

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
April 23, 2024

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

CONDUCTING

Mayor David A. Young

ELECTED OFFICIALS

David Young, David Spencer, LaNae Millett, Jeff Lambson, Tom Macdonald, Chris Killpack and Jenn Gale

APPOINTED STAFF

Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager/Development Services Director; Steve Earl, City Attorney; Keri Rugg, Management Services Director; Brandon Nelson, Finance Director; Marc Sanderson, Fire Chief; Bryce Merrill, Library and Recreation Director; BJ Robinson, Deputy Police Chief; Jason Bench, Assistant Development Services Director; Trevor Bell, Budget Division Manager; Ty Peay, Assistant Public Works Director-Public Service; Carlo Okotowitz, IT Division Manager; Peter Wolfley, Communications Manager, PIO; Melanie Varela, Communications Specialist, Deputy 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”

Arbor Day Celebration and Tree Planting

In attendance: Mayor, City Council and Executive Staff

Mayor Young spoke about gathering to celebrate Arbor Day and to plant three trees in the City Center park. Orem City has had the Tree City USA distinction for the last 31 years. There are four standards by the Arbor Day Foundation to qualify as a Tree City which are 1) maintain a tree board or department, 2) have a community tree ordinance, 3) spend at least \$2 per capita on urban forestry - in Orem that is \$200,000 and 4) celebrate Arbor Day. Orem City has more than 7000+ city owned trees. He thanked Josh Story, the Urban Forester, for all of his hard work.

Budget: CIP Presenter: Brandon Nelson, CPA, Finance Director and Taggart Bowen, Acting City Engineer

Mr. Nelson introduced the Capital Improvement Projects (CIP) Budget. Mr. Bowen gave a capital/CIP summary. The CIP fund \$4,018,000, water fund \$1,944,588, water reclamation fund \$4,165,650, storm water fund \$2,040,645 and streets \$4,970,378. The total is \$17,139,261. The CIP fund is made up of LWCF grant reimbursement (\$412,000), CARE tax (\$1,468,000) and Lakeview Parkway funds (Fund 24, \$500,000). The CIP funds will be used for the following park improvement projects: cabin restoration (Heritage Park) \$200,000, Center Street and 800 North landscaping (year 1 of 3) \$450,000, Windsor park improvements \$1,750,000, parks fiber & security project (year 1 of 4) \$50,000, bike skills trails park phase 3 \$220,000, and parks sidewalk leveling (year 1 of 4) \$50,000. This totals \$2,720,000.

Mr. Bowen explained the transportation projects of the CIP are the ongoing annual transportation improvements \$200,000, 1200 West/Center Street Intersection -MAG (year 3 of 3) \$50,000, Lakeview Parkway - MAG (year 3 of 3) \$500,000, trail improvement fund \$50,000, and bike plan update (active transportation plan) \$50,000. This total is \$850,000. The last part of the CIP is a library project to remodel the administrative area of the Orem Library for \$448,000.

Mr. Bowen spoke about the building maintenance projects. These projects include bike racks at public parks and facilities \$5,000, recreation center diamond plate installation \$7,000, Biosolids building improvements \$37,000, Orem senior center freezer condenser replacement \$13,000, new city center security cameras and locks \$110,000 and fire station bay doors \$70,000. This total is \$242,000. For ongoing funded projects in building maintenance department include the recreation center snow melt system (year 1 of 3) \$20,000, SCERA pool locker room boilers (year 1 of 3) \$44,000, SCERA concrete deck replacement (year 1 of 3) \$37,800, painting all buildings (year 1 of 3) \$35,000, public works roof replacement \$138,850, and public works rooftop HVAC unit replacement (year 4 of 4) \$90,225. This totals \$365,875 for ongoing funded projects. That brings the total for all building maintenance projects to \$607,875.

