

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

6 **REGULAR SESSION** – 7:00 p.m.

7 Conducting: James Dain, Mayor

8 Pledge of Allegiance: Makayla Tann, Pleasant Grove High Student

9 Invocation: Bret Frampton, Councilmember

10 **PRESENT**

11 James A. Dain, Mayor

12 Mark L. Walker, Councilmember

13 Bret Frampton, Councilmember

14 Matt Bean, Councilmember

15 Randi Powell, Councilmember

16 Ott H. Dameron, City Administrator

17 Adam Cowie, Planning Director

18 Cody Cullimore, Chief of Police

19 Kathryn Moosman, City Recorder

10 **ABSENT**

11 Jeff Acerson, Councilmember

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

24 **MINUTES** – The minutes of the regular meeting of the City Council of August 21, 2012
25 were reviewed.

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27 COUNCILMEMBER WALKER MOVED TO APPROVE THE MINUTES OF
28 THE MEETING OF AUGUST 21, 2012 AS CORRECTED OR AMENDED.

29 COUNCILMEMBER FRAMPTON SECONDED THE MOTION. THE VOTE WAS
30 RECORDED AS FOLLOWS:

31 COUNCILMEMBER WALKER AYE

32 COUNCILMEMBER FRAMPTON AYE

33 COUNCILMEMBER BEAN AYE

34 COUNCILMEMBER POWELL AYE

35 THE MOTION CARRIED WITH ONE ABSENT.

36
37 **OPEN SESSION** – Citizen Comments.

38 Mayor Dain called for any public comment. There were no public comments.

40 **MAYOR'S COMMENTS/REPORT** – Mayor Dain commented that he had a chance to
41 pass on his thanks to Councilmember Powell for her hard work and diligent time spent on
42 the Lindon Days celebration. Mayor Dain commended her along with everyone who
43 participated to make Lindon Days a big success and a great week of celebration for the
44 citizens of the community.

46 **CONSENT AGENDA** –

No items.

2
4 **CURRENT BUSINESS** –

- 6 1. **Public Hearing** – *Center Street Crossing across the Murdock Canal/Trail*. The
8 City Council will hear public comment and possibly act to approve or deny the
Center Street connection across the Murdock Canal/Trail. Everyone is invited to
attend and comment on this proposed action.

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

14 Mark Christensen, City Engineer, was in attendance to discuss the Center Street
16 crossing. Mr. Christensen then referenced the prepared plans proposing improvements to
Center Street to cross the Murdock Canal and make the connection further west to the
18 sidewalk. He then referenced the striping sheet, and pointed out the proposed curb,
gutter, and sidewalk to be installed on the north side of the road to connect to where it
20 now exists; and then just curb and gutter on the south side. Mr. Christensen noted the
plan depicts the narrower road than what the intersection was built at. He went on to say
22 the intersection of Center Street is built as a 66 ft right of way, and staff is recommending
the Council to consider changing the master plan with Center Street between the
Murdock Canal and 725 East to a narrower cross section of 50 ft. while still maintaining
24 the status as a collector, but changing from a major collector to a minor collector street.

26 Mr. Christensen then discussed impacts along the frontage of the Hill property
with some existing trees that will need to be removed; he added that the Hill's have been
28 notified. Mr. Christensen noted the right of way has been obtained that is needed for the
street improvements. He further noted that the Murdock Canal Trail will cross Center
Street as part of the standard design that will occur throughout the Murdock Canal Trail.
30 They are also proposing some islands that would be 3 feet wide. These islands will
narrow the traveled way considerably and provide increased visibility for drivers as well
32 as signage and traffic calming.

34 Mr. Christensen also pointed out another item for discussion is the issue of what
to do with the 900 east intersection. He noted they have looked at several possibilities
and have concluded that there is adequate stopping site distance unless the driver is not
36 paying attention. Mr. Christensen also recommended that signage be posted in advance of
the intersection warning drivers to be prepared to stop. He stated they are not
38 recommending a 4-way stop. They are also proposing a center line strip and edge striping
to create 10 ft lanes. Mr. Christensen further explained they are planning to finish
40 construction at the intersection and build a curb ramp. Mr. Christensen also noted there
will also have to be some work done on the Fisher property with the rebuilding of the
42 driveway, and removing a tree and some concrete barriers. He noted that he has met
with the Fishers several times and they are aware of the plan. They also plan to
44 reconstruct the road by the 800 east intersection due to overlays on the road etc. Mr.
Christensen stated there has been some discussion about traffic calming and it is the

intention to evaluate speeds and volumes after traffic patterns have stabilized, most likely in the spring while school is still in session but after the winter months.

