

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
August 22, 2023

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

CONDUCTING	Mayor David A. Young
ELECTED OFFICIALS	David Young, Jeff Lambson, David Spencer, Tom Macdonald, Terry Peterson, LaNae Millett and Debby Lauret
APPOINTED STAFF	Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager/Development Services Director; D. Jacob Summers, Deputy City Attorney; Chris Tschirki, Public Works Director; Keri Rugg, Management Services Director; Bryce Merrill, Library and Recreation Director; Brandon Nelson, Finance Director; Josh Adams, Police Chief; Marc Sanderson, Fire Chief; Peter Wolfley, Communications Manager, PIO; Jesse Riddle, Director of Legislative Counsel; Carlo Okolowita, IT Division Manager; Kathi Lewis, Economic Development 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”

Community Gardens Council Tour: Presenter: Carson Hardy, Management Analyst and Kena Mathews Community Services Manager

Those in attendance are Mayor Dave Young, Terry Peterson, Tom Macdonald, LaNae Millett, Debby Lauret, Jeff Lambson, Dave Spencer, Brenn Bybee, Keri Rugg, Kena Mathews, Jake Summers, Ryan Clark, Carson Hardy, Jason Bench, Brandon Nelson, and Teresa McKitrick.

Mr. Hardy explained that the purpose of the tour was to show the City Council a working Community Garden and a potential site for a community garden in Orem. This is an innovative idea to use City owned property that is not in development.

The tour started at a community garden in Provo, 695 E 320 E. Hilary with Community Actions spoke about the garden. Provo residents are allowed to ask for a spot and they are asked to take care of that area for the season. She said they have another garden in Spanish Fork. She suggested that doing a neighborhood survey in any area that Orem is considering would be a good idea.

The tour then went to a possible site in Orem: 343 E 720 S, the Scera Park Home Lot. The IHC Orem Community Hospital has a community garden on their property that has been in existence for several years.

<https://www.youtube.com/watch?v=vHATdlI8wqc&t=557s>

Economic State of the City: *Presenter: Kathi Lewis, Economic Development Division Manager*

Ms. Lewis is presenting on the Economic Development of the City of Orem. Economic Development promotes the economic well being and quality of life for communities, by creating, retaining and expanding jobs that facilitate growth, enhance wealth and provide a stable tax base. Ms. Lewis spoke of the recently completed projects, such as the Orem Tech Center, the Call Commercial Center, La-Z-Boy Furniture, Petco, Big Blue Swim School, and 2nd & Charles.

Ms. Lewis went over the Economic Development Data. In Commercial Building Permits, commercial addition or remodel permits had a high in 2015 at 262 and the low was in 2022 at 149. The commercial / industrial building permits reached a high in 2018 at 22 and a low in 2021 at 7. In Residential Building Permits, single family permits had a high in 2016 at 108 and the low in 2022 at 47. Condos or townhomes permits were high in 2018 at 239 and low in 2019 at 36. Mixed use - multifamily combined high in 2014 at 843 and the low at 2020 with 8. Commercial business licenses had a low of 2,505 in 2013 and it is now closer to 3,000 licenses in 2022. The number of employees reported has consistently stayed around 30,000 since 2014.

The Utah Department of workforce did a comparison of Provo, Orem, Lehi and American Fork. The results for employee count are: 3,442 Provo, 3,756 Orem, 2,380 Lehi and 1,479 American Fork. Employment numbers results are 71,149 Provo, 53,295 Orem, 43,392 Lehi and 26,054 American Fork. Monthly wage results are Lehi is over \$6,000, Provo is over \$4,000. Orem is just under \$4,000 and American Fork is over \$3,500. Ms. Lewis explained that although Orem has the largest average number of firms of the four cities, Provo has the largest average employment and Lehi has the highest average monthly wage. The high tech industry in Lehi drives up the average wage while the hospital and medical industry drives up the employment numbers in Provo.

Ms. Lewis moved on to Office and Retail Vacancy Rates. Central Utah County consists of Orem and Provo. Office buildings have 3 classes with Class A as the best, Class B is Better and Class C is good. Central Utah County has had low vacancy rates in Class A offices. Class B vacancy rates have been between 15 and 20%. Class C vacancy rates have increased since 2019 in Central Utah County.

The City of Orem New Property Tax Increase was under \$100,000 for 2018-2020. In 2021 it jumped to over \$300,000 and then went down to \$200,000 in 2022. The General Fund Sales Tax has been increasing since FY 2018 with the highest being over \$30,000,000 in FY 2022.

