

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday November 21,**
3 **2006,** in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon,
4 Utah.

5 Conducting: Jeff Acerson, Mayor
6 Pledge of Allegiance: Steven Alexander, Boy Scout
7 Invocation: Eric Anthony

8 **PRESENT**

ABSENT

9
10 Jeff Acerson, Mayor
11 Eric Anthony, Councilmember
12 H. Toby Bath, Councilmember
13 Lindsey Bayless, Councilmember
14 Bruce Carpenter, Councilmember – *arrived 7:15 p.m.*
15 Jerald I. Hatch, Councilmember
16 Ott H. Dameron, City Administrator/Recorder
17 Adam Cowie, Planning Director
18 Debra Cullimore, Deputy Recorder
19

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

21 **RECOGNITION** – Sergeant Ryan Jensen, U. S. Army, has been invited to the meeting
22 after returning home from a tour in Iraq.
23

24
25 Sergeant Jensen was not present at the meeting.

26
27 **PRESENTATION** – Dean Steel and Carl Parker from URMMA, will present an award
28 to the Mayor and City Council for Lindon City’s number one ranking of Class “C” cities
29 in the risk management inspection program.
30

31 Carl Parker of Utah Risk Management Mutual Association (URMMA)
32 approached the Council. He noted that Dean Steel was called away to attend to other
33 business and was not able to attend the meeting. Mr. Parker introduced his daughter
34 Alexis to the Council

35 Mr. Parker gave a brief overview of the history of URMMA. He stated that 20
36 years ago, it was very difficult for cities to obtain liability insurance. As a result, groups
37 of cities joined together to become “self insured.” Mr. Parker noted that an important
38 aspect of URMMA in addition to providing insurance coverage is risk management,
39 which significantly reduces potential liability to cities. He explained that effective risk
40 management requires a significant amount of effort on the part of City staff.

41 Mr. Parker explained that the risk management inspection cycle ended in July.
42 Following inspections in all URMMA cities, Lindon City was named the top entity in
43 Class “C” cities for risk management in the state of Utah. Mr. Parker presented Mayor
44 Acerson with an award in recognition of this accomplishment. Mayor Acerson accepted
45 the award, and complimented City staff on “keeping the City running.” Councilmember
46

2 Bath requested that Mr. Dameron pass on the thanks of the Mayor and Council to
department heads and City staff, and convey that the Council is proud of the work done
4 by City employees.

6 **MINUTES** – The minutes of the November 14, 2006 meeting were reviewed.

8 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE MINUTES OF
THE NOVEMBER 14, 2006 MEETING. COUNCILMEMBER BATH SECONDED
10 THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

12 **OPEN SESSION** –

14 Mayor Acerson called for comments from any resident present who wished to
address an issue not listed as an agenda item. A Boy Scout troop present in the audience
16 requested to address questions to the Council. Mayor Acerson invited the scouts to
proceed with their questions.

18 Joseph Ivey commented that the irrigation canal near his home appears to have a
leak. He observed that when the canal is full, ground water reaches the surface in and
20 around his yard. Once the canal is emptied in the fall, ground water recedes and is no
longer visible from the surface. Mayor Acerson informed Mr. Ivey that it is the
22 responsibility of the canal company to complete any necessary repairs, but that the City
can make the canal company aware of the problem.

24 Ty Anderson asked the Council why the roundabout on 400 East was originally
installed, and why it was removed. Councilmember Bayless stated that the roundabout
was installed because the Council felt it would be beneficial to the community, and that it
26 was subsequently removed because residents felt that this was not the appropriate
location for a roundabout. She asserted that roundabouts are effective traffic control
28 devices, but that this particular location did not seem to be appropriate.

30 Carson Buckley asked the Council if there is any plan to install street lights in
unlit areas of the City to address safety concerns. Councilmember Anthony explained
32 that street lights are required in new residential developments. He also explained that
residents can submit requests for installation of street lights in other areas. He informed
34 Mr. Buckley that once a written request is received, the City will investigate to determine
if a street light would be appropriate in the requested location. Councilmember Anthony
36 noted that the City makes an effort to be cautious of contributing to light pollution
problems. Councilmember Bayless pointed out that once street lights are ordered, Rocky
Mountain Power is responsible to install the lights, which may take some time.

