

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
September 26, 2023

4:00 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; Chris Tschirki, Public Works Director; Josh Adams, Police Chief; Brandon Nelson, Finance Director; Keri Rugg, Management Services Director; Bryce Merrill, Library and Recreation Director; Lon Myers, Assistant Fire Chief; Peter Wolfley, Communications Manager, PIO; Jesse Riddle, Director of Legislative Counsel; Gary McGinn, Assistant City Attorney; Jason Bench, Asst Development Services Director; Giles Demke, Water Reclamation Section Manager; Doug Fitt, Systems Engineer; Ryan Johnson, Water Reclamation Section Manager; Sam Kelly, City Engineer; Reed Price, Assistant Public Works Director; 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”

<https://www.youtube.com/watch?v=td-4bB1WUsw&t=0s>

New Orem Flag Ceremony:

Mike Hickman, Seth Swenson, Grady Wroblewski, and Trevor McGinty (from the Orem Fire Department) presented the U.S. flag, the Utah flag and the new Orem City flag. The three flags were raised in the ceremony.

Ballot Center Virtual Tour: *Presenter: Peter Wolfley, Communication Manager, PIO and Teresa McKitrick, City Recorder*

Mr. Wolfley played a pre-recorded video of the Utah County Ballot Center Tour. Mr. Tony Lara from Utah County led the tour and attended our work session to answer questions. The video walked through the different machines that are used in ballot processing. He also explained the security measures that Utah County has put in place to secure the votes. This video tour can be seen at [orem.org/elections](https://www.orem.org/elections).

<https://www.youtube.com/watch?v=td-4bB1WUsw&t=2795s>

Mr. Lara answered questions from city council about how ballots are sorted, security of votes, signature verification, the “track my vote” app, releasing of results after the election and how to watch the election process.

<https://www.youtube.com/watch?v=td-4bB1WUsw&t=4328s>

***Sewer Code Update:** Presenter: Reed Price, Assistant Public Works Director and Giles Demke, Water Reclamation Section Manager*

Mr. Price presented earlier this year and this is a follow up to that presentation. Earlier there was a stand alone Pretreatment Ordinance passed. Mr Price did a quick summary of the pretreatment ordinance. This work session will focus on the Water Reclamation Code, which is Chapter 20 of the city code. The things that will change in the code are general housekeeping, which is updated definitions and standardized correct terminology. Other items changing are the removal references to most Pretreatment regulations and it will define sewer requirements for ADUs. Pretreatment regulations were put in their own section, section 11, this will allow the EPA jurisdiction over the pretreatment regulations only. This gives Orem flexibility with the rest of the sewer code. The updated code will prohibit the discharging of “flushable wipes”, provide requirements for acceptance of a private sewer main to public ownership, and enhanced regulation for fats, oils and grease.

The next step is to finalize changes, open the code up to public comment for 30 days, comments from the public will be reviewed and considered, and then the updated code will be presented at a future City Council meeting. The city council had questions about what is appropriate to put into the sewer system. The council would like to see efforts made to inform the public of appropriate sewer practices.

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 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; Gary McGinn, Assistant City Attorney; Keri Rugg, Management Services Director; Chris Tschirki, Public Works Director; Bryce Merrill, Library and Recreation Director; Josh Adams, Police Chief; Sam Kelly, City Engineer; Jesse Riddle, Director of Legislative Counsel; Jason Bench, Assistant Development Services Director; Peter Wolfley, Communications Manager, PIO; Carson Hardy, Management Analyst; Teresa McKitrick, City Recorder

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT – Teresa McKitrick

PLEDGE OF ALLEGIANCE – Carson Hardy

MAYOR'S REPORT/ ITEMS REFERRED BY COUNCIL

<https://www.youtube.com/watch?v=td-4bB1WUsw&t=8281s>

“Why I Love America” Contest Winners: *Presenter: Peter Wolfley, Communication Manager, PIO*

Mr. Wolfley explained to the council about the “Why I Love America” contest for Constitution Month. As part of the Constitution Month the city celebrated in many ways, two of these ways were the essay contest and the art contest. Mr. Wolfley announced the winners and presented the awards. Starting with the youth art contest winners we have Abigail Hunsaker, the thing she loves about America is the freedom to express herself through art and writing. The adult art contest winner is James Sands, he submitted a photograph of a flag on a barn, titled our “Flag Was Still There.” Mr. Wolfley next presented to the essay winners, the topic was “How the U.S. Constitution affects your everyday life” . Third place was Rio Barney, second place Leah Collins and first place to McKenna Epperson.

