CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
April 8, 2025

4:00 P.M. WORK SESSION - CITY COUNCIL CONFERENCE ROOM

CONDUCTING	Mayor David A. Young
ELECTED OFFICIALS	David Young, David Spencer, LaNae Millett, Tom Macdonald, and Jenn Gale ABSENT Chris Killpack and Jeff Lambson
APPOINTED STAFF	Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager; Keri Rugg, Deputy City Manager/Management Services Director; Steve Earl, City Attorney; Phil Anderson, Police Lieutenant; Brandon Nelson, Finance Director; Ben Williams, Fire Division Chief; Gary McGinn, Community Development Director; Peter Wolfley, Communications Manager, PIO; Lori Criman, Deputy City Recorder

NOTE: The referenced report and presentation documents for each discussion may be viewed at orem.gov/meetings under "City Council Presentations"

https://www.youtube.com/watch?v=zvIk172Z6pM&t=1s

Impact Fees Study Presentation *Presenter: Fred Philpot, LRB Advisor*

Mayor David Young initiated a discussion led by Fred Philpot from Lewis Robertson & Behne (LRB) regarding the impact fees for the city. Mr. Philpot explained that impact fees are charges on new development to cover their proportionate share of the costs for infrastructure and services such as parks, sewer, water, stormwater, transportation, police, and fire. He outlined the two main steps in the process: completing the Impacting Facilities Plan and the Impact Fee Analysis, both compliant with Utah Code. The process involves a Notice of Intent, analysis and certification, staff review, potential stakeholder discussions, a work session (like the current one), and finally, the adoption phase with a public hearing. Mr. Philpot emphasized that the city is not required to adopt impact fees and can modify or reject them, but any reduction or elimination would necessitate alternative funding sources or a change in the level of service. He also noted a 90-day waiting period typically applies to fee increases.

Mr. Philpot detailed the six steps involved in calculating impact fees: demand analysis, existing facilities inventory, establishing levels of service (existing and proposed), identifying necessary facilities (existing and future), considering all revenue resources, and conducting a proportionate share analysis. He mentioned the study considered parks and recreation, public safety, transportation, and utilities, acknowledging the process took time due to ongoing master planning efforts, particularly for water infrastructure. A draft impact fee facilities plan and document will be available for public and council review, with potential fluctuations based on feedback. The study considered a citywide service area and the Southwest annexation area from a 2018 study. Demand variables are specific to each service (e.g., population for parks, acreage for stormwater, ERUs for water/wastewater, calls for service for public safety, and trips for transportation). Levels of service are also defined for each service, and the study accounted for buy-in for oversized infrastructure benefiting both existing and future residents.

The primary driver for impact fees is new capital investment. Projected investments include $25.6 million for parks and recreation, renovation for police, new building space and a partially allocated training facility for fire, signalization improvements for transportation, and significant investments in water, wastewater, and stormwater infrastructure based on master plans. These figures represent the growth-related portions of these projects. Mr. Philpot then presented a summary of the proposed fee changes for single-family and multi-family developments, noting that these are maximum calculated fees. For single-family homes, significant increases were proposed for parks and recreation, primarily due to increased land values (from an assumed $190,000-$200,000 per acre in 2018 to $575,000 per acre for raw undeveloped land).

City Manager Brenn Bybee clarified that the presented fees are the maximum allowable, and historically, the city has adopted lower amounts. Mr. Philpot confirmed this and discussed the common practice of phasing in fee increases over multiple years or adopting a percentage of the maximum fee to address economic and affordability concerns. He also mentioned the option of not implementing impact fees at all, as Ogden City has chosen to do, particularly in built-out communities, to incentivize redevelopment. Council members discussed the definition of redevelopment and its impact on fee assessment, with clarification that fees are typically only charged for net increases in demand.

Mayor Young inquired about how impact fees would apply in infill development scenarios within built-out areas like Canyon Park. Mr. Philpot explained that while developers typically fund project-specific improvements, impact fees address the broader system-wide impact, using averages across land uses. He noted the ordinance allows developers to present alternative fee calculations for review if their specific development suggests a different impact. Mr. Bybee added that staff reviews applications and consults with the consultant to ensure compliance with state code, and clarified the distinction between annexation and city areas regarding fee applicability, noting that credits might be given for existing demand in redevelopment areas.

Mr. Philpot then presented percentage changes in impact fees for both single-family and multi-family units compared to existing fees. He pointed out variations, such as a downward adjustment for parks and recreation for multi-family units due to typically lower persons per household and demand for certain services. For commercial and industrial categories, there were also some refinements based on different call-for-service patterns and land use classifications. He reiterated that the IFP and IFA documents would provide more detail and would be available for public review 10 days before the public hearing.

Mayor Young questioned the impact of Redevelopment Agencies (RDAs) on impact fees. Mr. Philpot stated that the calculation is neutral to RDAs but policy decisions could lead to reduced fees within RDA areas to incentivize redevelopment, with funding potentially coming from alternative sources. Mayor Young requested a more detailed breakdown of the potential costs for different housing types and comparisons with other communities. Councilmember Millett emphasized the need to explain the benefits of impact fees to residents, highlighting their role in maintaining the current level of service and quality of life. Mr. Philpot agreed to include these elements in future presentations.

https://www.youtube.com/watch?v=zvIk172Z6pM&t=2877s

IT and Fleet Budget Presentation *Presenter: Brandon Nelson, CPA, Thayne Carter, Fleet Manager, Carlo Okolowitz, IT Manager,Stephen Cannon, Information Security Officer, and McKay Barton, Software Development Project Manager*

Mayor David Young transitioned the discussion to Item 1.2, a presentation on the IT and fleet budget by Mr. Nelson. He explained that fleet and IT are significant and complex budget areas, thus warranting specific attention to ensure the council is well-informed about the financial and operational aspects.

