

CITY OF OREM  
CITY COUNCIL MEETING  
56 North State Street Orem, Utah  
May 13, 2025

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

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| CONDUCTING        | Mayor David A. Young                                                                                                                                                                                                                                                                                                                                                                         |
| ELECTED OFFICIALS | David Young, David Spencer, LaNae Millett, Tom Macdonald, Jeff Lambson and Chris Killpack ABSENT<br>Jenn Gale                                                                                                                                                                                                                                                                                |
| APPOINTED STAFF   | Brenn Bybee, City Manager; Keri Rugg, Deputy City Manager/Management Services Director; Steve Earl, City Attorney; Brandon Nelson, Finance Director; Marc Sanderson, Fire Chief; BJ, Robinson, Acting Police 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.gov/meetings](http://orem.gov/meetings) under “City Council Presentations”**

North Pointe Solid Waste Special Service District Presentation *Presenter: Neil Schwendimann, North Pointe*

Mr. Tschirki introduced Neil Schwendeman, General Manager with North Point Solid Waste Special Service District. Mr. Schwendeman provided the council with an annual update on waste management, highlighting key statistics and future projections.

Mr. Schwendeman reported that the total municipal solid waste (MSW) at the transfer station saw a slight decrease to 169,490 tons in the past year. Conversely, construction and demolition (C&D) waste continued its upward trend, reaching 142,372 tons. Overall, the transfer station processed approximately 330,000 tons of waste in the last year.

Regarding curbside waste, Orem and Lehi account for over 50% of the total, with Orem residents producing about 30,000 tons of curbside waste annually. It was noted that while Orem provides green waste services and coupons for residents, the use of coupons has decreased, partly due to the city's spring and fall clean-up events offering alternative disposal methods.

Mr. Schwendeman also informed the council about ongoing plans for a remodel and upgrade of the transfer station to improve traffic flow and efficiency. He concluded by explaining that North Point, as part of the Northern Utah Environmental Resource Agency (New Era), will

face a \$1 per ton rate increase from the Bayview landfill starting in July. Due to this, North Point anticipates holding a public hearing and potentially increasing its fees to cities by an additional 50 cents per ton, effective January 2026, urging the Council to factor this into their upcoming budget considerations.

Short Term Rentals Discussion *Presenter: D. Jacob Summers, Deputy City Attorney*

Mr. Summers provided an update on the proposed ordinance for short-term rental (STR) regulations, highlighting the diverse feedback received from both STR operators and concerned neighbors. The key issues raised by STR operators included concerns about: 1) Occupancy limits, arguing that an eight-person cap would significantly impact financial viability. 2) Nightly rental limits, specifically the proposed 182-night annual cap. 3) Geographical spacing restrictions, particularly the 1,000-foot separation requirement between STRs. 4) Numerical caps on the total number of STR licenses. 5) STR operators also advocated for preferential treatment or "grandfathering" for existing, well-maintained operations and expressed a desire for a community commission on STRs to influence policy and enforcement.

Mr. Summers presented the concerns voiced by neighbors of STRs primarily revolved around: 1) On-street parking, citing issues with multiple cars and large vehicles like school buses. 2) Security lighting causing light trespass into neighboring homes at all hours. 3) Noise and general safety concerns, particularly from large groups and proximity to schools, where STR guests might not be familiar with safe walking routes for children. These groups generally favored stricter regulations or a licensing system that controls use and density, and a mechanism to prohibit repeat violators.

Mr. Summers noted a consensus between both groups on the need for clear operational regulations to mitigate neighborhood impact and address "bad actors."

The discussion then focused on specific regulatory aspects. First, Parking Requirements. The current proposal is one off-street parking spot per bedroom, up to four spots. Logan City's model (one spot per two bedrooms, tying parking to occupancy) was presented as an alternative. Council members expressed a desire for parking to be a high priority to prevent neighborhood nightmares, suggesting a more conservative approach initially (e.g., 1.5 occupants per parking spot) that could be relaxed later. There was general agreement that tandem parking should not be counted as separate spots due to practical issues. Mr. Summers will return with a chart comparing the Logan model and a 1.5 occupants per parking spot ratio, with potential floors and ceilings.

