres, from the Chief Safety Officer  
34 for UTA. Mr. Goeres handed out “operation lifesaver” items to the councilmembers.  
35 He noted that his purpose for addressing the council is to deliver a safety message to  
36 Lindon and to inform the city that the rail is active and front runner is coming. Mr.  
37 Goeres noted that everyone needs to adhere to the safety laws. He added that all crossing  
38 are gated with signals and red flashing lights, and the rule is to obey the flashing red light  
39 and wait until the red light stops to proceed. He also noted to pay attention, don’t be  
40 distracted, and look both ways and stay behind the yellow light, and to only cross at the  
41 appropriate times

42 Mr. Goeres stated they are doing testing with the trains in Salt Lake County  
43 currently until Thanksgiving. They will then certify the corridor. He added they will then  
44 offer VIP rides prior to opening day for City Council members.  
45  
46

2 Mr. Goeres stated that the opening day is set for December 10, 2012 and the rail  
will run from Provo to Pleasant View, which is by Ogden. He went on to say there will be  
4 an Open House held at the Lehi station on September 26, 2012 from 4:30 to 6:30. Mr.  
Goeres further noted that the airport line is under construction and testing will begin next  
6 month and will go into operation April of next year.

8 Mayor Pro Tem Powell expressed her thanks to Mr. Goeres for the valuable  
information.

10 **MINUTES** – The minutes of the regular meeting of September 4, 2012 were reviewed.

12 COUNCILMEMBER WALKER MOVED TO APPROVE THE MINUTES OF  
THE MEETING OF SEPTEMBER 4, 2012. COUNCILMEMBER BEAN SECONDED  
THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

14 COUNCILMEMBER WALKER AYE

COUNCILMEMBER BEAN AYE

16 COUNCILMEMBER POWELL AYE

THE MOTION CARRIED UNANIMOUSLY.

18 **OPEN SESSION** – Citizen Comments.

20 Mayor Pro Tem Powell called for any public comments. Vickie Leuway, Lindon  
22 resident, approached the Council regarding an issue about parked cars on 40 south. She  
noted that the street is very narrow and traffic can't pass if cars are parked on the street.  
24 Ms. Leuway also mentioned that a lot of children walk on the street to and from school  
with no sidewalks and it can be very dangerous. Mayor Pro Tem Powell noted there are  
26 no plans or intent for future improvements on 40 South at this time. Mr. Dameron  
directed Chief Cullimore to check into the issue. Ms. Leuway also inquired if the train  
28 will run past Geneva Steel. Mayor Pro Tem noted that the train will run further west of  
the landfill and the special service district.

30 Mayor Pro Tem Powell called for further public comments. Hearing none she  
moved on to the next agenda item.

32 **MAYOR'S COMMENTS/REPORT** – Mayor Dain was absent. Mayor Pro Tem  
34 Powell commented on the Drill Down for Safety was held on September 17, 2012 and  
was a big success. She noted that the City Center was a “hub of activity” with well over  
36 100 people in attendance at the city center alone. Mayor Pro Tem reported that 85% of  
the city was accounted for during the drill. An audience member brought up an issue that  
38 the elementary schools were holding their school carnivals at the same time, which was  
confusing and frustrating. Mayor Pro Tem Powell commented that perhaps there could  
40 be a way to coordinate with the schools in the future. Mayor Pro Tem Powell also  
applauded Chief Cullimore and Joanna Larsen for their efforts in making sure Lindon  
42 City is safe and also expressed her appreciation to all those who participated in the drill.  
Chief Cullimore commented that because of our community we are recognized across  
44 Utah and the nation on how to accomplish this drill effectively and it is a credit to all of  
the citizens in the community.

2 **CONSENT AGENDA** –

No items.

4 **CURRENT BUSINESS** –

- 6 **1. Public Hearing (Continued)** – *Ordinance Amendment – Lindon City Code, Chapter 18.03 (Definitions & Regulations) and Lindon City Code, Chapter 18.04 (Billboard Advertising), #2012-11-O.* The City Council will hear public comment and possibly act to approve an amendment to LCC, Chapter 187.03 and Chapter 18.0.4 dealing with digital billboard advertising. This item was continued from the meeting of September 4, 2012. The Planning Commission recommended approval.