Mr. Carter then began the fleet budget presentation, detailing the analysis of fleet replacement since late November, considering lease programs and various procurement types. He outlined new leases (leasing instead of purchasing), external leases (similar to dealership leases), internal leases (purchasing and selling after a few years), and traditional purchasing using state contracts and savings funds. For FY 2026, the task force will lease two vehicles. Main core leases, where vehicles are purchased, include two for fire administration, one for fire medical services, and two for police investigations, totaling around $230,000. The lease was extended for one more year on eight vehicles (one fire, six police, one public works) at a cost of $93,000 due to lower than anticipated resale values. The annual lease payment for 16 police vehicles is just over $150,000, and one new fire vehicle will be leased for $16,000. Surplus funds from sold vehicles, estimated at $145,000, will offset the total request. The total leasing program for FY 2026 is around $336,000, broken down by department, with the surplus funds subtracted.

For general fund purchases, three repurposed vehicles (one each for facilities, building safety, and finance) will cost $14,000. The Parks Department will purchase six vehicles (including repurposed and new) for $150,000. The Police Department is requesting $912,000 for 14 vehicles, including patrol, alcohol enforcement, canine units, and support vehicles. The Fire Department will finance a pumper and a brush truck at an annual cost of $190,000 for ten years. The total for general fund purchases is $1.2 million. Combining purchases ($1,266,000) and leasing ($366,000), and offsetting with $600,000 in sinking funds, the total general fund request is $1,032,350.

Moving to enterprise funds, Stormwater is budgeting for six vehicles, including buyback program equipment, a street sweeper (third year of sinking fund), a jet water fixed sewer truck (second year), a riding lawn mower, and saving for a camera inspection van, totaling $451,000. Streets has a buyback program for backhoes and a loader, and is purchasing a one-ton utility truck (second year of sinking fund), a large dump trailer, a half-ton pickup, and two plow trucks for $373,000. Water Reclamation's buyback program includes a backhoe and loader, along with a one-ton utility truck (first year of sinking fund) and a utility vehicle, requesting $394,000. The Water Fund is requesting funds for 12 vehicles, including buyback program equipment (backhoes, loader, excavator), and is moving mini excavator into the buyback program due to doubling lease costs. They are also purchasing a medium trailer, a two-ton repair truck (second year of sinking fund), and a hydro excavator (fourth year of sinking fund), along with a generator and a half-ton pickup, totaling $619,000.

Councilmember Macdonald asked for a comparison to prior years. Mr. Carter presented a slide showing the general fund replacement history, indicating a request of just over $1 million for this year after considering lease surplus and sinking funds, compared to $1.9 million and $1.3 million in the previous two years. Enterprise fund requests were at $1.8 million, fluctuating slightly from previous years. Mr. Carter concluded with a summary slide of the fleet replacement request.

Carlo Okolowitz presented the IT budget, noting a division of responsibilities within the team: operations (keeping systems running), policy and compliance (Steve Cannon), and software development (McKay Barton). He stated that there are no budget expansions requested this year, as the previous year's budget covered the needs for the new city center. Mr. Okolowitz then highlighted accomplishments from the past year, including the addition of a network engineer who addressed the backlog, completed Parks Wi-Fi projects, and built the Public Works network. A significant effort involved the new city center, with equipment ordered in April, configured over the summer, and system migrations starting in November, resulting in smooth transitions.

Upgrades for the new facility included redundant Wi-Fi access controllers (up from non-redundant), 64 access point upgrades, clustered firewalls (replacing single points of failure), and a new network architecture. On the system side, they upgraded to Server 2025 hypervisors. In preparation for the city center move, they enhanced their Time Point (data center) backup facility, moving the database last year and the remaining systems this year, including successful live testing. They are also rolling out SentinelOne for endpoint management (a state-provided service) and utilizing KnowBe4 for security training, which has significantly reduced susceptibility to phishing attacks (from 50% click-through rate to under 10%). Additional improvements include a new security camera server for Public Works and the new building, a modern access control system, and a transition to GoTo for a new internet-based phone system.

Mr. Okolowitz discussed a strategy developed with Provo to leverage interlocal IT resources, which has expanded to include 30-50 other cities. An agreement is in draft to allow resource sharing during cyber events or other emergencies at little to no cost. Finally, he noted the help desk's efficiency with a new ticketing system, resolving 3258 tickets in the first year with a 4.8 out of 5 satisfaction rating.

The IT focus for the upcoming year includes continuing the SentinelOne rollout, implementing a state-provided Action1 patch management service, and deploying Network Access Control (NAC) for enhanced network security. They also plan to replace aging backup systems, transition to Windows 12 as it becomes available, continue Server 2025 upgrades, and address mobile device management. Mr. Okolowitz intends to leverage unused space in the new city center's data center by offering it to other cities for reciprocal resources or compensation. Lastly, the team will focus on developing dashboards to improve visibility into IT operations and project statuses for both staff and the wider organization.

Mr. Cannon then presented on information security and data privacy, expressing his appreciation for the city's increased focus in these areas. He highlighted the development of a citywide cybersecurity governance, risk, and compliance (GRC) framework and a cybersecurity framework, which he likened to building codes for data and infrastructure. He noted significant progress in establishing policies and procedures, the governance aspect of GRC. Specific policies mentioned include the state-mandated data privacy statement, an artificial intelligence policy, and an unidentified network device policy (to be discussed later). Mr. Cannon emphasized that these policies are the "hygiene" of cybersecurity.

