

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
September 28, 2021

3:30 P.M. WORK SESSION - CITY COUNCIL CONFERENCE ROOM

CONDUCTING	Mayor Richard F. Brunst
ELECTED OFFICIALS	Debby Lauret, Tom Macdonald, Terry Peterson, Brent Sumner, Jeff Lambson and David Spencer.
APPOINTED STAFF	Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Heather Schriever, City Attorney; Marc Sanderson, Fire Chief; Joshua Adams, Police Chief; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; and Nathan Nelson, Deputy City Recorder

NOTE: The referenced report and presentation documents for each discussion may be viewed at orem.org/meetings under “City Council Presentations”

PRESENTATION – Central Utah Water Conservancy District – Alpine Aqueduct Project

Ms. Sutherland introduced those presenting to the council. Mr. Whimpey gave background on the Central Utah Water Conservancy District and showed the geographic area they service, including the water facilities and pipelines near Orem City.

Mr. Brunst asked Mr. Whimpey the diameter of the Alpine and Salt Lake Aqueduct. Mr. Whimpey stated the Alpine pipeline varies between 90 and 102 inches and the Salt Lake pipeline is 60 inches in diameter.

General discussion ensued regarding pipeline construction, lifespan, past issues, and possible problems such as fault lines and earthquakes.

Mr. Whimpey showed the council a map containing fault line data and expressed how various pipelines could be affected if a seismic event happened. He stated because of this, the

Conservancy District feels the need to correct the direction of part of the Alpine Aqueduct. He then showed the council data they collected to decide whether or not to replace vulnerable pipelines. He continued to show the council a map outlining the proposed route changes the District would like to make to the Alpine Pipeline.

General discussion ensued regarding project timeline, funding, and public input.

Mr. Whimpey stated the project as a whole would take about four years with construction starting later in Q1 2024 and finishing Q4 2026. He also stated the project would cost around 50 million dollars, and believes federal funding would be available to cover a large portion of that.

UPDATE – American Rescue Plan Act (ARPA) Funding

Mr. Downs gave the council general background on ARPA and stated the City of Orem received just over 16 million dollars in ARPA funding. Mr. Downs then went over expenses the city has used this funding on so far, as well as currently planned expenses.

General discussion ensued regarding planned expenses, mainly relating to how much of the Hillcrest Park project this funding could cover.

Mayor Brunst spoke about different options of how the 2.5 million dollars of funding set aside for “Emergency Operations Center for City Hall” could be used.

Mr. Downs concluded by stating there would be \$992,778 left of the ARPA funding after these planned projects, and went over possible areas where this could be used.

General discussion ensued regarding this unallocated funding.

UPDATE – Water Tank

Mr. Gray introduced the council to the updated Farley Property Water Tank proposal. He stated much of the updates to this proposal are from citizen input given during a recent open house. Mr. Gray showed the council two layout proposals and detailed the differences between the two. He then went over differences between citizen input and staff input on Park access.

General discussion ensued regarding park access, lighting, parking, and park fencing. The council expressed support for see-through fencing.

The City Council then reviewed two water pump structure designs and the NRSC's recommendation for this park. The council expressed their support for a barn-like design featuring natural tan or brown coloring.

General discussion ensued regarding landscaping and the type of plants that could be featured in the park. Mr. Brunst stated he would like to see fruit trees on the property to honor the heritage of Orem.

Mr. Gray then finished up by going over what's currently in progress and what the next steps are in the timeline for this property. Mayor Brunst asked for more details on the timeline. Mr. Bybee stated the goal is to start construction spring of 2022.

DISCUSSION – Code Amendment for Massage Establishments

Mr. Earl presented the background on the issues that caused this code amendment to be considered. He stated one of the main effects of this amendment would be a new state licensing requirement for massage companies and workers. Mr. Earl stated this amendment would make it easier for law enforcement to identify and deal with "bad actor establishments."

Mayor Brunst asked if this could help invite and protect proper massage parlors within the city. Mr. Earl responded this was one of the main goals for this code amendment.

