

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
January 14, 2025

3:30 P.M. WORK SESSION - CITY COUNCIL CONFERENCE ROOM

CONDUCTING	Mayor David A. Young
ELECTED OFFICIALS	David Young, David Spencer, LaNae Millett, Chris Killpack, Jenn Gale, Tom Macdonald, and Jeff Lambson
APPOINTED STAFF	Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager; Keri Rugg, Deputy City Manager/Management Services Director; D. Jacob Summers, Deputy City Attorney; Chris Tschirki, Public Works Director; BJ Robinson, Deputy Police Chief; Brandon Nelson, Finance Director; Marc Sanderson, Fire Chief; Bryce Merrill, Library and Recreation Director; Gary McGinn, Community Development Director; Peter Wolfley, Communications Manager, PIO; 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”

Healthy Orem Update *Presenter: Heather Cox, Management Analyst and Debi D’Amico, Community Connection Supervisor*

Ms. Cox introduced two guests from the Utah County Health Department, Carrie Bennett and Kate Jenkins. They are here to contribute and support the wellbeing action plan. Ms. Cox gave a review of the process so far. The process began in March of 2024 with the Utah healthy community designation. Last October, USU presented the results of their survey to the City Council. Ms. Cox introduced the members of the Orem Health Coalition which includes City staff and community members. She explained that there are four general pillars of community and personal health. These pillars are physical environment, social and economic factors, health behaviors, and access to healthcare services.

Ms. Cox presented the Orem Health Improvement Plan. The first priority is to create a City health website, health.orem.gov. The website has information in English and Spanish. Ms. D’Amico introduced the second priority. The second priority is free health classes at City venues. These classes will mainly be at the library and recreation center, with some classes at the senior center. The third priority is to create an annual health fair. There are plans to have the annual

health fair in connection with the farmer's market. The fourth priority is continued grant writing for health expansion, including grants related to domestic violence, improving health, community funds for water quality, and recreation. Ms. Cox explained the next steps for this plan and explained her health matrix.

1600 North Nighttime Construction Exemption Presentation *Presenter: Chris Tschirki, Public Works Director, Dan Young, WCG Engineering and Diego Carroll, Utah Department of Transportation (UDOT) Project Manager*

Mr. Tschirki introduced Mr. Carol and Mr. Young. They are working on the 1600 North project. Mr. Tschirki explained that UDOT will give an update on the project and they will make a formal request of the City Council. Mr. Carrol and Mr. Dan Young reported that almost all of the 33 homes have been purchased and some work has started on 1600 North. By April 1st, UDOT would like to have all the funds in place to be able to bid this project. Mr. Tschirki explained the financials for this project.

Mr. Tschirki spoke about the formal request for UDOT. He explained the City code restricts construction work near residential zone properties from 10:30 PM to 7:00 AM. The request is that this project is allowed to work through the night. This accelerates the project in a safer manner. This has been done on previous projects. UDOT representatives predict that working in the night hours will save at least a year on the completion of the project. There are certain types of construction work that will still be restricted and those are written in the resolution. This resolution will be a consent item at tonight's City Council meeting.

EPA Brownfields Grant Report *Presenter: Matt Taylor, Senior Planner*

Mr. Clark invited Mr. Taylor to come and present on the EPA grant. Mr. Taylor has been running that program and it has now reached its completion. Mr. Taylor started with an explanation of a few terms. EPA is the Environmental Protection Agency and they protect human health and the environment by enforcing regulations based on laws passed by Congress. Brownfield is a property that may be difficult to expand, redevelop, or reuse because of actual or suspected environmental pollution. Environmental Site Assessment (ESA) is a study that evaluates a property for pollution or environmental hazards, often before it's sold or developed. Remediation is the process of cleaning up pollution typically in accordance with the Phase III Environmental Assessment Remediation Plan.

Mr. Taylor spoke about what the Brownfield grant did. It provides preliminary assessment of targeted areas, it provides phase I and phase II studies for willing property owners, it provides asbestos and lead contaminated studies, it provides market analysis of contaminated properties examining local economic conditions to determine the best new uses for previously contaminated properties, and provides area-wide studies. Orem received the 2018 EPA planning grant for Geneva Road area, the 2019 EPA brownfield grant and the 2024 grant closeout. The grant provided Orem with qualified environmental professionals, the Brownfield Redevelopment Solutions. Brownfield Redevelopment Solutions assisted in public outreach and education,

technical grant assistance, environmental review, and preparation of grant products. Early in the process the stakeholders identified priority focus areas.

Mr. Taylor spoke about the first project which was the Farley Orchard at 400 S and 400 W. The key findings detected small amounts of pesticide residues, which were below EPA regulatory limits for residential use. The outcome assisted Orem to close on property with a finding of no significant impact. The second project was the Canyon Breeze Senior Living. The key findings were no contamination found. The third project was the veterinary clinic on State Street. The key findings identified potential vapor intrusion concerns and issues related to the storage of petroleum-based products. The outcome was more information for the property owner to make future decisions. The fourth project is a storage facility on Geneva Road. The key findings were found to contain several 55-gallon drums of unknown contents. The recommendation was further testing and remediation. The fifth project was a salvage yard with key findings were arsenic and benzo(a)pyrene levels at the site are too high for residential use but safe for industrial use. The sixth project was the Union Pacific Rail Spur. The key findings warranted testing due to history. The outcome was a scope of potential issues identified for discussion by City leaders.

City Council Conflict of Interest Disclosures Presentation *Presenter: Jon Ditto, Assistant City Attorney*

Mr. Ditto informed the Council that this presentation is for elected officials. He explained that in the last legislative session, the House passed H.B. 80 related to conflict of interest disclosure requirements. H.B. 80 requires local elected officials to annually file a conflict of interest disclosure statement. This disclosure shall be filed with the City Recorder no sooner than January 1 and no later than January 31. This disclosure must be responsive to each item listed in Utah Code 20A-11-1604(6). Mr. Ditto gave each of the City Council members a copy of the conflict of disclosure file. The disclosure needs to contain general information of the elected official, employment information, any business entity ownership/interests, and some other items, such as spouse's employment and optional disclosures.

