CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
January 25, 2022

4:00 P.M. WORK SESSION - CITY COUNCIL CONFERENCE ROOM

CONDUCTING	Mayor David A. Young
ELECTED OFFICIALS	David Spencer, Debby Lauret, Tom Macdonald, Terry Peterson, LaNae Millet, and Jeff Lambson.
APPOINTED STAFF	Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Heather Schriever, City Attorney; Joshua Adams, Police Chief; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Steve Earl, Deputy City Attorney; Chris Tsirki, Public Works Director; Brandon Nelson, Finance Director; Bryce Merrill, Recreation Director; Keri Rugg, HR Director; Mark Sanderson, Fire Chief; 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"

DISCUSSION – Utah Lake Authority

Mr. Taylor introduced the Utah Lake Restoration and Development Initiative along with HB232, which concerns the Utah Lake Authority. He then presented how Lake Restoration Solutions, Inc. believe they could go about "restoring" Utah Lake. They state "restoring" the lake could improve lake clarity, wildlife, recreation, and the safety of the lake.

Mr. Macdonald asked who governs Utah Lake. Mr. Taylor responded, saying there is a Utah Lake Commission and many different government agencies that have vested interest in, and help govern over the area.

Mr. Taylor proceeded to show how the lake project could be paid for, the next steps in the process, and some public input about the topic. He then presented some main take-aways from a recent Provo City Resolution, which asserts Utah Lake is not in need of "restoration" and its current configuration is essential to climate and nutrient regulation. Mr. Taylor summarized a resolution recently passed by the Utah Lake Commission which states the commission supports the process and policies set forth by the Utah Legislature and other entities, which combined with a 'sound scientific review,' can successfully guide and vet current and future projects and proposals on Utah Lake. Mr. Taylor continued by going into detail regarding the Utah Lake Authority (HB232). This proposed board would consist of 15 members and would help clarify and consolidate decision making for the Utah Lake Area.

General discussion ensued regarding the power the Utah Lake Authority could have over taxes and who they would affect. Mr. Taylor stated the tax area would be the lake itself, so if there was an island development built on the lake that housed residents, this authority could tax those residents. General continued regarding water rights on the lake, differences between this proposal and a similar one which was presented last year, how environmental concerns about the lake could be handled, and how this authority could impact the future development of the lake.

Mrs. Lauret asked if the Walkara way project has been affected by this and if it is still under way. Mr. Taylor stated the project has not been affected by this and is currently moving forward as planned.

Mr. Macdonald asked if this resolution would actually affect anything, and if not, why would we spend time on it. Mr. Lambson responded and stated this resolution would do little besides showing the city is allowing, and is comfortable with being involved in the process. This sparked a general discussion regarding the nature of Provo's resolution and what direction they are comfortable with moving forward with in this issue.

Mr. Lambson stated he feels this project is less restoration and more development and commercialization of the area.

Ms. Bateman of the Natural Resource Stewardship Committee stated some project proposals from how Lake Restoration Solutions, Inc. would be the largest project of its kind in the world, so there isn't much to go off of for reference.

Mayor Young expressed how he feels Utah Lake is important and the City shouldn't turn their back on it, but should all agree on a direction to move in, and asked the Council what they though.

Mr. Davidson stated they could move forward with a draft resolutions and the topic could be discussed further on February 8th.

DISCUSSION – Amending Tattoos & Body Piercings in the C3 Zone

Mr. Bench introduced the item, which concerns Indie Studio Suites, LLC, who wants tattoo and body piercing businesses to be allowed in the C3 zone.

General discussion ensued regarding where tattoo parlors are currently in the city, what the differences between the C2 and C3 zoning designations, and whether or not the city wants to have more tattoo parlors within the city.

DISCUSSION – Amending Parking Standards in the PD-21 Zone

Mr. Bench introduced possible amendments to parking standards in the PD-21 Zone. He stated this would raise parking in the area from .62 per bed to 1 parking star per bed.

The council expressed their support for the raised parking standards.

DISCUSSION – State Street Districts Rezone and Amendments

Mr. Bench introduced the item and displayed proposed amendments to various State Street Districts, which largely include changing portions of selected State Street Districts back to C2 from their current C3.

General discussion ensued regarding building height and setback requirements in the C2 zone, when buildings and businesses would have to change their property to meet the rezoning requirements, and residential developments in these zones.

Mr. Peterson asked if there was enforcement for these regulations and requirements. Mr. Bench responded that every step is checked and enforced by the Development Services team throughout the process.