Mr. Peterson asked if the city could limit the number of massage establishments within the city. Mr. Earl stated the council could do this as they have done to inherently negative establishments, but he believes this wouldn't be beneficial because massage parlors are not inherently undesirable, and it could limit legitimate businesses from coming into the city.

AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

The City Council reviewed the evening's agenda. Discussion ensued regarding the scheduled items that would be considered.

Mr. Davidson went over a few items of business as follows:

- Councilmember birthdays
- An award the city has recently received
- Various small project updates

CITY COUNCIL REPORTS (BOARDS & COMMISSIONS, NEW BUSINESS, ETC)

Mr. Macdonald reviewed the board and commissions he represents which include

- Orem Youth Council,
- Community outreach board for the Orem Community Hospital.
- Heritage Advisory Commission. He stated the Heritage Commission is currently planning this year's veteran's day program.

6:00 P.M. REGULAR SESSION - COUNCIL CHAMBERS

CONDUCTING

Mayor Richard F. Brunst

ELECTED OFFICIALS

Debby Lauret, Tom Macdonald, Terry Peterson, Brent Sumner, Jeff Lambson, and David Spencer

APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Heather Schriever, City Attorney; Marc Sanderson, Fire Chief; Joshua Adams, Police Chief; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Chris Tschirki, Public Works Director; Brandon Nelson, Finance Director; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Pete Wolfley, Communication Specialist and Nathan Nelson, Deputy City Recorder

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT – Brent Sumner

PLEDGE OF ALLEGIANCE – Nichelle Jensen

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

PRESENTATION – Orem Youth Council

Ms. Schriever introduced the Orem Youth Council. The members of the Youth Council also introduced themselves one by one and stated what high school they attended.

Mrs. Bates then swore the members into office.

PRESENTATION – Orem Community Hospital

Mr. Lyons expressed his thanks to the council and presented Orem Community Hospital's mission statement; "Helping People Live the Healthiest Lives Possible." Mr. Lyons then detailed some of the services the hospital provides, including;

- Women's and Newborn
- Emergency Department
- Same Day Surgery
- MRI's and 3D Mammography
- Pediatric and Adult Rehabilitation

Mr. Lyons then recognized employees and volunteers and finished by going over some of the many projects the Hospital is currently taking on which include "Hospital at Home," Women's Center Updates, and a community garden on their campus. Mayor Brunst closed this portion of the meeting by reading and presenting Mr. Lyons with a certificate of recognition honoring the Hospital for their 40th anniversary of service.

REPORT – Orem Arts Council Annual Report

Mr. Merrell introduced the Orem Arts Council and showed a list of the current members. He followed by detailing many different events and projects the Arts Council has worked on and hosted in the past year. Some of these include SummerFest events, a Summer Concert Series, and Utility Box Art.

REPORT – Recreation Advisory Commission Annual Report

Mr. McWhorter presented the Recreation Department's priorities and went into detail on the new Orem Family Fitness Center's Performance. He stated the new fitness center won the 2021 URPA facility of the year and stated there are over 20,000 fitness center members.

Mayor Brunst mentioned and thanked donators for helping to pay for equipment and supplies at the new fitness center.

Mr. McWhorter finished by going over current and planned programming at the Fitness Center.

PERSONAL APPEARANCES

Cindy Nelson expressed her concerns with traffic and parking in and around her neighborhood near Geneva Road and Springwater Drive. She stated these problems come from students at nearby apartments not having enough parking. She asked the city to put more parking into the apartments, instead of a permit parking program.

Lory Towman stated there are multiple houses getting damaged in a residential area near Geneva road and Sleepy Ridge Golf Course. She stated parts of houses are shifting and cracking, causing unsightly and unsafe living conditions for residents. She said this could be caused by removing and pumping ground water out of the area, and asked the council to look into the problem.

Ms. Garcia expressed her concern with traffic and other problems she stated were caused by high density housing. She asked the council to oppose parking requirement decreases.

