

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, August 1, 2006**,
beginning at 7:00 p.m., in the Lindon City Center, City Council Chambers, 100 North State
Street, Lindon, Utah.

4
6 Conducting: Jeff Acerson, Mayor
Pledge of Allegiance: Debra Cullimore
Invocation: Bruce Carpenter

8
10 **PRESENT**

ABSENT

10 Jeff Acerson, Mayor
12 Eric Anthony, Councilmember – *excused at 10:43 p.m.*
Lindsey Bayless, Councilmember – *arrived 9:06 p.m.*
14 Bruce Carpenter, Councilmember
Jerald I. Hatch, Councilmember
16 Ott H. Dameron, City Administrator/Recorder
Adam Cowie, Planning Director
18 Debra Cullimore, Deputy Recorder

H. Toby Bath, Councilmember

20 The meeting was called to order at 7:03 p.m.

22 **MINUTES** – The minutes of the regular meeting of July 18, 2006 were reviewed. The
following corrections were made:

24 Page 2, Line 27: change the sentence to read, “She noted that it is not necessary to duplicate
26 services which are already available in the community, such as the burn
unit at University of Utah Medical Center.”
28 Page 7, Line 5: insert the phrase, “to evaluate and make a decision regarding fence
concerns, and”
30 Page 9, Line 19: delete the word “on” and insert the word “bordering.”

32 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE MINUTES OF THE
JULY 18, 2006 MEETING AS CORRECTED. COUNCILMEMBER ANTHONY SECONDED
34 THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

36 **OPEN SESSION** –

38 Captain Steve Brandt of the Pleasant Grove/Lindon Fire Department approached the
Council. Captain Brandt stated that Fire Chief, Mark Sanderson, requested the he report to the
40 Council regarding plans for staffing of the Lindon Fire Station. Captain Brandt stated that
various options will be presented in the future, with the Council making the final staffing
42 decision. Captain Brandt also reported that the Fire Department will soon be switching to an 800
megahertz radio system, which will facilitate better radio communication.

44 **MAYOR’S COMMENTS/REPORT** –

2 Mayor Acerson gave no report at this meeting.

4 **CONSENT AGENDA** –

6 No items.

8 **CURRENT BUSINESS** –

- 10 1. **Preliminary Plat** – *Mt. Hollow Estates, Residential Subdivision, Plats “A” and “B” – 2*
12 *Phases*. This is a request by Mike Pierce for preliminary subdivision approval of Mt. Hollow
14 *Estates, Residential Subdivision, Plats “A” and “B” – 2 phases, 12 lots, in the R1-20 zone at*
16 *approximately 215 North Main Street. The Planning Commission recommended approval*
18 *with conditions.*

20 Mike Pierce and Mike Frost were present as representatives for this application. Mr.
22 Cowie stated that the applicant is requesting preliminary approval of a 2-phase subdivision with
24 a total of 12 lots. The proposed development will be located north of the City Center Park at
26 Main Street and 135 West, with the primary access from Main Street. Mr. Cowie noted that the
28 road associated with the subdivision will end in a cul-de-sac, and that lots will back up to the
30 park area. Phase one of the development will include 10 homes. Phase two will consist of the
32 remaining two lots. Existing homes are located on the lots included in Phase two. The
34 preliminary approval for phased development will be valid for two years.

36 Mr. Cowie noted that during previous discussion, the applicant proposed connecting
38 utilities for the development to existing utility lines in the park, which may have required
40 removal of mature trees. The developer is currently proposing to connect utilities from the cul-
42 de-sac, which will not require removal of any trees or connection to existing utilities in the park.

44 Mr. Cowie reviewed installation of curb gutter and sidewalk improvements. He stated
that sidewalk, curb, and gutter will be installed to connect with the existing sidewalk on Main
Street. He clarified that the developer will install all curb and gutter improvements, but that the
City will be responsible for installation of sidewalk from the boundary of the development to
connect with the existing sidewalk.

Mr. Cowie explained that a park strip will be located between the curb and the sidewalk,
and that the sidewalk will be located in an easement on private properties. The applicant has
agreed to plant trees in the park strip within three years of approval.