DISCUSSION – Conducting Public Meetings

Mr. Adams expressed how he sees City Council meetings as a place where residents can come and be heard by leaders, and he'd like them to be civil. He introduced three key things he would like the council to focus on: Civility, Order, and Safety. Mr. Adams stated the Mayor is the marshal of the meeting and should be the one keeping and encouraging order. Mr. Adams then asked the council to stay on topic with what's listed on the agenda. He stated how he feels keeping comments on topic can keep the order of the meeting and sustain civility. Mr. Adams also informed the Council that as a last resort, they can remove people from meetings with a two thirds vote in favor.

Mrs. Schriever stated the public should make their comments on the microphone so it can be held on record instead of shouting from the crowd.

General discussion ensued regarding expected meeting conduct and how conduct could be encouraged and enforced.

AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

Mr. Davidson updated the council on the Hillcrest Park project and the possible splitting off from Alpine School District.

Mr. Downs updated the council on ARPA funding and what the city could use it for. Mr. Downs stated the ARPA funding could be used for essentially anything classified as a government function.

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

<u>6:00 P.M. REGULAR SESSION - COUNCIL CHAMBERS</u>

CONDUCTING	Mayor David A. Young
ELECTED OFFICIALS	David Spencer, Debby Lauret, Tom Macdonald, Terry Peterson, LaNae Millet, and Jeff Lambson.
APPOINTED STAFF	Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Heather Schriever, City Attorney; Joshua Adams, Police Chief; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Steve Earl, Deputy City Attorney; Chris Tsirki, Public Works Director; Brandon Nelson, Finance Director; Bryce Merrill, Recreation Director; Keri Rugg, HR Director; Mark Sanderson, Fire Chief; Jason Bench, Planning Division Manager; and Nathan Nelson, Deputy City Recorder

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT – Bernie Turner
PLEDGE OF ALLEGIANCE – Kathleen Turner
MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

<u>ANNUAL REPORT – Orem Justice Court</u>

Judge Parkin began by thanking the staff at the court for their hard work, especially given the difficulties that arrived from the COVID-19 pandemic. He then gave a brief history of court systems within the state of Utah and went over the most common infractions dealt with in the court. Judge Parkin concluded by going over the general organization and operations of the Orem Justice Court.

Mayor Young asked the Judge Parkin to send a statistic report to the council.

PERSONAL APPEARANCES

John Barrick thanked the council for making the changes to the City Planning Commission appointment and approval process and hiring legal counsel. Mr. Barrick then stated he supports the removal of the proposed Planning Commission members.

Jonni-Sue Schilaty expressed her support for Mayor Young and for passed ordinances and resolutions regarding the Planning Commission appointment process and the City Council Legal Counsel. Mrs. Schilaty then expressed her distaste for the UTA system in Orem and said she would not like to see it expand.

Barry Roberts expressed he found it strange that the Mayor and Council considers the Planning Commission a legislative body. He stated the planning commission has no legislative, and only administrative power. Mr. Roberts then also expressed his concern for the hired legislative council.

Heidi Cox read a statement from Marisa Bentley, which expressed how she is saddened the Mayor and Council want to remove her from the Planning Commission. She stated she would like to finish her terms along with the other members up for removal.

Shauna Mecham from the Planning Commission stated she is well qualified for the position and does not feel it is right for the council to remove the proposed members.

Marcia Reinhart stated she lives in a neighborhood where streetlights were recently updated, but the work still hasn't been finished, and the lights aren't on. She asked the council how they were going to start large new projects when they can't finish current small ones.

Cissy Rasmussen expressed her concern with the Ordinance passed during the last council meeting regarding the appointment process of Planning Commission Members. She asked the council not to remove the proposed Planning Commission members. She expressed how she felt the Mayor and Council are not being transparent with the residents, and are giving people who they know and have similar views on issues preferential treatment. Ms. Rasmussen concluded by asking the City Council to embrace change in the city.

David Moulton stated he has been an Orem resident for 25 years and was a former member and chair of the Planning Commission. Mr. Moulton then expressed how he does not agree with the changes the Council has made to the Planning Commission, stating they have made a political body out of something that has been a volunteer citizen commission in the past. He then asked them not to remove the proposed members.

Haysam Sakar expressed his support for the new Mayor and Council and stated he is in support of the Legal Counsel hired by the Council. Mr. Sakar then expressed his support for the removal of Mickey Cochran from the Planning Commission.