38 Kirk Earl inquired as to whether the City has any plans to build a City library.
Councilmember Carpenter explained that the City has explored the possibility of
40 constructing a library, and has determined that maintenance costs associated with a
library are somewhat prohibitive. He explained that the City has determined that it is
42 more beneficial to residents to use nearby library facilities in the neighboring
communities of Pleasant Grove and Orem, and for Lindon City to use available funds for
44 other projects. Councilmember Carpenter went on to explain that Lindon City will
reimburse residents all but a small portion of fees to obtain a library card from
46 neighboring cities, and that available libraries are higher quality facilities than Lindon

2 would have the means to provide. He commented that the City is hopeful that at some
time in the future a county-wide library system may be available.

4 Steven Alexander asked the Council if there are plans to construct additional hard
surface facilities for bikes and skateboards. He noted that it can be difficult to ride bikes
6 on the soft shoulder area of the road. Councilmember Bayless explained that the trails
plan for the City is extensive, and will take some time to complete. She noted that
8 construction of the Lindon Heritage Trail will begin soon. She explained that the trail
will be a ten foot wide asphalt path suitable for running, walking, and bike riding, and
10 will include a trail under State Street to allow safe access between the west side and the
east side of the City. She also commented that the trail is being funded in large part with
federal funds

12 Christian Hein stated that he has been a member of the Pleasant Grove Swim
Team for several years. He asked the Council if there are plans to provide facilities for a
14 swim team in Lindon. Councilmember Bath stated that an aquatics facility has been
discussed for some time. He explained that the possibility of an aquatics facility is being
16 carefully studied at this time. Councilmember Bayless stated that the Council is planning
a tour of swim facilities in other communities to determine what amenities will meet the
18 needs of Lindon residents. Councilmember Anthony noted that it is important to make
sure the City will have the funds to maintain the facility once it is built. Councilmember
20 Carpenter stated that Lindon City is in discussion with Pleasant Grove City to determine
whether it will be possible for Lindon resident to continue to participate in Pleasant
22 Grove aquatics programs until the Lindon facility is completed.

24 James Pickard asked the Council why there are no sidewalks on 400 North.
Councilmember Carpenter explained that installation of sidewalks is required in new
development. He noted that the sidewalk is installed by the developer, but that the cost of
26 the sidewalk is passed on to homeowners. Councilmember Carpenter stated that the City
is exploring options to provide safer access to schools in areas without sidewalks. He
28 noted that the trail system will eventually connect schools and provide safe pedestrian
access.

30 Nathan Greenwood inquired as to what residents can do to speed up construction
of recreation and aquatics facilities in the City. Councilmember Hatch stated that the
32 bond for the City Center is now paid in full, and that it is the intent of the City to use
funds previously committed to bond payments for the City Center to construct the
34 recreation facilities. He noted that the community will be given several opportunities to
provide input on the facilities, including surveys and public hearings. He encouraged Mr.
36 Greenwood to talk to his friends and neighbors and encourage community participation in
the process.

38 Rebecca Miles approached the Council with several concerns. Ms. Miles
commented on the Creekside Park facilities located near her home, as well as play
40 structures located at other parks in the City. Ms. Miles asserted that play structures in
City parks are not “high utility” and do not provide adequate recreational opportunities
42 for children. Ms. Miles made recommendations for alternative play structures which she
felt would make better use of available park space and create safer more imaginative play
44 areas for children. She gave examples of play structures located in various Orem City
parks which she felt were better suited to the needs of the community.

2 Ms. Miles also expressed concern regarding fumes generated by the Whitewater
3 business located on Geneva Road. She stated that she has contacted various state and
4 local agencies, including the EPA and Utah County, for assistance regarding the fumes.
5 According to Ms. Miles, no agency is willing to take responsibility for inspection of the
6 business to determine if the emissions may be harmful to area residents. Ms. Miles stated
7 that she has discussed the problem with an environmental engineer who felt that the
8 chemicals used at the site may present a danger to residents. Ms. Miles stated that she
9 has spoken with the owner of the company, who expressed that he is hopeful that the
10 business will continue to be successful and grow. Ms. Miles requested that the City
11 investigate possible unsafe emissions from Whitewater to determine if this use is
12 allowable in such close proximity to residential neighborhoods.

13 Ms. Miles also requested that the City consider some type of physical barrier
14 between the residential zone and the light industrial and heavy industrial areas near
15 Geneva Road. She felt that a physical barrier would differentiate the residential zone
16 from the adjacent zone.

