CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
February 8, 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 Tschirki, 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 – Economic Development Plan

Mrs. Lewis introduced the Economic Development Strategic Plan and stated representatives from Thomas P. Miller and Associates, a consulting firm who the city hired to help develop this plan were on the call with her. She then turned the time over to Brett Wyler, the Director of Economic Development for this company.

Mr. Wyler gave background on Thomas P. Miller and Associates, then spoke about the services they provide and the goals they strive to meet. Next, he introduced the Economic Development Strategic Plan along with their company's scope of service on the project. After Mr. Wyler's opening comments, the Thomas P. Miller and Associates team introduced themselves.

Mr. Waddell presented some information their company has found relating to the city, some of these are as follow: Orem has a rapidly growing population, the median home value in the city is around 380,000 dollars, and the most common occupations within the city are service-related and low income.

Mr. Wyler summarized a "Qualitative Data Review" and what their team believes to be some strengths of Orem City. These included the general quality of life, Orem's retail assets, the strategic location of the city, and strong economic development leadership. Mr. Waddell concluded by going over what Thomas P. Miller and Associates believe to be weaknesses within the community. Some of these included housing challenges, the lack of a clearly defined downtown, and the need for a solidified long-term vision.

Ms. Blues stated her primary work on this project is with stakeholder engagement and gave the council a summary of a preliminary stakeholder session that was held. She stated there were 12 participants, including economic development organizations, education & health care representatives, and both large and small business representatives. Ms. Blues stated the main purpose of this meeting was to hear what these parties perceive to be challenges with the economic development in Orem, what possible solutions could be, and what they would like to see future economic development plans to include. Ms. Blues stated the two main things this group wanted to see was 1) a management of smart growth, and 2) a dynamic transportation system. She concluded the presentation by informing the council on details regarding the next stakeholder engagement session.

Mrs. Lauret asked the Thomas P. Miller team if they have pulled the city's sales tax leakage report from the state, and asked what that report looked like. Mr. Waddell responded and stated they have started to perform a retail gap analysis, but stated because of recent regulation changes, they don't have access to all the data that would have been available in the past.

Mr. Macdonald asked how cities usually pay for and provide financial support or incentives that could be offered to business to redevelop. Mr. Waddell stated some options include government funding and incremental taxing.

Mr. Davidson asked Ms. Blues to update the Council on how they could participate in these stakeholder engagement sessions. She responded and stated they would like both City Council and Planning Commission members to attend and went into more detail on what those meeting will entail.

Mayor Young asked why the median income was listed at around $70,000 while the most common jobs in the city were lower income jobs. Mr. Waddell responded that the figures regarding lower income jobs were occupations that are in Orem, not necessarily jobs that Orem residents have.

Mrs. Millett stated many Orem residents travel for work and stated many resident's income isn't from retail settings and asked if or how Thomas P. Miller and Associates shows that distinction when talking about Orem's Median income. Mr. Waddell stated the information that was presented today is a very surface level view of things, and stated there will be more in depth and comprehensive commuter related data in a future report.

DISCUSSION – Parking Enforcement

Mr. Paraskeva introduced the Parking Enforcement Team update and presented the team's goals. These goals included focusing on safe and livable neighborhoods, addressing parking issues that may be caused by student and high-density developments, free up patrol officers, and generate revenue to fund the program. Mr. Paraskeva then presented the council with some statistics relating to the program. He stated that over 500 warnings have been issued for parking violations, 766 parking citation have been issued, 296 abandoned vehicle cases have been reported, and 90 vehicles have been towed.

Mayor Young asked what citations could be received while on vacation or away from their home for an extended period of time. Mr. Paraskeva stated they could technically receive a 72-hour citation, but most likely wouldn't because the team is usually proactive only in problem and permitted parking areas, so someone would most likely have to call in and report that specific violation for the team to address it.

Mrs. Lauret asked if these citations are usually reactive, or proactive. Mr. Paraskeva stated the large majority of cases are proactive.

Mr. Paraskeva presented to the council a map of citations within the city. This map showed citations quite evenly spread out, with more frequent citation areas being around high-density housing parking areas and permitted streets.