Mr. Christensen asked if there were any questions at this time. Councilmember Walker asked about the islands for traffic calming on the corner by Mike Peterson's residence. Mr. Christensen replied that they do not have plans to do that now, but anticipate looking at what the pedestrian and vehicular traffic is and determine if there is a need for traffic calming or a school zone etc. Councilmember Powell inquired what would be required to have a reduced speed school zone. Mr. Christensen replied school zones are governed by state law and there is a prescribed permit to create uniformity throughout the state. Councilmember Powell asked if once the traffic study is completed what the time frame is to get the signage in, if it meets the requirements. Mr. Christensen stated that it would be done as quickly as they can. Councilmember Powell stated that the safety of the children is her highest priority and she would like to see it done as soon as possible.

Mayor Dain stated that when the traffic study is done in the spring, and if the warrants are met for the crosswalk, then it could be done almost immediately. Mr. Christensen stated that the study could be done sooner but it would have more validity if it was performed later when things stabilize. Councilmember Powell asked what the estimated completion date will be. Mr. Christensen replied that it should be completed by late October or early November. Councilmember Powell commented that if the study is not done until the spring there would be a 4 or 5 month time frame where there is not a reduction in speed or a school zone for the kids to cross.

At this time Mayor Dain called for any further questions or comments. Mayor Dain also observed that there are two issues to consider action on as follows: 1) approval to cross the road and 2) the designation of minor collector vs. a major collector road.

Mayor Dain then opened the discussion for public comment. There were several comments from Lindon residents regarding the Center Street crossing as follows:

Larry Walker: Mr. Walker asked why 200 east is a minor instead of a major collector road. Mr. Christensen stated that it is because 400 east, by function, is a longer street that continues into Pleasant Grove and Orem, and it is the first opportunity below the canal to go north or south, and it also carries and moves more traffic. Mr. Christensen noted that the decision is based on emergency personnel if a road requires speed bumps. Mr. Walker also inquired when and why the speed bumps were put in on 900 east. Mr. Christensen stated that the speed bumps were installed after a traffic study was done in the mid to late 1990's, per public request. Councilmember Walker stated the reason is for emergency and evacuation purposes. Mr. Walker stated that he would like to see center street stay closed and remove the speed bumps and make 900 east a collector road. He also stated that if the road does go through, traffic calming is needed now not later. Councilmember Powell commented about the increase in traffic and noted that most drivers will go left or right at 400 east.

Ron Simon: Mr. Simon noted that drivers drive too fast all over town, particularly on 835 east, and the fact is our city has become quite large. Mr. Simon noted there are not many towns that have a "Center Street" that is not a through street. He suggested taking the opportunity and advantage of a more healthy flow of traffic considering the growth

2 and size of the city. Mr. Simon noted that he is grateful for the planners and those who have been involved in this process.

4 **Nyal Richins:** Mr. Richins noted that his property will have the most impact from the connection. He added that he did not approve of the connection from the start. Mr.
6 Richins stated that if there is someone to be thanked for the crossing it would be Mayor Dain as he has done a lot of work in having discussions and noted that they have come to
8 some agreements. Mr. Richins did have a question for Mark Christensen. He mentioned that it was his understanding that the traffic study that was to be done before and after the
10 road is open for comparison on the increase of traffic flow. Mr. Christensen stated that they concluded not to do the before count, because they know there is currently very little
12 traffic.

14 Mayor Dain noted that this issue has been discussed and it was determined that a before study would show very little traffic and after the connection the traffic will increase drastically. Mayor Dain asked Mr. Christensen if any information could be
16 gathered from a before study. Mr. Christensen stated that the traffic will go from less than 100 cars to a large number after, but agreed if the Council feels it is necessary they can
18 perform a before study.

20 Mr. Richins further noted that this street will not be safer for kids and the traffic will be going faster, and the kids who live on the street will not be safer. Mayor Dain stated that JUB Engineers will gather the data and come back and look at it in the spring
22 and meet with the Council. Mayor Dain also stated that if a count is needed the Council can see that a study is completed. Mr. Richins also asked how the traffic flow will be
24 patrolled. He added that a citizen has a right to complain, and he will file complaints if he sees individuals speeding on the road. Chief Cullimore stated that there will be patrol
26 officers there as much as possible to enforce the speed on Center Street.