The City Council expressed concerns about the amount of information required for this conflict disclosure. They recommended the City speak with the Utah League of Cities and Towns about this new bill. Mr. Ditto explained that the City Recorder has 10 business days, once the form is submitted to post an electronic copy on the City website, provide the link to the Lt. governor's office and keep the disclosure posted until the elected official leaves office. The failure to timely report or accurately report results in the following: 1) City Recorder is required to report any violations to the Utah Attorney General, the statute provides that any violation is a Class B misdemeanor and 2) the City Recorder must impose a civil fine of \$100 against the elected official.

CARE Tax Policy Change Recommendations *Presenter: Brandon Nelson, Finance Director and Trevor Bell, Budget Manager*

Mr. Nelson began the meeting with a change of schedule to the CARE Advisory Commission. In the past, meetings have been held in April which is a difficult time for the finance department. They are proposing that the CARE Advisory Commission meet in March. The second item to discuss is the current thresholds for the three categories. They are considering changing the mini threshold from \$4,999 to \$5,000, the mid-major threshold from \$9,999 to \$15,000 and the major thresholds from \$10,000+ to \$15,000+. Mr. Nelson recommends a change to the City code to reflect these proposed changes.

Mr. Nelson explained that there are two questions of concern for applicants. First, the requirements are the same for mini and mid grants. The question is do we need to separate the two grant sizes? The second question is how do new groups get consideration for the Major category and how would the Council like to review the request? The City Council discussed these questions. Mr. Nelson asked if it would be appropriate to have an applicant give their presentation to become a major grant applicant in a work session. Mayor Young suggested that the Strategies and Innovations team look into these questions. Mr. Bybee suggests defining the major requirements more clearly. Mr. Nelson suggests only having two categories: a mid category and a major category.

Gold Star Monument Presentation *Presenter: Pete Wolfley, Communications Manager and Heather Cox, Management Analyst*

Mr. Wolfley and Ms. Cox are presenting an update on the Gold Star Monument. Ms. Cox reported that \$52,000 have been raised so far. Mr. Wolfley explained that a letter has been drafted that the City Council could send out to associates, family and friends. This letter would be signed by all City Council members. The letter will include some artificial renderings of the planned monument.

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

AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

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

CONDUCTING	Mayor David A. Young
ELECTED OFFICIALS	David Young, David Spencer, Chris Killpack, Tom Macdonald, LaNae Millett and Jeff Lambson by ZOOM Jenn Gale
APPOINTED STAFF	Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager; Keri Rugg, Deputy City Manager/Management Services Director; D. Jacob Summers, Deputy City Attorney; Chris Tschirki, Public Works Director; BJ

Robinson, Deputy Police Chief; Brandon Nelson, Finance Director; Marc Sanderson, Fire Chief; Bryce Merrill, Library and Recreation Director; Gary McGinn, Community Development Director; Peter Wolfley, Communications Manager, PIO; Teresa McKitrick, City Recorder

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT – David Glazier

PLEDGE OF ALLEGIANCE / FLAG CEREMONY – Shelby Killpack

MAYOR’S REPORT/ ITEMS REFERRED BY COUNCIL

Emergency Preparedness and City Drill Report *Presenter: Heath Stevenson, Emergency Manager and Lon Myers, Assistant Fire Chief*

Mr. Stevenson spoke about emergency preparedness and gave a report on the 2024 City Drill. He explained that there are monthly neighborhood preparedness courses and ham radio classes are taught each quarter. In 2025, Orem and Provo will combine their efforts for preparedness classes. This year, the emergency management team participated in city, county and state exercises. He presented a list of partners in the emergency preparedness team. Mr. Stevenson spoke about Everbridge, this is a mass notification system. He encourages the community to sign up for this notification system.

Mr. Stevenson reported that the Orem City Drill had just over 44,000 people who participated in, were accounted for during the drill. This included residents from 17 of the 21 areas throughout the City of Orem. All reports arrived to the City EOC (Emergency Operation Center) within 2.5 hours. Mr. Stevenson expressed his gratitude for the new EOC that is being put into the City building.

Chief Myers wanted to recognize Mr. Stevenson and the great job he is doing in this position. He has built a vast network of colleagues and the City is very fortunate to have him working here. City Council members gave praise to Mr. Stevenson and the fire department for their efforts in emergency preparedness and for being willing to send fire fighters to California to help.

Gary McGinn Oath of Office *Presenter: Teresa McKitrick City Recorder*

Ms. McKitrick administered the oath of office to Mr. McGinn.

Jim Yeoman Lifetime Achievement Award *Presenter: Paul Ashton, Chief Building Official*

Mr. Ashton introduced Jim Yeoman who is an outstanding employee. Mr. Yeoman is the deputy building official. Mr. Ashton gave a brief history of Mr. Yeoman’s likes, history and work

contributions. Mr. Yeoman has worked for the city for 32.5 years and has a total of 40 years experience as a building code official. Tonight we are recognizing his lifetime achievement award that was given to him by the Utah American Institute of Architects. Generally this award is not given to City plan reviewers but Mr. Yeoman has been able to create friendships with architects through his interactions with them. The City of Orem is fortunate to have him as an employee.

Utah League of Cities and Towns (ULCT) Legislative Priorities Presentation *Presenter: Karson Eilers, ULCT Representative*

Mr. Eilers works for the ULCT as the policy director and he has joined the meeting by Zoom to discuss the league's legislative priorities for 2025. This year there are currently 239 bills to be put before the legislature. The budget for this year will be really tight for the state. The ULCT will be watching for costs that could be pushed from the state to the municipalities. One of the big issues this year will be homelessness. The next biggest issue is public safety, specifically related to immigration. Another issue worth mentioning has to do with sales tax. Housing is an issue many municipalities are interested in. He recognized Councilmembers Macdonald and Millett for serving on housing committees. He spoke about the State housing plan that will be released in the upcoming days. Mr. Eilers spoke about external accessory dwelling units (ADU) which have been a concern for Orem. There is a bill that would be a carte blanche legalization for every urban city on external ADUs. The ULCT plans to push back on this bill.