Chief Adams stated some areas that used to be hotspots for citations are "cooling off," and show that residents in the area seem to be learning and are willing to comply with the parking enforcement team.

Mr. Paraskeva stated that as a Council, they are able to adjust the parking fine schedule. He stated Orem's fines are already some of the lowest in the area and they have been charging the same fine amounts since 2002. Mr. Paraskeva even stated that sometimes residents don't comply with parking regulations because fines can be so low. He then presented proposed changes to the fine schedule and stated though the fines are proposed to be increased quite significantly, they would still be some of the lowest around.

General discussion ensued regarding details of the proposed changes, mainly relating to how fines increase when paid late.

Mrs. Lauret asked what the implementation timeline would be. Mr. Paraskeva responded and stated it would be easiest to implement these changes at the beginning of the next fiscal year.

DISCUSSION – Utah Lake Authority Resolution

Mr. Earl stated he sent the council a draft Resolution and asked them for their thoughts. He indicated he was unsure on the Council's feelings towards this topic.

Mr. Macdonald stated he was in favor of keeping the lake clean, but did not want to support a large development on the lake such as building islands. He then asked Mr. Earl to summarize the draft resolution. Mr. Earl responded and stated the general sentiment of this Resolution is taking the position against private development on Utah Lake and requesting that the Utah Lake Authority be limited to promoting projects that would improve the quality of the lake. Mr. Earl expressed the Council could just leave it at that, or they could go into more detail, such as requesting certain parts of HB232 be stricken.

General discussion ensued regarding the direction the council wanted to go in and what they wanted to state through this resolution. The Council expressed a general consensus for beautifying Utah Lake, but against development on the lake.

Mr. Davidson suggested continuing the item until the February 22nd to see if the landscape changes, and see what direction they can go from there.

Mayor Young stated he would not like to see the commission happen, and wants to see Utah Lake remain the way it is.

The Council stated they would like to table the topic until February 22nd, and in the meantime reach out to other municipalities to investigate their thoughts on the matter to see if they were willing to join in with Orem on opposing Utah Lake Authority from having too much power, and opposing development on the lake.

DISCUSSION – Neighborhood Improvement Team

Ms. Mathews introduced the Neighborhood Improvement Team and gave the council a brief summary on what their responsibilities are. Ms. Mathews then shard the team's goal, which is to keep a community standard, and try to do it in a compassionate, but determined way. She stated the Improvement Team works on both proactive and reactive cases throughout the community on non-criminal nuisances. Some of these nuisances could include junk yards, poor landscaping, parking on landscaping, occupancy issues, and apartment issues. Ms. Mathews concluded by giving a summary on the citing and enforcement process and stated that in the last 6 months, the team has resolved over 250 cases.

Mrs. Lauret expressed that there has been a nuisance Airbnb in her neighborhood the Improvement Team has dealt with, and stated they did a great job.

DISCUSSION – Amendments to Article 2-15 of the Orem City Code 2-15, Planning Commission

Mr. Riddle expressed there are three reasons why you change a code, one is to clarify it, another is to come into compliance with state law, and lastly, is to define the duties of the governing body. Mr. Riddle stated the amendments being made to this City Code are addressing those three issues. He expressed that for example, if a Planning Commission member doesn't attend 25% or more of the meetings they are automatically removed. Mr. Riddle expressed this would change that from an automatic removal to a review by the Council. He also stated another change to this article would be Planning Commission members would have to give the city a notice that they were moving out of Orem, where in the past they didn't.

DISCUSSION – City Council 2022 Areas of Focus

Mr. Davidson asked the Council to identify their top priorities so staff can incorporate them into the city's annual budget. He then presented the Council with the Areas of Focus from 2021, and asked if there was anything they would like to change.

AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

Mr. Wolfley updated the council on the status of the new Orem Transparency portal. The Council expressed support for the project and stated it looked great.

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

Mrs. Lauret passed out a document containing information on a new carnival vendor for SummerFest and went through why she felt the new vendor is an upgrade over ones they have used in the past. She then updated the Council on other commissions she participates in, which include the Arts Council and Utah Lake Commission.