28 **Sharon Call:** Ms. Call inquired how long the Center Street connection has been on the master plan. Mr. Cowie noted that it has been on the master plan since the 1980's. Ms.
30 Call also expressed her appreciation to the Mayor and Council for all of their hard work on the Center Street crossing.

32 **Craig Belliston:** Mr. Belliston noted that he has lived on 835 east for 18 years. He added that 400 north is almost impassable in the winter months with the slick roads etc., and to
34 have another access off of the east side will be great. Mr. Belliston further noted that he has raised 4 kids, and trying to get them to the schools has at times been difficult, and this
36 connection will give a lot of kids the opportunity to travel to school on their own. He added that this will be an easy collector road for kids to ride their bikes on. Mr. Belliston
38 stated that he is in support of putting the road through. Mayor Dain stated that he had a discussion with the principle of Oak Canyon Jr. High School about opening the fence by
40 the trail, which has no vehicular access, to provide another safe route for the kids to get to school.
42

44 **Kathy Shaw:** Ms. Shaw stated that she is in support of the connection. She noted a recent accident with a biker that took 10 minutes for an ambulance to get up to her

neighborhood. She also stated that 400 north is terrible in the winter months and if there was an emergency situation another roadway access would be beneficial.

Dixon Woodbury: Mr. Woodbury asked if the master plan shows that Center Street will continue on up to 1200 east. Mayor Dain stated that will depend on future development and it is not an acquisition that the city will pursue in the foreseeable future.

Chrishelle Travis: Ms. Travis noted that she lives on 140 North and has lived there for 16 years. She added that the Student Community Council at Oak Canyon Jr. High School would like to see the back fences to the school be opened up for another access for the kids. Ms. Travis further noted that she is glad to see Center Street go through along with the continuous sidewalk. Ms. Travis also inquired if changing the street from a major to minor collector street will affect the city's evacuation plan. Chief Cullimore stated that this will give one more point of access to get in or out. Ms. Travis added that she is concerned about speed and safety also, but the overall issue needs to be looked at and also the number of homes on the east side for access. She also pointed out that most residents are looking at the crossing as another access for emergency and evacuation purposes, and yet it will also be convenient for school access. Ms. Travis also discussed that she is worried about the narrowing of the bridge to a 22 ft. defined street.

Councilmember Powell asked if there are plans to red curb the street. Mr. Christensen stated there are no current plans to red curb, but certainly could be if needed. Ms. Travis asked why wait for a problem to happen to red curb and suggested doing the red curbing now. Councilmember Walker agreed it makes sense to red curb it at the beginning for parking purposes. Councilmember Powell was also in agreement to restrict it from the start with the red curbing on an as needed basis.

Nate Walker: Mr. Walker asked about changing from a major collector to a minor collector road and if it is on the master plan. Mayor Dain confirmed that is currently designated as a major collector road on the master plan. Mayor Dain also explained the reasoning behind the changing of the road width.

Mayor Dain commented that he understands the residents concerns about Center Street opening up and the coming changes can be stressful. He added that it seems inevitable that change is going to happen, and small communities grow and change. He went on to say that it is his job as Mayor, along with the Council, to manage that change the best way they can. He added that he recognizes that for some residents there is really no gain in this except extra traffic. Mayor Dain expressed his appreciation to Mr. Richins for having ongoing discussions to come to an agreement that works. He also expressed to the other residents that this is not a real win situation and he recognizes that, but he also sees the need for the connection and he does not think as a Mayor and Council they can say that it is not a good idea.

Councilmember Frampton echoed the Mayors sentiments of appreciation and agreed that Mr. Richins property will be impacted more than others and will be quite a change. He noted that he also lived on Center Street for a number of years and enjoyed living there and enjoyed the relationships with the wonderful people. He also expressed his appreciation to Mr. Christensen for his hard work on this project.

2 Councilmember Walker also mentioned his appreciation for the process the
4 Council and staff has gone through to get to this point. He noted that throughout the
6 discussions, the open house, and the public hearings with the citizens he found that this is
8 important to the city and the community and it will make an impact on everyone. He also
stated that all along his main concern has been for the safety of the children and to find a
way to make this safer for the kids. He noted that after all of the comments and input
from the citizens he hopes that they understand the time and consideration that has gone
into this decision and the process it has taken.