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

18 Adam Cowie, Planning Director opened the discussion by explaining that this is a continued public hearing and is a request for approval by Terry Reid for an ordinance amendment to allow digital face changes on off-premise signs, specifically billboards. He noted that staff has added to the recommended language to include Mechanically Changeable signs and amend the code sections as otherwise necessary. Mr. Cowie further explained that at the last Council meeting there was some discussion of adding a requirement for illumination devices on the electronic display signs. He noted that this has been done. Mr. Cowie stated that additional discussion of adopting “community standard” language and other display/illumination regulations will be discussed tonight. Mr. Cowie also referenced the correspondence from the city attorney regarding these issues.

30 Mr. Cowie then showed billboard pictures showing day and nighttime display on a static and electronic billboards. He noted from the last meeting there was discussion on potential language on illumination standards and also on adopting some method of a community standard that would reference the level of expectation as far as what is displayed and what is appropriate. Mr. Cowie noted that he solicited some attorney comments regarding this issue and they are included in the council packets. Mr. Cowie stated that he has not added in new language to this draft. Mr. Cowie mentioned that Councilmember Walker attended the Utah League of Cities and Towns presentation and has some additional items for discussion. Mr. Walker then shared information from the conference as follows:

- 40 1. Write your rules well and do it right the first time.
- 42 2. Be flexible with regulations.
- 44 3. Balance must be obtained.
4. Most cities don't want to look like Las Vegas.
5. Finding common ground.
6. Are the signs safe?

46 Councilmember Walker further discussed that the monitors to gauge the “nits” are almost \$3,000 for the monitor, and they suggested using a “foot candle meter” which is

2 less than \$100.00, they also suggested that the city have on all signs some technology  
3 apparatus that controls the dimming on the boards that controls the brightness on the  
4 boards during the day and night. They also stressed that the industrial standard must not  
5 exceed 0.3 foot candle. Councilmember Walker does not want to see the council open  
6 this issue up and have something created that is not good for the community. Mr. Cowie  
7 then read from Councilmember Walker's notes from the conference regarding a  
8 "preamble" that may be appropriate in the ordinance regarding community standards.  
9 Mr. Cowie noted that the "preamble" language may be more appropriate in the purpose  
10 and intent section of the sign ordinance, and noted this is something to look at a future  
11 date with more discussion. Mr. Cowie also noted that the illumination issue was  
12 discussed at the last meeting and language was added (at the direction of the council). In  
13 the draft on page 2, line 5 it states "all off- premise electronic signs shall include an  
14 illumination monitoring device, with the illumination levels made available to the city  
15 upon request. He added that they did not specifically include the foot candle language.  
16 Mr. Cowie noted that all three attorneys that staff talked with stated to not use the foot  
17 candle language in the ordinance because of the language in the state code would have to  
18 be included in all signs.

19 Mr. Dameron discussed Amber Alerts and community messages and public  
20 service announcements provided on the static billboards. Mr. Reid stated that all billboard  
21 sign companies are willing to participate with amber alerts and public service  
22 announcements. Mayor Pro-Tem Powell asked if the amber alert should be a requirement  
23 in the ordinance. Mr. Dameron suggested that the whole council should be in attendance  
24 for discussion on that issue.

25 Mr. Cowie then suggested the two minor changes in the ordinance draft as  
26 follows: Page 2, line 5: Apply the illumination standards the same to all signs, and strike  
27 "off-premise" and add "electronic changeable copy signs". Mr. Cowie noted that he will  
28 get a clean copy of the draft to the council.

29 Mayor Pro Tem Powell called for any public comments or discussion. Hearing  
30 none she called for a motion to close the public hearing.

31 COUNCILMEMBER WALKER MOVED TO OPEN THE PUBLIC HEARING.  
32 COUNCILMEMBER BEAN SECONDED THE MOTION. ALL PRESENT VOTED IN  
33 FAVOR. THE MOTION CARRIED.

34 Mayor Pro Tem Powell called for any questions or comments from the council.  
35 Hearing none she called for a motion.