New procedures implemented include cybersecurity and data privacy assessments for all onboarding third parties (incorporating the data privacy requirements of House Bill 491 with a cybersecurity component). A formalized data flow documentation process, also a requirement of House Bill 491, is underway to track citizen data within the city. Additionally, a process for documenting, tracking, and auditing policy exceptions has been established to address instances where policies might hinder business operations.

Looking to the coming year, Mr. Cannon mentioned the rollout of a statement eight for a citywide privacy program. Regarding their cybersecurity framework, he noted that after years of focusing on control number one (asset identification - "What do we have?"), they are nearing completion, which is a significant achievement. The focus will then shift to control number two: identifying and understanding the software used by the city and its business purpose. He reiterated that the unidentified network device policy will serve as the technical foundation for control number one, reinforcing their behavioral policies and maintaining good cyber hygiene.

Mr. Barton presented on software development, highlighting the rewrite of the new hire onboarding process for HR, which has improved efficiency and consistency for new city employees. The software developers also rewrote the boards and commissions website to streamline citizen applications, including resume uploads, and simplified the employee user side. Councilmember Millett announced that a demonstration of the updated boards and commissions website would be given at an upcoming council meeting. Mr. Barton clarified that the current website will be entirely replaced with a new, more user-friendly application that will feel familiar.

The migration of city websites from the .org to the .gov domain is ongoing. The software development team has been divided into a legacy team (managing desktop applications) and a web development team (overseeing projects like commissions, the HR portal, and a future citizen portal). They have also updated their software architecture for more efficient maintenance. The primary focus for the upcoming year is the creation of a central citizen portal to integrate interactions with the city, such as utility payments and business licenses, which currently require separate applications and logins. The first two applications to be integrated will be rewritten versions of business licensing and utility billing.

A complete analysis of all in-house developed software (approximately 200 programs) will be conducted to create a working inventory and establish a lifecycle for each application. Internally, the team has reorganized their workflow using a more rigid scrum methodology to improve the consistency and delivery of code. Councilmember Gale acknowledged the team's hard work, particularly with the city center migration. Mr. Bybee expressed increased confidence and better sleep due to the improvements in IT, cybersecurity, and network infrastructure.

Station Area Plan (SAP) Update Presentation *Presenter: Gary McGinn, Community Development Director*

Mr. McGinn provided an update on the Station Area Plans (SAPs). He explained that state law requires municipalities with transit centers (like the four FrontRunner stations and areas served by the UVX bus rapid transit) to adopt SAPs by the end of the calendar year. These plans must also be submitted to the local Metropolitan Planning Organization (Mountainland Association of Governments - MAG) and UTA for review to ensure compliance with state law.

Mr. McGinn stated that the city is working on all four plans and is nearly finished. For the bus rapid transit areas, they are proposing a resolution of impracticability due to existing full development. The transit center plans are undergoing further refinement with the help of a consultant. The plans will be submitted to MAG sometime this year for their review and feedback to ensure all state law requirements are met.

Councilmember Macdonald clarified that the deadline is the calendar year. Mr. McGinn confirmed this and stated he is not concerned about meeting the timeline, as they are in communication with MAG. He noted that failure to adopt SAPs could impact the city's funding for C and E rail and roads. He concluded by saying he believes they are on a good track and does not foresee any issues. There were no further questions.

https://www.youtube.com/watch?v=zvIk172Z6pM&t=5880s

Short Term Rental Ordinance Presentation *Presenter: D. Jacob Summers, Deputy City Attorney*

The council resumed discussion on short-term rentals (STRs) with Mr.Summers continuing the presentation from the previous month, focusing on occupancy limitations. Mr.

Summers presented a comparison of maximum occupancy limits in neighboring cities, noting Orem's proposed limit of eight persons, compared to Provo's ten, Sandy's no limit (with other requirements), Lehi's ten, and Ogden/Logan having no limits. He emphasized that the proposed eight-person limit is a starting point for council discussion and a tool for balancing neighborhood character with business operations in residential zones, making enforcement easier for code enforcement and police. Councilmembers discussed whether eight was too restrictive, especially for larger homes, and the potential for STRs to accommodate families.

Mr. Summers clarified that the proposed ordinance also includes a bedroom size-based occupancy limit (two people per bedroom 100 sq ft or larger, one person for 70-99 sq ft, and no occupancy in rooms under 70 sq ft), which would further cap occupancy even if the maximum was raised to ten or twelve. Councilmember Millett raised the issue of defining a bedroom (requiring a window, per building code) and ensuring inspections for building and fire code compliance. Mayor Young suggested prioritizing key issues to expedite the resolution process, perhaps using a spreadsheet format.

Mr. Summers continued with a comparison grid, stating that Orem would define STRs as transient lodging (under 30 days) requiring a business license. Owner occupancy would be allowed but not required (unlike Sandy and Nephi). The proposed ordinance limits an owner to one STR to prevent investor-driven housing. Councilmember Millett suggested requiring transparency of ownership for LLCs to prevent circumvention of this rule, although enforcement challenges were acknowledged. Mr. Summers noted that prior code and fire code might suggest a ten-person cap. Councilmember Gale questioned the prohibition of ADUs as STRs, suggesting owner-occupied ADUs could provide oversight.