10 Councilmember Powell also expressed her appreciation to those community
12 members who have helped and cooperated with the process and she offered her heartfelt
14 thanks for what they are giving to the community as they are impacted more. She also
16 thanked the community members who have added to the atmosphere that we, as a city,
can provide public safety. She apologized for any inconvenience to those impacted but
would hate to apologize to somebody who didn't have the access to egress the mountain
in an emergency situation or to have public safety personnel being able to get to them.
She also thanked those who voiced their opinions and thoughts on both sides of this issue.

18 Mayor Dain called for any further public comments. Hearing none he called for a
motion to close the public hearing.

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

24 Mayor Dain summarized, after discussion, that the following items be included in
the motion:

- 26 1. Approve the crossing of the street itself.
- 28 2. Approve the change in designation from a major to minor collector from 725
east to the Murdock Canal.
- 30 3. Add the red curbing component on the north side.
- 32 4. A traffic study to be completed by JUB Engineers.
5. Commit to meet with the Community Council to discuss a traffic
and safety study as soon as possible.

34 Mayor Dain called for further discussion or questions from the Council. Hearing
36 none he called for a motion.

38 COUNCILMEMBER WALKER MOVED TO APPROVE THE CENTER
40 STREET CROSSING ACROSS THE MURDOCK CANAL AS ENGINEERED, WITH
THE DESIGNATION CHANGE FROM A MAJOR TO MINOR COLLECTOR FROM
42 725 EAST TO THE MURDOCK CANAL RIGHT OF WAY, WITH THE ADDED RED
CURBING COMPONENT IF NEEDED ON THE NORTH SIDE, WITH A TRAFFIC
44 STUDY TO BE COMPLETED BY JUB ENGINEERS, AND THE COMMITMENT TO
MEET WITH THE COMMUNITY COUNCIL TO DISCUSS A TRAFFIC AND
SAFETY STUDY AS SOON AS POSSIBLE. COUNCILMEMBER FRAMPTON
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

46 COUNCILMEMBER WALKER AYE

COUNCILMEMBER FRAMPTON AYE
2 COUNCILMEMBER BEAN AYE
COUNCILMEMBER POWELL AYE
4 THE MOTION CARRIED WITH ONE ABSENT.

6 2. **Public Hearing** – LCC Chapter 18.03 “Definitions and Regulations” and LCC
Chapter 18.04 “Billboard Advertising”. This is a request for approval by Terry
8 Reid for an ordinance amendment to allow digital face changes on off-premise
signs, specifically billboards. Recommendations by the Planning Commission
10 have been forwarded to the City Council for approval.

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

16 Mr. Cowie opened the discussion by stating this item is a request by Terry Reid
for approval of an ordinance amendment to allow digital face changes on off-premise
18 signs, specifically billboards. Mr. Cowie noted that staff has added to the recommended
language to include mechanically changeable signs and amend the code sections as
20 otherwise necessary. Mr. Cowie further discussed that all of the major outdoor
advertising companies that have billboards within the city limits were in attendance at the
22 Planning Commission hearing, with no objections to the proposed ordinance changes. He
added that the Planning Commission recommended approval of the proposed changes.
24 Mr. Cowie then presented photos of static billboard signs submitted by Mr. Reid.

 Mayor Dain questioned the intensity of the light from the billboards. Mr. Cowie
26 read a piece of state code and noted that because of that language he felt hesitant to not
regulate illumination standards on all signs. Mr. Reid stated there is a device installed on
28 every sign that reduces the laminate light so it is less at night than it is in the day, which
is done to make the sign work more efficiently as far as energy consumption. Mayor Dain
30 asked Mr. Cowie if there has been any dialogue with other cities as they have developed
their ordinances regarding this issue. Mr. Cowie stated that he has spoken with Provo
32 City’s planning staff and they indicated that they have several LED billboards along the
freeway frontage in Provo. Lindon is a little bit different as we only have billboards
34 along the freeway frontage (16 signs) except one on Geneva Road, as opposed to Provo
who have signs dispersed in other areas in the city. Councilmember Powell added as she
36 has traveled the freeway the static billboards seem less ambient than a lot of other
spotlighted signs, and the glow is much more consistent and easier to read. There was
38 then some general discussion between the council regarding LED light and the intensity
of the light and possibly putting a maximum limit on the lumens emitted.