The second discussion point focused on Owner Representatives. There was broad consensus to require a 24/7 available owner representative to respond to complaints and emergencies, maintain property, and facilitate enforcement. The discussion included general property maintenance, including landscaping and snow removal.

The third point was Quiet Hours for STR's. The proposal to align STR quiet hours with the city's "disturbing the peace" ordinance (prohibiting activity between 10:30 PM and 7:00 AM) was supported. This would include restricting use of outdoor amenities like hot tubs and pools



during these hours. The use of decibel monitors within STRs to alert operators to noise levels was also suggested as a common industry practice. The council agreed to restrict STRs to overnight accommodations only, prohibiting their use as event centers for weddings, concerts, or corporate events, aligning with efforts to prevent "party houses."

The fourth discussion point was Occupancy Limits. The proposed draft limits occupancy to two individuals per bedroom (with specific square footage requirements for bedrooms) and a maximum of eight unrelated individuals, regardless of home size. The possibility of adopting a "single family" definition without a maximum cap for related individuals (e.g., family reunions) was discussed as a way to accommodate large families while mitigating the risk of nuisance from large unrelated groups. Enforcement of the "unrelated individuals" clause was acknowledged as potentially challenging, relying primarily on neighbor complaints. The Mayor and Council requested further refinement on the occupancy numbers, particularly for larger homes, suggesting a "one size fits none" approach.

The fifth point focused on a Numerical Cap on Licenses. Previous discussions proposed a cap of approximately 100 licenses (3 per 1,000 households). Data suggests about 250 STRs are currently advertising in Orem (1% of households). Examples from other cities were provided: Provo (no numerical cap, but 10% limit in multi-family buildings), Sandy (2 per 100 single-family detached dwellings), and Logan (2 per 1,000 population, approximately 108). Council members desired more data on housing demand and the practical impact of a cap. There was sentiment that the initial cap should not be less than the current estimated number (250) and that a "slow rollout" would be preferable, allowing for expansion later if the system proves effective in addressing complaints.

Other STR discussion points include 1) Cost Recovery. It was agreed that the costs associated with monitoring and enforcing STR regulations should be covered by STR owners through licensing fees. 2) Owner-Occupied vs. Non-Owner Occupied STRs. The idea of a tiered system with different regulations for owner-occupied versus non-owner-occupied STRs was met with support, as owner-occupied properties are perceived to cause fewer problems and could be given additional benefits. 3) Proximity to Schools: It was confirmed that the new draft ordinance would include proximity restrictions to primary schools (elementary and junior high) to address safety concerns.

The Mayor acknowledged that while the process is progressing, a vote on the ordinance in the next two weeks is unlikely. Mr. Summers will continue gathering feedback and return with further refinements to the proposed ordinance in a future work session.

myOrem and Board and Commissions Program Presentation *Presenter: Keri Rugg, Deputy City Manager and McKay Barton, Software Development Project Manager*

Ms. Rugg and Mr. Barton presented significant advancements to the city's digital platforms, addressing previous feedback from council members regarding the functionality of the Boards and Commissions website.

The updated Boards and Commissions website, which went live on June 2, 2025, has been redeveloped into two separate portals: one for citizens and another for internal administration. The citizen-facing side now clearly displays available board and commission seats with detailed descriptions. A new login scheme for all citizens streamlines the application process by pre-filling personal information and verifying residency. A new requirement for applicants is to upload a resume in PDF format and acknowledge city policies. The council suggested adding information about when the next open seat for a particular commission might become available to encourage more applications.

The internal administrative side allows council members and staff to view assigned members, their service terms, and current applicants for each board or commission. While historical term data is still being compiled, the new system will accurately track this information going forward. The in-house software development team completed this rewrite in approximately one month, significantly expediting the process due to improved project management and leveraging AI tools.

