

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
May 16, 2023

3:00 P.M WORK SESSION - CITY COUNCIL CONFERENCE ROOM

CONDUCTING

Mayor David A. Young

ELECTED OFFICIALS

David Young, Jeff Lambson, David Spencer, Terry Peterson, Lanae Millett, Tom Macdonald and Debbie Lauret

APPOINTED STAFF

Brenn Bybee, Acting City Manager; Ryan Clark, Acting Assistant City Manager/Development Services Director; Steve Earl, City Attorney; Brandon Nelson, Finance Director; Keri Rugg, Management Services Director; Josh Adams, Police Chief; Chris Tschirki, Public Works Director; Bryce Merrill, Library and Recreation Director; Marc Sanderson, Fire Chief; Jason Bench, Assistant Development Services Director; Peter Wolfley, Communications Manager, PIO; Reed Price, Assistant Public Works Director; Trevor Bell, Budget Division Manager; Taggart Bowen, Assistant City Engineer; Sam Kelly, City Engineer; Carlo Okolowitz, IT Division Manager; Carson Hardy, Management Analyst; Teresa McKitrick, City Recorder

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

Water Reuse Project at Water Reclamation Facility and Station Area Plan at UTA FrontRunner Station: Meet at the City Center for shuttle

FrontRunner Station tour included David Young, Jeff Lambson, David Spencer, Terry Peterson, Lanae Millett, Tom Macdonald, Debbie Lauret, Brenn Bybee, Steve Earl, Jason Bench, Ryan Clark, Keri Rugg, Chris Tschirki, Reed Price, Carson Hardy, Brandon Nelson, Grant Allen, Teresa McKitrick and several members of the Planning Commission.

Christie Oostema, from People and Place, spoke to the group about the area plan possibilities for the FrontRunner area. Mary De La Mane-Schaefer, the UTA Regional General

Manager, spoke about the expansion and future projects for UTA.

Water Reuse Project Tour was led by Mr. Price. The project will enable the Orem Water Reclamation Facility to treat wastewater annually to Type I reuse levels, which will be used for irrigation. It will also use a state-of-the-art cloth filtration technology to significantly remove phosphorus from the final effluent prior to release to Utah Lake.

Transportation Master Plan: Presenter: Sam Kelly, City Engineer and John Dorney, Horrocks Engineering

Mr. Dorney from Horrocks Engineering went over updates to the Transportation Master Plan from 2022. Updates include access management standards, traffic calming guidelines, traffic impact study guidelines and Southwest Street Network Plan. Struggles they are dealing with are that highways have high mobility and low access, arterials have high mobility and low accessibility, collectors balance between mobility and access, and local roads have low mobility and high degree of access. The transportation master plan needs to have projects that will meet the future demands. Major streets in Orem, Center Street, State Street, 800 N, University Pkwy etc. are part of future projects. Projections show the need to update many of the main streets.

Ms. Millett asked questions about 1600 North. She is wondering if we can take that off the master transportation plan and put it in later as needed. Mr. Lambson asked about the option to leave it in the plan but could the City Council make decisions about how it will be handled. Mr. Kelly explained that both are an option. Discussions continued about 1600 North. The plan will have a public hearing for the Master Transportation Plan on June 27, 2023. The plan will go to the Planning Commission tomorrow. Mr. Bybee suggested that a better priority list will help in the planning process.

Year End School Safety Presentation: Presenter: Josh Adams, Police Chief

This presentation will be moved to the June 13th work session due to time constraints.

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

AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

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

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

CONDUCTING

Mayor David A. Young

ELECTED OFFICIALS

David Spencer, Terry Peterson, Jeff Lambson, Debby Lauret, Lanae Millett and Tom Macdonald.

APPOINTED STAFF

Brenn Bybee, Acting City Manager; Ryan Clark, Acting Assistant City Manager/Development Services Director;

Steve Earl, City Attorney; Keri Rugg, Management Services Director; Bryce Merrill, Library and Recreation Director; Marc Sanderson, Fire Chief; Josh Adams, Police Chief; Peter Wolfley, Communications Manager, PIO; Trevor Bell, Budget Manager; Michael Paraskeva, Police Lieutenant; Carson Hardy, Management Analyst; Teresa McKittrick, City Recorder

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT – Chris Killpack

PLEDGE OF ALLEGIANCE – Dean Flygare

MAYOR’S REPORT/ ITEMS REFERRED BY COUNCIL

Oremfest Preview *Presenter: Karina Eckern, City Events Coordinator and Ashlie Mann, Oremfest Committee Member*

Ms. Eckern introduced Ms. Mann. Ms. Mann reported that the committee is happy with the new Oremfest logo. Ms. Mann introduced the theme, “Be the One”. Ms. Eckern explained some new additions to the Oremfest schedule include Orem's Summer Nights Dream, more hours with kids crafts, more entertainment added to the stage entertainment, SCERA Center Stage promo code for Mary Poppins. The schedule for the week of June 5-10 was presented and the Oremfest magazine will be mailed next week to each resident.