17 Mayor Acerson suggested that Ms. Miles follow up with City staff regarding her
18 concerns. Councilmember Anthony suggested that Ms. Miles provide photographs of
19 play facilities at Orem City parks which she referred to earlier in the discussion. Ms.
20 Miles provided her contact information, and was given contact information for City staff.

21 Helen Anderson of the Utah Valley Home Builders Association introduced herself
22 to the Council. Ms. Anderson stated that she was recently named as the Community
23 Relations Director for the organization. She presented the Council with a holiday treat.

24 **MAYOR'S COMMENTS/REPORT** –

25 Mayor Acerson gave no report at this meeting.

26 **CONSENT AGENDA** –

27 No items.

28 **CURRENT BUSINESS** –

- 29 1. **Public Hearing** – *Water Rate Adjustment (Resolution #2006-22)*. The City
30 Council will hear public comment and possibly act to adjust the water rates for the
31 culinary water usage in the City. The Council heard a report from the City
32 Engineer at its meeting of November 14, 2006 which recommended an adjustment
33 in the method of calculation of the water rates.

34 COUNCILMEMBER BAYLESS MOVED TO OPEN THE PUBLIC HEARING
35 TO CONSIDER RESOLUTION #2006-22 WATER RATE ADJUSTEMENT.
36 COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL PRESENT
37 VOTED IN FAVOR. THE MOTION CARRIED.

38 Mr. Dameron explained that the Council received a report from City engineer,
39 David Thurgood, regarding water rate recommendations during the November 14, 2006
40 meeting.

meeting. At the direction of the Council following the discussion at the previous meeting, the annual CPI increase will be applied to the base rate as well as the per 1000 gallon rate. Mr. Dameron noted that at this time, the usage rate will decrease slightly and the base rate will increase slightly to accommodate the proposed rate adjustment. The result of the proposed adjustments will be revenue neutral. Mr. Dameron noted that the proposed CPI adjustment to the base rate will allow the City to keep pace with inflation and cover fixed costs as expenses increase. He also noted that the Council may consider an incentive rate structure at some time in the future which will encourage conservation. Mr. Dameron noted that it is important to assure that revenues generated by the water utility are adequate to cover fixed costs. He explained that water rates will be reviewed annually.

Councilmember Carpenter explained to residents present at the meeting that base rates vary in different zones due to the actual cost of delivering water to various areas of the City. He noted that pumping water uphill is more costly than delivering water in other areas, and that base rates reflect the difference in actual cost to the City.

Mayor Acerson called for public comment. Lindon resident James Ivy expressed concern that the base rate is being increased while the usage rate is being decreased. He felt that this structure may reward residents using excessive amounts of water. Mr. Dameron explained that this particular adjustment will be applicable only this year, and is a result of CPI adjustments previously being applied only to the per 1000 gallon rate. He stated that the annual CPI increase will be applied to the base rate and the usage rate equally beginning next year.

Councilmember Bayless pointed out that water rate adjustments have been discussed at length during previous meetings, and that this discussion is the final action to approve rate adjustments. Mayor Acerson called for further public comment. There was no additional public comment. He called for further comments or discussion from the Council. Hearing none, he called for a motion.

COUNCILMEMBER CARPENTER MOVED TO CLOSE THE PUBLIC HEARING TO CONSIDER RESOLUTION #2006-22 - WATER RATE ADJUSTEMENT. COUNCILMEMBER BATH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

COUNCILMEMBER CARPENTER MOVED TO APPROVE RESOLUTION #2006-22 AMENDING THE CITY-WIDE FEE SCHEDULE OF LINDON CITY BY AMENDING THE WATER RATES ON THE CITY'S WATER UTILITY AND PROVIDING FOR AN EFFECTIVE DATE. COUNCILMEMBER ANTHONY SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER ANTHONY	AYE
COUNCILMEMBER BATH	AYE
COUNCILMEMBER BAYLESS	AYE
COUNCILMEMBER CARPENTER	AYE
COUNCILMEMBER HATCH	AYE

THE MOTION CARRIED UNANIMOUSLY.

2. **Review and Action** – *Community Standards Resolution (Resolution #2006-23)*.

2 This action is in response to the discussion item of the same subject during the
4 City Council meeting of November 14, 2006. The City Attorney has drafted a
resolution for the Council’s consideration.