The presentation also introduced the upcoming "My Orem" citizen portal, a new unified platform designed to be a one-stop shop for various city services. This portal aims to consolidate utility billing, recreation sign-ups, business licensing, and other applications into a single user-friendly interface with a unified login system using Azure. This will eliminate the need for citizens to manage multiple logins for different city services, enhancing security and convenience. The initial launch of "My Orem" at the end of 2025 will include business licensing and utility billing, with other applications to follow. A key feature will be a wallet system leveraging Payjunction for secure payment processing, allowing citizens to store payment information once for use across all integrated applications. Mayor David Young suggested an ongoing social media campaign to promote these new digital tools to residents.

Joint Planning Commission / City Council Discussion *Presenter: Gary McGinn, Community Development Director*

The Planning Commission and City Council convened a joint work session to discuss high-level city planning issues, particularly focusing on the ongoing General Plan update. The meeting aimed to foster alignment between the two bodies and gain insight into priorities for Orem's future development.

Mr. McGinn, Director of Development Services, emphasized that the meeting's purpose was not to delve into individual projects but to address broader concerns and strategic direction. He highlighted the General Plan update as a critical ongoing effort by the Planning Commission, which is currently examining key aspects and potential areas of focus for the city's future. The Heart of Downtown project is also progressing, with a consultant soon to provide an update.

Council liaison to the Planning Commission, Mr. Spencer, and Planning Commission Chair, Ms. Komen, both expressed the importance of this joint session for collaboration and understanding each other's vision for the city. Ms. Komen noted that the Planning Commission's review of the existing General Plan has been "eye-opening," revealing areas for more creative



planning and indicating a need for clearer guidance from the City Council to make informed recommendations.

Mr. Hall provided a timeline for the General Plan update, indicating that the land use element is taking longer than anticipated due to identified problems and issues. The commission is now moving into the redevelopment section, followed by economics, transportation, water, housing, parks and recreation, public services, and urban design. Regular updates to the council are planned throughout the summer, with the goal of having a final draft for adoption by October.

During the discussion, council members and commissioners raised several points. 1) Transportation Planning: Mayor Young praised the Planning Commission's in-depth work on the transportation plan, noting its focus on positively impacting neighborhoods rather than just creating thoroughfares. 2) Code Updates and Data Deficiencies: Ms. Komen and other commissioners highlighted a lack of precise data on existing neighborhood densities and historical areas, which hinders informed decision-making. There was a strong call to update the outdated city code, particularly concerning commercial zones, which are currently too broad and limit focused development. 3) Economic Development and State Street: The conversation emphasized revitalizing State Street and other older areas. Concerns were raised about past State Street master plans being economically prohibitive to landowners. The goal is to find a balance between enhancing aesthetics and supporting private property rights, potentially through incentives and clearer development expectations rather than overly restrictive regulations. 4) Traffic and Density: Concerns about increasing traffic congestion and its impact on Orem's quality of life were a recurring theme. While acknowledging that Orem is one of the most densely populated cities in the state, there was discussion about whether higher density is always beneficial for economic growth and citizen well-being. 5) Housing Affordability: The discussion touched on the challenge of housing affordability for residents, with some suggesting that Orem's infrastructure may not support significantly more population density. 6) "My Orem" Vision: Council members underscored the importance of developing a clear and cohesive vision for Orem—what constitutes "Family City USA"—to guide future planning, attract desired investments, and ensure city services (including emergency services) remain effective.

The meeting concluded with a commitment to continue these collaborative discussions, acknowledging that the General Plan update will be an ongoing process of identifying and prioritizing areas for improvement rather than resolving all issues at once.

#### CITY COUNCIL / STAFF 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, LaNae Millett, Tom Macdonald, Jeff Lambson and Chris Killpack ZOOM Jenn Gale

## APPOINTED STAFF

Brenn Bybee, City Manager; Keri Rugg, Deputy City Manager/Management Services Director; Steve Earl, City Attorney; Brandon Nelson, Finance Director; Marc Sanderson, Fire Chief; BJ Robinson, Acting Police Chief; Bryce Merrill, Library and Recreation Director; Gary McGinn, Community Development Director; Peter Wolfley, Communications Manager, PIO; Teresa McKittrick, City Recorder

## CALL TO ORDER

**INVOCATION / INSPIRATIONAL THOUGHT** – Serelle Lundeen

**PLEDGE OF ALLEGIANCE / FLAG CEREMONY** – Police Honor Guard

## MAYOR’S REPORT/ ITEMS REFERRED BY COUNCIL

### **Orem Birthday/Kindness Week Recap and One Kind Act a Day Acknowledgements**

#### **Presentation with Chantenettes Performance** *Presenter: Keri Rugg, Deputy City Manager*

Ms. Rugg provided a recap of Orem City's recent celebrations, marking its 106th birthday on Monday, May 5th, alongside a dedicated Kindness Week. The celebration emphasized community service, reflecting a significant push for such initiatives by the city.