Mr. Bowen continued to water projects. These projects include the masterplan projects of \$1,894,588 and Center Street / 800 North landscaping (year 1 of 3) \$50,000. For a total of \$1,944,588. Water reclamation projects include maintenance projects for \$500,000 and master plan projects for \$3,665,650. This total is \$4,165,650. Stormwater projects are for the master plan stormwater projects for a total of \$2,040,645, Street projects will include asphalt overlay and reconstruction for \$1,860,378, slurry seal \$600,000, crack seal \$375,000, microsurface \$500,000, trip hazard mitigation \$250,000, misc street construction \$640,000, street striping \$220,000 and concrete and ADA ramp upgrades \$525,000. The total for street projects is \$4,970,378. Mr. Nelson explained how there are three revenue sources that pay for the roads, BNC roads tax, sales tax and a new public transportation tax. He reminded the council that he will be back in June to speak about the transfer of unused funds.

Construction Standards Drawings and Specifications Update *Presenter: Taggart Bowen, Acting City Engineer*

Mr. Bowen presented on the updates for construction standard drawings and specifications. The American Public Works Association (APWA) helps to stay current with the

latest industry standards, it provides standard construction practices for contractors, it outlines standard requirements, it follows current industry consensus on organization of specifications, it provides uniform construction practices among counties, cities and other public agencies in the State of Utah, and it provides updates and amendments to the specifications. The city has adopted the current APWA 2017 specifications and it is used for CIP and Private Development projects, used for bid schedule line items, used for measurement and payment calculations, and used for specification reference numbers from the APWA specification document. There is an Orem supplementary specifications document that covers in more detail the following areas: traffic control, concrete, earthwork, roadway improvements (road base, asphalt paving, curb, gutter, sidewalks and landscaping), Utilities (water, sewer, stormwater), traffic signals and roadway lighting. This supplementary document is best practices for Orem Public Works and Engineering departments. The purpose for this presentation is to adopt by resolution the APWA standards.

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

AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

ADJOURN TO A CLOSED SESSION IN ROOM 107

To discuss pending or reasonably imminent litigation; the character or professional competence of an individual; or the purchase or lease of real property.

Ms. Millett moved to adjourn this meeting to a close session in room 107 to discuss pending or reasonably imminent litigation; the character or professional competence of an individual; or the purchase or lease of real property, **seconded** by Ms. Gale. Those voting yes: David Young, LaNae Millett, David Spencer, Jeff Lambson, Tom Macdonald, Chris Killpack and Jenn Gale. The motion **passed**.

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

CONDUCTING

Mayor David A. Young

ELECTED OFFICIALS

David Young, David Spencer, LaNae Millett, Jeff Lambson, Tom Macdonald, Chris Killpack and Jenn Gale

APPOINTED STAFF

Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager/Development Services Director; Steve Earl, City Attorney; Marc Sanderson, Fire Chief; Josh Adams, Police Chief; Jason Bench, Assistant Development Services Director; Ty Peay, Assistant Public Works Director-Public Service; Peter Wolfley, Communications Manager, PIO;

Melanie Varela, Communications Specialist, Deputy PIO;
Carson Hardy, Management Analyst; Teresa McKitrick,
City Recorder

<https://www.youtube.com/watch?v=ixTAkeKdhfM&t=925s>

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT – Nelson Abbott

PLEDGE OF ALLEGIANCE – Kirstin Abbott

MAYOR'S REPORT/ ITEMS REFERRED BY COUNCIL

<https://www.youtube.com/watch?v=ixTAkeKdhfM&t=1119s>

City Birthday and Day of Service Event *Presenter: Karina Eckern, City Events Coordinator, Jennica Jones, Innovations and Strategic Division Manager, and Laura Bascom, Public Works Manager*

Ms. Eckern introduced Ms. Jones and Ms. Bascom. She explained that the Orem City 105th Birthday will be celebrated with a birthday service day at Nielsen's Grove Park on May 4th from 9-11 AM. She invited city council and the Orem community to come celebrate by enhancing and beautifying Nielsen's Grove Park. Ms. Jones and Ms. Bascom spoke of the projects for the day which include replacing the old 12 foot wooden flagpole with a new dark bronze 20 foot flagpole, prep the area for 2 new climbing rose trellises near the restrooms, plant new trees, re-establish tree rings, weed and plant new flowers, kids rock art project, polish the statues and much more.

<https://www.youtube.com/watch?v=ixTAkeKdhfM&t=1327s>

Arbor Day Proclamation

Mayor Young read a proclamation for Arbor Day. He proclaimed Friday, April 26, 2024 to be Arbor Day in the City of Orem and he encouraged citizens to improve the quality of life in Orem by planting and properly caring for trees on that day.