Heritage Advisory Commission *Presenter: Peter Wolfley, Communications Manager, PIO and George Van De Water, Committee Chair*

Mr. Wolfley introduced Mr. Van De Water. Mr. Van De Water came to discuss the upcoming Memorial Day Program. He spoke of the crosses that were put on the graves of veterans. This project stopped during COVID and will be starting up again this year. The program this year is similar to past programs. He reported that the United States flags, flown at the cemetery, are replaced every 6 months. They will retire a flag at the Memorial Day program. Mr. Van De Water also announced there will be a special musical number with a surprise guest singer. Mr. Gary Spencer will be the speaker, Council member Dave Spencer’s father.

National Public Works Week-May 21-27 *Presenter: Chris Tschirki, Public Works Director*

Mr. Tschirki spoke of National Public Works week, May 21-27. He invited the City Council to attend the luncheon on Tuesday. Mr. Tschirki spotlighted the departments of Public Works: Parks, Water, Water Reclamation, Storm Water, Streets, Fleet, and Traffic. He is proud of the high level of service his department provides.

National Police Week - May 14-20 *Presenter: Josh Adams, Police Chief*

Mr. Adams presented for National Police Week, May 14-20. He first thanked the fleet and street departments for their help in keeping police cars operable and the streets safe. Mr. Adams reported that many officers were involved with Police Week on the national level. Mr. Adams continued to highlight some of the achievements in the Orem Police Department. He expressed gratitude for the careful job his officers do each day. City Council members were invited to dinner and award night on Thursday evening. Mr. Adams expressed appreciation for the support his department is given. Mr. Adams also reported on his experience on the Police Unity bike tour he recently participated in. The program for police to read to students in schools was also highlighted.

PERSONAL APPEARANCES

Opened at 6:43 pm

John Barrick is here to talk about the ASD rezoning. He is concerned about the closure of schools. His wife has sent an email to the City Council about the rezoning.

Closed at 6:47 pm

CONSENT ITEMS

Approval of Meeting Minutes for May 9, 2023

Appointment of Kris Pease to NUVAS Special Service District *Presenter: Michael Paraskeva, Police Lieutenant*

ORDINANCE amending various sections of the Orem City Code to replace the word Summerfest with the word Oremfest *Presenter: Steve Earl, City Attorney*

Ms. Lauret moved to approve all consent items. Mr. Spencer **seconded** the motion. Those voting yes: David Young, David Spencer, Debby Lauret, LaNae Millett, Jeff Lambson, Terry Peterson and Tom Macdonald. The motion **passed**.

SCHEDULED ITEMS

PUBLIC HEARING – ORDINANCE amending portions of Article 22-9 of the Orem City Code to create the Public Facilities (PF) zone and other provisions pertaining to the PF zone; amending Appendix A by enacting standard land use codes that are permitted, conditional and not permitted in the PF zone; and amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone. Also amending the Orem General Plan by amending Section 2.1 (Land

Use Classifications), enacting Section 2.1.6. (Public Facilities), enacting Section 3.1.6. (Public Facilities), amending Section 8.3 (Educational Support), and amending the General Plan Map by changing the land use designation of various properties to Public Facilities.

Presenter: Jason Bench, Assistant Development Services Director and Ryan Clark, Acting Assistant City Manager/Development Services Director

Mr. Bench is proposing an amendment to portions of the City code. Some reasons for the rezoning are preserving public land for future generations, city and school lands have been paid for with public dollars, and to ensure appropriate due diligence is followed before redeveloping public lands. Mr. Bench showed the parts of the City Code that would need to be updated as well as showed an updated zoning map. Mr. Clark illustrated 5 elements that should be considered as per the LYRB (Lewis Young report) Research Study, preserving land for public use, multi-generational living, housing turnover as population ages, increased density due to new accessory dwelling units, and increased general population due to continued growth along the Wasatch Front.