During Kindness Week, 500 yard signs were distributed to the public, and several banners were displayed across the city center and recreation areas. Daily social media prompts encouraged residents to perform kind acts, focusing on family, neighborhood, schools, and workplaces. The Police Department's School Resource Officers actively participated by issuing "kindness citations" to youth observed performing good deeds, which were redeemable for a free treat from a local business, The Chocolate. The Orem Youth Council contributed by undertaking a kindness service project, cleaning up the Altogether Playground on April 10th.

The celebrations culminated on Saturday, May 10th, with a service project at Nelson's Grove Park, where participants planted flowers. Treats were served, and entertainment was provided by the Orem Senior Friendship Center's Timpanogos Flute Circle. The Orem royalty and senior royalty were in attendance, and a children's craft project involving rock painting was organized in partnership with "One Kind Act A Day."

The Mayor highlighted that community service has been a major emphasis for the city, as it fosters community cohesion and good relationships among residents. The presentation also included a video recapping the week's events, which showcased various individuals participating in the service projects and sharing their positive experiences. Following the video, the



Chantinettes performed two songs ("Getting to Know You" and "Let There Be Peace on Earth"), and residents were invited to attend their free concert at Library Hall on May 19th at 7:00 PM.

**Knights of Columbus-Fr. Escalante Council 1136 and Fr. Escalante Assembly 1146 Gold Star Memorial Monument Donation** *Presenter: Dennis Robles, Knights of Columbus*

Mr. Robles presented two checks for the Gold Star Memorial Monument. One for \$1000 and one for \$1100 from the Knights of Columbus, the Fr. Escalante Council 1136 and Fr. Escalante Assembly 1146. The Gold Star Memorial Monument will be located in the Freedom Plaza.

**Natural Resources Advisory Commission Report** *Presenter: Natural Resources Advisory Commission Members*

The Orem Natural Resources Advisory Commission (ONRAC), represented by Chair Paul Dunn and member Sarah Bateman, provided an update on their activities and presented their annual Natural Resources Stewardship Awards. ONRAC's mission is to promote the sustainable use of Orem's natural resources through education, outreach, and advisory roles, working closely with various city departments including the City Council (via Councilmember Gale), Planning, and Public Works.

Over the past year, ONRAC has focused on community events and educational outreach. Highlights include co-sponsoring an Earth Day planting party, organizing a snowshoeing event, conducting a Provo River Delta tour, and hosting successful "free swap" events for recycling and upcycling. Their educational efforts involved staffing booths at city events like Oremfest (partnering with Bike Orem), advertising energy and water consumer rebates, and launching a new awards website where citizens can nominate neighbors for stewardship awards.

Looking ahead, ONRAC plans to expand its reach through subcommittees, strengthen partnerships with city departments, enhance media outreach, and increase volunteer participation.

The presentation concluded with the Stewardship Award ceremony: Josh and Cheri Kreski received the award in the Water Wise Landscaping and Outdoor Spaces category for transforming their yard into a sustainable, water-efficient design that also enhances neighborhood beauty. Utah Valley University (UVU) was honored as the business winner for its comprehensive commitment to environmental stewardship. UVU's efforts include meeting LEED efficiency standards for most buildings, utilizing geothermal energy since the 1970s, and adding solar power in 2024 to generate 100% of its Orem campus electricity. Their smart irrigation technology has reduced water consumption by over 30%, and as a bicycle-friendly university, UVU promotes free transit for students and staff through a UTA partnership, actively working to reduce traffic congestion and improve air quality. Frank Young, Associate Vice President of Facilities and Planning, accepted the award on behalf of UVU.