40 Mr. Reid noted that the technology that drives the LED lighting now is a little
different than what you find in a residential home. Mr. Reid further noted that most of
42 the light you see also has a reflective aspect to it as well. On a static billboard you end up
burning about 3 to 4 times as much light as you really need to light a billboard. Mike
44 Hale, Yesco Outdoor Signs representative, was in attendance and commented that after
hearing the discussion he feels that as far as brightness goes, the outdoor industry has self
46 imposed, and put into legislation, laws to protect the traveling public; so the signs cannot

2 be too bright, but just be uniformly lit at night but no brighter than what is average along
the highway, as to be able to read it but not have reflective light bouncing off of the sign.
4 Mr. Reid stated that the state and federal government has already confined what the city
has the ability to do, and has already written into law the regulations and limitations.

6 Mayor Dain suggested adding into the ordinance the requirement of a monitor on
the sign and also add the requirement to meet state standards. Councilmember Walker
8 asked Mr. Cowie if the Planning Commission had any other issues other than the items
discussed. Mr. Cowie stated only what is proposed. Mayor Dain asked about the control
10 of offensive content on the billboards. Mr. Reid stated that in the contracts, offensive
content is prohibited, and per state statute they have to follow the morals of the
community. Mayor Dain suggested speaking with the City Attorney and possibly adding
12 some language regarding the content on billboard signs.

14 Councilmember Bean inquired about the legal action that has been taken by any
billboard companies towards cities that have prohibited the conversion of signs whether
in the cities or along the freeway (for instance Murray City). Mr. Hale stated that he did
16 not know about Murray City, but he has attended several Council meetings in Salt Lake
City regarding the change and ideas they are going through. Their discussions somewhat
18 stalled and went in a different direction and has not gone to a final vote as of yet. Mr.
Reid noted that he heard from the head planner in SLC that they are probably going to
20 adopt code that allows this in certain sections of the city, but they would like to bring it in
to more of the downtown area. He added that they will adopt an ordinance that has a
22 digital face where you have to give up a static face in order to create a digital face
(exchange basis). Mr. Reid further discussed that Murray City is just in the negotiation
24 phase, and their current ordinance is not prohibitive; the essence of the lawsuit is they are
trying to go beyond the scope of the ordinance and trying to force something that the
26 ordinance does not allow. He believes the lawsuit will end up in some negotiated
settlement.

28 Mayor Dain called for any public comment or further discussion from the
Council. Hearing none he called for a motion.

30
32 COUNCILMEMBER FRAMPTON MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

34
36 Mayor Dain called for any discussion with the Council. Councilmember Walker
commented that he likes the suggestions discussed regarding this issue. Mr. Cowie then
read the ordinance as amended. Hearing no further comments Mayor Dain called for a
38 motion.

40 COUNCILMEMBER POWELL MOVED TO CONTINUE LCC CHAPTER
18.03 DEFINITIONS AND REGULATIONS AND LCC CHAPTER 18.04
42 BILLBOARD ADVERTISING TO THE NEXT MEETING AFTER CONSULTATION
WITH LEGAL COUNSEL. COUNCILMEMBER BEAN SECONDED THE MOTION.
44 THE VOTE WAS RECORDED AS FOLLOWS:

46 COUNCILMEMBER WALKER AYE
COUNCILMEMBER FRAMPTON AYE

COUNCILMEMBER BEAN AYE
2 COUNCILMEMBER POWELL AYE
THE MOTION CARRIED WITH ONE ABSENT.

- 4
6 3. **Review and Action** – *Mountainland Association of Government (MAG) Contract for Aging Services with Lindon City*. This is a request by staff for the City Council’s review and approval of the Fiscal Year 2012/2013 Contract for Aging Services between MAG and Lindon City. This contract allows nutritious meals to be served to seniors in the Lindon City Senior Center.