Mr. Bybee gave Mr. Eilers some of the City Council priorities. These priorities include growth management, transportation and trail efforts, short term rentals, and the utility want transportation fee. Ms. Millett expressed her concern with external ADU's and she would like these types of ADU's to maintain the setbacks for surrounding properties/neighborhoods. Mayor Young asked Mr. Eilers to look at the H.B. 80 bill from last year concerning conflict of interest statements for elected officials.

PERSONAL APPEARANCES

Opened at 6:43 PM

No personal appearances

Closed at 6:43 PM

CONSENT ITEMS

Approval of Meeting Minutes - December 10, 2024 and December 17, 2024

Appointment to the Orem Events Advisory Commission - Krista Tate, Kami Burgess, Ashley Shumway, and Rodney Gardner

Reappointment to the Planning Commission - Madeline Komen

RESOLUTION - 1600 North Nighttime Construction Exemption

Ms. Millett moved to approve the consent items. **Seconded by** Mr. Spencer. Those voting yes: David Young, LaNae Millett, David Spencer. Those voting no: Tom Macdonald, Jenn Gale, Jeff Lambson, and Chris Killpack. The motion did not **pass**.

Mr. Killpack moved to table item 9.3, the reappointment of Madeline Komen, and approve the remaining consent items. **Seconded by** Mr. Macdonald.

(AI generated transcription of City Council Discussion)

Mayor David Young I'll just open it up for discussion. For anyone who'd like to discuss,

LaNae Millett I'd like the four members who voted against the approval of the reappointment of our planning commission chair to explain why they wish to postpone this appointment.

Chris Killpack My reasoning is, there's a process that we have begun to discuss, the planning commission process for appointments, and want to discuss that before we have anything additional that can occur with the planning commission. So I'd like to either have the 3-3-2, meetings or some other form of discussion, or we can look at the process. And that's my desire.

David Spencer What do you see the process is right now? Can you please explain to me?

Chris Killpack Yeah, I'm aware of the current process. I'm looking for a different process for the planning commission.

David Spencer Just for your information. Chris, when Jamie Davidson, appointed planning commission members, they used to put it on the item. We voted on it. We didn't get any resumes or anything. So, what I've done is I've gone and vetted the last two years. I've done my homework. I've called the citizens, and I asked them for resumes, and I presented the resumes to you guys, but none of you, even called any of those people,

Tom Macdonald I called some of them and I know Jeff did.

David Spencer on the last round you didn't call anybody, none of them. And there were two new candidates. So to say that I'm not playing fair is garbage.

Chris Killpack It has nothing to do with you today,

David Spencer You guys didn't even want me to be on the appointment of the Planning Commission talking about the "spirit of collaboration." It's garbage. Man, garbage.

Chris Killpack Thank you for your opinion. That's not the process or reason why we want to look at the process has nothing to do with you personally. It has to do with the process of how we talk about probably one of the most important commissions in the city

David Spencer That is why I gave you resumes, you have the right to go on to the website,

Chris Killpack we also have the right to change the process. So that's what we're doing this evening

LaNae Millett The point is, are you against this individual? We are looking to reappoint the chair of the planning commission,, this doesn't have anything to do with the process.

Chris Killpack and what I'm looking to do is look at the process before we have any other planning commission individuals change.

David Spencer Do you even know Madeline? Have you contacted the planning commission? Have you contacted Gary McGinn, Tom .

LaNae Millett Have you been to the planning commission meetings?

Chris Killpack It's not the person that we're having a concern with its the process

LaNae Millett Then just to reappoint, there's no problem with the process.

David Spencer Then reappoint her.

Chris Killpack The process is the concern.

David Spencer What process, I don't get it.

Chris Killpack We'll talk more about it in 3-3-2 meetings.

LaNae Millett No, we're not, we're gonna talk in a public meeting. We're not gonna have 3-3-2 behind closed...

Chris Killpack So there's a process...

David Spencer I want to know, did you, have you talked to Madeline, one? And two, have you talked to Gary McGinn, who runs the planning commission meeting? Have you talked to him?

Chris Killpack So the question that has been brought up is the process, so that is what I would like to discuss.

LaNae Millett Okay, you've said that 10 times. And I am trying to say, Do you have a problem with this appointment? Do you have a problem with the way that she has served? This person has served for three years as chair of our planning commission. I've been to many meetings. She does an excellent job. She's an attorney, she's a mother, she's a resident who cares about what happens in Orem. She's not been controversial in any way. She is a great servant of our community, and I'm trying to figure out what's the reason to postpone her reappointment. Do you have a problem with her? Because it sounds to me that that's like what you're saying to push it off onto the process. It doesn't have anything to do....

Chris Killpack I do not have a problem with her reappointment, right? I don't have a problem with her. I have a problem with the process for all Planning Commission

LaNae Millett She's a reappointment. I guess you're thinking of a different process than I am. When we reappoint someone. We don't ask for resumes. We don't mean, look, we just appointed these people to the Events Advisory Commission. We've reappointed people to other commissions. We don't reevaluate their resume in the past, we have just, you know, we have a stipulation of a six year term limit. So two times they've two three year terms.

Chris Killpack I'm aware of the current procedure. I'm looking for a different procedure.

LaNae Millett So, right, and so for what the point is, there's no different procedure here. You seem to have been fine with it for a year. So, what is it with planning commission that you don't like

Chris Killpack When the planning commission currently, as we've sat and had discussions,

LaNae Millett Who's we?

Chris Killpack The entire council, as we've had Council discussion about rezoning and other issues, when the planning commission comes with a seven zero recommendation, and then the City Council has a different, it's much different than the seven - zero that process of those that are on the current commission. We want to make sure that their views are more in line with the entire city.

LaNae Millett They don't represent your views.

