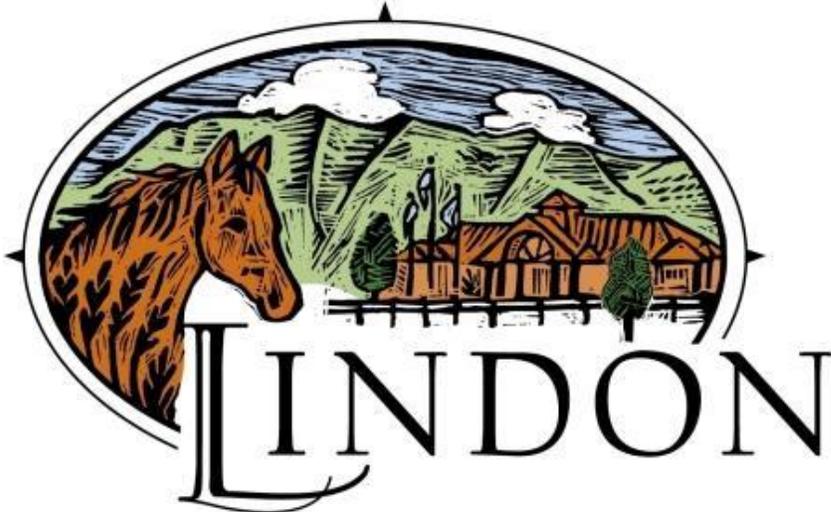
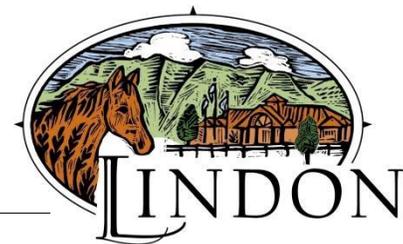


Lindon City Council Staff Report



Prepared by Lindon City
Administration

November 15, 2016



Notice of Meeting of the Lindon City Council

The Lindon City Council will hold a regularly scheduled meeting beginning at **6:00 p.m. on Tuesday, November 15, 2016** in the Lindon City Center council chambers, 100 North State Street, Lindon, Utah. The agenda will consist of the following:

Scan or click here for link to download agenda & staff report materials:



WORK SESSION – 6:00 P.M. - Conducting: Mayor Jeff Acerson

1. Discussion of General Plan update with Planning Commission (60 minutes)

Lindon City Council will meet with the Lindon City Planning Commission to discuss a comprehensive review of the Lindon City General Plan. No motions will be made.

REGULAR SESSION – 7:00 P.M. - Conducting: Jeff Acerson, Mayor

Pledge of Allegiance: By Invitation

Invocation: Jake Hoyt

(Review times are estimates only)

- 1. Call to Order / Roll Call** (2 minutes)
- 2. Presentations and Announcements** (5 minutes)
 - a) Comments / Announcements from Mayor and Council members
- 3. Approval of minutes:** November 1, 2016 (5 minutes)
- 4. Consent Agenda – No Items**
- 5. Open Session for Public Comment** (For items not on the agenda) (10 minutes)
- 6. Public Hearing — Ordinance #2016-20-O; LCC 8.32 Cemeteries and Burials** (20 minutes)

The Council will review and consider Ordinance #2016-20-O containing city initiated changes to the cemetery ordinance (LCC 8.32) to update and more clearly define policies for grave decorations and displays on headstones. Brad Jorgensen, Cemetery Sexton and Public Works Director, will assist in presenting this item.
- 7. Review & Action — Pleasant Grove / Lindon Chamber of Commerce Board** (5 minutes)

The Council will review and consider appointment of Councilmember Jake Hoyt as the Lindon City Council representative on the Pleasant Grove / Lindon Chamber of Commerce Board of Directors.
- 8. Review & Action — 2017 Lindon City Public Meeting Schedule** (5 minutes)

The Council will review and consider the proposed 2017 Lindon City Public Meeting Schedule.
- 9. Council Reports:** (20 minutes)
 - A) MAG, COG, UIA, Utah Lake Commission, ULCT, NUVAS, IHC Outreach, Budget Committee - Jeff Acerson
 - B) Public Works, Irrigation/water, City Buildings - Van Broderick
 - C) Planning, BD of Adjustments, General Plan, Budget Committee - Matt Bean
 - D) Parks & Recreation, Trails, Tree Board, Cemetery - Carolyn Lundberg
 - E) Public Safety, Court, Lindon Days, Transfer Station/Solid Waste - Dustin Sweeten
 - F) Admin., Community Center, Historic Comm., UV Chamber, Budget Committee - Jacob Hoyt
- 10. Administrator’s Report** (10 minutes)

Adjourn

This meeting may be held electronically to allow a council member to participate by video conference or teleconference. Staff Reports and application materials for the agenda items above are available for review at the Lindon City Offices, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our staff may be contacted directly at (801)785-5043. City Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for city-sponsored public meetings, services programs or events should call Kathy Moosman at 801-785-5043, giving at least 24 hours notice.

CERTIFICATE OF POSTING:

I certify that the above notice and agenda was posted in three public places within the Lindon City limits and on the State (<http://pmn.utah.gov>) and City (www.lindoncity.org) websites.

Posted by: /s/ Kathy A. Moosman, City Recorder

Date: November 11, 2016

Time: 2:00 p.m.

Place: Lindon City Center, Lindon Police Dept., Lindon Community Center

WORK SESSION – 6:00 P.M. - Conducting: Mayor Jeff Acerson

I. Discussion of General Plan update with Planning Commission

(60 minutes)

Lindon City Council will meet with the Lindon City Planning Commission to discuss a comprehensive review of the Lindon City General Plan. No motions will be made.

The General Plan is the guiding planning document for all growth and development within the City. It contains the goals and ideals for how the City Council and Planning Commission envision the future of the community for the next 20+ years.

The Lindon City General Plan is typically given a comprehensive update about every 5 years. The last General Plan update was adopted in November of 2011. Planning Department staff will review the General Plan update process and give an overview of existing sections and goals in the plan. Planning Director, Hugh Van Wagenen, had previously sent an email with links for the Council and Planning Commission to begin reviewing the plan and associated maps. They are listed again here for you to become generally familiar with the documents:

General Plan doc: <http://siterepository.s3.amazonaws.com/0044220111180734557936.pdf>

General Plan Maps: <http://www.lindoncity.org/maps.htm>

In the past a General Plan Committee has been formed to evaluate community needs and perspectives, review goals in the plan, and make recommendations on possible updates that are needed in the plan. The committee has traditionally been made up of a couple Council members, Planning Commissioners, and other citizens. Community-wide surveys to gauge desired growth and development within the city have also been part of updating the plan. Discussion on possible committee members and options for obtaining community feedback may occur.

No motions will be made at this meeting.

REGULAR SESSION – 7:00 P.M. - Conducting: Jeff Acerson, Mayor

Pledge of Allegiance: By Invitation

Invocation: Jake Hoyt

Item 1 – Call to Order / Roll Call

November 15, 2016 Lindon City Council meeting.

Jeff Acerson
Matt Bean
Van Broderick
Jake Hoyt
Carolyn Lundberg
Dustin Sweeten

Staff present: _____

Item 2 – Presentations and Announcements

- a) Comments / Announcements from Mayor and Council members.

Item 3 – Approval of Minutes

- Review and approval of City Council minutes: **November 1, 2016**

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, November 1,**
4 **2016, beginning with a joint work session at 6:00 p.m.** in the Lindon City Center, City
Council Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:00 P.M.