<https://www.youtube.com/watch?v=td-4bB1WUsw&t=8575s>

Library Advisory Commission Report: *Presenter: Bryce Merrill, Library and Recreation Director and Jonathan Wayas, Library Advisory Commission Chair*

Mr. Merrill introduced Mr. Wayas from the chair of the Library Advisory commission. Mr. Wayas reported on the summer reading program. They had over 2,000 participants with about 60 % completing the program. The library has started an adult reading challenge that runs all year. The goal is to read 15 books in the year. Orem reads is a program that started in 2007. The 'Orem Reads' book that will be read in October is Frankenstein by Mary Shelley. The library has many events planned throughout the month. Mr. Lambson, Ms. Lauret and Mayor Young all expressed appreciation for the library board and all that they do. Mr. Merrill is appreciative of his board and what they do for the library as well. Ms. Millett, who currently serves on the commission as the council representative, said she has enjoyed her time serving on the board. She is impressed by what they have accomplished.

<https://www.youtube.com/watch?v=td-4bB1WUsw&t=9106s>

PERSONAL APPEARANCES

Opened at 6:21 PM

Justus Thomas would like to speak about the Transportation Master Plan and how it relates to the bicyclists. He has spoken to many parents who have children that bike to school. Parents are concerned there are not adequate bicycle safety lanes. He would like to see bike safety as part of the transportation master plan.

Jason Jolley is here in support of the library. He has benefited from the displays and is wondering what is the reason for the step back from the heritage displays. He would like to see the displays come back that will help children learn about different cultures or heritages.

Bennett Cookson supports the addition of more bike lanes in the city. He bikes often and would like to see alternate routes and dedicated spaces for bicycle lanes. He would also like to see bushes that produce thorns sprayed or taken out where bikes travel. He is concerned about the orchard in the area that uses irrigation water. He has heard the canals could see a reduction in water.

Ashton Jensen came across an elderly man who was crossing the road near Winco and he was not able to cross the street before the light changed. The timing on the light was not long enough for the gentleman to cross at his slow pace. He is in support of the active transportation plan for pedestrians and bikers. Ashton has noticed and is concerned about drivers who are driving while using their phone. He is asking if there is anything that the council

Romay Allen has two petitions she would like the city council to consider. The first is about a reduction in light pollution at night. Specifically she is referring to lights that flash and are too bright. The second petition is concerning the telecom companies overreach into cities. There is a bill called HB3557 that gives complete control of cell towers to telecom companies. She claims the FCC has lost a lawsuit because they are ignoring research. She said the research

shows that cell towers are harmful. She is submitting ordinances that have been implemented in other cities.

Thomas Cook would like to thank the council and city manager for what they have done to benefit the City of Orem. He appreciated the opportunity to vote on the Orem School District and that decisions were not made for him. He would like to encourage Orem citizens to pay attention, do research and vote in the upcoming election.

Heather Fry thanked the participants in the Why I Love America and the city council. She continued to discuss the lack of civility shown online after last week's city council meeting. She is appreciative of the mayor, city council and city employees. She supports those who pursue truth and she spoke of being attacked on social media after her comments at the last city council meeting. She believes there are people in our community who say their goal is to bring us together but they are tearing us apart.

Shanna Mecham has lived in Orem for many years. She enjoys events in Orem and often travels the city by bike. She is here representing Bike Orem. Their goal is to improve the social and physical health of Orem families by making more accessible safe and comfortable routes for those walking and cycling. She said 50% of all vehicle trips are 3 miles or less. She explained some benefits of biking and would like to see the bike plan as part of the transportation master plan. Family streets for family city. She would like the 2010 bike plan updated and integrated.

Timo Christensen agrees with the transportation plan cover letter but he would like the following issues addressed: safety for non vehicle transporters, bike plan needs an update, and support from the council for an active transportation plan.