Ms. Lewis continued on to talk about the Orem Business Alliance (OBA). It was created in March of 2020. The aim of the OBA is to provide monthly business education, opportunities

for business networking, and connections to valuable resources. An average of 40 businesses attend the monthly lunch events. To date the OBA has held over 50 ribbon cuttings to welcome local Orem businesses into the community. In December, we present yearly awards to standout Orem businesses in three categories: innovation, historic, and community contributor. The aim of the OBA is 3 fold. First, to connect our businesses with valuable resources. Second, provide monthly education on topics of their choices and third, networking.

Ms. Lewis discussed some businesses that are currently Under Construction, which are Smarty Office Space, Nickel Mania, Courtyard by Marriott, Dirty Dough, Maverick and Quench It. Dillards and Buffalo Wild Wings were recently completed at University Place.

<https://www.youtube.com/watch?v=vHATdll8wqc&t=3314s>

Freedom Plaza Concept: *Presenter: Ryan Clark, Assistant City Manager and Rob Beishline, Method Studios*

Mr. Clark introduced Mr. Beishline, from Method Studios, who will be presenting the Freedom Plaza Concept plan. Method Studio was part of the committee to design the Freedom Plaza space. The result of the dialogue from this committee is the direction for the plan. The Goldstar Monument will be the highlight of Freedom Plaza. There are plans to have a replacement “Freedom Tree” in this plaza. Mr. Clark presented a cost estimate for the project. Chief Adams with the Orem police department will spearhead the fundraising efforts for the Goldstar Monument and the Freedom Plaza. A water feature has been suggested as part of the project. Discussions were held about the future of Christmas Lightings at the City Center.

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

Presenter: David Spencer

Mr. Spencer serves on the Senior Commission. They are looking forward to the City Council serving Thanksgiving dinner to them. The dinner will happen on November 17, 2023. REcently there was a funeral held at the Senior Center. He complimented Gina Bertelsen for doing a great job with the seniors. The Beautification Commission is preparing signs for Christmas Lights displays. The Public Safety Commission plans to start up again soon. The Recreation Commission is moving forward. Recently they had the Lakeside Park grand opening.. CARE Commission is completed for the year and looking forward to next year..

AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

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

CONDUCTING

Mayor David A. Young

ELECTED OFFICIALS

David Young, Jeff Lambson, David Spencer, Tom Macdonald, Terry Peterson, LaNae Millett and Debby Lauret

APPOINTED STAFF

Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager/Development Services Director; D. Jacob Summers, Deputy City Attorney; Keri Rugg, Management Services Director; Chris Tschirki, Public Works Director; Brandon Nelson, Finance Director; Bryce Merrill, Library and Recreation Director; Josh Adams, Police Chief; Marc Sanderson, Fire Chief; Jesse Riddle, Director of Legislative Counsel; Jason Bench, Assistant Development Services Director; Peter Wolfley, Communications Manager, PIO; Carlo Okolowita, IT Division Manager; Carson Hardy, Management Analyst; Teresa McKitrick, City Recorder

<https://www.youtube.com/watch?v=vHATdll8wqc&t=5837s>

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT – Val Hale

PLEDGE OF ALLEGIANCE – Mark Seastrand

MAYOR'S REPORT/ ITEMS REFERRED BY COUNCIL

<https://www.youtube.com/watch?v=vHATdll8wqc&t=6094s>

Fire Department Citizen Life Saving: *Presenter: Marc Sanderson, Fire Chief and Chris Tschirki, Public Works Director*

Mr. Tschirki explained the incident that happened with Trent Mallison. Mr. Mallison was installing a sign in the city and reports came that Mr. Mallison had collapsed and life saving efforts were started. Fire Chief Sanderson spoke of the efforts that were made to save Mr. Mallison's life. Chief Ben Williams reported that on April 12, 2023 Mr. Mallison had collapsed and a citizen, James Cahau stepped in and started CPR on Mr. Mallinson. Chief Williams explained that it is essential to start CPR immediately. This will improve chances of survival. Paramedics arrived and took over the medical situation. They were able to get a pulse within a few minutes. Chief Williams recognized the firefighters and police officers that assisted in the incident. They are Firefighter/Paramedic John McGraw, Firefighter/Paramedic Carston Peterson, Firefighter/Critical Care Paramedic Dane Erickson, Firefighter/Critical Care Paramedic Austin McBride, Engineer/Paramedic Steve Trejo, Captain Ryan Kimball, Officer Gavin Johnson and

Sgt John Savage. Mr. James Cahau was given the Citizen Commendation Award. He was an integral part of saving Mr. Mallinson's life. Mr. Mallinson was in attendance.