36 COUNCILMEMBER BEAN MOVED TO CONTINUE ORDINANCE  
37 AMENDMENT LCC CHAPTER 18.03 AND 18.04 #2012-11-O UNTIL THE  
38 COUNCIL MEETING ON OCTOBER 16, 2012 TO REVIEW THE PROPOSED  
39 LANGUAGE AND TO HAVE A FULL COUNCIL. COUNCILMEMBER WALKER  
40 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

41 COUNCILMEMBER WALKER AYE

42 COUNCILMEMBER BEAN AYE

43 COUNCILMEMBER POWELL AYE

44 THE MOTION CARRIED UNANIMOUSLY.

2           **2.     Public Hearing** – *Ordinance Amendment – Lindon City Code, Title 6 (Animal*  
3           *Ordinance) #2012-12-O.* The City Council will hear public comment and  
4           possibly act to approve an amendment to LCC, Title 6 (Animal Ordinance).  
5           The Planning Commission has met several times over the past few months and  
6           made extensive updates to help clarify the current language in the ordinance.  
7           The planning Commission recommended approval with several changes.

8           Mayor Pro Tem Powell commented before opening the public hearing that she  
9           realizes that most of the citizens in attendance tonight are here to address this issue and  
10          she appreciates everyone coming out. Mayor Pro Tem Powell stated that she would like  
11          to speak to those who may have some concerns and the reasons some have been  
12          propelled to attend this public hearing is because of a letter that was circulated in the  
13          southwest corner of the city that indicates that things are going to change in a rapid way  
14          with the animal ordinance. Mayor Pro Tem Powell then read the article that she wrote  
15          from the August 2012 newsletter. She noted this is a process, and the Council is moving  
16          ahead in a manner that is concise and not moving in a fast or rapid pace to ensure that all  
17          public comments are heard and taken into consideration.

18                   COUNCILMEMBER BEAN MOVED TO OPEN THE PUBLIC HEARING.  
19                   COUNCILMEMBER WALKER SECONDED THE MOTION. ALL PRESENT  
20                   VOTED IN FAVOR. THE MOTION CARRIED.

21                   Adam Cowie, Planning Director, opened the discussion by explaining this is a  
22                   public hearing to review an ordinance amendment to LCC Chapter 6 – Animal  
23                   Ordinance. Mr. Cowie further explained the proposed changes will help to clarify the  
24                   current language within this ordinance. He noted that a review of the current allotted  
25                   amounts of animals permitted within the specific lots sizes in Lindon will also occur.  
26                   Mr. Cowie further discussed that the Planning Commission reviewed the ordinance over  
27                   multiple public hearings. He added that over the course of those meetings there were  
28                   only two citizens who attended to make comments on the proposed changes. The  
29                   Planning Commission recommended approval as presented in the draft. Mr. Cowie noted  
30                   that discussion of the animal ordinance issues has been an ongoing process since April.  
31                   He added that there was some confusion on the number of animals allowed and the code  
32                   was hard to understand and had different interpretations. There was a lot of information  
33                   that needed to be clarified and he noted there have been 5 or 6 public hearings since June,  
34                   of which 2 citizens have attended, and two emails, and there was fairly limited public  
35                   comment. Mr. Cowie stated that the Planning Commission recommendations increase  
36                   the ability for people to have animals and to protect those rights, and allows for those  
37                   rights to continue. He further noted that purpose and intent statements were added in to  
38                   clarify that animals come with odors and flies and those kinds of inherent characteristics  
39                   are now reflected in the ordinance; and staff is letting the public know by the adoption of  
40                   some of the language that the city is going to have reasonable tolerance for animal  
41                   owners.

42                   Mr. Cowie then referenced the updated definitions (underlined sections) and new  
43                   wording and other sections as strike-outs in the ordinance draft. There was then some  
44                   general discussion regarding the updated definitions in the ordinance draft.  
45                     
46

2 Mayor Pro Tem Powell called for public comment at this time. There were  
several public comments from residents in attendance as follows:

4 **Vicki Leroy:** 743 W 20 S – Ms. Leroy stated that she raises birds and chickens. She  
asked about set backs. Mr. Cowie stated that the current ordinance requires a 60 ft.  
6 separation distance from any enclosure to a neighboring home. It is proposed to reduce  
the distance to 50 ft. He added that language was added to the ordinance that pre-existing  
8 uses are not affected from new homes if animal rights were already established  
(grandfather clause). Mr. Cowie also noted that there was some added non-conforming  
10 use language, and the rights will not expire. Ms. Leroy also asked about snakes being  
allowed in the code. Mr. Cowie stated that snakes are currently allowed in the  
12 ordinance.