The applicant has requested approval of rolled curb in the development rather than the
standard curb and gutter cross sections. Mr. Cowie stated that the City engineer recommended
regular high back curb rather than the requested rolled curb.

Mr. Cowie noted that during discussion of this application with the Planning
Commission, a recommendation was made by the Planning Commission that the east access
drive to the park be widened to two lanes as a part of this development. The City engineer has
reviewed the proposal, and found that 32 to 34 feet of property would be required to widen the
road, and that a retaining wall around the arena would be necessary. The Planning Commission
recommended that the City consider obtaining additional property from the developer in order to
accommodate the road widening if necessary. Mr. Cowie noted that off site improvements can
not be required of the developer, and that the City engineer did not feel that widening of the

2 access road would be necessary at this time, but that the City owns adequate property to facilitate
3 the road widening in the future if a retaining wall is constructed.

4 Mr. Cowie noted that the applicant is considering a stamped, concrete tilt-up fence
5 around the perimeter of the development. The Planning Commission recommended that the City
6 consider participation in installation of the fence along the park boundary.

7 Mr. Cowie reviewed the configuration of lot #9. He stated that the lot has adequate
8 buildable area, but that there is a “finger” approximately 30 feet wide at the rear of the property.
9 Mr. Cowie noted that the developer has negotiated extensively with the neighboring property
10 owner, Mr. Batty, in an effort to acquire additional property to allow a more standard lot
11 configuration. The neighboring property owner is unwilling to accommodate the developer at
12 this time. Councilmember Anthony inquired as to the size of the lot without the “finger” portion.
13 Mr. Cowie stated that the lot is 16,000 square feet, with an additional 4,000 square feet in the
14 elongated area. Mr. Cowie noted that it was necessary to change the original alignment of the
15 road due to sight distance concerns, and that the road realignment necessitated this particular lot
16 configuration. He noted that the Planning Commission recommended that the developer
17 continue to negotiate with Mr. Batty to facilitate reconfiguration of lot lines if possible.

18 Mr. Cowie reviewed the recommendations for approval set forth by the Planning
19 Commission as follows:

- 20 1. That the applicant be allowed to develop in two phases.
- 21 2. That the City consider participation in installation of a stamped, pre-cast concrete fence
22 on the south side of the development which borders the park in an effort to accommodate
23 the additional property necessary to widen the entrance drive on the east side of the park
24 to two lanes.
- 25 3. That if necessary, the City consider acquiring additional property from the developer
26 from lot 1 and lot 2 to facilitate widening of the entrance.
- 27 4. That the trees in the park strip along the new road be planted within three years of
28 approval.
- 29 5. That rolled curb in the development be considered by the City Council.
- 30 6. That the developer continue negotiations with the neighboring property owner regarding
31 standardizing the configuration of lots 9 and 10.

32 Councilmember Carpenter asked for clarification regarding the request for rolled curb in
33 the development, as well as the concerns expressed by the engineer regarding rolled curb.
34 Mr. Frost stated that the request is based on personal preference and the aesthetics of the
35 development. Councilmember Carpenter observed that the rolled curb may present some
36 safety concerns, as it does not create as much of a barrier as traditional curb. He also noted
37 that factors which may mitigate concerns include the fact that the sidewalk is recessed from
38 the curb, and the street is located in a cul-de-sac with relatively low traffic flow. Mr. Cowie
39 explained that in a 2002 study, engineers reviewed several curbing cross sections, and
40 assigned a good, fair, or poor rating. He stated that rolled curb was rated “poor” on several
41 issues, and was therefore not included in standard curb cross sections. Councilmember
42 Carpenter noted that even though there may be mitigating factors related to rolled curb in this
43 particular development, precedent may be set if an exception is made. Mayor Acerson noted
44 that it may be necessary to allow rolled curb in other areas if it is allowed in this
45 circumstance. Mr. Dameron noted that the City’s development policy does not allow for
46 rolled curb, and that a change to the development policy would be required to allow rolled
47 curb. Councilmember Anthony noted that rolled curb could be misused by motorists to

2 complete u-turns rather than two point turns, and that landscaping elements may be damaged
3 as cars cross the rolled curb onto landscaped areas. Councilmember Carpenter observed that
4 the applicant is proposing a 2 ¾ inch rolled curb as opposed to 4 inch standard curb, which
5 would provide less storm water detention. He noted that it appears that it is not possible to
6 approve this application with rolled curb based on development policy. He inquired as to
7 whether the applicant would prefer to continue the application to allow time for the City to
8 consider implementation of rolled curb on a City wide basis. Mr. Pierce stated that he would
9 prefer approval of the application with standard high back curb rather than a continuation.