<https://www.youtube.com/watch?v=ixTAkeKdhfM&t=1447s>

Natural Resources Stewardship Committee Report *Presenter: Matt Taylor Senior Planner*

Mr. Taylor is presenting the annual report for the Natural Resources Stewardship Committee report. He introduced Quinn Mecham, chair of the committee and the other members of the committee in attendance, Paul Dunn, Sarah Bateman, and Darin Hawkins. Mr. Mecham

explained the mission is to promote the sustainable use of natural resources in Orem. The committee does natural resources advisory for the city, educates and informs citizens, builds a community of stewardship leaders, advocates for conservation of natural resources, and builds alignment across natural resources organizations. In 2023, the commission focused on community events, education and advisory. The events included Orem waterwise tour, bike tour of Orem, community hike and free swap event. In education and outreach, they had an Earth Day booth and art contest, Harvest Festival booth, and gave information on energy and water consumer rebates. In the advisory role, they advised on the Heritage Park, the City Hall Construction, Utah Lake Authority, transportation plan, UVU sustainability summit, landscaping ordinance and City energy plan. The areas of focus for 2024 are media outreach, building community, partnering with the city and expanding participation. The committee is awarding two awards for their leadership in preserving natural resources, Bike Orem and Neil and Ariane Newell

<https://www.youtube.com/watch?v=ixTAkeKdhfM&t=2431s>

International Firefighter Day Celebration *Presenter: Marc Sanderson, Fire Chief*

Chief Sanderson outlined International Firefighter Day. This is a celebration of firefighters and especially those who have fallen in the line of duty. It is observed by a red and blue ribbon. He invited the City Council to join the fire department for lunch to celebrate the City's firefighters.

<https://www.youtube.com/watch?v=ixTAkeKdhfM&t=2584s>

100 Companies Championing Women Award by the Governor's Office of Economic Opportunity *Presenter: Keri Rugg, Management Services Director and Janee Shaw, Governor's Office of Economic Opportunity*

Ms. Rugg introduced Janee Shaw, who will be presenting the award from the Governor's Office of Economic Opportunity. Ms. Shaw congratulated the City of Orem on being selected as one of Utah's 100 companies championing women. This selection was based on exhibiting excellence in the areas of professional development of women, Women in Leadership scholarships, flexible schedules, remote work options, family-friendly policies, tuition reimbursement program, in addition to other efforts.

<https://www.youtube.com/watch?v=ixTAkeKdhfM&t=2736s>

Fire Department Swearing In

Chief Sanderson is presenting two firefighters who have earned the promotion to Fire Battalion Chief. Those receiving promotion to Battalion Chief are Bryant Boehner and Dave Chase. The City Recorder, Teresa McKittrick, gave both the oath of office.

PERSONAL APPEARANCES

No personal appearances

CONSENT ITEMS

Approval of Meeting Minutes April 9, 2024

Heritage Advisory Commission Appointment

Rod Crockett

Mr. Macdonald moved to approve consent items. **Seconded by** Ms. Millett. Those voting yes: David Young, LaNae Millett, David Spencer, Jeff Lambson, Tom Macdonald, Chris Killpack, and Jenn Gale. The motion **passed**.

SCHEDULED ITEMS

<https://www.youtube.com/watch?v=ixTAkeKdhfM&t=3134s>

Public Hearing- Ordinance - City Manager Contract *Presenter: Keri Rugg, Management Services Director*

Ms. Rugg is bringing this ordinance before the City Council for consideration. The ordinance is to sign an employee agreement with the current City Manager, Brenn Bybee. She gave a brief overview of his career here in the City of Orem. She spoke highly of Mr. Bybee as the current City Manager. She highlighted some parts of the employee agreement. This agreement does not change the appointed designation that is applied by the state code for all executive leaders in the city. The City Manager shall serve at the pleasure of the City Council. The City manager will be paid an initial salary of \$200,000. City Council will determine all adjustments to the salary. Benefits to the City Manager include a city vehicle, additional contributions to his retirement accounts, and an incentive to move to the City of Orem

PUBLIC HEARING OPENS 6:45 PM

Ms. Karin Adamson spoke kindly of Mr. Bybee and what she has observed about him.