Application fees in other cities vary (Provo $25, Nephi $50, Sandy tiered, Ogden $266, Logan conditional use permit $500 + $75 business license). Orem's proposed fee was not specified. The occupancy limit of two per bedroom with square footage requirements and an overall max of eight was reiterated, with openness to raising the max to ten based on fire code. Discussion ensued on whether to base limits on square footage of the home instead of bedrooms, especially for larger vacation homes with lofts. The unique zoning and regulations in resort towns like St. George were noted. House Bill 256 was mentioned as authorizing cities to regulate STRs and allowing the use of online advertisements for enforcement.

The discussion moved to limiting the number of nights a property can be rented, a requirement borrowed from Sandy (183 days for owner-occupied primary residences). Mayor Young questioned the benefit of this for neighborhoods, suggesting longer-term renters might have less impact. Mr. Bybee asked about minimum rental periods or required days between rentals to reduce turnover. Mr. Summers confirmed these exist in other ordinances and could be enforced through application renewals based on rental records. Councilmember Gale expressed concern about over-regulation and penalizing responsible STR owners for the actions of problem properties ("goat houses"), suggesting focusing enforcement on issues like noise and parking. Mr. Earl pointed out that current ordinances limit occupancy in residential zones to related individuals or a maximum of three unrelated people, and STRs with higher occupancy could circumvent this. Mr. Summers clarified the proposed eight-person limit does not require them to be related. The possibility of defining STRs as rentals for 1-29 days to prevent longer-term rentals was discussed, but concerns about tenants simply rotating names were raised. Councilmember Millett emphasized the desire to prevent STRs from becoming de facto rooming houses for unrelated individuals.

Mayor Young used the analogy of hotel occupancy limits and people exceeding them, suggesting that some level of non-compliance is likely. Mr. Summers agreed but stated a numerical cap aids enforcement when complaints are received. Council discussed the difficulty of evicting renters who exceed occupancy limits and the potential for negative optics. The effectiveness of noise ordinances and parking rules in managing STR impact was raised. Mr. Earl noted the difficulty of legally restricting the number of cars parked on public streets. Mr. Summers suggested focusing on requiring off-street parking plans and holding owners responsible for ensuring renters comply. Councilmember Millett emphasized that STR owners must still adhere to landscape codes (no parking on lawns).

Property maintenance requirements, including general maintenance, snow removal, noise control (quiet hours, noise management plans for pools/hot tubs), and adherence to all city codes, were discussed. Councilmember Millett suggested addressing lighting that shines onto neighboring properties.

Geographical spacing requirements were then discussed. The proposed ordinance suggests a 1000-foot separation between STRs. Provo has no such requirement for single-family homes but limits STRs in multi-family buildings to 10%. Sandy uses neighborhood caps, and Lehigh limits spacing only around schools (600 feet). Ogden restricts non-owner-occupied STRs to one per block in certain R zones. Councilmembers expressed concerns about potential clustering of STRs in certain neighborhoods if no spacing or cap is implemented. The idea of neighborhood caps or limitations per area (like Orem's nine neighborhoods) was raised as an alternative to a strict 1000-foot rule. The current estimate of STRs in Orem is around 250 (1% of households), though this data is likely incomplete. Mr. Summers agreed to explore language based on neighborhoods rather than a fixed distance. Mayor Young questioned the overall goal for the number of STRs in the city. Mr. Summers explained the 1000-foot spacing was proposed to prevent neighborhood saturation.

Councilmember Millett raised concerns about the transferability of STR licenses upon sale of a property, noting that increased property values are often tied to their STR status. Mr. Summers confirmed that licenses are generally not transferable, which could impact property values. The possibility of owners circumventing this by selling the LLC that owns the property was discussed, with Councilmember Millett suggesting requiring transparency of individual names within LLC ownership. Mayor Young questioned the enforceability of this.

The discussion then turned to a potential cap on the total number of STR licenses. Mr. Summers' initial suggestion of 100 was based on a conservative calculation (three STRs per 1000 households).Mr. Earl suggested starting low and increasing the cap if needed, noting the difficulty of reducing licenses once issued. Mayor Young questioned what to do with the estimated 200 existing STRs if a low cap is set. Mr. Summers provided further data, noting Logan's cap is two per 1000 population (around 108), and Sandy's is two STRs plus one permit per 100 single-family detached dwellings. Councilmembers debated whether to set a cap lower than the estimated current number, which could immediately make existing STRs illegal. The idea of an opt-in process to gauge the number of operators was briefly mentioned.

Finally, enforcement mechanisms were discussed, including inspections, processes for denial and suspension of licenses, and fines ($500 for the first violation, $750 for the second, $1000 for the third), with license revocation upon the third violation and a ban after revocation. These fines are proposed to be higher than standard MIT violations due to the monetary nature of STR operations. The importance of addressing parking, noise, and occupancy violations through these mechanisms was reiterated. Mr. Summers stated he would incorporate the feedback into a revised draft ordinance. Mr. Bybee commended Mr. Summers and legal counsel for their work, noting the wide spectrum of considerations. Councilmember Millett reiterated support for a cautious approach with built-in flexibility for future changes.

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

Councilmember Macdonald gave a brief report on his committee assignments. He is involved with the Public Works Advisory Commission, the UTOPIA group (meeting quarterly), the IHC Outreach Committee (Orem Community Hospital), and the Audit Committee (annual meeting with the Mayor). He also serves on the Utah League of Cities and Towns (ULCT) Housing committee and the ULCT Governor subcommittee, which is currently less active until the legislative session resumes in the fall. He noted that he would miss an upcoming CDBG meeting due to another event. He confirmed that things were generally progressing well in these committees, with periodic reports and regular engagement with groups like CDBG.