Carol Miles stated she has lived near the Sienna Villas project area for 35 years. She said that if Sienna Villas is allowed to expand, it will bring unwanted traffic and parking issues into the area. Ms. Miles stated the street she lives on is a very tight-knit community, and she would like to see it stay that way. She then asked the City Council to not rezone the two family lots to a zone that high-density could be built on.

Stephanie Visnaw expressed that Orem rezoning family lots near the Sienna Villas to make room for more apartment units would be intruding on residential neighborhoods and would not be responsible growth.

James Patterson stated he lives on Terrace Drive which is right next to the Sienna Villas project and stated that adding additional units to the project will add problematic traffic and parking to the area

Henry Miles stated he lives on Terrace Drive, right by the Sienna Villas project. He expressed his concern that project plans keep changing and adding more units will negatively impact traffic and parking in the area. He asked the city council to not rezone the area.

Ms. Pat stated she lives close to the Sienna Villas project and has friends that live there. She stated there is already parking issues in the area, and voting for the proposed change will make them worse. She also stated a project like this would lower property value in the area.

Linsey Studebaker stated there is a mental healthcare business run near her home. She stated there is a man who is in care at that facility who keeps getting out of the facility and causing issues. She stated the workers at the business cannot control him. She asked the council to take action to move the business out of the neighborhood.

Rick West stated that he lives on Terrace Drive. He stated that rezoning the Sienna Villas property would cause parking issues as well as lower property values. He also stating rezoning the family lots to high density would be disrespectful to heritage.

Jack Bingham stated he lives in the Sienna Villas area. He stated the area is not fit for more high-density housing, and that traffic and parking would be negatively impacted.

LaNae Millet stated the proposed addition to Sienna Villas would be too close to existing homes and would add traffic and parking issues to the area. She asked the council to “stop the creep” of high density into neighborhoods.

Ken Hone stated Orem has too much high-density housing and some surrounding cities are not holding their fair share of the burden. He asked the council to be wise about how they handle the growth of Orem.

CONSENT ITEMS

- APPROVAL OF MEETING MINUTES
 - Minutes of City Council Meeting – September 28, 2021

Mayor Brunst moved to approve the Consent Agenda as listed. **Mrs. Lauret Seconded** the motion. Those voting aye: Richard F. Brunst, Tom Macdonald, Terry Peterson, Debby Lauret, David Spencer, Jeff Lambson, and Brent Sumner. The motion **passed**.

SCHEDULED ITEMS

PUBLIC HEARING / RESOLUTION – Community Development Block Grant (CDBG) Projected Use of Funds

Mr. Ransom went over past fund allocations and how much there is left to allocate. He then went over how the remaining funds could be used. Mr. Ransom concluded by detailing the proposed use of funds.

Mrs. Lauret asked when this funding had to be used by. Ms. Mathews stated they had about a year and a half left to spend it.

Mayor Brunst moved by Resolution to approve the Community Development Block Grant (CDBG) projected use of funds. **Mr. Sumner seconded** the motion. Those voting aye: Richard

F. Brunst, Tom Macdonald, Terry Peterson, Debby Lauret, David Spencer, Jeff Lambson, and Brent Sumner. The motion **passed**.

PUBLIC HEARING / ORDINANCE – Amending the Current Fiscal Year 2021-2022 Budget

Mr. Nelson started his presentation by explaining the need for the budget to be updated periodically. He detailed new donations the city has received and continued to review proposed amendments to the budget.

General discussion ensued regarding grant funding paying for already budgeted items.

Mrs. Lauret moved by Ordinance to accept the budget amendments as listed. **Mr. Macdonald seconded** the motion. Those voting aye: Richard F. Brunst, Tom Macdonald, Terry Peterson, Debby Lauret, David Spencer, Jeff Lambson, and Brent Sumner. The motion **passed**.

PUBLIC HEARING / ORDINANCE – Amending portions of Section 22-11-56 PD-43 (Auburn Meadows) 2000 South Geneva pertaining to the approved uses in the PD43 zone for Area B. Also amending Appendix LL of the Orem City Code with updated concept plans and elevations pertaining to Area B.

