

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
October 24, 2023

4:30 P.M WORK SESSION - CITY COUNCIL CONFERENCE ROOM

CONDUCTING	Mayor David A. Young
ELECTED OFFICIALS	David Young, David Spencer, Tom Macdonald, Terry Peterson, LaNae Millett and Debby Lauret (Jeff Lambson by Zoom)
APPOINTED STAFF	Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager/Development Services Director; D. Jacob Summers, Deputy City Attorney; Brandon Nelson, Finance Director; Keri Rugg, Management Services Director; Bryce Merrill, Library and Recreation Director; Marc Sanderson, Fire Chief; Gary McGinn, Assistant City Attorney; Carlo Okolowitz, IT Division Manager; Jesse Riddle, Director of Legislative Counsel; Jason Bench, Asst Development Services Director; Peter Wolfley, Communications Manager, PIO; 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=jCKmhr13uks&t=823s>

City Council Recap of Fall Events & Lights On Overview: *Presenter: Karina Eckern, City Events Coordinator and Bryce Merrill, Library and Recreation Director*

Mr. Merrill introduced Ms. Eckern and he explained this will be a recap of the fall events and preview to the Lights On event. Ms. Eckern highlighted the fall events: 1) Orem City supported the Orem Community Hospital’s Harvest Festival which promotes healthy living, wellness and citywide programs. 2) The Fire Prevention Night which was about fire safety. 3) The Eclipse Magic Show which was put on by the Orem Library for families to watch the solar eclipse. This event was highly attended. 4) The All Together Playground was rededicated after being resurfaced. 5) The final event was the annual Truck or Treat. Some of the vehicles at the event were the US Coast Guard, Prisoner Transport, UTA Bus, Waste Management trucks and

Bucket Truck from Rocky Mountain Power. Face painting and goodie bags were part of the event.

Ms. Eckern continued to discuss the Lights On Ceremony. Mr. Merrill spoke about the history of the Light On Ceremony. The event will be moved to the City Center Park because of the construction. The event is November 27th. The night will begin at 5 pm with the Mayor's remarks at 5:30 pm, followed by Miss Orem leading the crowd in "Santa Claus is Coming to Town." Santa will arrive on the new City train at 5:45 pm and the lights will flip on at 5:55 pm. There will be entertainment on the stage from 6-7:30 pm. There will also be a Christmas Market. Utah Holiday Lighting is a local company that will be stringing the lights for the event. The City Council was supportive of the event.

<https://www.youtube.com/watch?v=jCKmhr13uks&t=1731s>

Proposed Ordinance 13-1-11 Amending Park Lighting and Closure: *Presenter: D. Jacob Summers, Deputy City Attorney*

Mr. Summers explained that the new amendment would allow or extend park hours under certain circumstances. The reason for the amendment is to attract and secure regional, national and international recreation. The way this can be done is by a creation of a permit process that would be managed by the recreation department. The current language of 13-1-11 says "All City parks shall be closed between the hours of 11:00 pm and 5:00 am. It shall be unlawful for any person other than City employees performing their duties to be in a park when it is closed. Exception for Oremfest Celebration." The proposed amendment would include the following parks: City Center Park, Community Park, Hillcrest Park, Lakeside Park and Windsor Park. The proposed amendment and permit process will include first, submission of application and pay fees, second, ordinance provides for denial of permit for inference with city-approved events or if the undue disturbance to the neighborhood. Third, the ordinance provides conditions, fourth, it requires City staff to be on-site for beyond normal operating hours. And fifth, permits may be revoked if conditions are violated.

Mr. Peterson suggested keeping Hillcrest Park into the late night hours since there are no close neighbors. Mr. Macdonald is worried about the impact on neighborhoods, especially Windsor Park. Mr. Merritt explained that these late hours would be for limited weather exceptions and the goal would be to have rentals completed prior to 11:00 pm.