Chris Killpack No, I don't think they represent the city's views. I'm here to represent the citizens of Orem, and currently, the citizens of Orem are not represented by this Planning Commission

LaNae Millett Can you tell me when, we have pretty much been in agreement as a council on knowing changes. Which vote are you referring to from the planning commission

Chris Killpack all those over the last year

David Spencer You are talking about Wilkerson farm and Canyon Park. Both identical projects. And you voted to table the one for Wilkerson farm. You voted against the other.

Chris Killpack I also voted to table the other one as well, until we had more discussion. And so we're doing the work of the planning commission when they should be bringing recommendations, when they all just say nothing. I've talked to the individuals.

LaNae Millett I've been to the meeting, you can't just watch it on YouTube. You need to be in the room where it happens, right? So you can see what the residents are saying, which is who we represent.

Chris Killpack So those are my concerns with my discussion.

David Spencer So Gary, can you please comment on your opinion?

LaNae Millett Let's hear what Tom has to say. And what Jeff and Jenn have to say, this is a public decision.

Tom Macdonald I echo what Chris said. I have no other comment.

LaNae Millett You have no comment?

Tom Macdonald I said, I echo what Chris said. I have no other comment.

LaNae Millett So can I ask you, What is your thought about the process?

Tom Macdonald No other comment. Thank you.

LaNae Millett So you're not going to, you know, let your public know why you're voting against this planning commission member.

Tom Macdonald We're not suggesting we're voting against this council member. We're saying we're delaying this. We're tabling it.

LaNae Millett Why? it's a reappointment, right?

Tom Macdonald It's a process.

LaNae Millett It's someone who's been serving our community for three years.

Jeff Lambson I have no problem with Madeline. I don't know her well. I've seen some meetings that she's conducted. It's not about that. I just feel like I would like to meet with city staff, Brenn, Gary and the council to meet together and discuss this.

LaNae Millett I'm not doing 3-2-2 meetings.

Chris Killpack You're interrupting

Jeff Lambson I want to review the process and not say that there would be dramatic changes. Drastic change. But I would like the opportunity to review that process.

David Spencer So, if you have no problem Madeline, then why don't we go ahead and just pass her on the consent

LaNae Millett why don't we vote for her and then we can review,

David Spencer The process to me, I've given you 100% more information than Jamie ever gave the council ever, and you want to say you want to change the process, which is fine, but don't hold Madeline hostage. She's the chair of the Planning Commission, and we need to move forward on the consent item and pass her. I mean, Gary, can you? Can you shed some light, because these individuals that want to change the process, would you please give us some information on Madeline, in your opinion, because you think they're the main staff that deals with Madeline on the planning commission, maybe you get there and there is perspective. Because, you know, maybe you should talk to Madeline too. I mean to me, I think this is a disservice to Madeline, just because you want your people on the planning commission.

Chris Killpack That isn't the point. It's the process.

David Spencer I guarantee it is. When you called me and said you wanted Ray Chipman and are you going to do the nuclear I option? What does that mean?

Chris Killpack That isn't what I ever said.

David Spencer You said nuclear option.

Chris Killpack I did not, I never said that to you.

David Spencer Yeah, then you're a blatant liar. Blatant liar. Because you said nuclear option, and I told if you want to do the nuclear option then you go ahead, Chris, you can't say things and then deny it.

Chris Killpack I never said that to you.

David Spencer Okay, you're lying. Gary, can you please? This is irritating me, unbelievable.

Gary McGinn As the director of community development, we work with the planning commission, and we work with all members of it, and our chair is Madeline Komen at this time, and I enjoy working with her. She's a good person. She's dedicated and has been a great help in

working on the commission. As far as my view of commission members, the important thing to me is, well, the unimportant thing to me is their perspective. What's the most important thing to me is how they work with other people, and can they have an open mind in discussions, in listening to residents, listening to applicants, listening to all the concerns that people may have and so for me, that's what I value, as a planning commission happy to answer any questions or to talk with anybody about anything.

Chris Killpack And my concern, Gary, is not with the individuals, it's with the process in which we're currently having those join the planning commission. So, I'd like us to discuss it, not to have eliminated this individual, but to allow us to have a brief discussion about the process, and then go forward in the near future and then have whatever we need to have happen to continue on in filling the needs of the planning commission. So it's not a long term wait. It's not a delay. It has nothing to do with this individual who's in every way, been a wonderful asset and a blessing as our chair. But the process is all I'm talking about, nothing to do with individuals, no character issues. This is just the process we'd like to discuss,

LaNae Millett and I would like to understand. So I mean, I really do want to understand you guys here. Okay, first of all, I just have to say I'm a little irritated at this, because just this weekend, at our retreat, I expressed a concern about being disenfranchised from the 'four no more' on our council, who were elected last year and have, behind the scenes, been pushing their power and control. We've tried to get along with them and tried to be collaborative in public, but there have been numerous power plays behind the scenes that have been happening. So just this Friday, I sat at the retreat. I said, you know, everyone said that they wanted to improve communication and collaboration as a council, and I expressed that that has not been happening this year, which has caused severe stress in my life, which I don't need. I learned two hours before our work meeting of this desire to set aside this routine reappointment of our planning commission member. And it's not just this. Let's just backtrack a year. We've appointed two planning commission members over this past year, since the last election, and each time there has been pushback. Dave Spencer as the planning commission the council member over the Planning Commission has the responsibility, or actually does the work for us as commission members. He looks at the applications. He vets the candidates based on the ideologies that we have in this city, that our residents have told us that they want. So he will vet the candidates, and then he will give us, you know, resumes of some of them. Now that doesn't mean that we as council members can't go and look at some of the other resumes that are on there, and that those people can't be considered also. This is just something that Dave does. He does kind of a pre vetting of if he thinks that. Because, quite frankly, we had someone on the planning commission right when in my first year that her ideology was we should not have parking at apartment complexes, and because that would get people out of their cars so they can ride their bikes like she does around town. And it might be hard for 10 years, but eventually, people will be on mass transit and have the mass transit we need if we make people ride it. She told me that. She told me that. That was a former member of our planning commission. Now, how many members of our community are