6 Mayor Acerson noted that this issue was discussed by the Council at the
November 14, 2006 meeting. Following discussion, the Council felt that it would be
8 appropriate to discuss such a Resolution with legal counsel to determine what elements
should be included in the document. Mr. Dameron explained that the City attorney
10 provided two variations of a Resolution, one of which is more general in nature, and one
of which cites case law and state statute relating to decency laws. Mr. Dameron stated
12 that the Council has the authority to choose between the two options presented by the
City attorney, or to choose to not adopt such a resolution.

14 Councilmember Carpenter stated that the opinion of the attorney that adoption of
a Resolution establishes a firmer stance in court regarding decency laws was helpful in
16 determining whether a community standards resolution would be beneficial to the
community. Following discussion, the Council felt that the resolution draft which is
18 more general in nature would adequately address the standards of the community.
Councilmember Carpenter noted that case law and state statute are both subject to
20 change, and that the general resolution would require fewer revisions over time while
allowing implementation of appropriate community standards. Councilmember Hatch
22 noted that state statute and case law are available from other sources and do not need to
be included in the resolution. Councilmembers Anthony and Bath agreed that the
24 additional details are not necessary to the purpose of the resolution.

26 Mayor Acerson called for further comments or discussion. Hearing none, he
called for a motion.

28 COUNCILMEMBER BAYLESS MOVED TO APPROVE RESOLUTION
#2006-23 PROMOTING CHILD AND FAMILY FRIENDLY ENVIRONMENTS
30 WITHIN LINDON CITY. COUNCILMEMBER ANTHONY SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

32 COUNCILMEMBER ANTHONY AYE
COUNCILMEMBER BATH AYE
34 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
36 COUNCILMEMBER HATCH AYE
THE MOTION CARRIED UNANIMOUSLY.

38 Marie Alexander was present at the meeting regarding this item. Ms. Alexander
40 expressed appreciation to the Mayor and City Council for their consideration in this
matter. She noted that a flier with information about the Community Standards
42 Resolution will be distributed to the community during the second and third week of
January. A “White Ribbon Week” event is planned in schools in the community in
44 February to increase awareness of the Community Standards Resolution. Ms. Alexander
stated that she anticipates working with Character Connection on the project.

Councilmember Bayless suggested that information also be included in the City newsletter and on the web-site.

3. **Review and Action** – *Traffic Study Report for 800 West (Lakeview Drive Northward)*. This is the final report for the traffic study in the area described. Mark Christensen, Traffic Engineer, will present the report to the Mayor and City Council for their action.

City engineer, Mark Christensen was present to address the Council regarding this report. Mr. Christensen stated that the study was initiated at the request of residents in the Pheasant Brook area. The study was conducted using the Citizen Initiated Traffic Calming Study criteria, which was adopted by the City in 2000 to evaluate the warrants of traffic calming measures as requested by residents. He explained that during the study process, both traffic speed and traffic volume are measured in the study area. If traffic speed and/or volume meet the established threshold, an engineering analysis is completed, after which potential traffic calming measures may be tested in the area to determine effectiveness. Mr. Christensen explained that the City Council waived the requirement to test active traffic calming measures in this particular study area, as it had already been determined through the engineering analysis that active traffic calming measures would not be appropriate.

Mr. Christensen went on to explain that using minor collector criteria for 800 West, the study area did meet the threshold for further consideration of traffic calming measures. He noted that the eighty-fifth percentile traffic speed was measured in the upper thirty mile per hour range. Councilmember Bayless observed that residents previously expressed concern that undue traffic was being generated on 800 West due to overflow from the I-15 freeway. Mr. Christensen stated that there appears to be a perception that freeway traffic may end up in the neighborhood, but that it is not possible to confirm this information. He also explained that the police department reported only one minor traffic accident on 800 West in the last three years.

Mr. Christensen went on to explain that the study area includes a residential neighborhood on the west side of the street, and a park on the east side of the street. He noted that a previous meeting was held with area residents to discuss various options for traffic calming measures in the area. Mr. Cowie explained that 97 letters were mailed to residents inviting them to attend an additional meeting to discuss traffic calming measures, but that only one resident attended. Mr. Christensen noted that the initial meeting was attended by a large number of residents, with no residents attending this meeting after being informed of the recommendations for traffic calming measures. He suggested that the lack of attendance at this meeting is indicative that residents are comfortable with the recommendations.