10 Councilmember Anthony requested clarification of the location of the proposed fence.
11 Mr. Frost stated that fence will be installed around the perimeter of the development. Mr.
12 Pierce stated that the Planning Commission expressed a preference for the concrete tilt-up
13 fence on the boundary between the subdivision and the park. He noted that concrete fence is
14 relatively expensive, and that other fencing materials are being considered as well. Mr. Pierce
15 stated that during discussion regarding fencing materials, the Planning Commission suggested
16 that there may be a possibility of City participation in the cost of installation of concrete fence
17 along the park boundary. Councilmember Anthony felt that a strong, durable fence along the
18 park boundary would be appropriate due to the type of use in the park. Councilmember
19 Carpenter noted that it is typically residents who want screening from the park, rather than the
20 City wanting screening from residential properties adjacent to parks. He noted that the City's
21 interest would be in creating a uniform look rather than creating a barrier. Mr. Pierce stated
22 that fencing materials can be defined through CCR requirements to create a consistent
23 appearance along the boundary of the development. Mayor Acerson observed that due to the
24 slope of the lots adjacent to the park, a six foot fence may not be adequate to obstruct the
25 view into the private yards from the park.

26 Councilmember Hatch inquired as to whether any retaining walls would be necessary.
27 Mr. Pierce stated that both the City engineer and the engineer for this project have indicated
28 that no retaining walls will be necessary unless specific landscaping elements are used.

29 The Council went on to discuss further the possibility of widening the east access
30 road to the park to two lanes. Councilmember Anthony suggested the possibility of changing
31 the alignment of the access road to a ninety degree angle from Main Street, as has been done
32 with several other public roads. Mr. Cowie noted that changing the current alignment of the
33 access road would require construction of retaining walls along the south side of the drive, as
34 well as removal of several mature trees. He clarified that the City engineer has indicated that
35 there is adequate space to widen the access road if a retaining wall is constructed, but that
36 widening of the road is not necessary at this time.

37 Councilmember Anthony requested additional discussion regarding the
38 configuration of lot #9, and whether that particular lot is in compliance with City ordinance.
39 Mr. Cowie explained that City ordinance requires 100 feet of frontage on a public roadway, as
40 well as a 20,000 square foot lot in this zone. He stated that this lot is in compliance with the
41 requirements of City ordinance. Councilmember Anthony noted that the Council has
42 historically been cautious about allowing odd lot configurations regardless of whether
43 ordinance requirements are met. Mr. Pierce noted that the problem they have encounter with
44 the neighboring property owner, Mr. Batty, are a secondary issue with regard to lot
45 configuration. He explained that the necessary road alignment to address sight distance issues
46 necessitated the proposed configuration, and is the best alternative for the development as a
47 whole. Councilmember Carpenter agreed that while the proposed configuration may cause lot

2 #9 to appear smaller than 20,000 square feet, there does not appear to be another viable
option. Mr. Pierce noted that the possibility remains that lot #9 and lot #10 could be
4 reconfigured prior to development if Mr. Batty determines that he is willing to cooperate with
boundary adjustments. Mr. Cowie noted that the elongated portion of lot #9 is 32.5 feet wide,
and has adequate area to be a usable space.

6 Councilmember Anthony inquired as to the type of trees proposed for the park
strip adjacent to the roadway. Mr. Pierce stated that Arborist Max Darrington is being
8 consulted regarding appropriate trees, and that trees will be selected from the list provided by
the City. Councilmember Anthony noted that park strips located in developments on the east
10 side of the City are attractive. He suggested that the developer attempt to create a look
similar to the park strips on the east side of the City. Mayor Acerson suggested that the
12 arborist look at the park strips on the east side of the City as a possibility.