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, LaNae Millett, Tom Macdonald, and Jenn Gale ABSENT Chris Killpack and Jeff Lambson
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Communications Manager, PIO; Lori Criman, Deputy City Recorder

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT – Annika Boyack
PLEDGE OF ALLEGIANCE / FLAG CEREMONY – Fire Honor Guard

MAYOR'S REPORT/ ITEMS REFERRED BY COUNCIL

https://www.youtube.com/watch?v=zvIk172Z6pM&t=10800s

International Firefighter Day Presentation *Presenter: Ben Williams, Fire Division Chief*

Ben Williams addressed the Mayor and Council on behalf of Chief Sanderson, who was absent, to commemorate International Firefighters' Day on May 4th. He explained that this day honors current and past firefighters, especially those who have died in the line of duty. The tradition began in 1999 in Australia after the deaths of five firefighters battling a wildfire. JJ Edmondson, a volunteer firefighter in Victoria, Australia, coordinated the first International Firefighters' Day. May 4th was chosen because it is the feast day of St. Florian, the patron saint of firefighters, who was a commander of firefighting operations in the Roman Empire and died serving others. The day is symbolized by a blue and red ribbon, representing water and fire, respectively, colors internationally recognized for emergency services.

Mr. Williams announced that the Orem Fire Department would be recognizing their firefighters by platoon during the first week of May and invited the Mayor, Council, and city administrators to attend, promising to provide dates and times. He expressed the Fire Department's gratitude to the Mayor, Council, and city leadership for their ongoing support, which he stated is crucial to their high standards. He highlighted the upcoming opening of their state-of-the-art fire training facility, unique in the state and region, allowing for daily practice and skill development. He also mentioned their four advanced life support ambulances and five heavy rescue ALS trucks and ambulances with paramedics. Mr. Williams proudly spoke about Orem's unique Advanced Critical Care Paramedic squad, staffed by critical care certified paramedics who serve the entire city, handling serious health calls with skills beyond standard paramedic certification, a program approved by city administration and the council. He thanked the community for their continued support and daily interactions. On behalf of Chief Sanderson, the administrative team, and the fire department members, Mr. Williams again thanked the Mayor and Council and presented them with a gift bag as a token of their appreciation.

https://www.youtube.com/watch?v=zvIk172Z6pM&t=11229s

<u>Utah Central Association of Realtors Gold Star Memorial Monument Donation</u> *Presenter: Peter Christiansen, Utah Central Association of Realtors*

Mr. Christiansen presented a check from the Utah Central Association of Realtors for $1000. This donation is for the Gold Star Memorial Monument that will be the center of the new freedom plaza at the City Center.

<u>Orem-Lindon Rotary Club Gold Star Memorial Monument Donation</u> *Presenter: Representative of the Orem-Lindon Rotary Club*

Mr. Michael Rich, president of the Orem-Lindon Rotary club. and Debbie Lauret presented the City with a donation of $2000 for the Gold Star Memorial Monument. $1000 of the donation is from the Orem-Lindon Rotary Club and $1000 is from funds from an American Fork bike race.

https://www.youtube.com/watch?v=zvIk172Z6pM&t=11572s

<u>Utah Recreation Parks Association (URPA) and Sports Field Management Association (SFMA) Award Presentations</u> *Presenter: Leanne Powell, URPA and Paul Walker, SFMA*

Ms. Powell, the Executive Director of the Utah Recreational Parks Association (URPA), and Mr. Walker, the President-Elect of the Intermountain Sports Bill Management Association, addressed the Mayor and Council to celebrate the city's Parks and Recreation Department. Ms. Powell highlighted the importance of parks, trails, pavilions, meeting spaces, recreation centers, and pools for community well-being, health and wellness, environmental stewardship, and social equity. She mentioned that URPA represents around 2000 Parks and Recreation professionals statewide.

Ms. Powell explained that URPA takes nominations for awards annually and that past presidents select the winners. She was there to present two awards. The first was for Outstanding Facility, and she announced that the Hillcrest Park Center was chosen for this honor. She commended the community's vision in transforming a closed school and underused park into a year-round indoor and outdoor facility. She acknowledged the collaborative effort of city leadership, administration, the Council, the Parks and Recreation Department, Blue Line Design, WPA Architecture, and Bucha Construction in making the Hillcrest Park Center a reality. On behalf of URPA and its past presidents, he presented the 2025 Outstanding Facility award to the Hillcrest Park Center and the Orem Parks and Recreation Department, inviting representatives from the department to come forward.

Mr. Walker, representing the Intermountain chapter of the Sports Field Managers Association (SFMA), then presented the Sporting Grounds of the Year award. He explained that this was the first year for this award, which recognizes departments demonstrating an added investment in tourism and the growth of sports within their community. Lakeside Park was chosen as the recipient for embodying these qualities. Mr. Walker specifically acknowledged the maintenance staff for their hard work and dedication in making these sporting grounds possible and for their ongoing care. The Intermountain chapter of the Sports Field Managers Association was pleased to award the Sporting Grounds of the Year to Lakeside Park and the Orem Parks and Recreation Department.

https://www.youtube.com/watch?v=zvIk172Z6pM&t=12087s

Arbor Day (April 25) Proclamation / State of the City Trees Presentation *Presenters: Chris Tschirki, Public Works Director, Tyler Peay, Assistant Public Works Director and Josh Story, Urban Forester*

Mayor and Council were presented with an Arbor Day proclamation for signing, supporting the Tree City USA program and urban forestry efforts. The history of Arbor Day, started in Nebraska in 1872 and celebrated annually on the last Friday of April in Utah, was highlighted. Trees in Orem beautify the landscape, enhance property values, moderate temperature, clean the air, reduce erosion, and provide wildlife habitat. Orem has been a Tree City USA for 32 years.

