

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
February 22, 2022

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

CONDUCTING	Mayor David A. Young
ELECTED OFFICIALS	David Spencer, LaNae Millet, and Terry Peterson
ELECTRONIC PARTICIPTION	Jeff Lambson
ABSENT	Debby Lauret and Tom Macdonald
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 – Surveying the Public

Mr. Downs introduced Kevin Lyons from FlashVote, and stated the city has reached out to the company, being interested in contracting with them to use their method of quick-turnaround surveying.

Mr. Lyons introduced himself and gave the council a brief description of how FlashVote works. He stated they first reach out to as many residents as possible, whether this be by mail, email, text, etc. and build a userbase by asking them to sign up for their platform. Once signed up,

residents can regularly go onto their account and answer whatever surveys are currently available. Mr. Lyons continued to state public input sentiment matches whole community sentiment only around 5% of the time. And 70% of the time, public input sentiment is the opposite of the whole community sentiment. He stated there is always a lot less people speaking out and influencing the government then there are residents in the city. Mr. Lyons expressed how this can cause a few noisy people to make decisions for the whole community, and stated Flash Vote can help to remedy this issue.

Mrs. Millett asked how FlashVote ensures only Orem residents are answering the surveys. Mr. Lyons responded and stated during the sign-up process residents are asked to confirm their addresses.

Mayor Young asked if there is an age bias that typically appears in these surveys. Mr. Lyons stated because of the avenues they use to sample, there is usually not a significant age bias.

General discussion ensued regarding sample size, selection, and cost of these services.

Mayor Young asked Mr. Downs to send the council whatever marketing material and similar documents the city has received from FlashVote.

DISCUSSION – City Communications

Mr. Wolfley presented different communication methods the city uses, statistics on them, and how they use each of the platforms. For example, Orem.org has received almost 800,000 page views in the last year, Orem's social media accounts have over 30,000 combined followers, and Orem sends a digital newsletter to over 18,000 email address each month.

Mr. Spencer asked if they could use Orem's existing email list and other similar databases to help build a survey response list as mentioned in the last item. Mr. Downs responded and stated they could do so.

Mr. Wolfley then stated the Orem City Transparency Portal was live and went through its functions with the council.

Mayor Young asked if there was a way to include audience applause in council meeting YouTube videos, and stated the council would like viewers of past meetings to be able to feel more accurately what it is was like to be present in the meeting.

Mr. Downs indicated the system is designed to cut out conflicting sound but would look into the issue and see what can be done.

DISCUSSION – Rental Licensing Program

Mr. Downs gave a recap on past decisions the council has made regarding this topic. He stated in December 2019, the Council voted to 1) Require those with a rental property to have a rental license, and 2) Require that utilities for all residential properties stay in the name of the property owner. Mr. Downs stated these were passed to improve neighborhoods and reduce the number of utility accounts going to collections each month. Mr. Downs continued presented the council with a list of neighborhoods in Orem and their goals for each of them. These goals mainly consisted of wanting to better enforce ordinances with absentee landlords. He then went over some unique situations concerning rental licensing, and how the city dealt with them.

Mr. Spencer stated how he didn't like the fact that you have to pay a sewer hookup fee for a home, and an attached accessory dwelling unit. This caused general discussion regarding differentiation between different kinds of accessory dwelling units and what kinds of fee they are charged.

Mayor Young expressed he would like to discuss these individual issues more in-depth at a later date.

AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

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

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

CONDUCTING	Mayor David A. Young
ELECTED OFFICIALS	David Spencer, Terry Peterson, and LaNae Millet.
ELECTRONIC PARTICIPATION	Jeff Lambson
ABSENT	Debby Lauret and Tom Macdonald

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 – Adam Robertson

PLEDGE OF ALLEGIANCE – Beckham Robertson

MAYOR’S REPORT/ITEMS REFERRED BY COUNCIL

PERSONAL APPEARANCES

Samuel Fisher stated he is a new resident of Orem and expressed his support for the city looking into splitting off from the Alpine School District. He stated he hopes the possible split could bring more fiscal transparency and local control.

Aaron Davidson stated he is going to have to go to trial because he was locked out of an Alpine School Board meeting and expressed it was because he had an opinion the school board didn’t want to hear. He then went on to state how he supports the council conducting a study to explore splitting from the Alpine School District.

Linda Mesmer stated she represents a group of over 120 people who signed a petition supporting the council in exploring a split from the Alpine School District.