14 Councilmember Carpenter requested further discussion regarding City
participation in fence installation along the park boundary. Councilmember Anthony felt that
there may be some liability on the part of the City if the fence is damaged due to City
16 sponsored activities, such as baseball games, in the park. Mr. Dameron observed that fencing
would primarily benefit the property owners and the developer rather than the City.
18 Councilmember Carpenter noted that park function would not be affected by installation of
fencing. Mr. Pierce noted that it was the Planning Commission who suggested the possibility
20 of City participation in fence installation, and that it is not a request of the developer. He also
noted that typically when fence is installed along a common boundary, neighboring property
22 owners share in the cost. Councilmember Anthony inquired as to the length of the boundary
between the development and the park. Mr. Frost stated that the boundary is approximately
24 985 feet. The Council discussed the cost of various fencing materials with Mr. Pierce. Mayor
Acerson suggested that Mr. Pierce and Mr. Frost obtain specific estimates for the fencing, and
26 that the possibility of City participation be discussed further at a later date.

28 Councilmember Anthony inquired as to the expected time frame for development
of Phase 2 of the development. Mr. Frost noted that preliminary approval is valid for two
years. He explained that one of the existing homes is currently occupied, and it is not the
30 intention of the developer to evict the tenants at this time.

32 Councilmember Hatch asked when installation of fencing is expected. Mr. Pierce
stated that fencing will be installed after the roadways construction is completed.

34 The Council discussed further the possibility of widening the access drive to the
arena on the east side of the park, and various options to facilitate possible widening,
including additional property or installation of a retaining wall.

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

40 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE PRELIMINARY
PLAT FOR MT. HOLLOW ESTATES PLAT A AND B SUBDIVISION WITH THE
42 FOLLOWING CONDITIONS:

- 44 1. THAT THE DEVELOPER BE ALLOWED TO DEVELOP IN TWO PHASES, AND
THAT THIS PRELIMINARY APPROVAL BE VALID FOR A TWO YEAR PERIOD.
- 46 2. THAT APPROPRIATE TREES BE PLANTED IN THE PARK STRIP WITHIN
THREE YEARS OF APPROVAL, AND THAT THE DEVELOPER CONSIDER

2 INSTALLATION OF TREES IN A MANNER SIMILAR TO TREES LOCATED ON
3 1200 EAST.

- 4 3. THAT THE CURB BE INSTALLED IN COMPLIANCE WITH STANDARD CROSS
5 SECTIONS.
- 6 4. THAT THE SIDEWALK BE ALLOWED AS SHOWN ON THE PLAT.
- 7 5. THAT THE DEVELOPER CONTINUE NEGOTIATIONS WITH MR. BATTY
8 REGARDING STANDARDIZATION OF LOT 9 AND LOT 10.
- 9 6. THAT THE CITY AND THE DEVELOPER DISCUSS A PROPERTY TRANSFER OR
10 SALE AT THE BACK OF LOT 1 AND LOT 2 RELATIVE TO POSSIBLE
11 WIDENING OF THE EAST DRIVE ENTRANCE TO THE PARK.
- 12 7. THAT ANY BOUNDARY CHANGES TO LOT #9 AND LOT #10 BE APPROVED
13 BY STAFF IF THEY ARE IN SUBSTANTIAL COMPLIANCE WITH CITY
14 ORDINANCE.
- 15 8. THAT CCR'S STANDARDIZE FENCE MATERIAL ALONG THE BOUNDARY OF
16 THE DEVELOPMENT.

17 COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL PRESENT VOTED IN
18 FAVOR. THE MOTION CARRIED.

19 Councilmember Carpenter noted that this approval does not preclude further discussion
20 regarding City participation with the developer for installation of the fence. He suggested that
21 the applicant discuss fencing options with City staff, and that any recommendations be
22 forwarded to the City Council for consideration.