10
12 Mayor Dain stated that this action is needed in order for Mountainland Association of Government (MAG) to receive funds from the federal government to facilitate the lunch program for the seniors at the Community Center. He noted that
14 Brian Haws, City Attorney, has reviewed the contract and recommend approval of the contract agreement. In the letter, Mr. Haws also stated that accurate records must be
16 maintained and be in compliance with the requirements. Mr. Dameron noted that the local match provides the facility and the employees who run the program. Mr. Dameron
18 also noted that Heath Bateman, Parks and Recreation Director, will maintain the records. Mayor Dain commented that this is a great program that provides meals for our seniors at
20 no outlay to the City other than maintaining the Community Center.

22 Mayor Dain called for any further discussion from the Council. Hearing none she called for a motion.

24 COUNCILMEMBER FRAMPTON MOVED TO APPROVE
MOUNTAINLAND ASSOCIATION OF GOVERNMENT (MAG) CONTRACT FOR
26 AGING SERVICES WITH LINDON CITY FOR FISCAL YEAR 2012/2013 AND
GIVE THE MAYOR AUTHORIZATION TO SIGN. COUNCILMEMBER WALKER
28 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER WALKER AYE
30 COUNCILMEMBER FRAMPTON AYE
COUNCILMEMBER BEAN AYE
32 COUNCILMEMBER POWELL AYE
THE MOTION CARRIED WITH ONE ABSENT.

- 34
36 4. **Discussion** – *Bishop’s Tithing Office*. This is a request by the Lindon City Historical Preservation Commission for the City Council’s discussion and
38 direction concerning the future of the Bishop’s Tithing Office located at 319 North 135 West.

40 Tonya Lemone and Steven Anderson were in attendance to represent the Lindon Historical Preservation Commission. Ms. Lemone stated that the information regarding
42 the tithing office is included in the council packets, which includes drawings and also a letter written by Lynn Lemone. She noted that the commission is in favor of what Mr.
44 Lemone has proposed in the letter. Ms. Lemone added that the commission is in need of discussion with the Council on how to accomplish this. She noted that they did send the
46 issue to the public to help make a decision, and they got only one response. Ms. Lemone

2 stated they need the community and the public to have some connection to the tithing
office and to feel a responsibility to it. Ms. Lemone reiterated that the Historic
4 Preservation Commission wants to preserve the building, and that it is their responsibility
as the preservation commission, and they are asking for direction from the Council on
6 how to move forward. Steven Anderson commented that they also need to look at the
issue as not just an economic standard, but to look at the cultural and historical standards.
8 He also noted that the historical impact on the community good is to preserve certain
buildings.

10 Mayor Dain commented that Lindon does not have a heavy historical base of
buildings, and the reason for the interest in protecting this building is because there are so
few in the city. Mayor Dain added if the decision is made to keep the tithing house then
12 some progress needs to be made whatever that may be. Mayor Dain noted that there has
been an effort made to make the building and property look decent, and if we are going to
14 keep it we need some sort of program to move it forward if only an inch at a time. He
suggested the possibility of having the city commit to an allotted amount of money each
16 year to make some progress on the building or by donations etc. Mayor Dain noted at the
time the tithing house was purchased the city didn't have the Community Center and it
18 was an opportunity to preserve a piece of history. Ms. Lemone asked how the Council
feels about getting the community involved as far as fund raising and donations etc.
20 Councilmember Frampton commented that this effort will take a lot of hard work. He
also brought up the suggestion from Councilmember Acerson of compiling a video of the
22 tithing house including the history, and preserving it that way; but he added that he does
see the interest in preserving the tithing house.

24 Councilmember Walker asked if the issue could be put on a ballot to get it in front
of the residents. Mayor Dain stated that it would be a funding issue asking residents if
26 they want the city to spend the funds for the tithing house. Mayor Dain noted a
suggestion that was previously discussed was to divest of the tithing office and sell it as a
28 one bedroom apartment or rent it out; he added that there is a market for it. Mr.
Anderson asked if the building is structurally sound enough for someone to buy it and
30 remodel. He added that they would probably tear it down and re-build on the property.
Mayor Dain stated that it is a very small lot and exceptions would have to be made to
32 approve a permit on the property. Mayor Dain noted that the biggest value to the
building is the historic value. Councilmember Powell commented that the biggest
34 question is what is the purpose and intent of use of the tithing office, and until that
question is answered is there any point in going further. She also mentioned if the Care
36 Tax were applied for could it be something assigned to the preservation of the building.