8 Conducting: Jeff Acerson, Mayor

10 **COUNCILMEMBERS PRESENT** **ABSENT**

- 12 Jeff Acerson, Mayor
- 12 Matt Bean, Councilmember
- 12 Carolyn Lundberg, Councilmember
- 14 Van Broderick, Councilmember
- 14 Jacob Hoyt, Councilmember
- 16 Dustin Sweeten, Councilmember

18 **PLANNING COMMISSION PRESENT**

- 18 Sharon Call, Chairperson
- 20 Rob Kallas, Commissioner
- 20 Bob Wily, Commissioner
- 22 Mike Marchbanks, Commissioner
- 22 Matt McDonald, Commissioner
- 24 Steve Johnson, Commissioner

26 **STAFF PRESENT**

- 26 Adam Cowie, City Administrator
- 28 Cody Cullimore, Chief of Police
- 28 Hugh Van Wagenen, Planning Director
- 30 Brandon Snyder, Associate Planner
- 32 Kathryn Moosman, City Recorder

34 **DISCUSSION: Discussion of Sign Ordinance with Lindon Planning Commission.**

34 The Lindon City Council met with the Lindon City Planning Commission to discuss
36 possible amendments to the sign ordinance (LCC Title 18). No motions will be made.

38 Hugh Van Wagenen, Planning Director, opened the discussion by welcoming the
Council and Planning Commission members to the meeting. He explained that recently,
40 the Planning Commission has been reviewing an ordinance amendment to allow
electronic message centers (EMCs) in all non-residential zones in Lindon. Currently,
42 EMCs are only allowed in the T-zone along Interstate 15. During the discussion, several
Commissioners and Councilmember Bean thought it may be beneficial to have a joint
44 work session to discuss signage generally in addition to EMCs. One topic that came up
several times was allowing pole signs in all non-residential zones rather than just the T-
46 zone. Mr. Van Wagenen showed the area where billboards are allowed with off premise
advertising that has distance requirements with a capped number of billboards in the city
and where no new billboards are allowed. He noted they also had discussion about not

2 allowing any additional off premise advertising but some with permission within
commercial zones He noted the discussion tonight will focus primarily on the desirability
4 of pole signs and EMCs in the City. Mr. Van Wagenen then showed some size examples
of monument signs that are currently allowed in all non-residential zones, size examples
6 of currently permitted EMCs in the T-zone that are currently permitted and a map of the
T-zone. There was then some general discussion by the group of allowing pole signs,
8 monument signs and sizes and comparisons and what other cities allow.

Chairperson Call suggested starting with the Planning Commission
10 recommendations and questioned if pole signs are something the Council even wants to
consider. Councilmember Broderick asked if there have been any inquiries from
12 businesses at this point. Mr. Van Wagenen stated there are several businesses that are
waiting to see what happens with the city's sign request. Mayor Acerson asked how
14 many businesses are currently in compliance (non-conforming signs) as there was a lot of
discussion on this topic years ago as businesses want to attract business and the challenge
16 is to be consistent with the enforcement.

Mr. Van Wagenen stated the Planning Department is in the process of looking at
18 the entire code because of a recent Supreme Court case (sign code). Mr. Cowie
mentioned there are a handful of businesses that are non-conforming with temporary
20 signage. Commissioner Kallas commented that electronic signs can improve the look of
the sign by being more structured and organized and color coordinated. He also pointed
22 out that more cities are going towards electronic signage and they can also be cost
prohibitive. Councilmember Lundberg commented that past councils felt the pole signs
24 looked cluttered. She also mentioned some other cities that allow pole signs.

Councilmember Bean mentioned that billboards is a term used only on the t-zone
26 and currently billboards are allowed in the commercial zone. He added that the purpose
of a billboard is to disseminate information and if changeable copy signs are allowed in
28 the commercial zones are we then allowing businesses to advertise anything they choose
unless we regulated the content. He worries about turning the commercial zones into a
30 potential freeway-like zone. Mr. Van Wagenen stated we can regulate content of signs
and prohibit off premise messaging but it comes down to enforcement.

Councilmember Lundberg asked the Planning Commission their thoughts about
32 obvious things they discussed. Commissioner Wily mentioned that a representative from
Young Electric Signs came to a meeting and had discussion to convince them that these
34 types of signs okay. The Commission also spent a lot of time discussing the size of signs.
He noted he personally likes monument signs but would prefer keeping pole signs out. He
36 also likes the monument sign ordinance and the size and feels that fitting electronic
38 signage into that scale would fit very well in Lindon and it would not prohibit businesses
from advertising. Councilmember Hoyt pointed out that it is hard for businesses to stay
40 competitive in Lindon because of its size. He would like to see more research done on
this regarding electronic and pole signs but he is open to both.

Mayor Acerson commented if we are going to change the ordinance the
42 businesses should be invited to weigh in on the conversation. Councilmember Lundberg
44 feels there needs to be a balance with the people who live here and it needs to be
compatible. Commissioner Sweeten commented that we are pretty constrictive in Lindon
46 and a businesses need to be able to advertise properly but he is open to electronic signs

2 generally but feels pole signs are up for debate. Councilmember Broderick stated he is
hesitant for pole signs until he hears a valid argument.

4 Mr. Cowie reminded the group that the sign ordinance was reviewed thoroughly
in 2008 and at that time they invited many businesses to come to the meeting and he
6 would suggest doing that again. The group was in agreement to reach out to businesses
about their feelings of pole signs and to also use the Chamber of Commerce. Mr. Van
8 Wagenen stated he is hearing that the group is generally open to electronic signs and
asked for clarification of what kind of research the group is wanting on the pole signs.
10 He added they will reach out to businesses and residents through other means to inform
the general population and to also work with the Chamber of Commerce. Mayor Acerson
12 suggested another joint session may be needed for further discussion. Councilmember
Bean also asked staff to look into the extent to which content can be regulated.
14 Councilmember Broderick suggested checking with the sign manufacturers for their
recommendations to make the signs look nicer etc.

16 Mayor Acerson called for any further discussion or comments from the Council.
Hearing none he moved on to the regular City Council session at 7:00 pm.

18 **REGULAR SESSION** – 7:00 P.M.

20 Conducting: Jeff Acerson, Mayor
22 Pledge of Allegiance: Jeff Acerson
Invocation: Van Broderick, Councilmember

24 **PRESENT**

ABSENT

26 Jeff Acerson, Mayor
Matt Bean, Councilmember
28 Carolyn Lundberg, Councilmember
Van Broderick, Councilmember
30 Jacob Hoyt, Councilmember
Dustin Sweeten, Councilmember
32 Adam Cowie, City Administrator
Cody Cullimore, Chief of Police
34 Hugh Van Wagenen, Planning Director
Kathryn Moosman, City Recorder

- 36 1. **Call to Order/Roll Call** – The meeting was called to order at 7:05 p.m.
38
40 2. **Presentations/Announcements** –
a) **Mayor/Council Comments** – There were no announcements at this time.
42 b) **Presentation** – 2016 Utah Governor’s Business Friendly Community Award
presented by the Governor’s Office, Salt Lake Chamber, and Utah League of
44 Cities and Towns. Michael Parker, Salt Lake Chamber of Commerce and
Mark Eddington, from the Governor’s office were in attendance to present the
2016 Utah Governor’s Business Friendly Community Award to Lindon City.
46 Mr. Parker stated this award is given for use of best practices, outreach,
impact fee reviews, reducing group licensing, sign ordinance reviews,

2 approved zoning changes, and for economic development. He commended the
3 Planning Staff for addressing and implementing these issues. Mr. Eddington
4 pointed out that Utah has America’s strongest economy and quality of life and
5 they are grateful for all that the city does. Mr. Eddington then presented, on
6 behalf of Governor of the State of Utah, a certificate to Mr. Van Wagenen, the
7 Mayor and to Lindon City for their good business friendly efforts and
8 practices.

9 b) Arbor Day Proclamation for 2017 – Mayor Acerson read the proclamation
10 proclaiming May 19th as Arbor Day in Lindon City.

11 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council
12 meeting of October 18, 2016 were reviewed.