Mr. Bench gave a brief background on the Ordinance. This included relocating units to a different section of the property and constructing a grocery store on the property.

Mr. Macdonald asked if residents would be able to park in the grocery store parking lot. Mr. Mensell stated it could be worked out, but he hopes it would not be necessary.

Mr. Bench stated this ordinance would also take housing out from being an option in area B of the proposal.

General discussion ensued regarding parking issues, commercial and residential parking, as well as parking costs and permit programs in the area.

Mr. Peterson asked Mr. Mensell if there would be more or less parking on the property as compared to now. Mr. Mensell stated this project would have more parking and also cut down on parking issues. He also stated there are programs in place to help deal with people who cause parking issues and violate parking guidelines. He concluded by giving the council information

on a temporary parking lot that has been set up to help remedy parking issues until the property is developed and the problem can be fully addressed.

General discussion ensued regarding potential grocery store size. The Council expressed support for adding a grocery store in the area.

Mayor Brunst opened the public hearing at 8:02 p.m.

Byron Taylor stated there are significantly more cars parked on Geneva Road than the developer claims. He stated that parking issues are not fixed, and the rules and regulations put in place by the developer do not, and will not solve parking issues. Mr. Taylor also expressed how he felt a grocery store in the area is not really needed.

Sandy Morgan stated she lives near the concerned development and feels she will be pushed out of her property because of this. She then expressed her concern with parking in the area.

Dennis Harrison stated he lives in a 55 and older community near this development property. He expressed how he feels that adding a grocery store will add to traffic in the area. He stated for this development to work, the developer and HOA will have to strictly enforce how many people are living in the development.

Mayor Brunst closed the public hearing at 8:11 p.m. and brought the discussion back to the City Council

General discussion ensued regarding parking and development possibilities.

Mrs. Lauret asked about how they will handle parking after removing the non-permanent parking lot. Mr. Mensell stated they are building more stalls to make up for the temporary lot when removed, essentially making that number of spots permanent.

Mayor Brunst moved to approve by Ordinance the amendment of portions of Section 22-11-56 PD-43 (Auburn Meadows) 2000 South Geneva pertaining to the approved uses in the PD43 zone for Area B. Also amending Appendix LL of the Orem City Code with updated concept plans and elevations pertaining to Area B. **Mrs. Lauret seconded** the motion. Those voting aye: Richard F. Brunst, Tom Macdonald, Terry Peterson, Debby Lauret, Jeff Lambson, and Brent Sumner. Those Voting Nay: David Spencer. The motion **passed**.

RESOLUTION – Authorizing the Mayor to Execute a Franchise Agreement Between the City and Rocky Mountain Power.

Mr. Earl introduced the topic and provided background on the existing Franchise agreement with Rocky Mountain Power. He stated this agreement mainly gives Rocky Mountain Power access to the public right of way so that they can properly install and perform maintenance on their hardware.

Mr. Macdonald asked how long this agreement would stand for, seeing the last one is 50 years long. Mr. Earl stated this agreement is for 10 years.

Mr. Macdonald moved to approve the Resolution and authorize the Mayor to execute a franchise agreement between the City and Rocky Mountain Power. **Mr. Lambson seconded** the motion. Those voting aye: Richard F. Brunst, Tom Macdonald, Terry Peterson, Debby Lauret, David Spencer, Jeff Lambson, and Brent Sumner. The motion passed.

COMMUNICATION ITEMS

There were no communication items at this time

CITY MANAGER INFORMATION ITEMS

Mr. Davidson had no additional items at this time.

ADJOURNMENT

Mayor Brunst moved to adjourn. **Mr. Macdonald seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Tom Macdonald, Terry Peterson, Debby Lauret, David Spencer, and Brent Sumner. The motion **passed**.

Meeting adjourned at 8:26 pm.



Approved: November 23, 2021


JoD'Ann Bates, City Recorder