<https://www.youtube.com/watch?v=vHATdll8wqc&t=6893s>

Constitution Month Proclamation:

Mayor Young read a proclamation that will establish September as Constitution Month in the City of Orem.

Passing of City Manager Daryl Berlin:

Ms. Lauret spoke about the passing of Former City Manager Daryl Berlin. Mr. Berlin served as the Orem City Manager for 14 years (1980-1994) and stepped down after a serious heart attack. He was named City Manager of the Year twice and served under Mayors Jim Mangum, DeLance Squire, Blaine Willis, Joyce Johnson, and Stella Welsh. He was instrumental in making sure women received equal pay; established master plans for sewer, water, streets, parks, and land use; and developed an employee retirement system. Mr. Berlin made the deal to purchase SCERA Park so it would remain a park in perpetuity and not become commercially developed. He helped create WordPerfect Business Park, CEDO, Orem Redevelopment Agency, and many other projects. He accomplished great things for Orem and left a wonderful legacy.

<https://www.youtube.com/watch?v=vHATdll8wqc&t=7263s>

PERSONAL APPEARANCES

Opened at 6:27 PM

Nathan Hoffman, is here to speak about an AirBnB that is advertising that it can hold 25 guests. This property also houses goats. The listing of the house is The GOAT House. He spoke of the noise from the house.

Mary Warner is also speaking about the GOAT house. She is concerned about parking and traffic in the area. She explained that the large home sometimes brings 15 cars.

Doug Warner spoke of a wedding that was recently held at the GOAT house. He explained there is not sufficient parking for a wedding or corporate retreat. The home is advertised for these types of events.

Steve Astle is requesting help from the City Council to make ordinances that will protect neighborhoods. He is pleading for assistance to make their neighborhood friendly again.

Colette Astle is worried that there will be an increase in short term rentals that will detrimental to the Family City USA

Ward Ireland read a letter for Susan Bash who lives in the area and is out of the country. He would like to see an ordinance that limits short term rentals.

Leslie Ireland owns a home across the street from the GOAT house. She is currently renting her house to a single family. She is concerned about the change in the neighborhood

since the GOAT house went into business. She could make more money as an AirBNB but she has chosen to not burden her neighbors.

David Haskell works for the City of Orem. He is concerned about the infrastructure that is affected by this rental. Currently there is no regulation in place to protect the neighborhood.

Randy Schwartz says that the cul-de-sac feels like a wedding is being hosted every week. He is concerned that the City of Orem may have a liability with having that many guests in the home at a time. He says it is advertised as an events center.

Blyden Lantensok wanted to thank the City Council for serving. He is bothered by an election flier that was sent to his home. He is concerned about the Alpine School District and the group Stronger Together.

Gaylin Olsen lives near the GOAT house and he has witnessed high speeds in the area and has noticed a change in the neighborhood.

Chuck & Jodi Hargis lived in the neighborhood for 30 years and have recently moved. She is worried if it is happening in her old neighborhood then where it will happen next.

Mayor reported that a research study will be discussed concerning short term rentals.

Closed at 6:59

<https://www.youtube.com/watch?v=vHATdll8wqc&t=9381s>

CONSENT ITEMS

Approval of Meeting Minutes from August 1, 2023

City Code Updates for Section 2-27-4 (Order of Succession for City Manager); Section 2-5-5 (Powers and Duties of the City Manager); and Section 2-3-4 through 2-3-7 (Election Code)

Appointment of Lorraine Jeffery to the Library Advisory Commission

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

SCHEDULED ITEMS

<https://www.youtube.com/watch?v=vHATdll8wqc&t=9520s>

Public Hearing - Amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning a portion of the property (approximately 0.084 acres) located at 426 East 1070 South from the R6.5 zone to the C2 zone *Presenter: Jason Bench, Assistant Development Services Director*

Mr. Bench introduced the area as the Mi Ranchito parking lot. There is a home that fronts on to a neighborhood street. That home is owned by Mi Ranchito. They would like to rezone a portion for the parking area. This will make their parking lot legal. Mr. Bench reported that neighbors have not shown concerns. The planning commission showed support for the rezone.

Public Hearing opened at 7:19 pm

No Public Comment

Mr. Peterson moved to amend Article 22-5-3(A) and the zoning map of the City of Orem by rezoning a portion of the property (approximately 0.084 acres) located at 426 Est 1070 South from the R6.5 zone to the C2 zone. Mr. Macdonald **seconded** the motion. Those voting yes: David Young, David Spencer, Debby Lauret, Terry Peterson, Tom Macdonald, LaNae Millett, and Jeff Lambson. The motion **passed**.