13 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES
14 OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 18, 2016 AS
15 AMENDED. COUNCILMEMBER SWEETEN SECONDED THE MOTION. THE
16 VOTE WAS RECORDED AS FOLLOWS:

- 17 COUNCILMEMBER BEAN AYE
- 18 COUNCILMEMBER LUNDBERG AYE
- 19 COUNCILMEMBER BRODERICK AYE
- 20 COUNCILMEMBER HOYT AYE
- 21 COUNCILMEMBER SWEETEN AYE

22 THE MOTION CARRIED UNANIMOUSLY.

23 4. **Consent Agenda** – No items.

24 5. **Open Session for Public Comment** – Mayor Acerson called for any public
25 comment not listed as an agenda item. There were several attendees in the
26 audience who addressed the Council as follows:

27 **Eric Barzeele:** Mr. Barzeele with Castle Park Reception Center addressed the Council at
28 this time. Mr. Barzeele noted they have been trying to expand into catering for the past
29 year and they have submitted and received a permit from the city. He noted it seems
30 undoable to get a certificate of occupancy if some things are not done to make it ADA
31 compliant. They are not having any offices or retail there just a commercial kitchen plus
32 dishwashing and storage. Mr. Cowie commented that there are building code standards
33 the city must comply and adhere to and any change of use these issues will be addressed.
34 He suggested setting up a meeting with Phil Brown and Mr. Van Wagenen to discuss it.

35 **Brenda Upright:** Ms. Upright representing Republic Services addressed the Council at
36 this time. She introduced herself noting she works with Reece DeMille stating they
37 appreciate their relationship and partnership with Lindon City and enjoy being a resource
38 for the city. Councilmember Lundberg commented the city continues to encourage
39 recycling in the city. Mr. Cowie stated the recycling numbers are steadily increasing.

2 **Stephanie Earl:** Ms. Earl stated she is representing a group that has concerns about
 4 issues at the North Utah County Animal Shelter. She noted they started an online petition
 6 about the shelter’s euthanasia policy and have gotten over 2,800 signatures. Their
 8 position is that the shelter still uses a gas chamber which is not humane. Ms. Earl then
 related several stories regarding the “5 day hold” on the animals noting there are foster
 care programs who want to give care to these animals so they don’t suffer and they have
 been refused. They have also talked to the Humane Society about these animals and there
 are people who are willing to care for them.

10 Ms. Earl also mentioned they weren’t allowed to go into the board meeting
 because the meeting room is very small even though it was a public meeting there wasn’t
 12 enough room. Ms. Earl also mentioned the Shelter Advisory Board involving citizens is a
 beneficial and a good source. She understands the employees don’t have written policy
 14 and procedures at the shelter and she would like the Director to provide documentation of
 compliance and they would also ask to have this issue looked into.

16 Mayor Acerson asked Ms. Earl for a copy of her report. Ms. Earl re-iterated the
 animal rescues have said they have offered assistance during the 5 day hold period and
 18 have been refused and they are not able to pull the animals out. She noted that other
 shelters accept the help from these types of rescues. There are also concerns that the cats
 20 are not receiving pain medication and they don’t receive the same care as the dogs as the
 Director does not care about the cats.

22 Ms. Earl pointed out that the underlying theme is that Lindon cares about animals
 and are animal friendly but they are concerned and they feel we need to take care of those
 24 who can’t take care of themselves. Mayor Acerson invited Ms. Earl to attend the next
 city council meeting where the animal shelter director will be in attendance. Ms. Earl
 26 stated their group feels we need to collaborate and help those groups who are willing to
 help the animals and to not have the 5 day hold issue holding them back. Mayor Acerson
 28 stated there is a delicate balance and they believe they are following procedures that are
 considered best practice.

30 **CURRENT BUSINESS**

- 32
- 34 6. **Review & Action – Fee Waiver Request.** Aspire Scholar Academy requests
 36 consideration of a partial fee waiver for weekly use of the Veterans Hall in
 Lindon City Center Park for homeschool co-op classes of children 11-18 years
 old.

38 Adam Cowie, City Administrator, led this agenda item by explaining Heath
 Bateman, Parks and Recreation Director, received a fee waiver and reduction request
 40 application from Aspire Scholar Academy which is a home school co-op group with 60 to
 65 youth ranging in age from 11-18 years old. He noted according to the application by
 42 Lindon City Resident Myra Johnson (368 N 400 E) the co-op is looking for a place to
 hold school once a week and on an occasional Friday and they are seeking a partial fee
 44 waiver for use of the Veteran’s Hall.

46 Mr. Cowie stated there is an issue with the building being able to suit their needs
 as it is now without some construction on the building; the group is not sure the building
 will fit their needs. They are also requesting a way that would allow the meeting room to

2 be partitioned or separated into four rooms and they have suggested putting in accordion
4 doors in the building. Mr. Bateman stated he is assuming they would like the City to do
the construction and front the costs. Mr. Bateman indicated in additional conversation
with Phil Brown, Lindon City Building Official, there is some concern that approving a
6 permanent school use of the facility may necessitate the building being suitable for E
(Education) Occupancy in the Building Code.

8 He noted the Building Official did not feel the current facility meets this
occupancy level and may present liability upon the City if an application for regular
10 school use is approved without potential upgrades for the facility to meet an E occupancy
level. There was then some general discussion regarding this issue. Councilmember
12 Sweeten commented he feels this is outside of the scope of the intended use of the
building. Councilmember Hoyt agrees this is not a good fit with the building.
14 Councilmember Broderick pointed out the construction costs are a factor.
Councilmember Lundberg feels this is admirable as it is for education but the benefit to
16 the community at large is not there and agrees it is not a good fit.

18 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion.

20 COUNCILMEMBER BEAN MOVED TO DENY THE COMMUNITY
CENTER RENTAL FEE WAIVER REQUEST FOR ASPRIRE SCHOLAR ACADEMY
22 CHAPTER FOR THE VARIOUS REASONS DISCUSSED. COUNCILMEMBER
SWEETEN SECONDED THE MOTION. THE VOTE WAS RECORDED AS
24 FOLLOWS:

COUNCILMEMBER BEAN AYE
26 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BRODERICK AYE
28 COUNCILMEMBER HOYT AYE
COUNCILMEMBER SWEETEN AYE
30 THE MOTION CARRIED UNANIMOUSLY.

32 7. **Review & Action – Support for Protection of American Fork Canyon**
(**Resolution #2016-20-R**). Councilmember Dustin Sweeten requests the Lindon
34 City Council’s review and consideration of Resolution #2016-20-R outlining
support for protecting public uses, water quality, and public access in American
36 Fork Canyon.

38 Mr. Cowie began by referencing the resolution outlining support for protecting
public uses, water quality, and public access in American Fork Canyon. He noted the
40 City Council has recently discussed interest and support in the efforts to protect public
access, protect drinking water resources for neighboring communities, and limit
42 development within American Fork Canyon. He noted that Councilmember Dustin
Sweeten was encouraged by Mayor Acerson to draft a resolution that may be adopted by
44 the Council to express support of these issues so Councilmember Sweeten prepared the
resolution language for consideration.

2 Councilmember Sweeten stated this resolution language is similar to what other
4 cities have done and he feels it conveys the message to the County. There was then some
general discussion regarding the resolution.

6 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion.

8 COUNCILMEMBER SWEETEN MOVED TO APPROVE RESOLUTION
10 #2016-20-R EXPRESSING SUPPORT FOR PROTECTION OF AMERICAN FORK
CANYON AS WRITTEN. COUNCILMEMBER LUNDBERG SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

12	COUNCILMEMBER BEAN	AYE
	COUNCILMEMBER LUNDBERG	AYE
14	COUNCILMEMBER BRODERICK	AYE
	COUNCILMEMBER HOYT	AYE
16	COUNCILMEMBER SWEETEN	AYE

18 THE MOTION CARRIED UNANIMOUSLY.

20 8. **Review and Action – UTV Purchase Request.** Councilmember Dustin Sweeten
requests the Lindon City Council’s review and consideration to authorize
22 purchase of a \$13,500 UTV (Utility Task Vehicle) from Powerhouse Motor
Sports for the Lindon City Police Department. The City has not previously
24 budgeted for this item. Councilmember Sweeten proposes that the City utilize
approximately \$5,000 from General Fund Reserves, approximately \$6,000 from
26 Lindon Days Car Show donations/revenues and has secured an additional \$1,500
contribution from KYMCO USA and \$1,000 contribution from Powerhouse
28 Motorsports. Per the City’s Purchasing Policies the City will be required to obtain
bids from at least three vendors prior to a purchase if the Council votes to approve
the expenditure.