Carl Cook stated he has never seen Planning Commission members be removed like this and stated the Mayor and Council are making the Planning Commission a political and legislative body when they are not meant to be. He asked the Council to not remove the proposed members.

Jenn Young expressed her concern for the direction the city has been heading in for the last few years. She asked the Council to help Orem stay affordable. She also expressed her support for removing the proposed Planning Commission members.

Quin Mecham asked the council to value diverse and politically independent citizen commissions and stated the best leaders always receive advise from a wide range of people who's opinions differ from theirs. Mr. Mecham then asked the Council to focus on transparency and expressed how he felt the processes leading up to tonight removal vote have not been transparent and asked the Council to not remove the members.

Eleni Wilding stated how she wants the Planning Commission to be held accountable to the citizens and asked how this would be done if they were not held accountable to the City Council. Ms. Wilding then stated a recent article in the Daily Herald could be considered 'Fake News' and that Mickey Cochran did call residents statistically insignificant. She concluded by thanking the Council for taking the bold action they have by changing Planning Commission structure.

CONSENT ITEMS

- APPROVAL OF MEETING MINUTES
    - Minutes of City Council Meeting – January 4th
    - Minutes of City Council Meeting - January 11, 2021
- MAYOR PRO TEM – January through June 2022
    - Terry Peterson – Appointment

Mr. Macdonald moved to approve the Consent Agenda as listed. **Mr. Spencer Seconded** the motion. Those voting aye: David A. Young, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, Jeff Lambson and LaNae Millet. The motion **passed.**

SCHEDULED ITEMS

APPOINTMENTS TO BOARDS AND COMMISSIONS

- Summerfest Commission
    - Ashely Coleman, Appointment
- Natural Resource Stewardship Committee
    - Quinn Mecham, Re-appointment

Mrs. Lauret stated she is over both of these commissions and stated she feels these are both great choices and appointments.

Mr. Spencer moved to appoint to the boards and commissions Ashley Coleman and Quinn Mecham. **Mr. Lauret seconded** the motion. Those voting aye: David A. Young, Terry Peterson, David Spencer, Jeff Lambson, Debbie Lauret, Tom Macdonald, and LaNae Millet. The motion **passed.**

REMOVAL AND APPOINTMENTS TO THE PLANNING COMMISSION

- Removal of Planning Commission Members
    - Mickey Cochran
    - Marissa Bentley
    - Shauna Mecham
- Appointments to the Planning Commission
    - Madeline Komen
    - Amber Pope
    - Murry Low

Mr. Macdonald expressed how he regrets that needed volunteers are being dismissed without due course, and stated that while some mistakes have been made, there are other ways to remedy them without having to outright remove members from the commission. Mr. Macdonald also expressed how he feels this vote was decided before the public meeting.

Mrs. Lauret expressed she does have concerns with Mr. Cochran, but feels like they can be remedied in other ways besides removal. She also stated that as far as Marissa Bentley and Shauna Mecham, she doesn't see any egregious problems that would warrant their removal.

Mr. Lambson stated it's an honor and a privilege to have volunteers serving the community on city commissions. He expressed that the more ideas and differing opinions you can have, the better. Mr. Lambson then stated that if the Council is going to limit people the opportunity to share their ideas because they disagree with them, civil discourse goes 'out the window.'

Mr. Peterson expressed how not wanting to remove the proposed members sounds like an insult to the people who are up for appointment in their place. He stated that by not wanting these proposed members to replace the current members, you are questioning their abilities and qualifications. Mr. Peterson then expressed that the council is trying to change the State Street Master Plan, and they don't want anyone on the Planning Commission trying to subvert that. He concluded his comments by stating that 'Mr. Cochran made his own bed, and he can sleep in it' then thanked the Marissa Bentley and Shauna Mecham for their service, stating: "We thank you for you service, but going forward we have to protect the integrity of the City Council on voting on the change in the Master Plan."

Mrs. Millett expressed her appreciation for the resident who made reference to 'fake news' and stated she has seen some "definite fake news today in the newspaper." Mrs. Millet stated she was quoted on thing that she never said, and it's disheartening to see that happen. Mrs. Millett then went on to state the applications for the new Planning Commission appointments were sent to the Council, where they independently reviewed them and submitted their suggestions to Mayor Young. She concluded her statement by saying if anyone has doubts regarding the transparency of this process, they could contact her, and she would answer your questions.