Cissy Rasmussen expressed how some actions the Alpine School District make may look problematic, but when you dive further into them, they are actually responsible decisions that are helping residents and saving money. She then expressed the study the city is conducting will have the same results as past studies held on the topic. Which show while possible, splitting from the Alpine School District may not be fiscally responsible.

Britney Lindsey expressed that parents were locked out of Alpine District School Board meetings, and she will also be on trial regarding the matter. She stated how she felt the Alpine

School District cares more about receiving government funds than what is best for children. She concluded by stating she supports Orem splitting off from the Alpine School District.

Julie Walker stated she has served as the elected Orem Council PTA President for 5 years and is here today to represent PTA members in Orem. She stated PTA members support Orem conducting a split feasibility study and asked that a PTA representative from each of the three high schools in Orem be included on the committee who reviews the results of the study.

Jill Barrick expressed how she feels there are many problems with the Alpine School District and stated she supports the council looking into splitting from the school district.

Breg Brough expressed he has grandchildren going through the Alpine School District and stated he has been seeing and hearing things that worry him. He concluded by stating his supports the council looking into splitting from the Alpine School District.

Shirl Finch stated that a hiking trail he regularly walks on just north of the Orem City Cemetery has been blocked off by a fence. He expressed how he couldn't find out who put it up or where they got the permissions. Mr. Finch stated when he looked into the issue, he heard the fence was only going to be up seasonally. He concluded by saying the fence hasn't been removed, and the area has only gotten worse and more unsightly. Mr. Finch concluded by asking the council to look into it.

CONSENT ITEMS

- APPROVAL OF MEETING MINUTES
 - Minutes of City Council Meeting – February 8, 2021
- RESOLUTION - Authorizing the Mayor to sign an agreement with Alpine School District to provide for joint and cooperative action in regards to having a School Resource Officer (SRO) in Orem schools.

Terry Peterson moved to keep the consent agenda as listed. **LaNae Millett seconded** the motion. Those voting aye: David A. Young, David Spencer, Jeff Lambson, Terry Peterson and LaNae Millett. The motion **passed**.

LaNae Millett moved to approve the consent agenda as listed. **Terry Peterson seconded** the motion. Those voting aye: David A. Young, David Spencer, Jeff Lambson, Terry Peterson and LaNae Millett. The motion **passed**.

SCHEDULED ITEMS

Appointments to the Library Advisory Commission

Mary Stovall Richards - Reappointment

Chelsie Young - Appointment

David Romney - Appointment

Traci Wright - Appointment

Amber Laursen - Appointment

Amy Tanner - Appointment

Jonathan Wayas – Appointment

Appointments to Beautification Advisory Commission

Elaine Porter - Reappointment

Sean Orullian - Reappointment

Jason Bond - Reappointment

Tayna Harmon – Reappointment

LaNae Millett moved to continue item 8.1 and 8.2. **Dave Spencer seconded** the motion. Those voting aye: David A. Young, David Spencer, Jeff Lambson, Terry Peterson and LaNae Millett. The motion **passed**.

Appointments to Planning Commission

Tina Okolowitz - Appointment

David Spencer moved to approve the appointments to the Planning Commission. **LaNae Millett seconded** the motion. Those voting aye: David A. Young, David Spencer, Jeff Lambson, Terry Peterson and LaNae Millett. The motion **passed**.

Tina Okolowitz expressed how she has a deep appreciation for Orem City. She stated her goal as a Planning Commissioner will be to support Orem families and concluded by expressing how she is thankful for this opportunity, and she will work hard to serve the residents of Orem.

PUBLIC HEARING / ORDINANCE – Amending Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning of properties within the Hub District zones, The Arts District zones, the City Center District zones, the Canyon Crossing District zones, and the North Village District zones to the C1, C2, C3, R6, R6.5, R8, PD-

1, PD-30, PD-37, PD-39, and PD-40 zones. And, amending portions of Section 22-8-8 pertaining to zone development standards along the State Street corridor.

Mr. Bench stated at the request of the City Council, Development Services proposes to rezone all of the properties in the State Street District zones back to the zones that applied prior to June 6, 2018, when the first State Street District was adopted. The proposed zones are mostly commercial zones, but also include residential and planned development (PD) zones. The proposed zoning maps, which are included as part of the staff report, show the zoning classifications that the subject properties will go back to.