30 Mr. Cowie turned the time over to Councilmember Sweeten to address this item.
32 Councilmember Sweeten stated he feels there may be a misunderstanding with this item
as written, as it was his intent, after discussions with Chief Cullimore, regarding the
34 donation of the use of a UTV machine for Lindon Days that they may want be able to use
a similar UTV in the department. He stated that he does not want it perceived in any way
36 that he is trying to make money from this UTV purchase. That was not his intent as he
was just offering to use his connections to help the city with the purchase. He noted in
38 discussing this issue further it sounds like it would be nice to have for the police
department, but it may not be the strongest necessity and highest priority right now.
40 Mayor Acerson commented that he believes no one perceived it as nothing but providing
information and a useful opportunity for the police department which is appropriate.
42 Councilmember Sweeten stated he would be happy to make recommendations if the need
arises if the future.

44 Councilmember Sweeten also brought up the need to discuss what the police
money from the Lindon Days car show could be used for as he feels where the money
46 goes may need to be discussed and clarified. There was then some discussion regarding

2 the disbursement of the funds. Following the discussion the Council agreed there needs to
be more transparency.

4 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion.

6
8 COUNCILMEMBER LUNDBERG MOVED TO FOREGO THE UTV
PURCHASE BUT TO APPROVE THE ALLOCATION OF THE DONATED CAR
SHOW FUNDS OF \$5,720 TO THE POLICE DEPARTMENT EMERGENCY
10 MANAGEMENT PROGRAM EQUIPMENT WITH NO CONDITIONS.

12 COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

- 14 COUNCILMEMBER BEAN AYE
- 14 COUNCILMEMBER LUNDBERG AYE
- 14 COUNCILMEMBER BRODERICK AYE
- 16 COUNCILMEMBER HOYT AYE
- 16 COUNCILMEMBER SWEETEN AYE

18 THE MOTION CARRIED UNANIMOUSLY.

20 **COUNCIL REPORTS:**

22 **Chief Cullimore** – Chief Cullimore had nothing to report.

24 **Councilmember Hoyt** – Councilmember Hoyt gave an update on the Pleasant
Grove/Lindon Chamber of Commerce noting he attended the recent board meeting. He
26 noted they are looking to fill the Director position and he will be sitting in on the hiring
committee.

28 **Councilmember Broderick** – Councilmember Broderick reported there is a lot of
30 interest from residents about the completion of the pickleball courts. He suggested
having a grand opening celebration. Mr. Cowie spoke about the north union canal and the
32 meeting with a representative who will fix the cracks with a spray product to prevent
water loss. The representative will be getting them a bid.

34 **Councilmember Bean** – Councilmember Bean asked for an update on the public safety
36 building. Mr. Cowie stated they are two (2) weeks behind schedule. He noted the site
improvements are done and they will be bringing in landscaping and doing the concrete
38 soon. Mr. Cowie stated there have been a few change orders but it is under the
contingency.

40 **Councilmember Lundberg** – Councilmember Lundberg reported the Lindon Chamber
42 Music Society will be holding a concert on November 17th at the Community Center. She
noted the Council is invited and encouraged to attend.

44 **Councilmember Sweeten** – Councilmember Sweeten reported he will be attending a
46 meeting next week with the North Point Solid Waste District. He also asked for an update
on the new positions at public works. Mr. Cowie stated Brad Jorgensen, Public Works

2 Director, is reviewing the applications for the three (3) new positions and they will be
interviewing soon.

4

Mayor Acerson – Mayor Acerson reported on the dance studio issue and feels they have
come to a resolution. There was then some additional discussion regarding this issue.
Following discussion the Council agreed to have staff bring forward an ordinance
change. Mayor Acerson also spoke on the NUVAS situation noting he is hopeful that
Ms. Earl will bring back specifics for the meeting on November 17th to be held from 10
am to noon in the council chambers. Mayor Acerson noted there are some good things
happening with Outreach and mentioned the UIA take rate continues to move upward. He
also reported he talked to the Larry Miller Group and Mercedes Benz is moving next year
to the Karl Malone dealership in SLC but they are not planning to abandon the building.
Mayor Acerson also gave an update on the upcoming Thanksgiving Dinner.

16 **Administrator’s Report:**

Mr. Cowie reported on the following items followed by discussion.

18

- North Union canal repair options
- Dry Canyon Springs / Canberra Water Tanks – repairs to collapsed spring box in
Dry Canyon made 10/27/2016 and water flows being reestablished and tested
- Claims updates
- Sewer Lift Station #7 (Ivory lift station) – Plans approved by State and the plans
will be going before the Planning Commission on November 22nd .
- Misc. Items

20

22

24

26 **Upcoming Meetings & Events:**

- November 8th – General Election (No Planning Commission meeting)
- November 24th - Thanksgiving Dinner event at Community Center

28

30 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion to adjourn.

32

Adjourn –

34

COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
AT 9:10 PM. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

36

38

Approved – November 15, 2016

40

42

Kathryn Moosman, City Recorder

44

46

Jeff Acerson, Mayor

Item 4 – Consent Agenda – *(Consent agenda items are only those which have been discussed beforehand and do not require further discussion)*

- No Items.

Item 5 – Open Session for Public Comment *(For items not on the agenda - 10 minutes)*

6. Public Hearing — Ordinance #2016-20-O; LCC 8.32 Cemeteries and Burials (20 minutes)

The Council will review and consider Ordinance #2016-20-O containing city initiated changes to the cemetery ordinance (LCC 8.32) to update and more clearly define policies for grave decorations and displays on headstones. Brad Jorgensen, Cemetery Sexton and Public Works Director, will assist in presenting this item.

Over the last few months the Council has discussed possible updates to the cemetery ordinance to enable longer-term display of headstone decorations at the cemetery and to help clarify display regulations to enable better care and efficient maintenance of the cemetery.

See attached ordinance changes. These changes provide a balanced approach to allowing items at the cemetery without being burdensome to maintain and which are in harmony with the desired upkeep for the grounds.

Once approved, the old policy signs will be removed from the cemetery and new signage with updated policies will be installed near the entrance and at the back of the cemetery.

Sample Motion: I move to (approve, deny, continue) Ordinance #2016-20-O to update decoration policies for the cemetery.

ORDINANCE NO. 2016-20-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING LINDON CITY CODE CHAPTER 8.32, TITLED “CEMETERIES AND BURIALS”, AND MODIFYING, AMENDING, AND REVISING THE PROVISIONS OF THE CHAPTER AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Lindon City finds it is necessary to amend the Cemeteries and Burials Regulations found in Lindon City Code; and

WHEREAS, the City desires to update decoration policies and maintenance practices at the cemetery to support patron desires for placement of such decorations; and

WHEREAS, the City desires to clarify and amend additional sections of the chapter to conform with other current practices; and

WHEREAS, the current ordinance should be amended to provide such provisions and be added to the Municipal Code of Lindon City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lindon City, Utah County, State of Utah, Chapter 8.32 of the Lindon City Code is hereby adopted and will read as follows:

SECTION I:

CEMETERIES AND BURIALS

Sections:

- 8.32.010 Definitions.
- 8.32.020 Interment in cemeteries.
- 8.32.030 Burial above ground prohibited.
- 8.32.040 Cemetery hours.
- 8.32.050 Only human burials permitted.
- 8.32.060 Vaults required.
- 8.32.070 Burial rights and ownership.
- 8.32.080 Burial permit required.
- 8.32.090 Exhumations.
- 8.32.100 Double depth burials.
- 8.32.110 Burials per lot.
- 8.32.120 Traffic regulations.
- 8.32.130 Funeral processions.
- 8.32.140 Right to maintain city cemeteries.
- 8.32.150 Plantings in city cemeteries.
- 8.32.160 Grave decorations.
- ~~8.32.170 Artificial flowers.~~