14 **Leann Whetten:** 554 W 40 S – Ms. Whetten commented that she feels if you move to  
Lindon you need to expect animals. She mentioned lot sizes, and if the ½ lot is  
16 determined by the county or the city. Mr. Cowie confirmed they go by the county  
recorded plat maps. She also stated that roosters are not currently regulated and if they  
18 are possibly revising the code to one rooster. Mayor Pro Tem Powell confirmed they are  
looking into the issue of the number of roosters allowed. Ms. Whetten also mentioned  
20 bee hives and noted that it is below the state level of what is acceptable on the number of  
hives. And why was the state level not followed. Councilmember Bean stated that there  
22 was discussion by the Planning Commission and that number may go higher, he noted  
that this is a brand new section in the ordinance, and may be revisited. Ms. Whetten also  
24 inquired about the animals and the “kill privilege” and asked for clarification. Mr. Cowie  
noted that there is language in the current ordinance that addresses this issue, and it is  
26 permissible.

28 **Shelley Ruiz:** 377 W 100 S – Ms. Ruiz commented that she is grateful for what the  
council is doing, because she has had complaints about her animals in the past and has  
30 been harassed by neighbors and she feels that she is in her rights as an animal owner.  
She noted that she is glad for the changes because if residents are going to own animals  
32 the attention should go to the complainer not to the owner of the animals. She also  
suggested giving the Police Department the tools needed to help protect the responsible  
34 animal owners and their rights. Ms. Ruiz also brought up the issue of only one rooster  
allowed per lot, and suggested that limiting roosters to 4 or 5 would be reasonable.  
36 Councilmember Powell noted that the council is getting feedback on this issue and feels  
that it should be reviewed.

38 **Kara Jean Means:** 732 E 215 N – Ms. Means inquired if miniature cattle had been  
40 considered as a different category. She added that they are a lot smaller and you can fit 2  
minis where one large animal would fit. Councilmember Powell noted that she would  
42 like to have some discussion and visit this issue. Ms. Means asked what regulations are  
being used to determine the amounts of animals. Mayor Pro Tem Powell noted that they  
44 are not diminishing the numbers from the past code, and in some area they have been  
increased to some degree. She added that the Planning Commission has worked hard to  
46 put the animal ordinance together. Mr. Cowie noted that the language has been clarified

regarding mature vs. immature animals and added the “weaned animal table”. Ms. Means also inquired about the open burn and why it is only for one month. Chief Cullimore confirmed that the County regulates open burn but the green waste is available and also dump passes from the city.

**Kurt Stenbridge:** 295 W 450 N – Mr. Stenbridge stated that the bee ordinance looks good but there is one section that he has a problem with. He noted that the draft page 20 shows how many hives you can have, and he noted that he has 6 hives. Mr. Stenbridge suggested increasing the number of hives by 2. He added that most of the standards are good but the number is low.

**Lance Lamoreux:** 1147 E 200 S – Mr. Lamoreux noted a contradiction he found in the draft. He referenced the defined exotic animals section and suggested that it should include ring necked pheasants, sugar gliders, and ferrets, as to be regulated. He also mentioned the wild animal section and the definition of excessively unreasonable. Councilmember Bean replied that the phrase was discussed and part of having any kind of code in the city is to have something to look to when enforcement action is needed or to provide guidance, and this is a bit arbitrary. Mr. Cowie agreed this could be an enforcement issue and he mentioned that they added the definition of “reasonable” into the ordinance after speaking to the City Attorney; he then read the definition of “reasonable”. Mr. Lamoreux suggested adding the legal definitions of “excessive” and “unreasonable” to the ordinance. Councilmember Walker noted that council will look at the language and have more discussion on the issue.