23 COUNCILMEMBER HATCH MOVED TO ADJOURN THE REGULAR CITY
24 COUNCIL MEETING AND COVENE THE LINDON CITY REDEVELOPMENT AGENCY
25 AT 8:15 P.M. COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL
26 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

27 BOARDMEMBER CARPENTER MOVED TO ADJOURN THE MEETING OF THE
28 REDEVELOPMENT AGENCY AT 9:00 P.M. BOARDMEMBER HATCH SECONDED THE
29 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

- 30 2. **Preliminary Plat** – *Miller Used Cars of Lindon, Commercial Subdivision, Plat "A."* This is
31 a request by Larry H. Miller, Miller Family Real Estate, LLC for preliminary subdivision
32 approval of Miller Used Cars of Lindon, Commercial Subdivision, Plat "A", 3 lots, in the PC-
33 1 and PC-2 zones at approximately 540 South Lindon Park Drive. The Planning Commission
34 recommended approval with one recommendation.

35 Curtis Sampson was present as the representative for this item. This application was
36 addressed at length during the meeting of Lindon City Redevelopment Agency.

37 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE LARRY H.
38 MILLER USED CARS OF LINDON PRELIMINARY SUBDIVISION PLAT WITH THE
39 FOLLOWING RECOMMENDATION:
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43
44

1. THAT THE DETENTION BASIN IN THE NORTHWEST CORNER OF THE SITE BE DEDICATED TO THE CITY, IN LIGHT OF ONGOING MAINTENANCE WHICH IS PERFORMED BY THE CITY.

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

Mr. Sampson noted that as a representative for this application, he does not have the authority to agree to dedication of the detention basin to the City. Councilmember Carpenter clarified that this is a recommendation rather than a requirement, but that it will be to Mr. Miller's advantage to dedicate the area to the City.

Mr. Sampson requested to address the Council briefly regarding the previously proposed auto body component on the site. He stated that he is hopeful that the developer and the City can work cooperatively to address concerns previously expressed by the Council in order to allow the auto body component to be included at some point in the future.

Councilmember Bayless arrived at 9:06 p.m.

3. **Design Review** – *Timpanogos Harley-Davidson Motorcycle Dealership Complex*. This is a request by the applicant for the Mayor and Council's review and feedback relative to a proposed Harley-Davidson Motorcycle Dealership, restaurants, and safety riding course located on the corner of 600 South Geneva Road. The Planning Commission also reviewed this proposal and provided feedback.

Dave Tuomisto, owner of Timpanogos Harley-Davidson, was present as the representative for this application. Mr. Tuomisto was accompanied by the architect and the general contractor for the project. Mr. Cowie reviewed the proposed project for the Council. He explained that no motion is necessary for this item, and that the applicant is seeking input from the Council on various aspects of the proposed business prior to submitting appropriate applications. The business is expected to consist of a Harley-Davidson dealership along with two associated restaurants. Mr. Cowie noted that the proposed plan includes a water tower architectural feature, which will exceed the maximum allowable 48 foot building height in the zone. He clarified that City ordinance does allow height variations for some elements, such as architectural features which are not habitable space. Mr. Cowie observed that an existing pole sign as well as power lines in the area are approximately 100 feet in height. He explained that the developer is considering a height of up to 75 feet for the water tower element.

Councilmember Anthony inquired as to what merchandise will be sold from the proposed business. Mr. Tuomisto stated that among other things, the business is expected to sell approximately 2,000 t-shirts per month with a Timpanogos Harley-Davidson, Lindon, Utah logo. Mr. Tuomisto explained further that Harley-Davidson does not allow franchised restaurants within the dealership, and that the restaurants will be accessed from separate outside entrances.

Councilmember Bayless inquired as to what materials will be used in the design of the building. The architect for the project explained that some new materials will be used, but that many elements will be constructed using reclaimed materials from Geneva Steel. He noted that the design of the dealership will be reminiscent of the role Geneva Steel has played in the history of Utah Valley, and will also be reflective of the history of Harley-Davidson.

The Council discussed proposed signage for the business, which is expected to include a pole sign, signage on the water tower feature, as well as a monument sign. Mr. Tuomisto noted

2 that all signage must be approved by Harley-Davidson. The architect explained that concealed
3 flood lights are planned to illuminate signage. Mr. Tuomisto stated that other lighting elements
4 will include reclaimed rail road lights from Geneva, which will be used as wall sconces, pendant
lights, and parking lot lighting.