- 47 8.32.180 Private improvements prohibited.
- 48 8.32.190 Grave markers.
- 49 8.32.200 Burial of indigents.
- 50 8.32.210 Infant or urn burial lot.
- 51 8.32.220 American veteran burial lot.
- 52 8.32.230 Animals prohibited.
- 53 8.32.240 Persons and activities not permitted in city cemeteries.
- 54 8.32.250 Holiday funerals.
- 55 8.32.260 Fees.
- 56 8.32.270 Resale restricted.
- 57 8.32.280 No right to burial in specific location.
- 58 8.32.290 Care of lots.
- 59 8.32.300 Damaging property.
- 60 8.32.310 Burial information.
- 61 8.32.320 Forfeiture of burial rights.
- 62 8.32.330 Rules and regulations.
- 63 8.32.340 Violation misdemeanor.
- 64
- 65 Section 8.32.010 Definitions.
- 66 1. "Burial" means the opening and closing of a grave for the interment of a human remains.
- 67 2. "Cemetery" means any cemetery owned or operated by Lindon City for the purpose of
- 68 receiving the remains of deceased humans. The term also includes any cemetery operated within
- 69 the city limits of Lindon City.
- 70 3. "City" means Lindon City.
- 71 4. "Double Depth Burial" means the burial of the remains of two human bodies in the same
- 72 burial lot in separate vaults, one on top of the other.
- 73 5. "Double Burial" means the burial of two human bodies in adjacent burial lots.
- 74 6. "Infant" is defined as any child who is able to be buried in a casket no greater than thirty-six
- 75 inches (36") long.
- 76 7. "Lot" means a grave site in any cemetery owned by the City.
- 77 8. "Lot Owner or Purchaser" means the purchaser of burial rights or privileges evidenced by a
- 78 Burial Rights Certificate.
- 79 9. "Resident" is defined as a person who resides within the city and whose primary residence
- 80 has been within the city for at least thirty-one (31) days prior to a burial or purchase of burial
- 81 right.
- 82 10. "Veteran" is defined as anyone who has served in the Armed Forces of the United States,
- 83 including members of the National Guard and Reserves. A person who has had a dishonorable
- 84 discharge does not typically qualify as a Veteran. (Ord. 2014-15 amended 9/2/14) (Ord. 2012-4
- 85 amended 2/7/12, Ord. no. 3-94, amended 2-94, effective date 2-17-94; Ord. no. 11-92, enacted
- 86 11-5-92.)
- 87
- 88 Section 8.32.020 Interment in cemeteries.
- 89 No human remains shall be interred within the city limits of Lindon City except in a cemetery
- 90 operated by the city or a cemetery otherwise established and operated in accordance with the
- 91 laws of the State of Utah. (Ord. 2014-15 amended 9/2/14) (Ord. no. 11-92, enacted 11-5-92.)
- 92

93 Section 8.32.030 Burial above ground prohibited.

94 It is unlawful for any person to bury the body of a deceased person in any structure above the
95 ground. (Ord. no. 11-92, enacted 11-5-92.)

96

97 Section 8.32.040 Cemetery hours.

98 It shall be unlawful for any person other than city and cemetery employees performing their
99 duties to be in any cemetery between the hours of 11:00 p.m. and 6:00 a.m. (Ord. no. 11-92,
100 enacted 11-5-92.)

101

102 Section 8.32.050 Only human burials permitted.

103 There shall be no burial of anything other than the remains of human bodies in any cemetery.
104 (Ord. no. 11-92, enacted 11-5-92.)

105

106 Section 8.32.060 Vaults required.

107 It shall be unlawful for the remains of any dead human body to be buried in any cemetery unless
108 the casket is placed in a concrete or steel vault approved by the city sexton. No wood or
109 fiberglass shall be used in the construction of any part of any vault. Exceptions to the provisions
110 of this Section may be granted for infant or cremation burials only. In such instances, the design
111 and construction of the burial vaults shall be approved by the city sexton. (Ord. no. 11-92,
112 enacted 11-5-92.)

113

114 Section 8.32.070 Burial rights and ownership.

115 1. All property in a city cemetery, including lots, blocks, and grave sites, is the exclusive
116 property of the city. A burial right granted by the city is merely a right to be buried on city
117 property.

118 2. Burial rights in a city cemetery are granted to the person or persons named in the Burial
119 Rights Certificate.

120 3. No person, except the owner of the burial rights on a lot, shall be buried on that lot, unless a
121 form provided by the city sexton has been signed by the owner giving permission for someone
122 else to be buried on the lot.

123 4. Upon the death of the owner of the burial right, the burial right may be used for the burial of
124 the owner. If not so used, the burial right shall pass to the owner's heirs or beneficiaries in
125 accordance with applicable law, provided however, the burial right to any one lot shall not be
126 divided in fractional interests except as otherwise permitted by the city for infant and urn burials.
127 (Ord. 2014-15 amended 9/2/14) (Ord. no. 3-94, amended, 2-94, effective date 2-17-94; Ord. no.
128 11-92, enacted 11-5-92.)

129

130 Section 8.32.080 Burial permit required.

131 No remains of any dead human body shall be buried within any cemetery unless a proper burial
132 permit has been issued by the city sexton. Burial shall not begin any sooner than 24 hours after
133 the issuance of a burial permit.

134 (Ord. no. 11-92, enacted 11-5-92.)

135

136 Section 8.32.090 Exhumations.

137 No exhumations shall be permitted without written permission of the city sexton. It is unlawful,
138 within two years from the date of burial, for any person to exhume the body of a person who has

139 died of a contagious disease unless such body has been buried in a hermetically sealed coffin and
 140 is found to be so encased. All exhumations must comply with applicable state law.
 141 (Ord. no. 11-92, enacted 11-5-92.)

142

143 Section 8.32.100 Double depth burials.

144 Double depth burials are not allowed in any location in any cemetery, except where double depth
 145 burial rights have previously been issued by the city. (Ord. 2014-15 amended 9/2/14) (Ord. no.
 146 11-92, enacted 11-5-92.)

147

148 Section 8.32.110 Burials per lot.

149 Only one burial shall be allowed per lot, except as follows:

- 150 a. Double depth burial rights purchased prior to June 20, 2008 will be permitted.
- 151 b. Burial of up to four (4) urns per full-size lot (40" x 100"), or two (2) urns per half-sized
 152 lot (40" x 50") is permitted.
- 153 c. Burial of up to two (2) infants per full-size lot (40" x 100"), or one (1) infant per half-
 154 sized lot (40" x 50") is permitted.

155 (Ord. 2014-15 amended 9/2/14) (Ord. no. 11-92, enacted 11-5-92.)

156

157 Section 8.32.120 Traffic regulations.

158 The provisions of the city traffic ordinances relative to the operation of vehicles and conduct of
 159 pedestrians shall apply in all city cemeteries. In addition the following traffic regulations apply
 160 in all city cemeteries:

- 161 1. It is unlawful for any person to drive a motor vehicle upon any cemetery lot, back over any
 162 grave, cut a corner or drive such vehicle upon any part of the cemetery which is not an
 163 established roadway; provided, however, that this provision shall not apply to city employee's in
 164 the discharge of their duties.
- 165 2. It is unlawful for any person to drive a motor vehicle within a city cemetery at a speed
 166 greater than ten (10) miles per hour in areas where speed limits are not posted, or at such other
 167 lesser speed as is reasonable and prudent under existing conditions, having regard for actual and
 168 potential hazards. Where speed limits are posted, it is unlawful for any person to drive a motor
 169 vehicle in excess of the posted speed limit.
- 170 3. Whenever signs have been installed by the city, directing traffic to proceed in one direction
 171 only upon any street in a city cemetery, it is unlawful for any person to disobey such signs and
 172 drive a motor vehicle in the opposite direction. (Ord. 2014-15 amended 9/2/14) (Ord. no. 11-92,
 173 enacted 11-5-92.)