38 Councilmember Bean commented that there is not a lot of high architectural
significance in the building compared to other historical structures in the area, and it is
difficult to rally the community around a building, even though it has historical value. He
40 noted from that standpoint it is difficult to look at the building and think this is something
to restore because it has value, and it is a difficult challenge. Mr. Anderson commented
42 that the commission would like to find a way to involve the community and obtain
community interest in the building even if it were to be restored. Ms. Lemone noted the
44 proposed uses of the building would include Historical Preservation Commission
Meetings, Museum, Special Occasions, Public Meetings, Lindon Days Open House,
46 Historical Classes, Story Telling, Art Displays, etc. Mayor Dain then asked Ms. Lemone

2 if the commission is passionate about saving the building or a little ambivalent given the
price tag to restore it. Mayor Dain stated that based on the way the landscape has
4 changed, and that the city now has the community center, of which one entire room could
be dedicated to the Preservation Commission; there is not even a need to display the
6 history in the tithing house anymore. Mayor Dain stated it is hard to come up with a
compelling reason to spend \$150,000 to restore the building for basically a monument.
8 Mr. Anderson stated that if the emotion is taken out of the equation, logically there is
only one decision. Mr. Dameron agreed that the history could be preserved with a
10 professional video for a visual legacy. Mayor Dain then directed Ms. Lemone and Mr.
Anderson to go back to the Commission and inform them the Council is leaning towards
12 the idea of divesting the City from the tithing house at this time as there is not a real
compelling need for the building. Mayor Dain also directed the Commission to have
14 discussion and perhaps a vote on whether to divest or not and let the Council know where
they are on the issue after discussion.

16 On another issue, Ms. Lemone commented that the Commission would like to
continue to coordinate and oversee the Tree Lighting Ceremony at the Community
Center, as it is a historical event associated with the tree lighting. Councilmember Powell
18 suggested that the Historic Preservation Commission and the Tree Lighting Ceremony be
coordinated with the Community Center Advisory Board. Ms. Lemone stated that they
20 will bring this suggestion up at their next meeting. Mr. Anderson also noted that the
Commission would like to do more oral histories, up to three or four levels, and not just
22 have residents contribute who are older than 50 years. They would also like a link on the
website with the oral histories available for residents to review.

24 Mayor Dain called for any further discussion from the Council. Hearing none he
moved on to the next agenda item.

- 26
- 28 5. **Review and Action** – *Appointment of Member to the Lindon City Community
Center Advisory Board (CCAB)*. This is a request by Randi Powell, liaison to the
30 CCAB, for the Council’s consent to the appointment of LaDawn Edwards as a
member of the Community Center Advisory Board.

32 Councilmember Powell stated that LaDawn Edwards is very excited about serving
on the Community Center Advisory Board and noted that she will be a great asset.
34 Councilmember Powell added that they did receive recommendations from the sitting
board for Ms. Edward’s appointment. Mayor Dain will sign the appointment letter for
36 Ms. Edwards upon approval from the Council.

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

40 COUNCILMEMBER FRAMPTON MOVED TO APPROVE THE
APPOINTMENT OF LADAWN EDWARDS AS A MEMBER OF THE LINDON CITY
42 COMMUNITY CENTER ADVISORY BOARD. COUNCILMEMBER POWELL
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

44 COUNCILMEMBER WALKER AYE
COUNCILMEMBER FRAMPTON AYE
46 COUNCILMEMBER BEAN AYE

COUNCILMEMBER POWELL AYE
2 THE MOTION CARRIED WITH ONE ABSENT.

4 **COUNCIL REPORTS** –

6 **COUNCILMEMBER POWELL** – Councilmember Powell reported on the Historical
Preservation Commission and the Community Center Advisory Board (CCAB).
8 Councilmember Powell noted that she received a kind thank you note from the Lott’s
expressing their appreciation for being allowed the opportunity to be the Grand Marshalls
10 at the Lindon Days celebration. They also noted that they appreciated being able to serve
the community. Councilmember Powell stated that she will not be to the first City
12 Council meeting in October.

14 **COUNCILMEMBER WALKER** – Councilmember Walker reported that he attended
the North County Animal Shelter board meeting last week and it was a good informative
16 meeting. He noted they hopefully will have Commissioner Ellertson coming to speak to
the board in the near future. Councilmember Walker also reported that he met with Chief
18 Cullimore for discussion and noted that things are going well with the Police Department.