<https://www.youtube.com/watch?v=vHATdl8wqc&t=10602s>

Public Hearing - Amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning a portion of the property that fronts Geneva road from the OS5 Zone to the PO zone (approximately 4.83 acres) and the remaining property from the OS5 zone to the PRD zone (approximately 4.79 acres) and amending Appendix KK of the Orem City code for the property located generally at 1875 South Geneva Road *Presenter: Jason Bench, Assistant Development Services Director*

Mr. Bench explained that this property is where the Autistic Academy resides. These homes could be purchased by the families of the students that attend the facility. They want to convert the property into housing lots. The homes will be single family homes. Ms. Lauret asked if the homes would be owned by the school. Mr. Washburn, who is representing the Autistic School, gave a brief update of the school and what it does. He reported that there is a demand for family housing for Autistic adults and their families. The original plan was for townhomes but the plan was changed to single family homes to address concerns from neighbors. Mr. Washburn confirmed these homes will be privately owned.

Ms. Trish Nelson who is the executive director and president of the Utah Autism Academy. She started this organization 10 years ago. She wants to create a community that is autism friendly. She explained some of the modifications that may be found in homes for autistic adults and families.

Mr. Bench showed the four house facades. These homes will mostly not have basements and they will not be allowed to have accessory apartments. The counsel asked if the PRD is the right zone choice. There was no recommendation from the planning commission. Mr. Washburn explained they are trying to create a community that will be friendly to their needs. Ms. Nelson explained that this is a new concept and that they will sell the homes and the proceeds will go back to the school. The HOA will be set up to be autistic friendly. This would be 23 homes.

Public Hearing opened at 7:51 pm

Thomas Jason James has autism and is in support of these homes.

Blyden Lantensok asked if the services will be available to down syndrome families.

Pamela Moose from Peyton's Crossing asked who will run the HOA. Mr. Washburn explained that the Autistic School will be in charge of the HOA.

Mayor Young asked how they will get autism friendly buyers. Mr. Washburn explained that the HOA will encourage it by the documents signed. The City Council discussed the allowed and not allowed uses of the PRD zone as well as the HOA.

Sherry Fong in Peyton's Crossing is concerned about the traffic and wants to know where this is in conjunction with the Parkway Connector . She is concerned about whether these homes will be at a set price. Mr. Washburn explained the roads and the land swap for the farmland they will need to use.

John Porter lives in Peyton's Crossing. He is concerned about the traffic on 800 South. He believes this will put an unfair burden on his neighborhood. He wants the green road to connect to Geneva Road. He would like to see an HOA agreement given to the City Council to look at.

Craig Brady is an Orem resident and grandfather to a 22 year old autistic child. He believes that Orem has an opportunity to set a precedent for the county that can be replicated.

Susan Lantensok is concerned that the homes will be too expensive for autistic families.

Connie Porter lives in Peyton Crossing and has friends that have autistic children and she is concerned about the safety of the autistic children.

Public Hearing closed at 8:14 pm

Discussions were held by the City Council about why the emergency road could not be a permanent road and is the emergency/secondary access road sufficient for the neighborhood until other developments come in. Ms. Nelson explained that the road would not be able to be permanent because it runs through the school's playground. The City Council discussed traffic and safety issues. Chief Sanderson and Chief Adams both felt that the secondary access would be sufficient for emergency use. Other discussions were about making some lots bigger or homes larger.

Mr. Macdonald moved to Amend Article 22-5-3(A) and the zoning map of the City of Orem by rezoning a portion of the property that fronts Geneva road from the OS5 Zone to the PO zone (approximately 4.83 acres) and the remaining property from the OS5 zone to the PRD zone (approximately 4.79 acres) and amending Appendix KK of the Orem City code for the property located generally at 1875 South Geneva Road. Seconded by Debby Lauret. Those voting yes: David Young, David Spencer, Debby Lauret, Tom Macdonald, LaNae Millett, and Jeff Lambson. Those voting nay: Terry Peterson. The motion **passed**.

CITY MANAGER INFORMATION ITEMS

Mr. Bybee invited the City Council to attend the Employee Appreciation Luncheon on Thursday, August 24, 2023.

ADJOURN

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

PASSED and APPROVED this 19th day of September 2023.


David A. Young, Mayor

ATTEST:


Teresa McKittrick, City Recorder



COUNCILMEMBER

AYE NAY ABSTAIN

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