**Sam Banks:** 153 S 800 W – Mr. Banks stated that the ordinance states that animals come with noise, odors, smells, etc. and what is reasonable for that particular animal. And it is subjective to each person on what is offensive, and how to measure that is a good issue for discussion and to take into consideration.

**Orvil Bird:** 311 S 400 W – Mr. Bird inquired if the city has inspectors who check and make recommendations for people who have issues or problems with animals. It was confirmed the city does have inspectors. He also mentioned there is an environmental concern with allergies etc. regarding animal, and she be monitored. Councilmember Powell stated that the purpose is to make sure we are all good neighbors and responsible animal owners and make sure that we are not a nuisance to neighbors. She added that we, as a city or council, do not want to police your back yard. Mayor Pro Tem Powell stated that there is a complaint form through the city if there is an issue that the city needs to be informed of if you are not able to rectify a situation with a neighbor.

**Ron Moosman:** 339 N 400 E – Mr. Moosman stated that he has been in the horse business at his residence for 35 years, and to his knowledge he has never had one complaint in all those years. Mr. Moosman stated that the best solution to solving problems that you may have with the neighbors is by talking to them and solve the problem. Mr. Moosman also stated that he believes that you make your own luck with neighbors, and it is important to be a good neighbor.

2 **Patty Meeks:** 734 N Locust Avenue. – Ms. Meeks asked for clarification on how many  
4 horses she can have on a ½ acre lot. Mayor Pro Tem Powell stated that she is allowed to  
6 have 4 horses on a 20,000 square ft. lot.

8 **Lori Kay Banks:** 153 S 800 W – Ms. Banks stated that she is part of the group “The  
10 Citizens for Lindon.” She noted that their group is very happy with the work that has  
12 gone on so far, and noted at first things went faster than what they had anticipated. She  
14 asked for clarification on how things are progressing now with the ordinance and that the  
16 process is moving forward to alleviate everyone’s anxieties. Mayor Pro Tem Powell  
18 stated that she anticipates this issue going to the next few meetings, and there will there  
20 be more public hearings. Mr. Dameron confirmed that if this issue is continued it will go  
22 to a continued public hearing. Councilmember Walker commented that the council will  
24 do everything they can to touch on all of the areas that need discussion in order to do this  
26 right. He went on to say that it is the animal rights that make Lindon unique from other  
28 cities and we will get through the process, and we just need to be patient.

30 Ms. Banks commented that she has attended almost all of the planning  
32 commission meetings and noted how impressed she is on how thorough the Planning  
34 Commission has been in discussing the animal ordinance and how responsive to the  
36 public comments they have been. Ms. Banks stated that members of her group put  
38 together a website to have access to the code and make decisions. Ms. Banks stated that  
40 she mainly wanted clarification on the process. Mayor Pro Tem Powell expressed that  
42 there have been several noticed public meetings held (about 8 meetings), and that this has  
44 not been a fast process. She added that their “group” alludes to the fact that there are  
back room discussions going on, and that is just not the case. Mayor Pro Tem Powell this  
is very important issue, and the council will take as much time as needed to get this right.  
Mayor Pro Tem Powell also acknowledged that the “group” would consider that this is  
very important also and the council is looking at every aspect and will consider all of the  
citizens of Lindon. Mayor Pro Tem Powell stated that she represents all residents of the  
city and she takes it very seriously. Ms. Banks stated that she appreciates what Mayor  
Pro Tem Powell and the Council are doing to ensure that this is done correctly to benefit  
all Lindon residents and it is important for all citizens to be made aware of the process.

32 Mayor Pro Tem Powell asked if there were any public comments. Hearing none  
34 she called for a motion to close the public hearing.

36 **COUNCILMEMBER WALKER MOVED TO CLOSE THE PUBLIC  
38 HEARING. COUNCILMEMBER BEAN SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.**

40 Mayor Pro Tem Powell called for any questions or further discussion from the  
42 Council. Councilmember Walker noted that he appreciates the process. He noted that  
44 many months ago the council started dealing with an animal issue which instigated us to  
try and clean up the ordinance and tweak the language as to clarify and make it more  
understandable. Councilmember Walker also noted that he appreciates the citizen  
feedback and eventually a vote will have to happen and the council is trying to do the  
right thing for everyone.