20 **CHIEF CULLIMORE** – Chief Cullimore reported that they are in the middle of the
hiring process for the police officer position. They will narrow it down to the top 10 by
22 next week, and then narrow it down to 5. He added that in approximately 2 weeks they
will be able to give someone an offer. Chief Cullimore also reported that they hosted the
24 “Earthquake Lady” in preparation for the drill down for safety and 43 people attended.
He noted that she will be teaching the “Ready Your Business” training September 5th.
26 Chief Cullimore further reported that September 6th is the block captain training and
September 17th is the actual “Drill Down for Safety”. Chief Cullimore reported that there
28 has been another suicide in Dry Canyon. The victim was a 22 year old girl from Orem.

30 **COUNCILMEMBER BEAN** – Councilmember Bean reported that Commissioner
Angie Neuwirth attended her last Planning Commission meeting on August 28th. She
32 was presented with a plaque for her years of service to the community. Councilmember
Bean noted that there is now a vacancy and asked for any suggestions for her
34 replacement. Mayor Dain suggested Mark Butler and Mark Rogers as possible
candidates.

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

38 **COUNCILMEMBER FRAMPTON** – Councilmember Frampton reported that he will
40 be meeting with the Tree Board for their quarterly meeting and will bring a report back to
the Council.

42 **MAYOR DAIN** – Mayor Dain reported that Mr. Cowie has been approached by a real
estate development company that is representing the owner of the lease on the Lindon
44 boat harbor. Mayor Dain noted that the developer is trying to entice Lindon to put in a
bid for the boat harbor franchise. Mayor Dain noted that budgets are tight and it would
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2 need to be staffed etc. Mayor Dain asked the Council if there is an appetite to step into
3 this now. Mayor Dain stated that the negotiations fell through with Jim Cross, but when
4 he spoke with Mr. Cross he indicated that he is still interested in the boat harbor. Mayor
5 Dain noted that in the mean time, the developer is very interested in meeting with the Mr.
6 Cowie and the planning staff to move forward. Mayor Dain stated that he directed Mr.
7 Cowie to notify the developer that he has spoken with the Council and there is not a lot of
8 interest from the city in bidding at this time. Mayor Dain noted that the timing is wrong
9 and that a right private owner is the best route to pursue, and to let private enterprise take
10 over to make it something great for Lindon. The Council was in agreement that there is
11 no interest at this time.

12 **ADMINISTRATOR'S REPORT** –

13 Mr. Dameron reported on the following items.

- 14 1. The Council reviewed the Project Tracking List.
- 15 2. The League of Cities and Towns Conference will be held September 12th -14th
16 Councilmember Walker, Councilmember Frampton, Councilmember Acerson
and Mr. Dameron will attend.
- 17 3. Assistant Planner, Woody Mataele's last day was Friday. There have been
18 some good applications submitted for the position.
- 19 4. The Planning Commission is still under discussion regarding the animal
20 ordinance, but they are close to a decision and should be coming to the first
21 City Council meeting in October.
- 22 5. The Drill Down for Safety will be held on September 17, 2012.
- 23 6. Martin Snow will be recognized at the September the 18th meeting for his
24 business contributions to the City.
- 25 7. Mr. Dameron reported that he has scheduled a work session at 6:00 pm at the
26 next City Council meeting for discussion with Jason Burningham.
- 27 8. Mr. Dameron mentioned that the 600 South interchange will be closed
28 for 2 weeks for paving on the south side of the street.
- 29 9. Mr. Dameron noted that the Central Utah Pipeline Project will be having a
30 closure between September 10th and 23rd.

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32 COUNCILMEMBER FRAMPTON MOVED TO APPROVE THE PAY
33 VOUCHERS. COUNCILMEMBER BEAN SECONDED THE MOTION. THE VOTE
34 WAS RECORDED AS FOLLOWS:

35 COUNCILMEMBER WALKER AYE
36 COUNCILMEMBER FRAMPTON AYE
37 COUNCILMEMBER BEAN AYE
38 COUNCILMEMBER POWELL AYE
39 THE MOTION CARRIED WITH ONE ABSENT.
40

41 **ADJOURN** –

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43 COUNCILMEMBER FRAMPTON MOVED TO ADJOURN THE MEETING
44 AT 10:20 P.M. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
45 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.
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Approved – September 18, 2012

Kathryn A. Moosman, City Recorder

James A. Dain, Mayor