<https://www.youtube.com/watch?v=jCKmhr13uks&t=2720s>

Proposed City Boundary Adjustments: *Presenter: Jason, Bench, Assistant Development Services Director and Gary McGinn, Assistant City Attorney*

Mr. Bench is discussing three boundary issues that need to be cleaned up. Mr. McGinn explained that state law allows two communities that have joining boundaries to adjust their boundaries so that the jurisdictional limits shrink or grow depending on the ultimate resolution.

There is a potential for three boundary adjustments with Provo City. Two are initiated by staff and one is applicant initiated. In State Code it requires a council to pass a resolution indicating an attempt to adjust the municipal boundary. Once the resolution is passed and not less than 60 days, a public hearing will need to be held on whether boundaries should be adjusted. The passing of the resolution is not adjusting boundaries of the city, it is merely indicating an intent that a boundary might be changed. The public hearing will allow for discussion on the topic with the residents. A week ago, Provo City passed a resolution for the boundary change process. The goal would be to pass this resolution on November 14, 2023.

Mr. Bench continued to show the proposed boundary changes. The first is on 2000 South from Columbia Lane to approximately 400 East. This road is currently part of Provo City but Orem maintains and plows the road. Part of the area is owned by Orem but is in the Provo boundary. Provo has agreed to shift the boundary to the South curblane.

Mr. Bench showed the second proposed boundary change that is located at app 1030 East and 1700 South . The new boundary would follow the property lines of current properties. This will put one property in Provo city limit instead of having one property split between two cities. This would not benefit or hurt Orem; it would just clean up the boundary lines. These are the two staff initiated boundary changes.

Mr. Bench presented the third proposed boundary change that an applicant initiated. This boundary change is located near the mouth of the canyon, approximately 1550 East and 700 North. The applicant is wanting to change the boundary to enable them to build residential units in Provo. The property in Orem they intend to build out commercially. The Mayor and other Councilmembers are concerned about the commercial side of this project. They would like to see a timeline or commitment to finish the commercial side and not just the residential. Mr. McGinn discussed the possibility of a development agreement.

The applicant and developer, Mr. Jamie Chapman and Jim Ivory were present and spoke to the group. They explained that 90% of the residential area is Provo with only 10% in Orem. They believe that splitting this development is problematic for a few reasons like school districts, deliveries and address confusion. The main reason is the ease to the water main. Provo also has deeper sewer lines and that will allow them to gravity flow into Provo instead of pumping into Orem. There are 3 phases: phase 1 residential, phase 2 hospitality (boutique hotel or short-term rentals) and phase 3 Restaurant Village. The city council had questions about the timeline, the funding, and possible development agreements. Mr. McGinn explained the resolution approval is the next step. He also reviewed the concerns of the project.

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, David Spencer, Tom Macdonald, Terry Peterson, LaNae Millett, and Debby Lauret (Jeff Lambson by Zoom)

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; Brandon Nelson, Finance Director; Bryce Merrill, Library and Recreation Director; Marc Sanderson, Fire Chief; Jesse Riddle, Director of Legislative Counsel; Jason Bench, Assistant Development Services Director; Carlo Okolowitz, IT Division Manager; Peter Wolfley, Communications Manager, PIO; Carson Hardy, Management Analyst; Teresa McKitrick, City Recorder

<https://www.youtube.com/watch?v=jCKmhr13uks&t=6304s>

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT – John Valentine

PLEDGE OF ALLEGIANCE – Karen Valentine

MAYOR'S REPORT/ ITEMS REFERRED BY COUNCIL

<https://www.youtube.com/watch?v=jCKmhr13uks&t=6521s>

Heritage Commission Veteran's Day Legion *Presenter: Peter Wolfley, Communications Manager, PIO and Rodney Gardner, Commander of Post 72 of the American Legion*

Mr. Gardner, who serves on our Heritage Advisory Commission, spoke on the upcoming Veteran's Day Program. He invited the Mayor and City Council to the program on November 11, 2023 at 11 am at the Orem City Cemetery. Ninzel Rasmuson will be at the program and she is the American Legion Department of Utah Commander.