Stacy Golding has lived here for many years and she enjoys all the Orem activities on her cargo bike. She applauded the city for the improved amenities her family enjoys. She spoke of the benefits of biking and the trend for families to choose to travel by cargo bikes. Her concerns are that Orem is not safe for bike travel because of traffic and congestion. She presented the positive impacts of a bike infrastructure including a boost in economy because bikers tend to shop locally, it increases property values, attracts businesses, it can reduce traffic congestion, it improves air quality, increases emotional well-being, decreases health care costs reduces the demand for parking and can increase travel and tourism.

Elyssa Morrill is in support of a new active transportation master plan. She was not always a biker but she has a cargo bike that she uses throughout the City of Orem. She claims that Orem's current bike routes are not utilitarian, noting State Street specifically. She has been treated rudely by people in cars and she would like to see a buffer between cars and bikes. This type of investment would be good for building community and good for local businesses.

Jessica Isbell is a new Orem resident and her daughter attends Cascade Elementary. She decided to start riding bikes to the school. She has had to change her route three times because she is not able to find a safe bike route to the school. She suggested that the city council look into creating safe bike routes.

CONSENT ITEMS

Resolution for Healthy Utah Community: *Presenter: Gary McGinn, Assistant City Attorney*

Ms. Lauret moved to approve by resolution the Healthy Utah Community. Ms. Millett **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=td-4bB1WUsw&t=11457s>

Resolution to Adopt the updated City of Orem Transportation Master Plan and amending the Orem City General Plan to include the updated City of Orem Transportation Master Plan in Appendix F. *Presenter: Sam Kelly, City Engineer*

Mr. Kelly introduced John Dorney, who was the consultant with Horrocks Engineers and will be Orem's new full-time Transportation Engineer. Mr. Kelly briefly went over the slideshow that he presented last week to the city council in the work session. This transportation plan is an update of the 2015 Transportation Master Plan. Ms. Millett asked about the projected growth of Orem. The projected growth takes into account the undeveloped areas, the trends of population and the growth in neighboring cities. The state is projecting Orem's buildout growth to be around 120,000. The census numbers are lower than the state projections.

Mr. Macdonald and Mr. Peterson wanted to know what the differences were between the city plan and the planning commission recommendations. The planning commission recommended removing the overpasses/interchanges at 800 South and 1200 North, removing the widening projects related to the 800 East and 800 West corridors, removing the 1600 North from the project east of State Street, and the 800 West connection to Campus Drive should remain closed. The city agrees that 800 East and 1600 North projects should be removed but the other projects have some merit. Mr. Kelly explained some benefits to the overpass/interchanges. He also spoke about the narrow area on 800 West that has no bike lanes and is a choke point.

The other point highlighted by the planning commission refers to connectivity. Connectivity can help with traffic circulation, it has some utility connections benefits and it can provide different access points in an emergency. The benefit of University Parkway is that they have connected parking lots and State Street does not. Ms. Millett is wondering if MAG would fund connectivity on State Street. Mr. Kelly explained that the State has \$45 million annually to put towards active transportation and it would be helpful to use MAG money for State Street. Ms. Millett reminded the public that Ms. Lauret and Ms. Millett are passionate about the beautification of State Street. Mr. Clark said that when things get rezoned then the city can use the transportation plan to make future changes.

Mr. Peterson asked what Mr. Kelly meant about the plan being politically sensitive. Mr. Kelly answered that he is a numbers guy and he tends to support the plans that are backed by the numbers. There is pass through traffic in Orem but he wants to provide citizens alternate routes.

Mr. Macdonald asked about the overpasses and bike riders who want to go North and South. Mr. Kelly explained that the active plan would either mean widening streets or taking out parking. Mr. Macdonald is concerned bikes on State street might not be a safe option. Ms. Millett would like the council to explore the state street option.

Ms. Lauret is concerned about the growth of Vineyard and wants to know if the overpasses will help alleviate some of the traffic from that growth. Mr. Kelly's response was that the overpasses would be more for local traffic and not pass through traffic. Ms. Lauret would also like to see an update to the bike plan. Mr. Kelly stated the overpasses would have an active transport component.

Mr. Lambson informed the council that there are avid bikers who are on the Transportation Advisory Commission. He would like Mr. Kelly to go over the timeline. Mr. Kelly responded that the larger projects would take years to complete and would likely not be done until 2030 or later. It would be done one corridor at a time. Some projects could be accelerated if they have a benefit to the State.