6 Mayor Acerson asked Mr. Cowie if there were any significant staff concerns related to
7 this proposed use which would warrant further discussion. Mr. Cowie stated that the only staff
8 concern is related to the height of the water tower feature. Councilmember Anthony inquired as
9 to the height of the proposed tower in relation to the freeway. Mr. Cowie stated that the freeway
10 is approximately 30 feet above the height of this proposed site, and that the tower would extend
11 approximately 30 – 40 feet above the freeway. Councilmember Anthony observed that the water
12 tower feature located at Thanksgiving Point is somewhat diminished due to the location below
the freeway. He noted that this location would be similar in relation to the freeway.

14 Councilmember Bayless inquired as to the proposed safety course on the site. Mr.
15 Tuomisto stated that the safety course will be paved, and will include a series of stripes and
16 cones used for training purposes. The safety course will have an associated classroom on the
second floor of the dealership, as well as an observation area for spectators.

18 The architect for the project explained that it is the intention of the developer to create a
19 “biker destination.” He noted that this dealership creates a potential for Lindon to be known
20 worldwide. Mr. Tuomisto stated that he is a Lindon resident, and that this dealership will be his
21 livelihood. He noted that while motorcycles will be sold at the dealership, it will also provide an
22 opportunity for local families to come for dinner and participate in the recreational opportunities
23 at the facility. Lindon resident Carl Carter commented that a part of the Harley-Davidson culture
24 is to travel to various Harley-Davidson dealerships in the country. He noted that typically,
25 dealerships are not distinctive in style, and that this dealership will potentially attract a large
26 number of tourists to the area.

28 Following further discussion regarding the height of the water tower, it was the general
feeling of the Council that a 75 foot height may not be problematic at this location. The specific
design of the site will be reviewed further following submittal of appropriate applications.

- 30 4. **Review and Action** – *Lindon Heritage Trail Environmental Process Results*. This is a
31 request by staff for the Council’s consideration for approval of the results of the Lindon
32 Heritage Trail environmental process. The results of the process recommend a specific
33 alignment of the Trail and address other concerns that have surfaced during the process.

34 City engineer, Mark Christensen was present to discuss this item with the Council. Mr.
35 Christensen stated that the Environmental Study is intended to identify and mitigate potential
36 impacts resulting from the trail. Mr. Christensen noted that there is no continuous east to west
37 route through Lindon for non-motorized transportation. He reviewed primary safety concerns
38 which the trail is expected to address as follows:

- 39 1. There is no corridor of proper surface and sufficient width suitable for multiple non-
40 motorized uses.
- 41 2. There is no such corridor adequately separated from motorized vehicle traffic that
42 traverses the City from east to west.
- 43 3. There are limited means for safely crossing motorized transportation corridors that run
44 north to south through Lindon, particularly State Street, Geneva Road, Interstate 15,
45 and two Union Pacific Railroad lines.
- 46

2 Mr. Christensen reviewed specific environmental elements which the study addressed.
3 Also included in the study were responses to specific questions raised by stakeholders during an
4 open house held on June 15, 2006 at which property owners were given an opportunity to
5 express specific concerns related to the trail. Mr. Christensen gave a detailed review of each of
6 the concerns expressed by property owners. Several residents expressed concern given in written
7 responses regarding possible liability related to any accidents which may occur on the trail
8 adjacent to private property. Mr. Dameron noted that the City's insurance provider, Utah Risk
9 Management Mutual Association (URMMA), was asked to address this particular issue. A
10 response letter from URMMA indicates that responsibility for trail maintenance would fall to the
11 City, and that there would be no personal liability to private property owners in regards to
12 maintenance of the trail, unless a hazard is created by a property owner, in which case the
13 property owner may be liable. The Council discussed extensively whether some limited
14 maintenance of the trail should take place during the winter months, or if signage should be
15 installed indicating that the trail is not maintained during the winter, and that potential hazards
16 may exist. Mayor Acerson observed that further discussion may be appropriate, but that the
17 recommendation of URMMA at this time indicates that the trail should not be maintained during
18 the winter, and that appropriate signage should be posted indicating that the trail is not
19 maintained during the winter. Councilmember Bayless inquired as to the ability of property
20 owners to do limited maintenance on the trail in front of their homes to facilitate driveway access
21 or access to mailboxes. Mr. Dameron stated that limited maintenance conducted by property
22 owners for personal access would not create liability to the property owner or to the City.
23 Councilmember Anthony suggested that maintenance be reviewed further with URMMA to
24 determine whether some maintenance during the winter months would be feasible.