Mr. Bench reported that the Planning Commission is in support of this zoning amendment. Ms. Lauret asked how the public hearings were received. Mr. Spencer asked about the concerns some have expressed about Orem is doing this to devalue the property and that the City is not communicating with the Alpine School District (ASD). Mr. Bybee reported he met with the school district in March and the Orem staff has monthly meetings with the ASD. Mr. Bybee also explained that ASD would be willing to meet in a small group with the Orem City Council members. Ms. Lauret asked what this change does to future school closures that Orem may not want to purchase. Mr. Bench explained that rezoning could happen at that location. Discussions continued about the zoning changes.

PUBLIC HEARING opened at 7:10pm

Abe Sanderson spoke about the rezoning and is in disagreement with the rezoning changes. He would like to see healthier ways to work with ASD.

Collin Sanderson believes that education is important and is worried that the City Council is not concerned with the education of its students.

Helene Kleiklen supports the rezoning and believes that it will encourage charter schools to come to Orem. She is concerned about future school closures.

Dan Pulver is concerned that this is “spot” zoning.

Karen Adamson believes this zoning change is past due.

PUBLIC HEARING closed at 7:23pm

Mr. Peterson thanked the teachers and PTA for their hard work. He is concerned about the education of Orem children. Mr. Peterson expressed disapproval of ASD and supports the rezoning of public lands.

Mr. Lambson is concerned that we are going about this process in the wrong way. He would like to see open public meetings about the education of our children. He is concerned

about what happens to the school buildings that are closed and vacant. He would like to see better collaboration with ASD.

Mr. Spencer wanted Orem voters to have a choice in their future school district and he believes this rezoning is a form of check and balance.

Ms. Millett expressed that this city council is working together and believes there is wisdom in planning for the future. She is in support of the rezone and emphasized that notice has been given. She recommends that citizens seek facts.

Mr. Macdonald was willing to support this as long as there were discussions with ASD. He is not supporting this ordinance at this time.

Mr. Bench says that he supports this change. Mr. Earl believes that it may be wise and reasonable to preserve this land.

Mr. Young believes this is not about the school district, this just makes sense to preserve this land for public use. This will prevent future City Councils from selling land without going through the public process. He wants to protect this land and give options in the future.

Mr. Bybee has respect for the city employees that worked on this proposal and speaks to their thorough process. He also reported on his meeting with ASD and their willingness to partner with Orem.

Ms. Millett asked for an amendment to the current proposal to pull out residential permission in that zone to protect the land for public use.

Ms. Millett moved to amend portions of Article 22-9 of the Orem City Code to create the Public Facilities (PF) zone and other provisions pertaining to the PF zone; amending Appendix A by enacting standard land use codes that are permitted, conditional and not permitted in the PF zone; and amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone. Also amending the Orem General Plan by amending Section 2.1 (Land Use Classifications), enacting Section 2.1.6. (Public Facilities), enacting Section 3.1.6. (Public Facilities), amending Section 8.3 (Educational Support), and amending the General Plan Map by changing the land use designation of various properties to Public Facilities and amending the proposal that was originally brought to the City Council by making SLU code 1110, 1261, 1262, 1281 and 1285 as non-permitted instead of permitted. Mr. Peterson **seconded** the motion. Those voting yes: David Young, David Spencer, Debby Lauret, LaNae Millett, Jeff Lambson, and Terry Peterson. Those voting nay: Tom Macdonald. The motion **passed**.

ORDINANCE amending section 12-9-6 (License Fee) of the Orem City Code exempting accessory dwelling units from the annual Rental Dwelling License renewal fee *Presenter: Ryan Clark, Acting Assistant City Manager and Development Services Director*

Mr. Clark is reviewing the proposed change to section 12-9-6. This ordinance change was presented to the City Council in previous work sessions. Mr. Clark is recommending an elimination of a renewal fee for owners who have a legal accessory dwelling unit.

Mr. Macdonald moved to amend section 12-9-6 (License Fee) of the Orem City Code exempting accessory dwelling units from the annual Rental Dwelling License renewal fee. Ms. Lauret **seconded** the motion. Those voting yes: David Young, David Spencer, Debby Lauret, LaNae Millett, Jeff Lambson, Terry Peterson and Tom Macdonald. The motion **passed**.

ORDINANCE for CARE Tax Allocation *Presenter: Brandon Nelson, Finance Director and Trevor Bell, Budget Manager*

Mr. Earl confirmed this is an ordinance not a resolution. Mr. Nelson explained this is a follow up to the work session where there were discussions about the CARE recipients. The main change was increased funds for the Timpanogos Symphony Orchestra. Mr. Peterson had concerns that the split of money is not a 50-50 match. Mr. Merrill and Mr. Bybee explained that the decision going forward for the next 10 years will be decided on the ballot for future CARE tax.