174

175 Section 8.32.130 Funeral processions.

176 Funeral processions passing through the city shall proceed to the place of interment under
 177 the direction of the funeral director. Within city cemeteries, city employees and/or funeral
 178 directors and their staff may direct traffic for the purposes of maintaining traffic flow and for the
 179 proper parking of vehicles. All vehicles in city cemeteries shall be driven in a careful and
 180 orderly manner. (Ord. 2014-15 amended 9/2/14) (Ord. no. 11-92, enacted 11-5-92.)

181

182 Section 8.32.140 Right to maintain city cemeteries.

183 The city sexton shall have the right to enter upon any lot to perform all work necessary for the
 184 maintenance of any city cemetery. The city sexton, or appointed designee, shall be responsible

185 for the total maintenance of city cemeteries. The city shall not be responsible for the repair or
186 replacement of grave markers of any nature. (Ord. 2014-15 amended 9/2/14) (Ord. no. 11-92,
187 enacted 11-5-92.)

188
189 Section 8.32.150 Plantings in city cemeteries.
190 ~~No planting shall be allowed in city cemeteries~~ Planting of shrubs, trees, flowers, lawn, or other
191 plantings, or placement of rocks, markers, or similar objects by private individuals is prohibited,
192 except when such planting has been approved by the city sexton. In determining whether to
193 allow private planting, the city sexton shall consider whether the planting is in harmony with the
194 cemetery landscape and if the planting will interfere with cemetery maintenance and safety. Any
195 object, flower, shrub, tree, or decoration not in compliance with this Section may be removed
196 immediately by the city sexton. (Ord. no. 11-92, enacted 11-5-92.)

197
198 Section 8.32.160 Grave decorations.
199 ~~All natural floral arrangements in city cemeteries shall be allowed to remain until removal is~~
200 ~~required for maintenance purposes, but in any event not longer than five days. All floral~~
201 ~~arrangements may be removed by the city sexton at any time. Glass containers shall not be~~
202 ~~allowed. Any objects such as wires, sticks, pegs, irons driven into the ground, or any other~~
203 ~~objects which interfere with maintenance of a city cemetery shall not be permitted. All grave~~
204 ~~decorations and other personal property left in the city cemetery shall be presumed to have been~~
205 ~~abandoned to the city. Properly displayed flowers and decorations add to the beauty and~~
206 character of the cemetery. In order to preserve the unique character of the cemetery the following
207 rules and regulations for grave decorations have been established:

- 208 a. Lindon City is not responsible or liable for any flowers or decorations left in the
209 cemetery. All grave decorations and other personal property left in the cemetery shall
210 be presumed to have been abandoned. Special mementos desired to be kept should be
211 removed at the conclusion of the graveside service.
- 212 b. Grave decorations or arrangements, real or artificial, shall be permitted if placed
213 directly on top of the headstone. The decorations shall be allowed until such time as
214 they become faded, worn, weathered, or otherwise unsightly after which they will be
215 removed and disposed of at the discretion of cemetery personnel.
- 216 c. Any object not kept on the headstone and placed in the grass area, or extending over
217 the grass area, will be removed and discarded, except during the following
218 circumstances:
 - 219 i. Funeral decorations will be allowed anywhere on a new burial lot (including
220 on the grass) for seven (7) days after the graveside service, after which all
221 items will be removed and discarded.
 - 222 ii. Beginning on the Friday before Memorial Day until the Sunday after
223 Memorial Day, grave decorations will be allowed anywhere on the burial lot
224 (including on the grass). After the first Monday following Memorial Day,
225 cemetery personnel may remove and dispose of all grave decorations on the
226 grass and other faded or worn flowers or decorations on the headstone.
- 227 d. Decorations on trees, shrubbery, or fences are not permitted and will be removed and
228 discarded.
- 229 e. Except as noted above for new burials and Memorial Day, any objects driven into the
230 ground such as wires, ornamental iron, shepherd hooks, solar lights, sticks, pegs,

231 flags, toys, air socks, balloons, outdoor lighting, pinwheels, etc. are not permitted and
 232 will be removed and discarded.

233 f. Glass, porcelain, glass covered picture frames not mounted to the headstone, or other
 234 breakable containers or objects are not allowed and will be removed and discarded.

235 g. Shepherd hooks or similar ornamental iron for hanging decorations are permitted if
 236 secured to the headstone by means of holes drilled into the headstone or by other
 237 secure attachment directly on top of the headstone. These hooks must be easily
 238 removable by cemetery personnel and may not project horizontally beyond the
 239 headstone (over the grass area) nor can they exceed six feet in height from the ground
 240 elevation.

241 h. Outlining of headstones using bricks, rocks, flowers or other decoration or device is
 242 prohibited.

243 i. Decorations or objects deemed hazardous, inappropriate, or conflicting with
 244 maintenance of the cemetery may be removed and discarded at any time by cemetery
 245 personnel.

246 (Ord. no. 11-92, enacted 11-5-92.)

247

248 ~~Section 8.32.170 — Artificial flowers.~~

249 ~~Artificial flowers, windmills, toys, rocks, wrought iron, or other ornamentation shall not be~~
 250 ~~placed in city cemeteries. The city sexton may remove and dispose of any such ornamentation at~~
 251 ~~any time. (Ord. no. 11-92, enacted 11-5-92.)~~

252

253 Section 8.32.180 Private improvements prohibited.

254 It shall be unlawful for any private person to erect or maintain any structure, fence, corner post,
 255 coping, or hedging of any kind upon any lot, street, or driveway in a city cemetery, or grade the
 256 ground or land thereof. (Ord. no. 11-92, enacted 11-5-92.)

257

258 Section 8.32.190 Grave markers.

259 All headstones or grave markers in city cemeteries shall comply with the size, type, placement,
 260 and other requirements of this Section. All grave markers shall be installed under the direction
 261 of the city sexton. Within 90 days after the interment of any dead human remains in any lot, the
 262 owner of any burial rights or relatives of the interred person shall place or cause to be placed
 263 upon the grave a suitable grave marker with the name of the deceased person plainly inscribed
 264 thereon. If any person does not comply with this requirement, the city may install a grave
 265 marker to identify the deceased and collect the cost of the purchase and installation of the grave
 266 marker from the persons otherwise responsible for the placement of such marker. Markers,
 267 monuments, or structures other than those explicitly provided for in this Section shall not be
 268 placed upon any lot.

269 1. Size of markers. All grave markers shall be placed on a concrete foundation at least six
 270 inches thick and shall have a maximum length of 40 inches for single burials, and 80 inches for
 271 double burials, and shall have a maximum width of 40 inches for both single burials and double
 272 burials. Markers where infants or urns are buried shall not exceed 40" x 25".

273 2. Type of markers. All grave markers shall be placed flush with the ground. No upright
 274 headstones shall be allowed in the cemetery.

275 3. Placement of markers. All grave markers shall be placed at the head of the grave. Exceptions
 276 to this rule shall apply only in the Veteran's Section of city cemeteries, if such Section exists,

277 where one additional grave marker, supplied by the Veteran's Administration, may be placed at
 278 the foot of the grave. (Ord. 2014-15 amended 9/2/14) (Ord. no.11-92, enacted 11-5-92.)

279
 280 Section 8.32.200 Burial of indigents.

281 A portion of any cemetery (either as a group of plots together or plots dispersed throughout the
 282 cemetery) may be designated by the City Council for the burial of indigents, provided however
 283 that indigents shall have no inherent right of burial in city cemeteries. Whenever it is determined
 284 by the City Administrator that any resident of Lindon who has died, who does not have funds or
 285 an estate sufficient to pay the cost of a burial right in the cemetery, and whose nearest relative or
 286 representative desires to have the body of such deceased interred in the city cemetery, the City
 287 Administrator may grant a burial right for such deceased person at no cost and waive all city fees
 288 associated with the burial. All strangers without known relatives or funds who die in the City
 289 may be accorded the same privilege. (Ord. no. 11-92, enacted 11-5-92.) (Ord. 2000-7,
 290 Amended, 10/04/2000)

291
 292 Section 8.32.210 Infant or urn burial lot.