2 Councilmember Bean also expressed his appreciation for everyone coming out as  
well and expressing their view, and noted that he anticipates there will be at least one  
4 more public meeting. Councilmember Bean further noted that they are also citizens of  
Lindon, and this issue is very important to them also. Mayor Pro Tem Powell expressed  
6 her appreciation to everyone for coming out and for their valued opinions. Mayor Pro  
Tem Powell also stated that the Planning Commission has done a great job bringing this  
8 forward, and the council will look at the ordinance and review the issues brought up  
tonight from the citizens. Mr. Cowie noted that the ordinance draft is now on the website  
10 including a link directly to the planning department for any comments that will be  
reviewed and addressed.

12 Mayor Pro Tem Powell called for any further comments from the Council.  
Hearing none she called for a motion.

14 COUNCILMEMBER WALKER MOVED TO CONTINUE THE PUBLIC  
HEARING FOR LCC TITLE 6 ANIMAL ORDINANCE (#2012-12-O) TO THE  
16 MEETING OF OCTOBER 16, 2012 FOR A FULL COUNCIL AND SUGGEST THAT  
THE COUNCIL HOLD A WORK SESSION FOR DISCUSSION.

18 COUNCILMEMBER BEAN SECONDED THE MOTION. THE VOTE WAS  
RECORDED AS FOLLOWS:

20 COUNCILMEMBER WALKER AYE

COUNCILMEMBER BEAN AYE

22 COUNCILMEMBER POWELL AYE

THE MOTION CARRIED UNANIMOUSLY.

- 24
- 26 **3. Public Hearing** – Ordinance Amendment – Lindon City Code, Chapter 17.47  
*Research and Business Zone, (#2012-13-O)*. The City Council will hear  
public comment and possibly act to approve an amendment to the LCC  
28 Chapter 17.47 (Research and Business Zone). The changes will remove uses  
listed within this ordinance which are duplicated in the Standard Land Use  
30 Table and will standardize fencing requirements. The Planning Commission  
recommended approval with changes.

32

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

36

38 Adam Cowie, Planning Director opened the discussion by explaining that this is  
also a public hearing to review an ordinance amendment to Lindon City Code Chapter  
17.47 “Research and Business (R&B) Zone.” Mr. Cowie further explained that these  
40 proposed changes will remove uses listed within this ordinance since they are found  
within the Standard Land Use Table and will standardize fencing requirements. He noted  
42 that the Planning Commission recommended approval as presented. Councilmember Bea  
noted that this issue is pretty straightforward.

44 Mayor Pro Tem Powell asked if there were any public comments. Hearing none  
she called for a motion to close the public hearing.

46

2 COUNCILMEMBER WALKER MOVED TO CLOSE THE PUBLIC  
HEARING. COUNCILMEMBER BEAN SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

4  
6 Mayor Pro Tem Powell asked if there were any comments or questions from the  
Council. Hearing none she called for a motion.

8 COUNCILMEMBER POWELL MOVED TO APPROVE ORDINANCE  
AMENDMENT LCC CHAPTER 17.47 #2012-13-O, RESEARCH AND BUSINESS  
10 ZONE AS OUTLINED WITH NO CONDITIONS. COUNCILMEMBER BEAN  
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

12 COUNCILMEMBER WALKER AYE  
COUNCILMEMBER BEAN AYE  
14 COUNCILMEMBER POWELL AYE  
THE MOTION CARRIED UNANIMOUSLY.

- 16  
18 **4. Review and Action – *Personnel Action Request.*** This is a request by staff for  
the approval of an increase in compensation for an employee working “out of  
class.”

20  
22 Mr. Dameron opened the discussion item by explaining this is a recommendation  
for approval of an increase in compensation for Jason Parker, and employee working “out  
of class.” Mr. Dameron noted that Dennis Kendall, Water Division Supervisor, had  
24 surgery and will be out of work for approximately 2 months. He added that in the past,  
when an employee has needed to work out of class, they have been compensated for their  
26 efforts. He further stated that Don Peterson, Public Works Director, has recommended  
that this action be made permanent due to the enormous work load with which the water  
28 division has. Mr. Dameron stated that Jason Parker is a very valuable employee and  
would recommend this personnel action request.