PUBLIC HEARING CLOSED 6:46 PM

Mr. Macdonald moved to approve by ordinance the City Manager contract. **Seconded by Ms. Gale.** Those voting yes: David Young, LaNae Millett, David Spencer, Jeff Lambson, Tom Macdonald, Chris Killpack, and Jenn Gale. The motion **passed**.

<https://www.youtube.com/watch?v=ixTAkeKdhfM&t=3427s>

PUBLIC HEARING – ORDINANCE -Amending Article 22-11-41 of the Orem City Code to include an optional use of interior climate-controlled storage units as a permitted use; amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning the property located generally at 1385 West 1600 North from the HS zone to the PD28 zone; and amending Appendix L by adding the concept plans and building elevations for the Citadel Storage development as a permitted use in the PD-41 zone. *Presenter: Jason Bench, Assistant Development Service Director*

Mr. Bench is representing the applicant for this zone change. This zone change will only affect the area that is presented tonight, not other zones in the city. The amendment will allow climate controlled storage units. There are two different concept plans for consideration. This proposal is for indoor storage and the top floor will have office space. The building will appear as an office building. The traffic will be light for the area. The proposal will include both concept plans. The concept plan will depend on the easement with UDOT. The planning commission recommended the City Council approve the ordinance for a zone change.

PUBLIC HEARING OPENS 7:00 PM

Mr. Norman Avery is the developer for this project. He confirmed that there will be landscaping and they will use the office space on the top floor for the company's offices. He is excited to improve that area. He worked with the city staff to come up with the concept plan. He explained the business plan for the project.

PUBLIC HEARING CLOSED 7:07 PM

Ms. Spencer moved to approve by ordinance to Amending Article 22-11-41 of the Orem City Code to include an optional use of interior climate-controlled storage units as a permitted use; amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning the property located generally at 1385 West 1600 North from the HS zone to the PD28 zone; and amending Appendix L by adding the concept plans and building elevations for the Citadel Storage development as a permitted use in the PD-41 zone. **Seconded by Mr. Lambson.** Those voting yes: David Young, LaNae Millett, David Spencer, Jeff Lambson, Tom Macdonald, Chris Killpack, and Jenn Gale. The motion **passed**.

Discussion and Resolution Regarding the Status of Legislative Counsel *Presenter: Steve Earl, City Attorney*

Ms. Spencer moved to table the motion regarding the status of legislative counsel. **Seconded by Mr. Macdonald.** Those voting yes: David Young, LaNae Millett, David Spencer, Jeff Lambson, Tom Macdonald, Chris Killpack, and Jenn Gale. The motion **passed**.

Ordinance - Amending Sections 2-15-4 and 2-15-6 of the Orem City Code *Presenter: Steve Earl, City Attorney*

Ms. Gale moved to table motion to amend sections 2-15-4 and 2-15-6 of the Orem City Code. **Seconded by Mr. Lambson.** Those voting yes: David Young, LaNae Millett, David Spencer, Jeff Lambson, Tom Macdonald, Chris Killpack, and Jenn Gale. The motion **passed**.

<https://www.youtube.com/watch?v=ixTAkeKdhfM&t=4712s>

CITY MANAGER INFORMATION ITEMS

Mr. Bybee reported that UDOT will be doing a microsurfacing project along Geneva Road from 1600 North to University Parkway. He informed the City Council that Hillcrest Park is on target to complete. Recently, Orem was named number 2 city in Orem for Pickleball and the number 2 place to retire in Utah. Orem was also designated a healthy Utah City at the Utah League of Towns and Cities conference.

ADJOURN

Mr. Lambson moved to adjourn this meeting, **seconded by Mr. Killpack.** Those voting yes: David Young, LaNae Millett, David Spencer, Jeff Lambson, Tom Macdonald, Chris Killpack, and Jenn Gale. The motion **passed**.

PASSED and APPROVED this 14th day of May 2024.


David A. Young, Mayor

ATTEST:


Teresa McKittrick, City Recorder



COUNCIL MEMBER**AYE NAY ABSTAIN****Mayor David A. Young****Chris Killpack****David Spencer****Jeff Lambson****Jenn Gale****LaNae Millett****Tom Macdonald**