293 A portion of any cemetery may be reserved for the burial of infants or urns in reduced sized lots
 294 as established by the city. Vaults used in such portion of a cemetery shall be a maximum of
 295 thirty-six inches (36") in length. (Ord. 2014-15 amended 9/2/14) (Ord. no. 11-92, enacted 11-5-
 296 92.)

297
 298 Section 8.32.220 American veteran burial lot.

299 A portion of any cemetery may be reserved for the burial of American Veterans and their
 300 spouses. (Ord. 2014-15 amended 9/2/14) (Ord. no. 11-92, enacted 11-5-92.)

301
 302 Section 8.32.230 Animals prohibited.

303 No animal shall be allowed in a city cemetery except in the confines of a vehicle. It shall be
 304 unlawful for the owner, agent, caretaker, or other person or persons in charge of any animal to
 305 permit any animal to run at large or trespass on any city cemetery grounds. (Ord. no. 11-92,
 306 enacted 11-5-92.)

307
 308 Section 8.32.240 Persons and activities not permitted in city cemeteries.

- 309 1. Only cemetery patrons are allowed in city cemeteries.
- 310 2. Children under 12 years of age must be accompanied at all times on the cemetery property by
 311 a parent or some supervising adult 18 years of age or older.
- 312 3. It shall be unlawful to engage in recreational activities in city cemeteries. (Ord. no. 11-92,
 313 enacted 11-5-92.)

314
 315 Section 8.32.250 Holiday funerals.

316 Interments or exhumations shall not be allowed on any City observed holiday or on Sundays, or
 317 on Memorial Day weekend beginning on the Saturday preceding Memorial Day through
 318 Memorial Day; provided however, that a burial may be permitted on any of the days described
 319 above if the deceased died of a contagious disease. (Ord. 2012-4 amended 2/7/12, Ord. 2010-5,
 320 adopted 8/17/2010, Ord. no. 11-92, enacted 11-5-92.)

321
 322 Section 8.32.260 Fees.

323 All prices, fees, and charges pertaining to city cemeteries shall be established by resolution of the
 324 city Council. No burial, opening, closing, interment, or exhumation shall take place until all
 325 appropriate fees have been paid to the city and no certificate of burial rights shall be given to a
 326 purchaser until the entire cost of the burial right has been paid in full. In addition, reasonable
 327 charges may be imposed for digging of graves, inspections, and other services performed. Fees,
 328 prices, and charges may be changed at any time, shall be part of the fee schedule within the city
 329 budget, and shall be available for public inspection. The city may charge different fees for
 330 residents and non- residents. Residency shall be determined by the residency of the named
 331 owner as shown on the Certificate at the time of purchase of a right of burial. If a person to be
 332 buried is deceased at the time of purchase of the burial right, residency shall be determined by
 333 the residency of the deceased person, at the time of death. (Ord. no. 3-94, amended 2-94,
 334 effective date 2-17-94; ord. no. 11-92, enacted 11-5-92.)

335
 336 Section 8.32.270 Resale restricted.
 337 No person who owns any burial right in a city cemetery shall sell such burial right to any buyer
 338 except the city. In the event the city elects to repurchase the burial rights, the repurchase price
 339 shall be the lesser of the original purchase price of the rights or the current selling price at the
 340 time of repurchase. (Ord. no. 11-92, enacted 11-5-92.)

341
 342 Section 8.32.280 No right to burial in specific location.
 343 A burial right granted by the city does not entitle the owner thereof to any right to burial in a
 344 specific location or lot in a specific city cemetery or even the right to burial in a city cemetery.
 345 The city may substitute another lot if more than one right to burial for a specific lot has been sold
 346 or if title to the lot or parcel has been sold by the municipality. The city may also refuse to bury
 347 any person in a city cemetery and repurchase the burial right by paying the owner thereof the
 348 reasonable value of the right on the date the certificate is presented to the city, or may provide
 349 for burial rights in another private or public cemetery. (Ord. no. 11-92, enacted 11-5-92.)

350
 351 Section 8.32.290 Care of lots.
 352 The city shall determine the extent of care to be given to the city cemetery, including lots related
 353 to sold and unsold burial rights. (Ord. no.11-92, enacted 11-5-92.) (Ord. 2014-15 amended
 354 9/2/14)

355
 356 Section 8.32.300 Damaging property.
 357 It shall be unlawful for any person to damage, injure, deface, take, or carry away any monument,
 358 tree, shrub, lawn, building, structure, or facility, on the grounds of any city cemetery except with
 359 the prior written permission of the city sexton. The city shall not be responsible or liable for
 360 flowers or other personal property left at a city cemetery. (Ord. no. 11-92, enacted 11-5-92.)

361
 362 Section 8.32.310 Burial information.
 363 Relatives of a deceased person, funeral directors, and any other person requesting burial of a
 364 body in the city cemetery shall provide the sexton information identifying the deceased,
 365 including but not limited to decedent's name, place of death, and name and address of the funeral
 366 director or other person making the interment. Written authorization must be made by a burial
 367 right owner or successor in interest of the decedent prior to interment of a body in a lot. The city
 368 will record and maintain a record of each Certificate of Burial Right. All new certificates will be

369 recorded with Utah County bi annually, no later than January 1 and July 1 of each year. The city
 370 will file an accurate plat of the cemetery with Utah County clearly showing sections of burial lots
 371 which have been disposed of and the names of persons owning each burial right and sections of
 372 burial rights held for disposal. Additional plats for additions to the cemetery will be filed with
 373 Utah County before offering for sale any burial rights located in the cemetery. (Ord. no. 11-92,
 374 enacted 11-5-92.) (Ord. 2014-15 amended 9/2/14)

375

376 Section 8.32.320 Forfeiture of burial rights.

377 A burial right or lot that remains unused for a period of 120 years after the date of issuance of the
 378 Certificate of Burial Right shall revert to the city in accordance with procedures and notice
 379 requirements set forth in Title 8, Chapter 5, U.C.A. and as may be amended hereafter. However,
 380 a burial right or lot will not revert to the city if the Owner provides proof of a valid interest in the
 381 burial right or lot within the time frames set forth in said statutes. Upon receiving proof of a valid
 382 interest in the burial right or lot, the city shall, at no cost to the owner, issue a new Certificate
 383 which shall be valid for an additional 120 years. The Owner of a burial right or lot that has
 384 reverted to the city, upon providing proof of a valid interest in a burial right or lot that was
 385 reclaimed, shall have a right to redemption or other compensation, at the option of the city, in
 386 accordance with state law. (Ord. no. 11-92, enacted 11-5-92.; Ord. no. 2014-9, Amended 4-1-
 387 14.)

388

389 Section 8.32.330 Rules and regulations.

390 The city sexton, with approval of the City Council, may prepare and enforce such other printed
 391 rules and regulations for the operation of city cemeteries as will cover matters necessary for, or
 392 useful in, the operation of city cemeteries, and which are not contained in this Code. (Ord. no.
 393 11-92, enacted 11-5-92.)

394

395 Section 8.32.340 Violation misdemeanor.

396 Any person who violates any provision of this Chapter is guilty of a class C misdemeanor. Every
 397 day a violation of this Chapter continues shall constitute a separate violation. (Ord. no. 11-92,
 398 enacted 11-5-92.)

399

400

401 **SECTION II:** Provisions of other ordinances in conflict with this ordinance and the provisions
 402 adopted or incorporated by reference are hereby are repealed or amended as provided herein.