represented by that opinion? So that kind of needs to be vetted, right? And Dave is trying to do that now, like I say, if there's someone that one of the council members knows applied for planning commission, they can pull out that resume and say, Hey, let's have this person considered too. And that actually happened with an individual, and some of the council had said, well, that individual expressed this to me, and that to me, they were in favor of the State Street Master Plan, which our public resoundingly has, you know, said they don't want rejected. So we have those conversations. And then we so the process was that, and then, because the mayor makes the appointment with the advice and consent of the council, we asked, the mayor asked for three suggestions from this group of resumes that Dave put together three suggestions. Well, the 'four no more' on our council gave one suggestion. They got together and decided who they wanted, and they gave the mayor one suggestion. So the rest of us were like, Okay, fine, you can have your person if you want. He was actually one of my choices. But how disruptive and how non collaborative and how non communicative was that that's happened twice to me this last year, in a spirit of collaboration, which is what these people put forth when we're in public, right? But there are conversations that are happening behind this. And you know what? You can GRAMA request those emails, they're there. That's what I'm bothered by. So when you won't tell me what part of the process you don't like, I mean, there were even points of they want to change the policy and not have the mayor appoint the planning commission. So is that where we're going here? Is that what you're doing here? You want to bump the mayor off from the appointment of planning commission members. Tom?

Tom Macdonald I'm ready to talk, if I won't be interrupted. Three years ago, almost the whole planning commission was fired by the 'four no more'. No questions were asked of the others of us. We not only terminated people when they were up for renewal, we just terminated people. And so, we haven't had a fresh look of who's on the planning commission for those three years now they're coming up for renewal. I want to revisit this. I want to be able to look at all the resumes, not just the resumes, not just those that David vets and puts forward. And I understand I was able to go back in and look. But, I think that's the process I'm concerned about. We had a total life out of the planning commission three years ago. I think it's time to think about it before we move forward.

LaNae Millett So now that you're in control, now that you're in control, you want to do it.

Mayor David Young let me just clarify something. Tom, you know why those four planning commissioners were released, right?

Tom Macdonald Well, I know why one was, he was a bit of a pain in the neck, and I was okay with him stepping down from being the chair to being a member. Yeah, and the other three, you were concerned that they might not show up to meetings and may not vote?

Mayor David Young No, it was bigger than that. It wasn't just meetings we had, if you remember, right, my memory is a little fuzzy on this. We had the election and something like February 5.

David Spencer February 9, the moratorium ended.

Tom Macdonald We had passed something that for us to consider.

Mayor David Young But, it was a big deal. It was the State Street master plan. We had until February 9, and we had to do something before that. So we're a newly elected council. We've got literally five weeks to change the world, and we got a Planning Commission.

Tom Macdonald And all the City Council was happy to move it, but you need the Planning Commission to say something to present something.

Mayor David Young Planning Commission didn't just have to show up and say yes or no. It didn't matter what they said. They just had to show up. But we were told that they were not going to show up to block us from stopping the state street master plan. And so that was a huge issue.

Tom Macdonald I didn't know that.

David Spencer The information came from Jason Bench in the city.

LaNae Millett But you know, just put that other narrative out there and it wasn't true.

Mayor David Young So wait a second. But so that was a major issue, and it boxed us in. If we left them in then the master plan would not have changed in time. And so we were forced to let that go, and then the narrative was put out there that we were like blowing up the planning commission, whatever they blew themselves by refusing to come to meetings.

Tom Macdonald I agree. I agree with that, Mayor. But now with three years later, I'd like to see if they should all be on there that were put on kind of in a rush. That's all

David Spencer Well, my question too is, we appointed two people. We appointed Rod Ericson and Britton Runolfson. Unanimous. Yeah. So what was wrong with that process?

Tom Macdonald I don't think anything was okay. So all I'm saying is, I'm asking for a pause, not an argument. That's all.

LaNae Millett That's not true at all, because we've been arguing the past year.

Tom Macdonald No, but we've been arguing the last three

David Spencer I really think that Madeline, you know, with, with the with, because Gary McGinn said she's done a wonderful job. She's doing this year, and I see no reason why we don't reappoint her. There's seven people on the planning commission, so it makes no sense that we will not meet. We're kicking the can down the road when we need her. We have a meeting tomorrow, right?

Mayor David Young So the way I see this is there's two arguments going on here. One argument is whether or not we should re-up Madeline in order to keep the continuity going and keep things happening with the planning commission. The other argument is whether or not we need to look at the process and change it. So I think where we're getting into a problem is we're trying to join those two issues, whereas if we agree that we're going to look at the process and talk through it, there's really no reason to not re-up Madeline. I think that's where the conflict is. So if we could come together on just re-upping Madeline and agree to evaluate the process, I think we could get where we want to go.

Jeff Lambson We haven't. We haven't heard from Jen. I don't know if she has anything she'd like to

Mayor David Young Yeah, Jen, are you there?

Jenn Gale Yeah, sorry, yes, I am here. Thank you.

Mayor David Young Would you like to weigh in?

Jenn Gale Well, I just appreciate the discussion that's happened. I think this process of appointing members to the planning commission has evolved since Jamie Davidson or the city manager used to appoint them and then sent it to the city council. Kind of appoint someone with advice and consent from the mayor. But I don't think that the process has been totally baked. Since this is probably the most important commission in the city, I would just like to see a place where more contributions from all members of the council can be included. You know, I think it would be great, you know, you know when the terms are up, so a month ahead of time we can start talking about it, and any council member that wants to can submit a resume or a name for discussion. The other thing is, you know, every other commission now has two Council liaisons responsible for this. One only has one. So none of these are big deals. I just think it's something that we need to work through together as a council to come up with a more robust process that will stand the test of time, not just for us or a future Council, but for the city for a long time. And I do, I want to reiterate what has been said that this is nothing at all against Madeline or Dave Spencer. I think it's just, let's work together longer term. And I think what brought this to a head was Madeline's reappointment wasn't even on the draft agenda last week, and then it showed up Monday, and it's like, Wait a minute. Let's slow down and just see if we can have some discussions about this. I know I've spoken with LaNae about this in the past. I spoke with Dave Young about this in the past, and I just would like to see some action now, and how we make the

commission more representative of all members of the council. And so that's all my perspective is,

LaNae Millett no, you haven't spoken with me since we had the initial problem last spring.