In addition to the zoning map changes, staff proposes several amendments to portions of Section 22-8-8 (Zone Development Standards) pertaining to standards along State Street. These changes include:

1. **Height.** Limiting the maximum height in the C2 zone from 60 feet to 48 feet. The maximum height for structures which are setback less than 100 feet from a residential zone would be 35 feet. Non-habitable structures (chimneys, ventilators, antennas, etc.) would be allowed to extend a maximum of 10 feet above the maximum building height with the requirement that such structures occupy no more than 30% of the uppermost floor area.
2. **Setbacks.** The existing requirement of an 8-foot separated sidewalk with a 15-foot planter strip will remain as currently required. A setback of 15 feet from the back of sidewalk will now be required. This 15 foot setback area must be landscaped. The maximum setback requirement will be eliminated. A diagram illustrating the application of these requirements is attached to the staff report.
3. **Minimum Building Height.** The minimum building height requirement will be eliminated.
4. **References to State Street Districts.** All references to the State Street Districts will be eliminated.
5. **Other Miscellaneous Requirements.** The proposed amendments eliminate certain other requirements in the State Street Corridor including building access requirements, spaces open to the public, and the small building addition exception.

He concluded his presentation by stating the Planning Commission has recommended this rezone.

Mrs. Millett asked Mr. bench if he felt the 8-foot-wide sidewalks would be enough for both cyclists and pedestrians. Mr. Bench responded and stated he felt it was adequate.

Mayor Young opened the public hearing at 6:46 pm.

Scott Swain asked the Council what their goals are with this change. Mayor Young responded and expressed how their focus is to keep Orem 'Family City USA' and stated this change is in line with that mentality. Mr. Swain responded and expressed how he supports this change and stated he does not want Orem to become a big city.

Alan Crudescamp stated he has a background in real estate and is 100% in support of changing the master plan. He concluded by stating how he feels there is no way Orem can put 20 to 30 thousand more residents along the State Street Corridor.

Cissy Rasmussen stated only around 5% of Orem residents live in apartments. She expressed how and there are many different kinds of families, and feels this change could limit some from living in Orem. Ms. Rasmussen then asked where they city is going to put apartments in Orem if they are not going to be put on State Street. Mayor Young asked Mrs. Rasmussen how many Orem residents live in rentals. Mrs. Rasmussen responded that around 40% live in rentals, but only 5% live in apartments.

Andrew Wilding stated he has recently gotten more involved in local politics and expressed thanks to the council for working to adjust the State Street Master Plan. He then stated he would like Orem to remain family focused and expressed his support for looking to splitting off from the Alpine School District.

John Barrick expressed how he appreciates the council redoing the State Street Master Plan and stated apartments are not synonymous with affordable housing.

Ashton Jessup expressed how he is trying to develop affordable townhomes, and he feels this change could hurt him because there is no differentiation between high density and developments such as town homes. He followed by asking what his course of action should be. Mr. Bench responded and stated there was nothing he could do at the moment, but it is something the council could look at in the future.

Stephen Kleinline stated he is opposed to the State Street Master Plan and expressed his support for the proposed changes. He stated he would like to see State Street go back to what it was, and move forward from there with a resident centered approach. Mr. Kleinline concluded by expressing how developers and real estate investors are taking over housing single families could be buying.

Brian Hideman expressed his support for the rezoning of State Street. He stated that though this doesn't solve all the problems they might be experiencing, it can help the city approach them better.

Kathy Ambrose stated the master plan was supposed to help Orem grow fairly. She then expressed how she feels developers are buying up neighborhoods and changing the tone of communities. She concluded by stating that Orem needs more affordable housing.

Dale Cutler stated he owns a business that has been operating on State Street for over 40 years. He then expressed how he feels past Orem officials were not moving in the right direction, and he almost moved out of Orem because he felt they were not supporting businesses on State Street enough. He concluded by stating how he hopes this will change, and he supports the changing of the State Street Master Plan.

Mr. Christensen asked if this rezoning would affect the possibility of hosting a drive through in the rezoned areas. Mr. Bench responded that it would not.

Dan LeBaron stated he likes living in Orem because of its unique geographic location and he hopes the new Council and Mayor can make decisions that bring back family values in the Orem City which will in turn attract like-minded people to move here.

Scott Dunaway expressed his support for the proposed rezoning. He stated how he feels it is a reset which will help the city move forward in a more responsible direction. Mr. Dunaway expressed how problems such as water usage and public transit need to be reviewed.

Mayor Young closed the public hearing at 7:20 pm and brought the item back to the council for further discussion.

Mr. Lambson stated when he ran for City Council two years ago, he was astonished by the amount of people concerned about high-density development in Orem. He then expressed his thanks to the residents of Orem for expressing their opinions on this topic.