<https://www.youtube.com/watch?v=jCKmhr13uks&t=6606s>

Donation from the American Legion *Presenter: Rodney Gardner, Commander of Post 72 of the American Legion*

Mr. Gardner and other members of Post 72 of the American Legion presented a donation to the City of Orem. It was a \$4,000 check for the purpose of purchasing the Freedom Tree for

the new Freedom Plaza. He recognized Walker Sanderson Mortuary as a contributor to Post 72 of the American Legion as well as other organizations that have donated to their post.

<https://www.youtube.com/watch?v=jCKmhr13uks&t=6941s>

Recreation Advisory Commission *Presenter: Bryce Merrill, Library and Recreation Director*

Mr. Spencer shared some thoughts about the passing of Skip McWhorter who passed away on September 22, 2023 and was serving as the chair on the Recreation Advisory Commission at his passing. He spoke of his service to the City of Orem and the impact he had on those he encountered.

Mr. Merrill presented on the Recreation Advisory Commissions and the projects they were involved with in 2023. These projects include the Hillcrest Park which is nearing completion. The children's playground will be opened on November 14, 2023 during the city council work session. Lakeside Park has reopened with the new turf fields. The Fitness Center was flooded and the repairs will be completed this year. The Fitness Center has had increased memberships and use by residents. The SCERA Pool has improvements coming which include a new Splash Pad in 2024 and updates to the facilities/facade.

<https://www.youtube.com/watch?v=jCKmhr13uks&t=7513s>

PERSONAL APPEARANCES

Opened at 6:27 PM

Blyden Loutenzock visited a city council meeting in Burbank, CA a few weeks ago. This has made him appreciate Orem's City Council and Mayor. He continued to discuss a letter he received from the Lt. Governor's office. He believes that the Stronger Together PIC is still ongoing in their efforts. He is asking the City Attorney what is the status of the case.

Martha Harrison is here to represent the cottage people. This is the Cottages of the Fields, just off Geneva Road. She wants to bring up the issues in this area. She claims that the development was not completed as originally submitted. She would like Orem City to put pressure on the development to complete the project. She was referred to Mr. Bench in Development Services.

Jordan Christensen is a Vineyard resident. He is here to discuss the pedestrian fatality on 400 South. He believes that this will happen again if the City of Orem and Vineyard don't take immediate action. Mayor Young explained that he has spoken with the Vineyard Mayor and that this area is being discussed.

Tyler Haroldsen is a Vineyard resident. He is here to discuss the same pedestrian fatality as well as a student who was injured over a year ago. He is asking the City to do something and make this safer. He would like to see improvements to the Master Plan to protect pedestrians.

John Barrick is here to speak about election interference. He read parts of the letter from the Lt. Governor's Office. He says that Stronger Together PIC has dissolved but they sent 6 letters prior to this dissolution. He is saying the Stronger Orem is the same PIC as Stronger Together. He wants the City Attorney to look into this matter.

Mayor Young asked Jesse Riddle, Director of Legislative Council, to give an update on the election interference. He has verified that Lt. Governor has received the complaint. There has been a referral sent to the County Attorney and there is an open investigation.

CLOSED 6:47

CONSENT ITEMS

Approval of Meeting Minutes October 10, 2023

Ms. Lauret moved to approve the October 10, 2023 Minutes. Ms. Millett **seconded** the motion. Those voting yes: David Young, Debby Lauret, Jeff Lambson, David Spencer, Terry Peterson, Tom Macdonald, and LaNae Millett. The motion **passed**.

SCHEDULED ITEMS

<https://www.youtube.com/watch?v=jCKmhr13uks&t=8815s>

Amending the Fiscal Year 2023-2024 Budget *Presenter: Brandon Nelson, Finance Director, CPA*

Mr. Nelson discussed Exhibit A of the Budget Amendment. He explained that periodically there is a need to amend the budget. The city received multiple grants that need to be added to the budget. These grants include those for the police department. There was a park's vehicle that needed to be replaced and that has been added to the budget. There were federal funds received for the police department. Interest funds have also been added.