30 Mayor Pro Tem Powell asked if there were any comments or questions from the  
Council. Hearing none she called for a motion.

32  
34 COUNCILMEMBER POWELL MOVED TO APPROVE THE PERSONNEL  
ACTION REQUEST FOR JASON PARKER. COUNCILMEMBER BEAN  
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

36 COUNCILMEMBER WALKER AYE  
COUNCILMEMBER BEAN AYE  
38 COUNCILMEMBER POWELL AYE  
THE MOTION CARRIED UNANIMOUSLY.

40  
42 **COUNCIL REPORTS** –

44 **COUNCILMEMBER POWELL** – Councilmember Powell reported that she attended  
the Historical Preservation Commission meeting today. She also noted that she will be  
out of town for the Community Center Advisory Board meeting this Thursday but Heath  
46 Bateman will be in attendance to discuss the future of upcoming scheduled events.

2 Councilmember Powell reported that she will be out of town during the next IHC  
2 Outreach meeting if anyone would like to attend in her place.

4 **COUNCILMEMBER WALKER** – Councilmember Walker mentioned the hiring of the  
6 police officer position and what the status is. Chief Cullimore stated that they would like  
6 to meet on September 21, 2012 at 9:00 with Mr. Dameron, Mayor Dain and  
Councilmember Walker for final interviews.

8  
10 **CHIEF CULLIMORE** – Chief Cullimore reported that a bear was caught in the city this  
10 morning on 200 South and 1400 East. They called in the Division of Wildlife Resources  
12 and the bear was relocated to Spanish Fork Canyon. Chief Cullimore also expressed his  
12 thanks to the council for their help and assistance with the Drill Down for Safety. He  
14 also noted that the Police Department will be holding a session at the shooting range on  
14 October 11, 15, 16, 17, 22, 23, and 24. Chief Cullimore invited the Mayor and Council to  
16 attend. He noted the session usually starts in the early evening and lasts from 3 to 4  
16 hours.

18 **COUNCILMEMBER BEAN** – Councilmember Bean commended the Planning  
20 Commission on the great job they did on reviewing the animal ordinance.

22 **COUNCILMEMBER ACERSON** – Councilmember Acerson was absent.

24 **COUNCILMEMBER FRAMPTON** – Councilmember Frampton was absent.

26 **MAYOR DAIN** - Mayor Dain was absent.

28 **ADMINISTRATOR’S REPORT** –

30 Mr. Dameron reported on the following items.

- 30 1. The Council reviewed the Project Tracking List.
- 32 2. The “Drug Take Back” event will be held on September 29, 2012.
- 32 3. The Heritage Trail meeting will be held on .
- 34 4. Jerald Hatch mentioned if anyone would like a tour of the transfer station to  
34 contact him.
- 36 5. The Planner II position has been narrowed down to the top two candidates.  
36 The candidates will be doing a presentation on Tuesday.
- 38 6. UDOT has informed the city that the 600 South interchange closure has been  
38 extended until October 2, 2012.
- 40 7. The 200 South and 2000 West will be closed until September 24, 2012, due to  
40 the CUP pipeline project.
- 42 8. The Center Street Project will begin on September 24, 2012.
- 42 9. The City Center Park pavilion has been removed. Construction on the new  
42 pavilion will begin this fall.
- 44 10. The Lindon Hollow Ditch Relocation Project timeline will begin on  
44 September 20, 2012 and finish on December 12, 2012.

2 COUNCILMEMBER WALKER MOVED TO APPROVE THE PAY  
VOUCHERS. COUNCILMEMBER BEAN SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

4  
6 **ADJOURN** –

8 COUNCILMEMBER POWELL MOVED TO ADJOURN THE MEETING AT  
10:25 P.M. COUNCILMEMBER BEAN SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

12 Approved – October 2, 2012

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16 \_\_\_\_\_  
Kathryn Moosman, City Recorder

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20  
22 \_\_\_\_\_  
Randi Powell, Mayor Pro Tem