25 Mr. Christensen went on to review specific criteria based finding of the study related to
26 trail alignment and appropriate material for the trail. Based on findings of the study, Mr.
27 Christensen recommended that the trail be constructed on the south side of Lakeview Drive, and
28 that the material used to construct the trail be asphalt rather than concrete. Mr. Christensen
29 asserted that all issues related to the trail were thoroughly addressed during the course of the
30 study. He requested a recommendation from the Council that this proposed alignment be
31 followed. Mayor Acerson called for further comments or discussion. Hearing none, he called
32 for a motion.

33 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE PROPOSED
34 ALIGNMENT FOR THE LINDON HERITAGE TRAIL AS PRESENTED BASED ON THE
35 INFORMATION PROVIDED BY THE CITY ENGINEER. COUNCILMEMBER HATCH
36 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
37 CARRIED.

- 38
39 5. **Public Hearing** – *Lindon City Commercial Design Guidelines*. This is a request by staff for
40 the Council's consideration for approval of the Lindon City Commercial Design Guidelines.
41 The Council commissioned a study last year and held several public meetings in an attempt to
42 establish commercial guidelines for the City's main commercial corridors. Staff modified the
43 results of the study and the Planning Commission has recommended approval of the plan.
44

45 COUNCILMEMBER CARPENTER MOVED TO OPEN THE PUBLIC HEARING TO
46 CONSIDER PROPOSED COMMERCIAL DESIGN GUIDELINES. COUNCILMEMBER

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

4 Mr. Cowie reviewed this item for the Council. He stated that the Planning Commission
6 reviewed the proposed document in two meetings, and made various recommendations for
revisions. He noted that the document has been reduced from 75 pages to 45 pages in an effort
8 to more clearly define desirable architectural elements for the commercial corridors in the City.
Mr. Cowie explained that until architectural elements are codified, developers can not be
required to include them in the design of commercial development. Mr. Cowie stated that the
10 Planning Commission approved the guidelines as a working document, with the
recommendations that it be reviewed further at the next Planning Commission meeting. Mr.
12 Cowie noted that approval of the guidelines will give the city authority to require certain
architectural elements on future commercial development. He observed that it is important to
14 have guidelines in place prior to development on 700 North in order to allow the City the ability
to direct the aesthetics of the corridor. Mr. Dameron suggested that the Council adopt the
16 guidelines as presented and continue revisions and “fine tuning” over the next several months.
Mayor Acerson agreed that it would be appropriate to put the guidelines in place and revise them
18 as necessary.

20 COUNCILMEMBER BAYLESS MOVED TO CLOSE THE PUBLIC HEARING TO
CONSIDER PROPOSED COMMERCIAL DESIGN GUIDELINES. COUNCILMEMBER
22 HATCH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
CARRIED.

24 COUNCILMEMBER BAYLESS MOVED TO APPROVE THE COMMERCIAL
DESIGN GUIDELINES DOCUMENT AS PRESENTED. COUNCILMEMBER HATCH
26 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
CARRIED.
28

30 *Councilmember Anthony was excused at 10:43*

32 **COUNCIL REPORTS –**

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

36 Councilmember Hatch had no items to report.

38 **TRAILS, PLANNING ZONING, BOARD OF ADJUSTMENTS, ADMINISTRATION –**

40 Councilmember Bayless expressed concern regarding the stacking of crates at the
Fireplace Place located on State Street. Mr. Cowie noted that a seven foot fence will be
42 installed, but that the Planning Commission approved operation of the business during
construction.
44

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

2 Councilmember Bath was not present at the meeting. Captain Cody Cullimore of the
3 Pleasant Grove/Lindon Police Department was present at the meeting. Captain Cullimore
4 informed the Council that off duty officers have been employed by Teton Industrial Construction
5 in relation to the power plant construction. He stated that officers are facilitating safe crossing
6 for employees from the parking area to the work site.