Mr. Christensen noted that friction reduces both traffic flow and speed. He explained that 800 West is a primary emergency response route, and that speed humps are not a consideration for this area. He suggested the use of a physical barrier, such as “chokers” which are used to narrow the travel lane and increase friction in the area of concern. Mr. Christensen asserted that passive traffic calming measures will not divert traffic to other streets as active measures can have a tendency to do.

2 Mr. Christensen explained that a project ballot was included in the mailing sent to
residents regarding proposed traffic calming measures. He stated that in order to qualify
4 for review by the City Council, a minimum of 50% of responses must be in agreement
with proposed measures. Mr. Christensen stated that 20 responses were received, with 18
in favor and 2 opposed to suggested measures.

6 Mr. Christensen went on to review specific recommendations. He recommended
installation of “chokers at 320 North, as well as south of 300 North. Mr. Christensen
8 estimated that cost of installation of the chokers at approximately \$34,000. In addition,
striping on 800 West to create ten foot travel lanes, and striping the centerline at the
10 bends at 575 West were recommended. Mr. Christensen estimated the cost of striping at
approximately \$2000 for 800 West, and approximately \$200 for 575 West.

12 Mr. Christensen explained the construction of the recommended chokers. He
stated that the chokers will be constructed to accommodate storm water drainage as well
14 as bicycle traffic. Mr. Christensen also recommended installation of cobra head street
lights at in the area of the chokers to increase pedestrian safety. He stated that lighting
16 could be installed on the east side of the street with shields to direct light away from
residential development. Mr. Christensen also recommended limited use of signage to
18 direct traffic back to Geneva Road in advance of 200 South and in advance of Center
Street. Mr. Christensen’s final recommendation was that a follow-up study be conducted
20 to evaluate the effectiveness of the chokers for possible use in other areas in the future.
He noted that chokers may be effective on high volume roads to control speed without
22 delaying or diverting traffic.

24 Councilmember Carpenter suggested that recommendations be completed in
phases in order to accommodate budget constraints. Mr. Christensen stated that striping
could be completed independent of installation of chokers. Mayor Acerson called for
26 further comments or discussion. Hearing none, he called for a motion.

28 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE TRAFFIC
STUDY REPORT RECOMMENDATIONS, AND TO IMPLIMENT ALL
30 RECOMMENDATIONS, WITH THE CHOKERS BEING INSTALLED DURING THE
2007-2008 FISCAL YEAR SUBJECT TO BUDGET APPROVAL.

32 COUNCILMEMBER BAYLESS SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

34 COUNCILMEMBER ANTHONY AYE
COUNCILMEMBER BATH AYE
36 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
38 COUNCILMEMBER HATCH AYE

THE MOTION CARRIED UNANIMOUSLY.

40 Mr. Dameron complimented Mr. Christensen on his ability to work closely and
42 cooperatively with residents to resolve issues and concerns.

- 44 4. **Public Hearing** – *Lindon City Commercial Design Guidelines*. The City Council
will hear public comment and possibly act to amend the Lindon City Commercial

2 Design Guidelines. The Planning Commission has made suggestions for changes
to this document.

4 COUNCILMEMBER BATH MOVED TO OPEN THE PUBLIC HEARING TO
CONSIDER PROPOSED REVISIONS TO THE LINDON CITY COMMERCIAL
6 DESIGN GUIDELINES. COUNCILMEMBER HATCH SECONDED THE MOTION.
ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

8
10 Mr. Cowie explained that the Planning Commission reviewed the Commercial
Design Guidelines, and made recommendations for minor modifications which they felt
would more clearly reflect the intent of the guidelines. Mr. Cowie reviewed specific
12 changes recommended by the Planning Commission, including various photographs and
wording changes.

14 Councilmember Anthony noted that recommendations from the Tree Advisory
Board regarding the use of trees on roadways and in medians differs somewhat from the
16 recommendations shown in the Guidelines. Mr. Dameron explained that the City
consulted a landscape architect regarding appropriate trees for use in medians to address
18 safety and maintenance issues, and that the recommendations of the landscape architect
are reflected in the Commercial Design Guidelines. Councilmember Anthony expressed
20 disagreement with the recommendations of the landscape architect. He felt strongly that
larger trees with a high “skirt” are necessary to avoid sight distance issues. Mr. Cowie
22 noted that the Design Guidelines refer to the tree planting guide produced by the Tree
Advisory Board which lists acceptable trees for various areas of development. Following
24 further discussion, Councilmember Anthony agreed that if the two bullet points referring
to medium sized trees are removed, the language in the Guidelines is adequate, and
26 allows discretion regarding what type of trees are allowable. Councilmember Carpenter
suggested that the issue be investigated further, and that the recommendations of the
28 landscape architect and the Tree Advisory Board be reviewed to determine whether a
discrepancy exists.