Mr. Bybee explained the SCERA park improvements will include digital signage that will include the SCERA announcements. Mr. Merrill explained that over the 10 years of the CARE tax the money was split 50/50 even if individual years were not.

Mr. Spencer moved to approve the Fiscal Year 2023-2024 CARE Tax awards as outlined in Exhibit A of the ordinance. Ms. Millett **seconded** the motion. Those voting yes: David Young, David Spencer, Debby Lauret, LaNae Millett, Jeff Lambson, Terry Peterson and Tom Macdonald. The motion **passed**.

RESOLUTION adopting a Policy Regarding City-Owned Flagpoles and City Social Media Accounts *Presenter: Steve Earl, City Attorney*

Mr. Earl explained that this is direction to the City, the types of flags allowed to be flown on City-Owned flag poles and the types of emblems and logos permitted on the profile picture and cover photo of Orem Social Media sites. This does not pertain to comments.

Ms. Lauret moved by resolution to adopt a Policy Regarding City-Owned Flagpoles and City Social Media Accounts. Mr. Lambson **seconded** the motion. Those voting yes: David Young, David Spencer, Debby Lauret, LaNae Millett, Jeff Lambson, Terry Peterson and Tom Macdonald. The motion **passed**.

RESOLUTION adopting Rules and Regulations for the Government of the City Council *Presenter: Steve Earl, City Attorney*

Mr. Earl explained that these are rules and regulations for the government of the City Council. This is not a change in the way the council currently operates but this make a more formal arrangement by policy.

Ms. Spencer moved by resolution to adopt Rules and Regulations for the Government of the City Council. Ms. Lauret **seconded** the motion. Those voting yes: David Young, David Spencer, Debby Lauret, LaNae Millett, Jeff Lambson, Terry Peterson and Tom Macdonald. The motion **passed**.

ORDINANCE amending Section 2-3-10 (Functions of City Council) to authorize the City Council to retain separate legal counsel *Presenter: Steve Earl, City Attorney*

Mr. Earl explained that this ordinance allows the City Council to hire a separate legal counsel and this attorney is an "at will" employee and can be removed by the City Council. Mr. Lambson is concerned this is a redundancy of jobs. Mr. Young, Mr. Peterson, and Ms. Millett agree that a separate legal counsel is a benefit to the council.

Mr. Peterson moved by ordinance to amend Section 2-3-10 (Functions of City Council) to authorize the City Council to retain separate legal counsel. Ms. Millett **seconded** the motion. Those voting yes: David Young, David Spencer, LaNae Millett, and Terry Peterson. Those voting no: Jeff Lambson, Debby Lauret and Tom Macdonald. The motion **passed**.

COMMUNICATION ITEMS

Mr. Young announced that Orem was named, by Milken, the Best Performing City in the Nation, 3 years in a row. This award was won with Provo City. This is a major accomplishment because the award is given 100% based on objective data. This was not some financed charm offensive where you can basically buy yourself a trophy. City employees had a significant role to play in this triple crown win. As employees, along with our elected officials, we help create the proper environment for our residents and businesses to flourish. Mr. Macdonald mentioned that there is an article in the Daily Herald about the award.

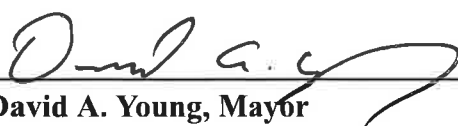
CITY MANAGER INFORMATION ITEMS

Mr. Bybee will be gone for one week on vacation. Ryan Clark will be available. Mr. Bybee gave an update on the pothole repair on 1600 N. UDOT will begin repairs on Sunday.

ADJOURNED

Mr. Lambson moved to adjourn the meeting, **seconded** by Ms. Millett.. Those voting yes: David Young, David Spencer, LaNae Millett, Debby Lauret, Jeff Lambson, Terry Peterson and Tom Macdonald. The motion **passed**.

PASSED and APPROVED this 13th day of June, 2023.


David A. Young, Mayor



ATTEST:


Teresa McKittrick, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
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Mayor David A. Young	☒	☐	☐
Jeff Lambson	☒	☐	☐
Debby Lauret	☒	☐	☐
Tom Macdonald	☒	☐	☐
LaNae Millett	☒	☐	☐
Terry Peterson	☒	☐	☐
David Spencer	☒	☐	☐