Jenn Gale So yeah, actually, you and I talked about it, and I mentioned some specific changes I would like to see on the council. And you said, No, I don't think we need to do that.

LaNae Millett No, that was last spring.

Jenn Gale It was not last spring. It was this fall.

LaNae Millett No, it was not

LaNae Millett okay. Well, we remember that differently then.

David Spencer So Jen, I've got a question. So when we talk, you mentioned Britton Runolfson. And, I went ahead and said, hey, you know, we will take your recommendation. And you were all fine with that. So you gave me that name, and I went for it, right? So it's not like the process. If we look at it, you have to have four council members to vote and say yes for an appointment. So, you know the process, I just, I mean, I don't know, maybe I'm doing a bad job in that I didn't go back five years. I went back two years and vetted everybody. So there's certain people that I could have sent you resumes, but I know that it wouldn't have passed by Tom McDonald for a fact, they'd be safe, you know, I just know for a fact, so I didn't even waste your guys time. But I mean, the last two I gave you Bruce Cameron and I gave you Dwight Green both wonderful people.

Tom Macdonald Did they both pass those two names?

David Spencer They were two of the eight that I just sent you and I got nothing. You guys want to keep kicking the can down the road? I'm thinking. So I just, you know, I want to talk to Jerry. Jerry goes. I'll stay on for another term. I'm not getting anywhere. So, I mean, they're really good candidates with Dwight and Bruce, but, you know, I didn't even get any feedback at all, you know. So I'm just confused on,

Jenn Gale Well, Dave, I think some of the issues is the timeline on some of these things, you know, we know that that case was unique, but for the most part, we know, you know, we know now when all of these appointments are up. So just, you know, a month ahead of time, saying, okay, these appointments are up. These are the resumes I'm submitting, or whoever the chairpersons plural are the resumes we're submitting. Would anyone else like to add resumes to that stack? And then we can take all of those, and all those can take some time to vet them and interview them.

David Spencer And I agree with that, but I mean, with Jerry's resignation, that came really quick, so it wasn't like I had a month time to say, hey, you know, he's going to be resigning. So, I mean, I thought that they were definitely candidates, citizens that could be valuable on the planning commission, and I didn't get any one of you guys. I mean, David and LaNae gave me their responses, but you four didn't and you say you need more time. But I'm at a loss on what you guys really want? If you want people that want high density and the BRT, then bring them on. But I'm not that kind of guy that's going to pass it forward.

LaNae Millett it sounded to me like, from what you said, Jenn, you're you, maybe we can just solve this. Now, it sounds like the problem you have with the process is you want a month of lead time on appointments or reappointments? I don't have a problem with that, you know?

Jenn Gale what I'd like to see actually, is to have Brenn and Ryan and Gary maybe come up with some ideas on how we can just all have really good communication about this, and how we can maybe schedule interviews, or just, I don't know what best practices are out there. I would love to hear their ideas, but I think if we can establish some of those and maybe then move that direction, that would make me feel happy.

David Spencer I think, I really think that what the resume is given, you guys need to do your due diligence and call those individuals and talk with them, because my perspective is different from yours, and I don't think we need to put anything else on the city, on the employees. I mean, I did the homework, gave the resumes, but you have to go through it if you call them all hand and I can, okay, we'll restart. We'll go, we'll start over. But, I mean, I took the time, three, four hours calling people going back two years. And I'm thinking I was trying to help the situation, but I guess that's not the right process. Chris, I don't know, but to me, I thought we had viable candidates. I mean, Dwight Green is amazing. Bruce Cameron, you know, totally a developer. You know, so. But did anybody even look at it? That's my point. I mean, you know, I'm going through the motions, spending my time. I mean, planning commission is a big commitment. Yeah. It's a lot of time, and I did not volunteer for the planning commission.

Tom Macdonald when I talked to you about one of them, you said you weren't going to put his name forward.

David Spencer That was Ray Chipman, because I talked to him twice,

Tom Macdonald He told me he didn't say those things.

LaNae Millett He said to me, too, Tom so

David Spencer I was at the SCERA, he said, I'm for the high density and for the state streets master plan and for the BRT. And I'm thinking, you're not my guy. Yeah, so, you can bring them forward. You know, we can do the nuclear option that Chris told me. That's what you were

talking about Ray Chipman. So you know, you know, my thing is, I'm a type of person. I don't forget anything. I know what people say to me, and I know that you said that. I'm sorry, but if you're saying you didn't, I feel sorry for you because you did.

LaNae Millett I mean to me this just comes to the you know, you guys were new on the council, we said we give three names. This is the process. As we followed, Tom didn't like it. That's, I'm sorry, Tom, but you know, the process is the person over the planning commission submits, you know, helps us out by sending us resumes with the applicants we all interview, read it over whatever effort you want to put into it, give three names to the mayor, and the mayor can then select someone, which he still has to do with the advice and consent of the council. So it's not just his name, right, but we then that was in a way, to see if we all come up with the same person. Basically, you guys submitted one name to the mayor. You did not cooperate. You did not do what Dave asked you to do. You submitted one name, and it was all the same name from the four of you. So I'm that's what's irritating me here is you're trying, it seems to me, you're trying to force the process that you want, and yet you won't in an open meeting talk about what changes do you want to make to the process? I mean, do I agree that this one month lead time is legitimate? I totally agree that I don't want to do 3-3-2 meetings behind the scenes to figure out what to do wherever the planning commission funds. No, let's do it in front of the public. I mean, if it's the one month thing, I have no problem with that, and I can understand your dissatisfaction with that. That's hard sometimes when you're busy. You know, in fact, we did postpone it once, right?