30 Mr. Cowie recommended clarification regarding architectural upgrades to existing
buildings on State Street in relation to remodel projects, particularly if the use of the
32 building changes. He recommended that a bullet point be added to specify that all
exterior walls and surfaces will require a certain percentage of architectural upgrades.
34 Mr. Cowie noted that he is investigating a program which would make loan funds
available for remodel projects on State Street. The loan program will be discussed
36 further when more information is available. The Council also directed Mr. Cowie to
determine appropriate “cut off” points which would require buildings to come in to
38 compliance with existing ordinance. Mr. Cowie will define a clear and standard for
architectural upgrades which will be presented to the Council for approval at a future
40 meeting.

42 Mayor Acerson called for further public comment. There was no public
comment. He called for further comments or discussion from the Council. Hearing
none, he called for a motion.

44
46 COUNCILMEMBER BATH MOVED TO CLOSE THE PUBLIC HEARING TO
CONSIDER PROPOSED REVISIONS TO THE LINDON CITY COMMERCIAL

DESIGN GUIDELINES. COUNCILMEMBER HATCH SECONDED THE MOTION.
2 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

4 COUNCILMEMBER BATH MOVED TO APPROVE REVISIONS TO THE
LINDON CITY COMMERCIAL DESIGN GUIDELINES AS RECOMMENDED BY
6 THE PLANNING COMMISSION AND AS DISCUSSED TONIGHT.
COUNCILMEMBER CARPENTER SECONDED THE MOTION. THE VOTE WAS
8 RECORDED AS FOLLOWS:

9	COUNCILMEMBER ANTHONY	AYE
10	COUNCILMEMBER BATH	AYE
	COUNCILMEMBER BAYLESS	AYE
12	COUNCILMEMBER CARPENTER	AYE
	COUNCILMEMBER HATCH	AYE

14 THE MOTION CARRIED UNANIMOUSLY.

16 5. **Discussion** – *Sign Ordinance, Title 18 of the Lindon City Code.* This is a request
by staff for the Mayor and Council’s continued guidance concerning amendments
18 to the City’s sign ordinance. Several issues still need resolution.

20 COUNCILMEMBER CARPENTER MOVED TO ADDRESS AGENDA ITEMS
OUT OF ORDER TO ACCOMMODATE REPRESENTATIVES PRESENT TO
22 ADDRESS OTHER AGENDA ITEMS. COUNCILMEMBER ANTHONY
SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
24 CARRIED.

26 6. **Discussion** – *Amendments to the Interlocal Agreement with Pleasant Grove City*
– *Common Taxing District.* This is a request by staff for the Mayor and Council’s
28 consideration of recommended changes to the Interlocal Agreement with Pleasant
Grove City concerning the common taxing district. These changes were
30 discussed with Pleasant Grove City officials in the last coordination meeting. The
City Attorney will be present to review the agreement with the Mayor and
32 Council.

34 City Attorney, Brian Haws, was present to address this issue with the Council.
Mr. Haws explained that possible revisions to the agreement were discussed with
36 Pleasant Grove officials during a recent coordination meeting, and that it appears that
Pleasant Grove is in agreement with the recommended changes. He stated that the intent
38 of proposed revisions is to protect the interest of both cities in the event that incentives
are used to attract development in the area. Recommended changes will create an
40 Executive Committee which will discuss the use of incentives, and make
recommendations to the City Council’s of both cities.

42 Mr. Haws recommended that a third party analysis, to determine what constitutes
making the non-agreeing city whole if incentives are used, be included in revisions. He
44 noted that the addition of citations which clarifies that the expressed purpose of the
agreement is to generate and share revenue between the two cities, and to eliminate the
46 need for use of incentives to attract development would be appropriate.

2 Following further discussion, it was the general feeling of the Council that Mr.
Haws should draft changes to the agreement for review by the Council. Specific
proposed changes will be reviewed by the Council at a future meeting.