403

404 **SECTION III:** The provisions of this ordinance and the provisions adopted or incorporated by
 405 reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or
 406 unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall
 407 nevertheless be unaffected and continue in full force and effect. If a provision of this ordinance is
 408 invalid in one or more of its applications, then the provision remains in effect for all applications
 409 that are severable from the invalid applications.

410

411 **SECTION IV:** This ordinance does not affect the rights or duties that matured, penalties that
 412 were incurred, or proceedings that were begun before its effective date.

413

414 **SECTION V:** This ordinance shall take effect immediately upon its passage and posting as
415 provided by law.

416
417 PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City,
418 Utah, this ____ day of _____, 20____.

419
420
421 _____
422 Jeff Acerson, Mayor

423
424 ATTEST:
425
426 _____
427 Kathy A. Moosman, Recorder

428
429
430 SEAL:

7. Review & Action — Pleasant Grove / Lindon Chamber of Commerce Board (5 minutes)

The Council will review and consider appointment of Councilmember Jake Hoyt as the Lindon City Council representative on the Pleasant Grove / Lindon Chamber of Commerce Board of Directors.

Councilmember Jake Hoyt has previously been assigned by the Mayor to assist with the City interest in the Utah Valley (UV) Chamber of Commerce. The Lindon Council has recently decided not to continue its membership focus with the UV Chamber and to focus its resources on a new joint effort with the Pleasant Grove / Lindon Chamber of Commerce. Councilmember Hoyt has served as a private businessman on the PG Chamber in the past and the City Council has discussed appointing Councilmember Hoyt to the new PG/Lindon Chamber Board of Directors.

Sample Motion: I move to (approve, continue, deny) appointment of Councilmember Jake Hoyt as the City Council representative on the Pleasant Grove / Lindon Chamber of Commerce Board of Directors.

Lindon City
100 North State Street
Lindon, UT 84042-1808



TEL 801-785-5043
FAX 801-785-4510
www.lindoncity.org

Pleasant Grove / Lindon Chamber of Commerce
Board of Directors
70 S. 100 E.
Pleasant Grove, UT 84062

November 15, 2016

Board of Directors,

Please accept this letter as notification that on November 15, 2016 the Lindon City Council appointed Lindon City Councilmember Jake Hoyt to serve as the Lindon City Council representative on the Pleasant Grove / Lindon Chamber of Commerce Board of Directors.

It is anticipated that Councilmember Hoyt will serve in this position until replaced by new appointment of the Lindon City Council. This appointment shall take effect immediately.

Sincerely,

Jeff Acerson
Mayor

cc: Jake Hoyt

8. Review & Action — 2017 Lindon City Public Meeting Schedule *(5 minutes)*

The Council will review and consider the proposed 2017 Lindon City Public Meeting Schedule.

State law requires that the City adopt a meeting calendar schedule prior to each calendar year. The proposed meeting calendar for 2017 is attached. Meetings that fall on holidays, election dates, or during Lindon Days have been removed from the schedule. Please review for any other needed changes or conflicts. The Planning Commission will review and approve their schedule in an upcoming PC meeting.

Sample Motion: I move to (approve, continue, deny) the 2017 Lindon City Public Meeting Schedule.

LINDON CITY PUBLIC MEETING SCHEDULE 2017

ALL MEETINGS TO BE HELD AT THE LINDON CITY CENTER, 100 NORTH STATE STREET, LINDON UNLESS POSTED OTHERWISE

The following chart should be used as a guide when submitting applications for City Council, Planning Commission, and Board of Adjustment review. The City assumes no liability for a missed meeting. “The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for City sponsored public meetings, services, programs or events should call the City Recorder, Kathy Moosman, at 801-785-5043, giving at least 24 hours notice.”

Applications can be filed at any time. The application will be reviewed for completeness and conformance with City standards. When the application is considered complete and major issues have been addressed, it will then be scheduled for the next available meeting. Typical time frame for processing applications is 6 to 8 weeks. It is the applicant’s responsibility to contact the City and inquire as to the status of the application and when it will be scheduled for a particular meeting.

Business requiring Planning Commission, City Council and/or Board of Adjustment review will be heard on the dates listed below.

CITY COUNCIL	PLANNING COMMISSION	BOARD OF ADJUSTMENT	CITY OBSERVED HOLIDAYS
7:00 P.M. 1 st & 3 rd Tuesday	7:00 P.M. 2 nd & 4 th Tuesday		<i>City Offices Closed</i>
JANUARY 3, 2017 JANUARY 17, 2017 FEBRUARY 7, 2017 FEBRUARY 21, 2017 MARCH 7, 2017 MARCH 21, 2017 APRIL 4, 2017 APRIL 18, 2017 MAY 2, 2017 MAY 16, 2017 JUNE 6, 2017 JUNE 20, 2017 JULY 18, 2017 AUGUST 1, 2017 SEPTEMBER 5, 2017 SEPTEMBER 19, 2017 OCTOBER 3, 2017 OCTOBER 17, 2017 NOVEMBER 21, 2017 DECEMBER 5, 2017 DECEMBER 19, 2017	JANUARY 10, 2017 JANUARY 24, 2017 FEBRUARY 14, 2017 FEBRUARY 28, 2017 MARCH 14, 2017 MARCH 28, 2017 APRIL 11, 2017 APRIL 25, 2017 MAY 9, 2017 MAY 23, 2017 JUNE 13, 2017 JUNE 27, 2017 JULY 11, 2017 JULY 25, 2017 AUGUST 22, 2017 SEPTEMBER 12, 2017 SEPTEMBER 26, 2017 OCTOBER 10, 2017 OCTOBER 24, 2017 NOVEMBER 14, 2017 NOVEMBER 28, 2017 DECEMBER 12, 2017	Board of Adjustment meets on an as needed basis.	JANUARY 1 st – New Year’s Day (observed Jan. 2nd) JANUARY 16 th – Martin Luther King Jr. Day FEBRUARY 20 th – President’s Day MAY 29 th – Memorial Day JULY 4 th – Independence Day JULY 24 th – Pioneer Day SEPTEMBER 4 th – Labor Day NOVEMBER 23 rd – 24 th – Thanksgiving DECEMBER 25 th – 26 th – Christmas (observed)

The City Council will meet as the Redevelopment Agency and Municipal Building Authority on an as needed basis on the same date as its regularly scheduled meetings.

NOTE: The Board of Adjustment will meet on an as needed basis. Meeting times and dates are subject to change.

NOTE: Meeting dates may be canceled at the discretion of the City Council and Planning Commission due to holidays, municipal elections, or other unforeseen conflicts.

NOTE: Special meetings, as needed to serve the public needs, may be added throughout the year for any of the above groups - with a minimum 24 hours public notice.

*Meeting is subject to cancellation

9. **Council Reports:**

(20 minutes)

- A) MAG, COG, UIA, Utah Lake, ULCT, NUVAS, IHC Outreach, Budget Committee- Jeff Acerson
- B) Public Works, Irrigation/water, City Buildings - Van Broderick
- C) Planning, BD of Adjustments, General Plan, Budget Committee - Matt Bean
- D) Parks & Recreation, Trails, Tree Board, Cemetery - Carolyn Lundberg
- E) Public Safety, Court, Lindon Days, Transfer Station/Solid Waste - Dustin Sweeten
- F) Admin., Community Center, Historic Comm., UV Chamber, Budget Committee - Jacob Hoyt

10. Administrator's Report:

(10 minutes)

Misc Updates:

- November newsletter: https://siterepository.s3.amazonaws.com/442/november16final_20161102123046.pdf
 - January newsletter article: **Carolyn Lundberg** - Article due to Kathy last week in December.
- Audit complete for FY2015-16. To be presented Dec 6th.
- Sewer Lift Station #7 (Ivory lift station) – Plans approved by State. Plans going before Planning Commission on November 22nd.
- Misc. Items:

Upcoming Meetings & Events:

- November 24th - Thanksgiving Dinner event at Community Center
- Nov 24th & 25th – City offices closed.
- Dec 5th – Tree Lighting Ceremony at Community Center

Adjourn