Mayor David Young I don't really think we're that far away. Yeah, I think the process is fairly solid, and maybe the process just needs to be tweaked. So it's not like there's this huge gap.

Jeff Lambson I was just gonna say, yeah, the short, the shortness of time when I apologize to you and Dave, I did reach out to the mayor and had a conversation with him. Had intended to get with you, and Dave got in the cards today, but we had such a short amount of turn time this, this didn't show up on the agenda. And this, this is no one's fault. It just is part of the way things were going. So I'm not trying to cast blame on anyone for that, but it would have been nice to have a little more time to be able to look at possibilities within the way that we go about doing things. So I thank you for bringing that up. Like I said, I intended on getting with you, and Dave had a great conversation with the mayor and so yeah.

LaNae Millett Can I just say one thing. I would not have thought that a reappointment would have caused this controversy. That's what I'm having a hard time with too. I'm not understanding why you would want to shove someone out the door who has diligently served for three years, has been the chair. Have been to her meetings. She's amazing. She has done a great job. When the public has been a little irritated, other commission members, and I just feel like, you know, can we work on the process? I'm grateful that you've told me some of these things tonight with the process, but as the mayor says, I feel like it's an injustice. I feel like we're making her a

political pawn. I feel like we should reappoint her tonight, she should not be involved in this, and the reappointment is not the same as it is appointing, trying to fill the vacancy and bidding in that way. We've seen our track record typically on our commissions. We do two terms, so I guess that's what I would like to see, and in the spirit of collaboration, I would like to see that tonight. I would like to see us do her reappointment. I don't feel like she should be used as a political pawn here, and let's take the time and do the process right. That's my thoughts.

David Spencer I think I have one more comment on the current planning commission. We have given them direction that we are not for high density and we're not for the BRT, and that's the lead they're following, Chris. So they're just following our lead. And you know, the 7-0, I thought that was amazing, that they went to 7-0, against Canyon Park, because that is high density, higher density than what's around it. And then also Wilkerson farm, that is higher density than what's around it. So they were consistent. And that makes sense, because that's the direction that we gave them. So, you know, no fault to them. They're just following our lead. Now, if you say hey, they want high density, they'll probably all just say, hey, I want to get off the Planning Commission.

Chris Killpack That's not the point of what the process that we're talking about is about. It has nothing to do with high density, BRT, or anything else. It's about discussion of the current process. Just as Jenn had mentioned, every count every major commission. The city now has two council members representing it. That's one of the discussions that would be nice to discuss. The other is the opportunity to have time to go forward and look at and review those that are ongoing, if someone's time frames come up, just being aware, that's my only concern.

David Spencer But you said that they were off base on their voting

Chris Killpack I didn't say they were off base, I said they were not representing the city as a whole, because of their views is all, in fact they're not even representing the city council

David Spencer We gave them that direction, we as the council

Chris Killpack So when, when you say we as the council, is that just you as the individual authority of the planning Commissioner?

David Spencer No, when we got elected last time. The whole thing was anti high density and not on State Street, and that's why we got rid of the state street master plan and 10,000 apartments. So that's the narrative. So, I mean, that's the basis of what they're functioning on. So to say that they're off base or they're not connected to the city or the citizens is just wrong.

LaNae Millett Can I just add one other thing, just kind of kudos to our current planning commission. Last year, before you were on the council, Chris, the transportation master plan came up for review. Our planning commission members spend hours and hours reviewing that

plan. Because of them, they noticed that 12th North was scheduled to be widened to a five lane road east of I 15 that 1600 North was on the schedule. Was on the plan to be widened to a five lane road all the way from State Street all the way over to university Parkway by the mall, eighth east. So 1600 North and eighth East. I mean, there were several things that because of the diligence of this, these planning commission members and their care and concern for family City USA and creating an environment where families can thrive, they brought those things to our attention as a city council, and we were able to review some of these things and correct some of these things that were hidden in this plan. It was, I was just like, I didn't give them direction on that. They brought this to attention. And then we, as a council, voted on it and reviewed it, I probably should say. And I was just very grateful for their representation there, and the public was very grateful. That was an issue in our last election. The public was very grateful. We don't want to be a through city. We want to preserve our neighborhoods. So I guess you know, I just feel like this process is being put in place to boot the members of the planning commission that were put there three years ago, because some people weren't individuals. One person wasn't in the majority back then, and so now, as was mentioned in our retreat, you know, the 'four no more' are back on it on the other side. So I don't want that. I feel bad about some of the things that happened in the past and even the narrative that we booted them off. We didn't, there was a reason, as the mayor explained, they weren't going to show up to vote. They were holding us hostage. But every other Commission member, unless there is some issue, as one of the planning commission assaulted some of the residents verbally. We appreciate their service. We reappoint them to another three years to help continue serving our city. So I don't have a problem going through the process, but I am just really having a problem with the insinuation being made that these planning commission members aren't good. They're not representing the residents. The process is wrong. I mean, these types of conversations that are being had here tonight, and I, once again, I just feel like these are good people. They're giving up their time, their talents, to help us and to represent the majority of the city. I mean, do you guys want that person back on the planning commission that didn't think we should add parking to apartments that we were approving so people could get out of their cars and ride their bikes. No, I don't think that would have passed mustard, right? So that's where I am tonight, and I would urge you four to set aside to collaborate with us now, to. To work with us here, in the interest of not me, working with me or Mayor Dave, but in the interest of peace for our community and gratitude for our planning commission members. And do this reappointment tonight. I don't know if you're saying you don't have a problem with her. Let's not play with her anymore. Then let's just, you know, vote on the reappointment set aside and put it on our calendar in a work meeting to talk about this process for the planning commission. Let's get it solved. If you're not happy with it, I want to know the specifics, and I want to know what we can do to fix them. I'm open minded on that. I'm willing to work with you on that, but I just really don't agree with using a person who has served our community so diligently with so many hours as part of this, in this process. So I'm asking that we bring it back to a vote of the Council for the reappointment of this individual, and appreciate it if we're before making that motion.