Mr. Peay introduced Josh Story, the city's urban forester of 21 years, and acknowledged his phenomenal work in maintaining Orem's urban forest, which currently consists of 6,638 trees. He noted that urban forestry in Orem contributes an estimated $20.3 million in property value. The department is planning to develop an internal master plan to ensure proper maintenance and safety of this valuable asset.

Councilmember Macdonald thanked Mr. Story for his expertise, particularly during the city center construction regarding tree preservation. Mr. Tschirki mentioned Mr. Story's availability to residents for tree health concerns. It was reported that around 40 trees were removed due to the city center project, but the city plans to replace them with over 100 trees, more than doubling the previous number. The city's strong history with its urban forestry program was emphasized, with more information to be presented in the future.

https://www.youtube.com/watch?v=zvIk172Z6pM&t=12444s

Kindness Week and City Birthday/Day of Service Presentation *Presenter:Debi D'Amico, Community Connection Supervisor*

Debi D'Amico announced the upcoming Kindness Week, starting on Monday, May 5th, which coincides with Orem City's 106th birthday. There will be daily social media posts with kindness activity suggestions, and kindness yard signs will be available at the recreation center. School resource officers will also be giving out kindness citations to children who perform kind acts, which will include a free treat from a local business. On Saturday, May 10th, there will be a service project and birthday celebration starting at 10 am, with an award from Mayor Young. This event has been added to the calendars. Councilmember Millett was thanked for her collaboration on this project with the One Kind Act a Day initiative.

https://www.youtube.com/watch?v=zvIk172Z6pM&t=12532s

City Hall Open House Presentation *Presenter: Kenice Whitaker, Events Manager*

Ms. Whitaker then presented information about the grand opening of the Orem City Hall, a much-anticipated event. Public tours will be offered on May 21st, 22nd, and 23rd from 5 to 8 pm. A grand opening ceremony is scheduled for Tuesday at 6 pm. The City Hall tours will feature Miro the Mammoth, as well as Orem royalty (Golden Royalty and Miss Orem representatives) stationed in different areas to provide highlights and answer questions. Videos and TVs showcasing the city and the building's construction will be on display, and handouts will be available. The tour route will start at the top floor, including stops at Human Resources, the clock mechanism, conference rooms, break rooms, the balcony, legal offices, and management services. The public will have access to the City Manager's and Mayor's offices and the balcony, exiting through the Administrator's office, which will house the building's original seal. The tour will continue down the grand staircase to the Community Development Conference Room center and the Fire Department administrative areas, including the Emergency Operations Center. The first floor will feature the 311 location, the employee gym, the Freedom Gallery, and conference rooms, ending with the City Council's conference room and chambers, with exit through the lobby. Engaging activities along the tour include a Miro scavenger hunt with a hidden message leading to a prize, and a nine-hole mini Pop Pop course, ending in the City Council chambers. The ribbon-cutting ceremony on Tuesday at 6 pm will include creative music, remarks from Mayor Young and City Manager Bybee, Capital Project Manager Lane Gray, and representatives from Layton Construction and Method Studio, followed by the ribbon cutting, a balloon drop, and refreshments, with tours resuming afterward. Attendees were invited to scan a QR code to sign up for tour tickets.

https://www.youtube.com/watch?v=zvIk172Z6pM&t=12822s

PERSONAL APPEARANCES

Opened at 6:38 PM

Al Switzer, representing Candy Charitable Enterprises, owner of land that Wilkerson's farmed , clarified that the property was purchased to support his food pantry, Tabatha's Way, but the farming arrangement with the Wilkersons proved unsustainable after six years, necessitating their eviction by May 31st and the cancellation of the farmer's market; he emphasized that the sale of the property, owned by a charitable organization, would solely benefit his efforts to combat food insecurity in Utah County, and the proposed development consists of R8 quarter-acre lots, consistent with the surrounding area, also noting his lack of prior interaction with the council or Mayor before this zoning request.

Ken Pajork addressed the council to discuss alleged stalking and organized crime targeting them, claiming to possess proof that would be lawfully presented to the council. He asserted having a resolution for the disasters discussed by the council, stating that the blame should not be placed on Spanish speakers or illegal aliens, alleging a cover-up for sexual misconduct. He warned of legal repercussions if he was further harassed or stopped, questioning the legal advice received by the council and its attorneys, and demanded an audit. The Mayor mentioned a process the speaker could follow, and the speaker confirmed the auditor was an outside entity before concluding their remarks.

Romjay Allen expressed her love for Orem and thanked several city council members (Mayor Young, Councilmembers Millet, Spencer, and Gale) for their responsiveness and for listening to her concerns. She also thanked Al Switzer for making Wilkerson Farm available, noting its importance to the community. She then raised two main concerns: first, she questioned why the scheduled zoning rezoning vote was postponed, given the significant effort and money spent on notifications, and requested public disclosure of who called for the postponement and the reasons. Second, she expressed concerns about potential conflicts of interest involving Councilmembers Killpack(due to property ownership on State Street) and Macdonald (due to his employment at UVU and real estate interests), stating she had heard rumors of their behind-the-scenes involvement with the developer for the rezoning project and called for an investigation into their communications. Finally, she urged the city to create a policy on conflicts of interest requiring public disclosure and recusal from voting on matters where council members have personal relationships or financial benefits.