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

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 Tschirki, 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 – Mike Preston
PLEDGE OF ALLEGIANCE – Denny Creston
MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

PERSONAL APPEARANCES

Blaine Lavenstock apologized to Council member Lauret for the aggressive behavior he exhibited towards her during a prior City Council meeting. He then thanked the new Mayor and Council for their service and transparency.

Aaron Davidson expressed his concerns with the cost of splitting Orem off from the Alpine School District, but stated he supported the split, nonetheless. He also asked the Council to look into including Lindon in the split as well.

Mike Preston stated he attended a school board meeting last year where parents were locked out. He expressed how he feels this action was illegal, and should not have been done. Mr. Preston then went on to explain how he felt the Alpine School Board has become too powerful and asked the Council to support splitting off from the Alpine School District and to also include Lindon in this action.

Sicilia Palmer expressed her support for the idea of splitting from the Alpine School District and asked the Council to investigate including Lindon and Pleasant Grove in the split.

Kevin Davis from Midvale stated there is a large business migration happening and one of the states being largely migrated to is Utah. Mr. Davis then stated that he did a preliminary analysis on the city's adopted budget from 2021 and stated there was an extra three million dollars that could be added to the city's fund balance, and he could help the city attain that.

John Barrick stated he was in favor of the proposed study looking into splitting off from the Alpine School District. He also explained how he felt property taxes were too high because of Alpine School District and stated they are too large, and have too much power. Mr. Barrick then went on to state how he feels quality of education has gone down in the last few years significantly. As an example, he stated that Northridge Elementary pulled all specialty programs from their school and replaced them with special-needs programing. Mr. Barrick expressed how this is dangerous and scary for the children. Mr. Barrick concluded by stating the Alpine School District has also denied gramma requests and feels they are taking too much tax money from Orem residents.

John Hasan stated he would like to see Orem City have an open softball team, and volunteered to be the coach. He went on to express how he would like this program to be prominent on the Parks and Recreation website.

Cissy Rasmussen stated all of her children go to schools within Alpine School District and expressed how she was opposed to splitting off from them. Mrs. Rasmussen suggested the council should meet with Alpine School District, who have already done many in-depth studies which suggest splitting the district would be negative for Orem City residents.

Quinn Mecham expressed that he was in favor of the proposed Utah Lake resolution and asked the Council to be insistent in asking for part control in any authority that could be a governing power over Utah Lake. Mr. Mecham then asked the council to not do anything regarding the school district split that would significantly raise taxes for the residents.

Mike Carpenter expressed how he feels the Alpine School District is declining in quality annually and stated how he feels that staying in the Alpine School District could be detrimental to the future of the city's children.

Kathy Ambrose expressed how she feels kids in school need to have a full stomach before being able to learn, and that issue should be focused on first before looking at splitting from the Alpine School District.

CONSENT ITEMS

- APPROVAL OF MEETING MINUTES
  - Minutes of City Council Meeting - January 25, 2021
- APPOINTMENTS TO BOARDS AND COMMISSIONS
  - CJ Mecham – Appointment, Transportation Advisory Commission
  - George Van de Water – Reappointment, Heritage Advisory Commission
- Motion - Mayor and Council direct Legislative Counsel, relating to the School District Split Study, to review proposals that may be submitted to the City, select among the proposals the person or entity to perform the study and present to the City a finalized agreement to be executed by the City.

Mr. Macdonald asked to move the School District Split Study motion to a scheduled item. Mayor Young accepted his request.

Mr. Macdonald moved to approve the Consent Agenda as listed. **Mrs. Lauret 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

<u>Motion - Mayor and Council direct Legislative Counsel, relating to the School District Split Study, to review proposals that may be submitted to the City, select among the proposals the person or entity to perform the study and present to the City a finalized agreement to be executed by the City.</u>

Mr. Macdonald asked if the city could examine pre-existing studies instead of approving a large budgetary item setting out to conduct a whole new study. He also expressed concern for a possible raise in property tax if a split were to happen. Mr. Davidson responded by statingthat by state statute, a study is required to be completed as part of a split evaluation, and whether it could be a ‘study of a study’ is something they would have to research.