Mr. Peterson expressed how he feels things such as single-family homes being bought to be torn down and replaced with high-density housing should not be happening in Orem. He then told a story about a high school friend who told him: "You could not pay me enough money to live in Orem." his friend said this because of the traffic and other problems Orem has, and stated high-density housing can exacerbate these. He concluded by expressing how the State Street Master Plan does not just effect State Street, and is having negative effects on multiple areas of the city.

Mrs. Millett expressed her excitement for the changes and stated how this was the number one issue the council needed to tackle and how these changes will improve and beautify Orem State Street. She concluded by expressing how she feels these changes can also help current business owners, encourage commercial development, and protect Orem neighborhoods.

Mr. Spencer stated the North Village District was the catalyst for these changes, leading to the moratorium, which let the City Council and residents look at what they wanted, and what was best for Orem. He concluded by expressing that Orem residents do not want high-density housing on State Street, and he wishes to keep the integrity of Orem neighborhoods.

Mayor Young stated a big reason LaNae, Dave Spencer, and himself ran was to “Return Orem back to its citizens.” He went on to state how he believes Orem is at a tipping point in its future direction, and residents want Orem to remain ‘Family City USA’.

Dave Spencer moved by Ordinance to amend section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning of properties within the Hub District zones, The Arts District zones, the City Center District zones, the Canyon Crossing District zones, and the North Village District zones to the C1, C2, C3, R6, R6.5, R8, PD-1, PD-30, PD-37, PD-39, and PD-40 zones. And, amending portions of Section 22-8-8 pertaining to zone development standards along the State Street corridor as shown in the presented zoning maps. **Terry Peterson seconded** the motion. Those voting aye: David A. Young, David Spencer, Jeff Lambson, Terry Peterson and LaNae Millet. The motion **passed**.

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

Mr. Nelson stated the Fiscal Year 2021-2022 City of Orem budget has many adjustments that occur throughout the fiscal year. These adjustments include grants received from Federal, State, and other governmental or private entities or organizations; appropriating excess FY 2021 funds in order to expedite funding for public safety digital radio replacements in order to take advantage of current pricing; appropriating excess FY 2021 funds to purchase the necessary police vehicles and officer equipment and supplies needed for four additional police officers to be hired under a new COPS grant; and adding budget funds for the drug task force for funds received as a part of the sale of one of their vehicles. He concluded by inquiring if the council had any questions or concerns with these amendments

General discussion ensued regarding various costs, needs, and where particular grants were coming from.

Mayor Young opened the public hearing at 7:43 pm. Hearing no comments, he closed the public hearing and brought the item back to the council for further discussion.

Terry Peterson moved by Ordinance to amend the current fiscal year 2021-2022 budget. **Dave Spencer seconded** the motion. Those voting aye: David A. Young, David Spencer, Jeff Lambson, Terry Peterson and LaNae Millet. The motion **passed**.

RESOLUTION – Utah Lake Authority

Mr. Earl stated the Council has spoken in the past about the possibilities of doing a Resolution regarding HB 232, the bill which creates the Utah Lake Authority. He stated at the time of the original conversations, the city had large concerns about the bill. Since then, a substitute bill has been introduced that has remedied most of their concerns. Mr. Earl concluded by saying that if the council still wanted to do a resolution, they should identify and focus on the remaining issues they have with the bill.

Mr. Peterson stated he is not in favor of doing a resolution at this time.

Mayor Young expressed that when the bill first came out, they were not in favor, but now that it has been updated more, he supports the way it is moving. He concluded by stating he is in favor of improving the lake in an environmental aspect, but not necessarily in a developmental way.

Dave Spencer moved to continue this item. **Terry Peterson seconded** the motion. Those voting aye: David A. Young, David Spencer, Jeff Lambson, Terry Peterson and LaNae Millet. The motion **passed**.

COMMUNICATION ITEMS

No communication items at this time.

CITY MANAGER INFORMATION ITEMS

Mr. Davidson stated there are eight more days left in the Utah State Legislative Session, and updated the council on various bills the city is keeping track of.

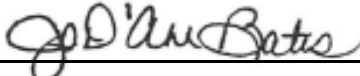
ADJOURNMENT

Mayor Young moved to adjourn. **Dave Spencer Seconded** the motion. Those voting aye: David A. Young, David Spencer, Jeff Lambson, Terry Peterson and LaNae Millet. The motion **passed**.

Meeting adjourned at 7:57 PM.



Approved: March 9, 2022


JoD'Ann Bates, City Recorder