Councilmember Macdonald stated he has no financial interest in the rezoning area and only conveyed to the developer that he believed single-family housing would be more favored by citizens. Councilmember Gale explained the rezoning item was postponed because the applicant requested it, a courtesy she extends to any applicant wanting to be heard by the full council, denying any conspiracy or specific reason for the delay. Councilmember Millett expressed disagreement with the postponement, stating four council members agreed to it, and she believes developers should not control the agenda, as citizens were informed of the April 8th date at Planning Commission. Mayor Young agreed that the process for postponing should be more formalized and not depend on the developer's preferences or council member availability, noting constituent feedback expressing frustration over the cancellation after residents prepared to attend. Councilmember Gale countered its reasonable for an applicant investing in the city to want a full council hearing. Ms. Millett reiterated it was unfair to residents due to a developer's request, especially with a quorum present and the item on the agenda. Mayor Young then noted Item 10.2 would be continued, emphasizing the need for a better process not reliant on the developer's timing. Ms. Millett, observing the developer was present, questioned why the item wasn't on the agenda. Mayor Young concluded the discussion by suggesting a review of the process for agenda management and setting goals to avoid such issues in the future, with Ms. Millett stressing the need for better collaboration and consideration for all parties involved, including residents experiencing "developer fatigue." Mr. Bybee offered to review council meeting and agenda management policies and procedures, including a comparative analysis with other cities, to suggest improvements at a future work session. Mayor Young agreed to this suggestion.

Aldean Jones expressed her concern about the future of Wilkerson Farm, drawing parallels to Central Park in New York City and the importance of preserving green spaces for the long term, considering potential future needs like Victory Gardens during World War II. She highlighted the challenges faced by American farmers and the increasing reliance on imported food. She emphasized the value of having a farm within the city for its positive impact and the importance of trees, referencing Orem's Arbor Day efforts, suggesting that preserving the farm would be a form of beneficial city planning for future generations.

Vance Law expressed concern about the postponement of the rezoning vote, implying a developer's influence on the council's agenda, but refrained from further discussion as it had already been addressed. He argued against single-family homes in the proposed area, citing potential catastrophic consequences of a train derailment, however unlikely. He also doubted that single-family homes were the developer's ultimate profitable goal, predicting a transition to multi or high-density residences, which would increase traffic through their Northwest Provo neighborhood. They drew a comparison to parked cars along Geneva Road near an existing high-density complex, anticipating a similar situation with four to six students and cars per residence, exacerbating current traffic on Geneva and Sandhill Roads. He urged the city council to consider the neighborhood's opposition, preserve open land, listen to local residents, and cease entertaining what they perceived as a potential disaster.

Benjamin Nightingale expressed his love for Orem, citing its commitment to family as a key reason for choosing to settle and start a family there after college. He highlighted the city's efforts in parks, recreation, public safety, and enrichment opportunities. Speaking on behalf of Wilkerson Farm, a place holding personal memories and family outings, he argued against turning the Wilkerson Farm land into residential homes. Instead, he suggested that the land should be used for entertainment or enrichment purposes, creating more spaces for families to gather, enjoy themselves, and celebrate together, viewing residential zoning as a missed opportunity for community-focused development.

James Brown thanked the council for listening to citizens and then addressed Mr. Earl, rhetorically asking if an investigation would be warranted if a vote requiring a quorum had occurred outside of a public meeting, suggesting the Open and Public Meetings Act (OPMA) might apply. Despite being told by the city that no such meeting, vote, or minutes existed, Brown formally requested an investigation to determine if a vote was taken and, if so, argued that OPMA was violated, potentially warranting prosecution.

Tony Kretschmer recalled speaking to the council a year prior about choosing Orem to raise his family, valuing its family-oriented nature. He noted the significant transformation of Sandhill Road, where his in-laws bought a home in 1973 when it was a quiet country lane, to a major thoroughfare now causing his 90-year-old father-in-law to fear pulling out of his driveway. He reminisced about the orchards that once existed where Costco and skate centers are now, and along Sandhill Road near Nelson's Grove, expressing gratitude for the preservation of Nelson's Grove as open space. Turning to Wilkerson Farm, he understood it to be zoned OS-5, meaning open space agriculture, and asserted that Orem is 95% built out, making the remaining open space, like Wilkerson Farm, precious. He argued that any development on open space equates to increased density, regardless of zoning, and expressed concern about the potential for increased traffic on Sandhill Road if the developed homes were rented to university students, further impacting his father-in-law and the city. He concluded by urging the council to preserve the remaining open land.

Helena Kleinlein began by thanking Al Switzer for his generosity and recognizing his charitable work in Utah County, mentioning the opening of theTabatha's Way in Spanish Fork. She then asked the city council, Al Switzer, and the audience to open their scriptures to Isaiah chapter five, specifically verse eight. Reading the verse, "Woe unto them that join house to house, that lay field to field, till there be no place," the speaker then directed attention to footnote C, which she stated explains this verse as wealthy landowners absorbing the land of poor farmers, identifying the Wilkersons as poor farmers. Emphasizing the meaning of "woe" as a covenant curse, she urged Al Switzer to carefully consider whether she wished to bring such a curse upon Orem. Addressing the council members, she reminded them of their sworn duty to protect the city, stating that farms are blessings, not curses, and implored them to protect the farmland.

Truman Van Cott acknowledged the difficulty of speaking after previous speakers and thanked the council members who listened to residents. He expressed concern about pushing residents to their breaking point by forcing high-density development on their neighborhoods, noting developers' skillful tactics. He referenced a conversation with Councilmember Gale, agreeing with some of her points. Mr. Van Cott's main point was that the council's power comes from the people, who he believes are being disrespected and want to be heard.