Mayor Young expressed that if the city did the small “study of a study,” and then wound up doing the large study, it would cost more money than just doing the big study in the first place.

Mr. Peterson stated that during the Council retreat there was a 7-0 vote in support of this feasibility study and expressed how he felt the study was important enough to not worry about the cost, seeing it deals directly with children’s futures. He also stated that if they have more local control over the school district, the city can have more control over the curriculum.

Mr. Spencer stated he is in favor of this feasibility study because it will inform residents of potential costs of splitting from the Alpine School District.

Mrs. Millett stated she is in favor of this study. She expressed that she is looking at this from a perspective of having 20 years of volunteer work in schools and feels that what is being done here is for the best interest of Orem’s children.

Mr. Lambson stated he is favor of the feasibility study because it can give the Council and residents the details they need to decide if splitting from the Alpine School District is a good idea or not. He expressed how it could uncover costs and give everyone the opportunity to see and decide what will be best for the children going through the school system in the city.

Mayor Young expressed that splitting from the school district could be beneficial for a few reasons, including local control, smaller class sizes, property taxes staying within Orem, and teachers have the potential to be paid more. He then stated they cannot be sure a split would work, so this study would give them good information to lead them in the right decision.

Mrs. Schriever stated that in response to Mr. Macdonald’s original question, Utah Code 53g-3-302 subsection 1b states the City Council can define the scope of the feasibility study.

Mr. Riddle stated the City Council could vote to move forward with the feasibility study, but they could also do an interlocal agreement with surrounding cities who may be interested in splitting off from Alpine School District as well.

Mr. Millett moved to direct Legislative Counsel, relating to the school district split study, to review proposals that may be submitted to the city, select among the proposals the person or entity to perform the study and present to the city a finalized agreement to be executed by the city. **Mr. Peterson 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.**

PUBLIC HEARING /ORDINANCE – Amending portions of Section 22-11-33(P)(8) (Parking) pertaining to parking standards in the PD-21 (Student Housing Village) zone, by increasing the parking rate to one (1) stall per occupancy unit.

Mr. Bench introduced the topic and stated the proposed Ordinance would raise the parking standard from .65 parking stalls per bed to 1 stall per bed. Mr. Bench stated that when the original parking standards were put in place, they were expecting a lot more students to be walking to UVU, and because they're not, the city feels the need to raise parking standards for new developments in the area.

Mr. Macdonald asked Mr. Bench to clarify what "occupancy unit" meant in the title of this Ordinance. Mr. Bench responded that it meant a bed, i.e. one parking stall per bed.

Mrs. Millett expressed how she thought it was great that students are using the walking bridge that was built, but this change will cater towards the students who still have their own vehicles and solve problems such as student parking overflowing into neighborhoods.

Mayor Young expressed that raising the parking standards is a great idea and feels it will remedy the problems of not having enough parking for those living in the apartments.

Mayor Young opened the public hearing at 6:58. Seeing no comments, he closed the public hearing and brought the item back to the Council for further discussion.

Mr. Macdonald moved by Ordinance to amend portions of Section 22-11-33(P)(8) (Parking) pertaining to parking standards in the PD-21 (Student Housing Village) zone, by increasing the parking rate to one (1) stall per occupancy unit. **Mrs. Lauret 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.**

PUBLIC HEARING / ORDINANCE – Amending Appendix A of the Orem City Code by amending Standard Land Use Code 6232 Tattoos & Body Piercing from a not permitted use to a permitted use in the C3 zone.

Mr. Bench introduced the proposed Ordinance and stated Indie Studio Suites would like to do small tattoos as a part of their business, which is currently in one of two C3 zones in Orem. He then stated the Planning Commission recommends the City Council make this change.

Mrs. Lauret stated she would be okay with having limited types of tattooing available in this zone, such as permanent make up, but expressed how she feels there's already enough regular tattoo parlors in Orem.

General discussion ensued regarding possible distinctions the Council could define between the tattoos that Indie Studio Suites would like to do on their property, and tattoos done at standard tattoo parlors.