Chris Killpack Well, we have a motion second on the table, so we need to vote on that first.

Tom Macdonald Remind me what the motion of the second was. It happened.

LaNae Millett You can withdraw a motion. You don't have to vote on the motion.

Jenn Gale I would just like to say one other thing. And I feel like, LaNae, I appreciate your perspective. I feel like you put a lot of words in our mouth, and that by saying that we're the 'four no more' than we've been voting the block of four is inaccurate and unfair, especially if you look at our voting records. When we mentioned that this was a concern for us and then the issue is not Madeline. Your immediate response was to say that the process is fine. We can just push forward and move through this. So I just wanted to be clear that we do want to have a dialog. We wanted to come in and make decisions without your discussion at all, and just made the decision. Four of us voted. We've done it but we don't want to do that. We want to work with you, but we want to make sure that our concerns are also represented, and that you also see that we have a concern with the process that we would like to work together to solve.

LaNae Millett No, you don't want to work with me. You didn't call me and talk to me about this. Jeff apologized that he did, but I didn't hear Chris or Tom or you apologize. Can the rest of you not apologize for not calling me and telling me that you wanted to remove this from the consent agenda that you didn't like, the process

Jenn Gale LaNae, I've already talked with you about the process.

LaNae Millett No Jen, okay, whatever you think it was in the fall, I'm talking from yesterday for this agenda item. I didn't get a phone call, I wasn't contacted. I haven't heard that there's a problem with the process.

Jenn Gale Well, then I guess our conversation was different than we both remember, because we specifically talked about this. But that's irrelevant. I think we should move on

LaNae Millett You keep bringing it up, don't you? It is irrelevant

Jenn Gale Because you're accusing us of things that aren't fair. No, I'm talking about this weekend. I'm talking about this agenda. No one called me about this issue on this agenda, and I just talked about it on Friday at our retreat. So put yourself in my place

Jeff Lambson This agenda item didn't show up until yesterday,

LaNae Millett And you should have called me. You've called the mayor, you've talked to each other.

Mayor David Young There was a fast track on this Well, I was busy, you know? I mean, Jeff and Chris called me, we talked about it.

David Spencer I think that normally comes out on Friday, but we were at the retreat.

Mayor David Young So, I think a lot of this, I mean, we can all work to communicate better and do things better, but I think as far as, I mean, if we could get a vote, and I don't, I mean, probably when I saw if we would have been doing new planning commission member, I would have been a lot more likely to say, Okay, let's take more time. Let's get this out. Let's make sure what everybody wants and all the rest. But I just so, from my perspective, Madeline is very, I mean, she's right in the middle, as far as she's not any kind of extreme anything. She's just a good administrator. She's done a great job as a volunteer. And so I didn't think re-upping her was any big deal. And that was probably my mistake, because, you know, apparently nothing that was uncomfortable. But anyway, as far as we're at right now to try and move forward, I'd like someone to make a motion to, you know, to just approve Madeline. We'll move forward with that, and then we'll also agree to look at this process in the near future and work through it in our work meetings.

Chris Killpack So we have the motion on currently and seconded

Mayor David Young Remind us what that was.

Chris Killpack It was to move it out of the consent items, no table. There's the table so we can bring it back up. Yeah and hopefully, within the two weeks, when we meet again in two weeks, and have it all taken care of, everything will be resolved and taken care of.

D. Jacob Summers the motion on the before the council with the second is a motion to table the reappointment of Madeline Komen.

LaNae Millett And can that be withdrawn and a new motion put forth?

D. Jacob Summers If the sponsor wants to

Chris Killpack No, I want to. I want to just, let's see what the vote is on this one, and then we can talk about the other point.

D. Jacob Summers So at this point, Mayor, I think the question before the chair is to call for question and the vote,

Mayor David Young So this, to be clear, this is the vote to table the reappointment, the reappointment of Madeline.

Those voting yes: Jeff Lambson. Those voting no: David Young, LaNae Millett, David Spencer, Tom Macdonald, Jenn Gale, and Chris Killpack. The motion did not **pass**.

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

SCHEDULED ITEMS

PUBLIC HEARING - ORDINANCE - Amending Current Fiscal Year 2024-2025 Budget

Presenter: Brandon C. Nelson, CPA, Finance Director

Mr. Nelson is presenting an amendment to the current FY 2024-2025 budget. There are approximately 1.7 million in budget amendments. The first amendment is for grants or donations during the year. The adjustments are necessary to adjust the appropriate budgets. The second amendment is for the 2021 water, sewer & storm water bonds construction account, the bond earns interest on unspent funds. The third adjustment is the 2024 sales tax revenues bonds construction account, the bond earns interest on unspent funds. The fourth amendment is for the Orem Senior Friendship Center. The Senior Center needs funds for a fire alarm system and fixing the outside flagpole lights. The fifth amendment is for the facilities maintenance division. The adjustment is needed to attract new employees and to maintain existing personnel. The sixth amendment is for the finance department. The proposal is to add a new money order service fee to the passport fees and charges for passport services. The seventh amendment is funds received for Wildland Fire operations. The eighth amendment is funding for the Bike Trails Phase III project that is added from excess CARE tax grant funds. And the ninth amendment is the Major Crimes Task Force sold a vehicle and those funds need to be made available for other needed equipment.

Public Hearing open 7:54 PM

No public comment

Public Hearing closed 7:54 PM

Mr. Macdonald moved to approve, by ordinance, amending the current fiscal year 2024-2025 budget. **Seconded by** Mr. Killpack. Those voting yes: David Young, LaNae Millett, David Spencer, Tom Macdonald, Jenn Gale, Jeff Lambson, and Chris Killpack. The motion **passed**.

CITY MANAGER INFORMATION ITEMS

Mr. Bybee expressed gratitude for the City Council retreat and for the opportunity to work with the City Council. He assured the City Council that the City team takes their areas of focus seriously and is open to ideas on sharing these focus items from top to bottom throughout the City.

ADJOURN

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

PASSED and APPROVED on this 24th day of June 2025.


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	☒	☐	☐