John Cheney thanked the city council for hearing his opposition to rezoning the Wilkerson Farm. While acknowledging the owner's efforts, he emphasized the value of the open farmland, highlighting its history of community-supported agriculture and hosting the last remaining fall fair in the Provo/Orem area. He expressed concerns about increasing traffic congestion due to rapid development and questioned the quality of life for future residents given the proximity to railroad lines and the freeway. Cheney also raised safety concerns related to potential train accidents. He urged the council to consider the Planning Commission's 5-1 vote against the rezoning and reflect on what it means to be a family city and what the community values, emphasizing the irreversible nature of development on farmland. He concluded by requesting the council to reject the rezone.

Closed at 7:12 PM

https://www.youtube.com/watch?v=zvIk172Z6pM&t=14880s

CONSENT ITEMS

Approval of Meeting Minutes for January 14, 2025 and March 11, 2025

Ms. Millett suggested removing January 14, 2025 minutes from the consent items.

Update of City Council Meeting Schedule for April 22, 2025 5 PM Start Time

Ms. Millett moved to approve the consent item, except the January 14, 2025 minutes. **Seconded by** Mr. Macdonald. Those voting yes: David Young, LaNae Millett, David Spencer, Tom Macdonald, and Jenn Gale. The motion **passed.** Absent - Chris Killpack and Jeff Lambson

SCHEDULED ITEMS

https://www.youtube.com/watch?v=zvIk172Z6pM&t=15021s

PRESENTATION - Community Development Block Grant (CDBG) Allocations *Presenter: Debi D'Amico, Community Supervisor, Heather Cox, Management Analyst, and Taylor Draney, MAG*

Ms.Cox and Ms. Draney presented an updated version of the CDBG fiscal year 2025-2026 funding recommendations, developed by the CDBG Advisory Commission in collaboration with staff. The total available funding is $846,494, with 15% allocated to public services and the remainder to non-public service projects. Funding is split between regional projects (in collaboration with Provo City and Utah County) and Orem City-specific projects.

Regional non-public service recommendations included $17,000 for the Fuller Center for Housing. Orem City's non-public service recommendations totaled $752,820 and included: MAG and road city administration ($126,529), Section 108 loan repayment ($101,369 - the final payment), Orem Code Enforcement ($161,500), Orem Critical Home Repair ($57,000), and Orem LMI parks playground equipment replacement ($289,422, primarily for the Cherry Hill project).

Regional public service recommendations were for Rocky Mountain University Foundation, Utah Tax Help Services, and Big Brothers Big Sisters, funded through a percentage of the CDBG allocation combined from Orem, Provo, and Utah County. Orem City's public service recommendations totaled $93,674 and included: Orem Police Department for Victim Services ($30,000), Orem City Police Department for homeless services ($1,896.90), and Orem Neighborhood Preservation for neighborhood and homeless camp cleanup ($1,827.70).

Ms. Cox explained a shift in neighborhood revitalization funds. Due to a HUD code issue that would have exceeded the 15% limit for public services, most of the previously allocated $30,000 was redirected to the Cherry Hill playground project, as the HUD code limited its use primarily to dumpsters, with only $3,500 spent the previous year. Looking ahead, with the

Section 108 loan repaid, there's potential to use non-public service matrix codes for street improvements, sidewalks, and tree planting in neighborhood revitalization efforts.

A 30-day public comment period would begin that day, followed by a council vote on the recommendations and MAG's approval of the annual action plan. The allocation is expected by July. There was a brief discussion regarding the exact timeline for the council vote, clarifying it would likely be 35 days due to the meeting schedule. Council agreed to accept the information and await the formal proposal..

https://www.youtube.com/watch?v=zvIk172Z6pM&t=15472s

ORDINANCE - Amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning the properties located generally at (Ken Garff) 134 East 1200 South and 110 East 1200 South from Single Family Residential (R8) to Commercial (C2) (approximately 1.05 acres).

Mayor Young mentioned Item 10.2, an ordinance for a zone change request for property located at 134 East South Commercial (approximately five acres), with the applicant requesting consideration at the City Council meeting on May 13, 2025

Mr. Macdonald moved to continue item 10.2, the Ken Garff rezone, to May 13, 2025 City Council meeting. **Seconded by** Mr. Spencer. Those voting yes: David Young, LaNae Millett, David Spencer, Tom Macdonald, and Jenn Gale. The motion **passed.** Absent - Chris Killpack and Jeff Lambson

CITY MANAGER INFORMATION ITEMS

Mr. Bybee provided several updates. First, he reminded everyone to send names for invitations to the City Hall grant opening, noting the City has the certificate of occupancy. He apologized for inadvertently leaving some former council members and mayors off the groundbreaking invitation list and assured them they would be included in the open house..

Next, he mentioned that parking for the new building will be best in front of the Public Safety building for the next few months due to ongoing work. He then highlighted the upcoming ULCT City Conference, where the city will present its work with UCLT, expressing optimism about the growing influence of the city's voice.

Finally, Bybee announced that the library remodel will start soon, and to maintain services, a north entrance facing 100 North will be added. The plans are in place to minimize disruption and continue providing library services during the construction.

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

(These minutes were created with the help of AI)

PASSED and APPROVED on this 13th day of May 2025.

David A. Young, Mayor

ATTEST:

Teresa McKitrick, City Recorder

IN GOD WE TRUST
OREM
FAMILY CITY USA
EST. 1919

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