Mr. Peterson stated there is enough places to get tattoos as it is, and he does not feel the need to add more tattoo parlors within the city.

Mrs. Millett stated the C3 zone is often used as a buffer between commercial and residential areas, and inviting tattoo businesses into this zone could harm surrounding neighborhoods.

Mr. Macdonald stated he is in favor of this change and supports the Planning Commission's recommendation.

Mr. Greggory from Indie Studio Suites stated these tattoos are not the traditional tattoos that you may think of. He stated these are small, semi-permanent tattoos that are usually received to mark an important or difficult time in someone's life. Mr. Greggory expressed that having a spot in Indie Studios for this process would be beneficial because customers can get their tattoos in a more comfortable and less stressful environment. He concluded by introducing and giving time to two guest also affiliated with Indie Studios for them to speak.

Ms. Hampton from Indie Studio Suites read a statement from the tattoo artist who wishes to do their work at Indie Studios. They stated it is important to provide a safe, less intimidating environment for people to get meaningful tattoos and their space would accomplish that.

Ms. Hope, a client of the tattoo artist wanting to move into Indie Studio Suites, expressed how meaningful the tattoo is for her, and how different the environment and purpose of this work is from a standard tattoo parlor.

Mr. Bench stated a compromise could be made by allowing tattoos to be done in the C3 zone only if they are a small part of an already existing business.
Discussion ensued regarding possible measures the Council could take to allow businesses like this, while keeping standard tattoo parlors out of the C3 zone. This included limiting the amount of total revenue the tattoos would generate, and limiting the amount of needles used in the tattooing process.

Mayor Young opened the public hearing at 7:36 pm.

Stephanie Visnaw stated C3 zones should act as buffers between commercial zones and neighborhoods. She expressed that though the business applying for this change is not an undesirable business, changing the zoning Ordinance could invite those 'undesirable business' closer to neighborhoods and in a zone where they should not be.

Hearing no further comments, Mayor Young closed the public hearing at 7:38 pm and brought the item back to the Council for further discussion.

Mr. Macdonald moved by Ordinance to amend appendix a of the Orem City Code by amending Standard land Use Code 6232 tattoos & body piercing from a not permitted use to a permitted use in the C3 Zone when accessory to the primary use of a beauty shop. **Mrs. Lauret Seconded** the motion. Those voting aye: David A. Young, Debby Lauret, Tom Macdonald, and Jeff Lambson. Those voting nay: LaNae Millett, Terry Peterson, and David Spencer. The motion **passed.**

<u>RESOLUTION – Utah Lake Authority</u>

Mayor Young moved to continue the item of the Utah Lake Authority to a later date **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.**

<u>ORDINANCE – Amendments to Article 2-15 of the Orem City Code, Planning Commission</u>

Mr. Riddle stated there are three reasons the Council would want to change a code, one is to clarify it, another is to come into compliance with state law, and the third is to define the duties of the governing body. Mr. Riddle went on to state the amendments being made to this city code are addressing those three issues. He expressed that for example, if a Planning Commission Member doesn't attend 25% or more of the meetings they are automatically removed. Mr. Riddle stated this would change that from an automatic removal to a review by the Council. He also stated another change to this article would be Planning Commission members would have to give the city notice that they were moving out of Orem, where in the past they didn't.

Mr. Macdonald moved by Ordinance to Amend Article 2-15 of the Orem City Code, Planning Commission**. Mr. Lambson 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.**

COMMUNICATION ITEMS
No communication items at this time.

CITY MANAGER INFORMATION ITEMS

Mr. Davidson informed and updated the Council on multiple items of interest throughout the city. These included a meeting between the City Council and the Alpine School District, City Center update progress, rebranding the city as "Family City USA," and multiple bills currently making their way through the State Legislature.

ADJOURNMENT

Mrs. Millett moved to adjourn. **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.**

Meeting adjourned at 7:55pm.

JoD'Ann Bates

JoD'Ann Bates, City Recorder

CITY OF OREM CORPORATE SEAL STATE OF UTAH

Approved: February 22, 2022