Ms. Lauret asked about donations for the Freedom Plaza. Mr. Nelson explained that donations for the plaza will depend on if the donation needs to be not for profit. Ms. Lauret asked how much had been raised. Mr. Bybee explained that we have a few commitments but have not collected funds, except for today's donation.

PUBLIC HEARING OPENED at 6:57 PM

No Comments

PUBLIC HEARING CLOSED 6:57 PM

Mr. Macdonald moved to amend the Fiscal Year 2023-2024 Budget. Mr. Peterson **seconded** the motion. Those voting yes: David Young, Debby Lauret, Jeff Lambson, David Spencer, Terry Peterson, Tom Macdonald, and LaNae Millett. The motion **passed**.

<https://www.youtube.com/watch?v=jCKmhr13uks&t=9397s>

Amending a portion of Section 22-2-1 Definitions and Appendix A of the Orem City Code by enacting Standard Land Use Code 7313-Agritainment as a permitted use in the OS5/ROS zone. *Presenter: Jason Bench, Assistant Development Services Director*

Mr. Bench is speaking about the property called Wilkerson Farms. He is here to create an Agritainment to the City Code and to allow Wilkerson Farms to be in this new zone. They are farming with some agritainment.

Rachel from Wilkerson Farm spoke about Wilkerson Farm. She gave a brief description of the history of the farm. They grow and donate to the local food pantries. She explained that farming is what they love to do but the agritainment is how they fund their farming efforts.

Ms. Lauret serves on Tabitha's Way board and she complimented the Wilkerson Farm on their donations to families in need. Mr. Peterson, Ms. Millett and Mayor Young spoke of their support of the farm.

PUBLIC HEARING OPENED at 7:05 PM

Linda Brown lives by the farm and she loves this farm. She is in support of their efforts.
PUBLIC HEARING CLOSED 7:06 PM

Mr. Spender moved to amend a portion of Section 22-2-1 Definitions and Appendix A of the Orem City Code by enacting Standard Land Use Code 7313-Agritainment as a permitted use in the OS5/ROS zone.. Mr. Macdonald **seconded** the motion. Those voting yes: David Young, Debby Lauret, Jeff Lambson, David Spencer, Terry Peterson, Tom Macdonald, and LaNae Millett. The motion **passed**.

<https://www.youtube.com/watch?v=jCKmhr13uks&t=9397s>

In God We Trust Resolution. *Presenter: D. Jacob Summer, Deputy City Attorney*

Mr. Summers gave this presentation to the council in the work session. He is here to adopt the resolution to adopt the motto of "In God We Trust." Mr. Summers gave a short history to the motto. The resolution will allow the motto to be displayed in the new council chambers and incorporated into the freedom plaza. Ms. Millett thanked Mr. Summers for his presentation. Ms. Lauret is in support of this resolution. Mr. Macdonald is grateful for the united front for the entire council. Ms. Millett agrees on this unity. Mayor Young explained how this resolution

came about. He spoke with some volunteers at a booth that was working on this movement. He was surprised to find that there was only one city in Utah that had joined this movement. The council wanted to support this in the City of Orem.

Mr. Spencer moved to adopt the “In God We Trust” Resolution. Mr. Peterson **seconded** the motion. Those voting yes: David Young, Debby Lauret, Jeff Lambson, David Spencer, Terry Peterson, Tom Macdonald, and LaNae Millett. The motion **passed**.

COMMUNICATION ITEMS

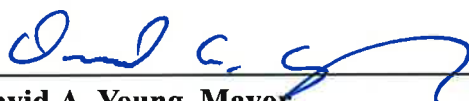
CITY MANAGER INFORMATION ITEMS

Mr. Bybee went over the events planned for the work session on November 14, 2023. He also explained that employee health benefits will not be going up due to the city’s ability to negotiate.

ADJOURN MEETING

Mr. Macdonald moved to adjourn to a closed session to discuss pending, **seconded** by Mr. Spencer. Those voting yes: David Young, David Spencer, Debby Lauret, Jeff Lambson, Terry Peterson, Tom Macdonald, and LaNae Millett.. The motion **passed**.

PASSED and APPROVED this 14th day of November 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