- 4
- 6 7. **Review and Action** – *Amendment to Staffing Document (Resolution #2006-24)*.
This is a request by Don Peterson, Public Works Director, to amend the City's
staffing document by adding an additional full-time public works inspector
8 position due to the growth of the City.

10 Public Works Director, Don Peterson, and Public Works employee, Heath Peters,
were present to address the Council regarding this request. Mayor Acerson noted that
12 this request was discussed at length during the November 14, 2006 meeting. Mr.
Peterson noted that the \$32,000 cost for the remainder of this fiscal year will be covered
14 with budgeted funds. The expected cost of the new position next fiscal year will be
approximately \$65,000. Mayor Acerson called for further comments or discussion.
16 Hearing none, he called for a motion.

18 COUNCILMEMBER BAYLESS MOVED TO APPROVE RESOLUTION
#2006-24 APPROVING AN AMENDMENT TO THE STAFFING DOCUMENT FOR
20 LINDON CITY AND SETTING AN EFFECTIVE DATE. COUNCILMEMBER
HATCH SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

22 COUNCILMEMBER ANTHONY AYE
COUNCILMEMBER BATH AYE
24 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
26 COUNCILMEMBER HATCH AYE
THE MOTION CARRIED UNANIMOUSLY.

28

30 Mr. Dameron noted that several current employees have expressed an interest in
applying for the Inspector position. He asked the Council for direction as to whether the
position could be advertised internally, or if outside advertising would be necessary. The
32 Council felt that if a minimum of three internal applications are received, outside
advertising would not be necessary, but that if less than three internal applications are
34 received, the position should be advertised externally.

36 **SIGN ORDINANCE DISCUSSION** -

38 Mr. Cowie noted that the Planning Commission has not yet reviewed
recommended changes to the sign ordinance, and that no action will be taken at this
40 meeting regarding proposed changes. Mr. Cowie reviewed revisions which were
discussed previously by the Council. Recommended changes include an extended time
42 limit for temporary banner signs, pennant flags and balloon signs to support the needs of
new and existing businesses. Current ordinance allows use of such signage for a
44 maximum of 30 days per calendar year. Recommended revisions allow temporary
signage for 45 weekdays per calendar year, plus any weekend days. He noted that
46 weekends are defined as Friday at noon to Monday at 10:00 a.m. The Council discussed

2 extended use of banner signs, and the potential impact to the overall look of State Street
if additional use is allowed.

4 Councilmember Carpenter noted that temporary signage does not effectively call
attention to individual businesses if excessive use is allowed. He noted that enforcement
6 of time limits may be problematic. Mr. Cowie explained that the Code Enforcement
Officer monitors violations carefully. Mr. Cowie observed that the proposed time limits
8 would allow new businesses to use temporary signage for promotional events during start
up, and for other promotional events during the year as well. Mayor Acerson suggested
10 the use of a log which would be filled out by business owners and reviewed by the City
periodically in order to ensure that businesses are in compliance with specified time
limits. The Council also discussed the possibility of fines for businesses found to be out
12 of compliance.

14 Councilmember Carpenter noted that some compromise regarding temporary
signage would be appropriate. He observed that Lindon businesses compete with
businesses in neighboring cities with less restrictive sign ordinance requirements.

16 The Council went on to discuss revisions to frontage requirements for monument
signs. Mr. Cowie suggested that a provision be included for exceptionally deep narrow
18 lots which would determine allowable signage based on acreage of the property rather
than street frontage.

20 Mr. Cowie will draft changes as discussed by the City Council for review by the
Planning Commission. Final recommendations will be forwarded to the City Council for
22 further review and discussion.

- 24 8. **Review and Action** – *Modification of the Agreement with UDOT for the Lindon*
26 *Heritage Trail*. This is a request by staff for the Council’s consideration and
possible approval of a modification for an additional match in funding for the
agreement with UDOT for the Lindon Heritage Trail.

28 Mr. Dameron explained that this modification will cover the cost of right-of-way
30 acquisition. He noted that the additional cost reflects the same matching percentage as
the rest of the project. Mr. Dameron explained that a third party has been hired to
32 negotiate with property owners for right-of-way acquisition, and that the negotiation
process is just beginning. Mayor Acerson called for further comments or discussion.
34 Hearing none, he called for a motion.