Mayor Young stated the moratorium expires on February 9th and they are on a tight timeline to get things done. He followed by saying there is only one way that the progress they want to make on the State Street Master Plan can be stopped, and it's the Planning Commission. Mayor Young stated that if the Planning Commission shelved this item, it would take them out of the timeline they need to be in to make the desired changes. He then stated that because there were questions about this, the Council had no choice but to "reset the Planning Commission with a Planning Commission that we don't care how they vote, when we want their input, they're a very diverse group, they don't agree with us on a lot of things. But we just wanted a Planning Commission to meet and, and solve that requirement." Mayor Young concluded his comments by stating they need to get the State Street Master Plan where it needs to go.

Mrs. Millett moved to remove Mickey Cochran as a member of the Planning Commission. **Mr. Spencer seconded** the motion. Those voting aye: David A. Young, Terry Peterson, David Spencer, Jeff Lambson, Debbie Lauret, and LaNae Millet. Those voting nay: Tom Macdonald. The motion **passed.**

Mr. Peterson moved to remove Marissa Bentley as a member of the Planning Commission. **Mrs. Millett seconded** the motion. Those voting aye: David A. Young, Terry Peterson, David Spencer, and LaNae Millet. Those voting nay: Tom Macdonald, Debby Lauret, and Jeff Lambson. The motion **passed.**

Mr. Spencer moved to remove Shauna Mecham as a member of the Planning Commission. **Mr. Millett seconded** the motion. Those voting aye: David A. Young, Terry Peterson, David Spencer, and LaNae Millet. Those voting nay: Tom Macdonald, Debby Lauret, and Jeff Lambson. The motion **passed.**

Mr. Spencer moved to appoint Madeline Komen to the Planning Commission. **Mr. Peterson seconded** the motion. Those voting aye: David A. Young, Terry Peterson, David Spencer, Jeff Lambson, Debbie Lauret, Tom Macdonald, and LaNae Millet. The motion **passed.**

Mrs. Millett moved to appoint Amber Pope to the Planning Commission. **Mr. Spencer seconded** the motion. Those voting aye: David A. Young, Terry Peterson, David Spencer, Jeff Lambson, Debbie Lauret, Tom Macdonald, and LaNae Millet. The motion **passed.**

Mr. Spencer moved to appoint Murray Low to the Planning Commission. **Mrs. Millett seconded** the motion. Those voting aye: David A. Young, Terry Peterson, David Spencer, Jeff Lambson, Debbie Lauret, Tom Macdonald, and LaNae Millet. The motion **passed.**

Mr. Low stated he originally applied for the Planning Commission back in the summer, this was not the circumstance he expected to be appointed in. He then went on to state that his father and brother planned communities for decades and he has been involved in that process in many different ways over the years. Mr. Low stated that he is a very pro-business and very pro-growth and has lots of experience with conflict management and bringing opposing sides together.

Mrs. Komen expressed that she was driven to apply for the Commission last fall while watching Planning Commission and City Council meetings and seeing a disconnect. She then stated how she felt these two bodies should be working on a professional civil level with one another and gain the trust of Orem residents once again. Mrs. Komen stated that when she lived in Pleasant Grove, she learned firsthand of the many issues that can be caused by high-density housing, especially when there is inadequate parking. Mrs. Komen went on to say that while in law school, she interned in the Law Department for the City of Cleveland where she focused mainly on zoning issues, because of this she is familiar with a lot of issues brought before the Planning Commission and looks forward to her time serving the City.

Ms. Pope started by stating she studies business administration and currently works in accounting from home. She then expressed that she is raising a family in Orem, which makes it especially important to her that it remains ‘Family City USA.’ She concluded her remarks by stating she is looking forward to serving on the Planning Commission so that she can share the perspective of a young mother and protect Orem’s neighborhoods.

COMMUNICATION ITEMS
No communication items at this time.

CITY MANAGER INFORMATION ITEMS

ADJOURNMENT

Mr. Macdonald moved to adjourn to a closed meeting for a strategic session to discuss pending ore reasonably imminent litigation, pursuant to Utah Code Section 52-4-205(1)(c). department training room **Mr. Spencer** s**econded** the motion. Those voting aye: David A. Young, Debby Lauret, Jeff Lambson, Tom Macdonald, Terry Peterson, David Spencer, and LaNae Millet. The motion **passed.**

Meeting adjourned at 7:26pm.

CITY OF OREM CORPORATE SEAL STATE OF UTAH

JoD'Ann Bates
JoD'Ann Bates, City Recorder

Approved: February 8, 2022