Mr. Peterson has been serving on the planning commission as the council representative. Mr. Peterson is in disagreement with the overpasses. He doesn't believe the suggested plan benefits Orem, he believes it benefits surrounding areas. He supports the planning commission suggestions. Mr. Kelly explained that the transportation plan only identifies areas that need to be addressed in the future. There would be studies done before any plan.

Mayor Young is wondering about 800 West and he would like to see that area studied. Mr. Bybee is wondering about changing the language to represent options for hot spots that are not limited to expanding the road. Mr. Kelly agrees that the transportation plan can look at hot spots or choke points. Ms. Millett is not comfortable with 800 East being on the plan. She is also not in favor of taking the parking away from 1600 South homes. She is in support of the planning commission recommendations and of an updated active transportation plan.

Mr. Macdonald asked about the planning commission and their major concerns with the transportation master plan. Mike Carpenter from the Planning Commission spoke to the discussions the planning commission had about the Transportation Master Plan.

Mayor Young agrees with Ms. Millett about looking into seeing if we can use State money to improve State Street. He thinks that stopping the apartments being built has helped Orem. He wants the bike plan updated. He doesn't agree with the overpasses being built in Orem.

Mr. McGinn reviewed what he has heard from the City Council discussions, clarifying what the council would like to see in the updated Transportation Master Plan. Ms. Millett would like to keep exhibit C left into the plan. Mayor Young would like to have the pursuit for MAG funding for active transportation on State Street added to the plan. Ms. Millett would like to add beautification of State Street into Mayor Young's suggestion.

Mr. McGinn asked about the red text that the planning commission is recommending. Mr. Kelly is not in support of the red text because it is subjective language. Mr. McGinn read the red text. The red text changes some of the 'must' language to 'may' language. The city council was in favor of the language suggested by the planning commission. Mr. Peterson would like to see a cleaned up version for the next meeting.

Mr. Spencer moved to continue the Transportation Master Plan resolution to the October 10, 2023 meeting. Ms. Millett **seconded** the motion. Those voting yes: David Young, David Spencer, Debby Lauret, Terry Peterson, Tom Macdonald, LaNae Millett, and Jeff Lambson. The motion **passed**.

Ordinance for Campaign Financial Disclosure Requirement for Elected Officials

Presenter: Gary McGinn, Assistant City Attorney

Mr. McGinn explained the ordinance amends and adds to 2-3-4 of the Orem City code concerning campaign finance disclosures. He continued that section A requires the candidates to follow the state code for their disclosure statements. Section B requires an elected official to file an annual financial disclosure each August 1st to cover any contributions or expenditures that may have happened since the last campaign financial disclosure. If an elected official fails to file by the due date then the city recorder can accept the disclosure late with a fine. After 10 days then it is an infraction with a fine of no more than 750 dollars. Elected officials who hold office as of today will need to file a financial disclosure report by October 15, 2023.

Ms. Millett suggested moving this year's disclosure to October 10, 2023. Mr. McGinn explained that the financial report will cover through September 30, 2023. Ms. Millett also suggested that we change the file date each year to match the fiscal year of June 30th. The other changes were to change the extension date to 5 days instead of 10 and to make the fine \$250 a week until the financial disclosure is filed.

Ms. Lauret moved to approve an ordinance amending section 2-3-4 Campaign Finance Disclosure of the Orem City Code to adopt the new transparent regulations as shown in Exhibit A. Mr. Lambson **seconded** the motion. Those voting yes: David Young, David Spencer, Debby Lauret, Terry Peterson, Tom Macdonald, LaNae Millett, and Jeff Lambson. The motion **passed**.

COMMUNICATION ITEMS

CITY MANAGER INFORMATION ITEMS

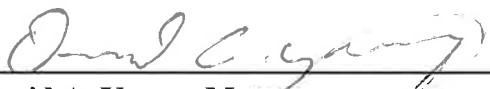
Mr. Bybee expressed appreciation for Mr. McGinn assistance today. He also reminded the city council that a new audio/visual system will be installed tomorrow. Mr. Bybee also gave kudos for constitution month. Over 360 copies of "Why I Love America" were received by

citizens at the library this month. He also asked the city council to watch their calendars for fun fall activities coming up.

ADJOURN MEETING

Mrs. Lauret moved to adjourn the meeting, **seconded** by Mr. Spencer. 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 10th day of October 2023.



David A. Young, Mayor

ATTEST:



Teresa McKittrick, City Recorder

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