7 Captain Cullimore also noted that the Tour of Utah street bike race will travel through the
8 west side of Lindon on Monday, August 7, 2006.

9
10 **PARKS, RECREATION, ENGINEERING, LINDON FAIR, NEWSLETTER –**

11 Councilmember Anthony was excused from the meeting earlier in the evening.
12 Councilmember Carpenter reported that a Lindon company, Power Innovations, has volunteered
13 an emergency response vehicle for use at the fireworks display during the Lindon Days
14 celebration. He also noted that Brigham Ashton has expressed a willingness to allow the
15 fireworks display to be shot from the Old Station Square site. Mr. Cowie observed that
16 arrangements have been made to shoot the fireworks from the Lindon Elementary site, and that
17 neighboring property owners within 600 feet of the school have received notice regarding the
18 fireworks. Councilmember Carpenter also reported that the Council will ride in cars provided by
19 Utah Auto Sales during the Lindon Days parade.

20
21 **GENERAL PLAN, STREETS & SIDEWALKS, PUBLIC BUILDINGS –**

22 Councilmember Carpenter noted that Mr. Cowie is gathering information regarding street
23 and pedestrian walkway plans in the area of schools, and that a tentative meeting will be
24 scheduled to discuss recommendations and identify high priority areas.

25
26 Mayor Acerson commented that following a discussion with Kevin Gallagher of Utah
27 Auto Sales, he had agreed to have a discussion with the Council regarding the possibility of
28 angling the required white two rail fence behind the signage for the east lot rather than installing
29 a berm along the property frontage. Mr. Cowie noted that a similar request was made by Alpine
30 Transition and Employment Center, and that the Council denied that request. Councilmember
31 Carpenter suggested that Mr. Gallagher incorporate the signage as part of the fence. Mr.
32 Dameron noted that City ordinance does not allow the fence to be placed behind the signage, and
33 that an ordinance change would be required to allow any modifications to current ordinance. Mr.
34 Dameron stated that he has also received a call from Bill Fairbanks, South Town Mall owner,
35 regarding possible revisions to the ordinance. Mr. Dameron suggested that Mr. Fairbanks and
36 Mr. Gallagher work cooperatively to draft recommended changes to present to the Council for
37 consideration.

38
39 **ADMINISTRATOR'S REPORT –**

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41 Mr. Dameron reported on the following items.

- 42 1. The City engineer will meet with residents of Pheasant Brook park regarding the recently
43 conducted traffic study on Thursday, August 3rd at 7:00 p.m.
 - 44 2. Coordination meeting with Pleasant Grove will be held Monday, August 7th at 5:30 p.m.
45 in Mayor Daniel's office.
- 46

3. The Council reviewed the project tracking list.
4. Mr. Dameron requested direction from the Council regarding a potential loan program to allow existing non-conforming businesses to in to more substantial compliance with existing ordinance. The Council felt that further investigation into a possible loan program would be warranted.
5. Paving on 700 North is currently underway. Installation of landscaping will take some time. A ribbon cutting ceremony is expected approximately mid to late September to officially open the road for use
6. Finance Director/Treasurer, Kristen Colson, has done research regarding on-line payments for City utility bills. Four companies made proposals to the City. Ms. Colson is recommending Express Bill Pay to facilitate on-line payments. Mr. Dameron noted that the program used is compatible with Caselle, and will be operational in several weeks.
7. Findings of the feasibility study regarding creation of a school district did not adequately address the financial feasibility of a new school district. Orem City has hired Jason Burningham to conduct an in depth study of financial feasibility of a possible school district. The Council discussed financial aspects of Alpine School District, and possible financial implications for a new district. Mayor Acerson noted that the purpose of the study is to allow the decision to be made based on facts rather than emotion. The Council discussed the possibility of a special meeting to determine whether this issue should be on the ballot in November, based on the decision made by Orem City regarding the results of the study.

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

ADJOURN –

COUNCILMEMBER BAYLESS MOVED TO ADJOURN THE MEETING AT 11:35 P.M. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

APPROVED – August 15, 2006

Ott H. Dameron, City Administrator/Recorder

Jeff Acerson, Mayor