36 COUNCILMEMBER BAYLESS MOVED TO APPROVE MODIFICATIONS
TO THE AGREEMENT WITH UDOT FOR THE LINDON HERITAGE TRAIL.
38 COUNCILMEMBER HATCH SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

40 COUNCILMEMBER ANTHONY AYE
COUNCILMEMBER BATH AYE
42 COUNCILMEMBER BAYLESS AYE
COUNCILMEMBER CARPENTER AYE
44 COUNCILMEMBER HATCH AYE
THE MOTION CARRIED UNANIMOUSLY.

2 9. **Review and Action** – *Annual Meeting Schedule*. The annual meeting schedule
4 for the calendar year 2007 will be reviewed and approved by the Mayor and City
6 Council. The schedule includes meeting dates for the City Council, Planning
8 Commission, Board of Adjustments, Redevelopment Agency, and Municipal
10 Building Authority.

12 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE 2007
14 MEETING SCHEDULE AS PRESENTED. COUNCILMEMBER ANTHONY
16 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
18 CARRIED.

20 **COUNCIL REPORTS** –

22 **WATER, SEWER, SOLID WASTE, HOUSING CONSORTIUM** –

24 Councilmember Hatch had no items to report.

26 **TRAILS, PLANNING, ZONING, BD OF ADJ, ADMINISTRATION** –

28 Councilmember Bayless had no items to report.

30 **PUBLIC SAFETY, COURT, BUILDING INSPECTIONS** –

32 Councilmember Bath reported that some information is still lacking from Pleasant
34 Grove regarding the feasibility study for a police service district. He noted that it is
36 necessary for Lindon City to make plans for funding for public safety services
38 moving into the new budget year.

40 **PARKS, RECREATION, ENGINEERING, LINDON FAIR, NEWSLETTER** –

42 Councilmember Anthony passed on the thanks of Lindon resident Ben Nolte for
44 the work being done on Squaw Hollow Park.

46 **GENERAL PLAN, STREETS & SIDEWALKS, PUBLIC BUILDINGS** –

Councilmember Carpenter had no items to report.

ADMINISTRATOR'S REPORT –

Mr. Dameron reported on the following items:

1. The City offices will be closed Thursday, November 23 and Friday, November 24 to celebrate the Thanksgiving Holiday.
2. The City Council will tour various recreation facilities in other communities on Wednesday, November 29. Brent Tippetts of VCBO Architecture will conduct the tour. The Council will meet at the City Center at 9:00 a.m. and will return at approximately 3:00 p.m.

- 2 3. The annual Lindon City Christmas Tree Lighting Ceremony will be held Monday,
4 December 4 at 6:30 p.m. at the City Center.
- 4 4. The ribbon cutting for 700 North Street will be held Thursday, November 30 at
6 noon. The Pleasant Grove portion of the street is expected to be completed in the
8 spring of 2007.
- 6 5. The Mayor and Council will meet with Alpine School District officials
8 Wednesday, December 6 at noon at the Alpine School District office in American
10 Fork.
- 10 6. A UTOPIA open house will be held December 5, 2006 at 6:00 p.m. prior to the
12 regular City Council meeting.
- 12 7. The audit committee will meet on Thursday, December 7, 2006.
- 14 8. Paving is complete on 2800 West Street. Striping will be completed in the spring
16 of 2007.
- 18 9. The Council was given a draft of a cooperative agreement with the Utah Lake
20 Commission regarding developing adjacent to the lake. Mayor Acerson clarified
22 that the Commission will have advisory powers only and will not make
24 development decisions. Mr. Dameron requested that the Council review the draft
26 and forward any recommendations for revisions prior to review of the agreement
28 as an agenda item.
- 30 10. UDOT will bear the cost of repairs to a sewer lateral located on Geneva Road.
32 The City will be responsible only for the cost of repaving the repair area.

24 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE PAY
26 VOUCHERS. COUNCILMEMBER CARPENTER SECONDED THE MOTION.
28 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

30 Councilmember Anthony noted that several of the pay vouchers listed the
32 expenditure as "miscellaneous." He inquired as to the use of the funds. Mr. Dameron
34 explained that under certain circumstances, employees are allowed to receive cash
36 compensation for accrued sick leave, and that these vouchers were cash payments to
38 employees.

34 **ADJOURN** –

36 COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE MEETING AT
38 11:05 P.M. COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL
40 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

40 APPROVED – December 5, 2006

42 _____
44 Ott H. Dameron, City Administrator/Recorder

46 _____
Jeff Acerson, Mayor