**Police Week (May 11-17) Presentation** *Presenter: BJ Robinson, Acting Police Chief*

Acting Chief Robinson addressed the Mayor and City Council to commemorate National Police Officers Memorial Day on May 15th and National Police Week, established in 1962 to honor law enforcement officers who have died in the line of duty. Chief Robinson affirmed his commitment, and that of the Orem Police Department, to uphold the legacy of fallen officers by continuing to serve the community with integrity and professionalism, ensuring Orem remains a safe place to live, work, and play. He urged non-police officers to show their respect and appreciation by actively engaging in community service, fostering constructive conversations, and contributing to solutions rather than problems, echoing the spirit of Orem's engaged citizenry. Chief Robinson concluded by thanking the Mayor and City Council for their consistent support of the police department.

**Public Works Week (May 18-24) Presentation** *Presenter: BJ Robinson, Acting Police Chief*

Mr. Tschirki, on behalf of the Public Works Department, provided an update to the Mayor and City Council, following remarks for Police Week by recognizing the upcoming National Public Works Week next week, culminating in a celebration for all employees on Thursday, May 22nd, at the Public Works facility.

Mr. Tschirki highlighted the department's significant contributions to the city, noting its approximately 120 full-time and 60 part-time employees, with part-time staff primarily maintaining park facilities. He shared key statistics from the past year. Parks: Public Works manages over 6,800 trees and 34,000 burial plots in the city cemetery. Stormwater/Streets: Street sweeping aims for at least 10 sweeps per street annually, achieving 3,940 lane miles swept in 2024. Salt usage for snow removal dramatically decreased from 2,230 tons two winters ago to 845 tons this past year. Additionally, street crews produced 24 tons of asphalt in 2024 for road maintenance. Traffic Operations: The team maintains 6,320 street lights, with only approximately 0.25% (150 lights) currently non-functional, which is considered a significant achievement. The last lighting district replacement project is expected to be completed this year. The department also manages 11,976 street signs, with an ongoing effort to repair and replace dilapidated ones. Fleet: Public Works' Fleet division manages fuel for all city departments, totaling about 250,000 gallons of fuel used in 2024. They also maintain 17 pieces of "yellow iron" for construction. Water: In 2024, the city produced approximately 8 billion gallons of water. At the water reclamation facility, 3.2 billion gallons were treated, with the remaining 4.8 billion gallons being land-applied for irrigation purposes.

Mr. Tschirki concluded by inviting the Mayor and City Council to the Public Works celebration and expressed gratitude for their support and that of Orem's citizens, especially acknowledging the success of the CARE tax in funding significant improvements to park facilities over the last five to six years. The Mayor commended the Public Works team for their outstanding work.

**Youth Council Report** *Presenters: Jennica Jones, Strategies and Innovations Manager, Sydney Wong, Events Coordinator, and the Youth Council*



Ms. Jones and Ms. Wong introduced members of the Orem Youth Council, highlighting their impactful work throughout the past year. Comprised of 23 Orem students from grades 10-12 across Orem, Mountain View, Timpanogos High Schools, and Freedom Preparatory Academy. The Youth Council has dedicated numerous hours to serving and learning about their community.

Youth Council representatives Claire Buhlstein, Catherine Collins, and Kennan Coons shared key takeaways from their experience. Their service initiatives included providing gifts for two families in need for Santa's Helper, assisting at the Utah Food Bank at Westmore, and participating in a cleanup of the Altogether Playground.

In terms of learning experiences, the Youth Council engaged in several insightful field trips and activities. They toured the City Center during its construction, visited the Fire Station to learn about daily operations, and attended the Local Officials at the Utah State Capitol, a statewide youth council conference where they met other youth leaders, heard from the Lieutenant Governor, and participated in mock debates. They also conducted a mock budget meeting and held panel discussions with City Council members and staff, allowing them to gain a deeper understanding of city government processes and the diverse roles involved in running the city.

The Youth Council members expressed a profound appreciation for the dedication and effort put into managing Orem, stating that their involvement has fostered a greater sense of pride in their community. Mayor Young commended the Youth Council for their exceptional work in the program's first year of elevated engagement, and Councilmember Lambson praised the group's enthusiasm, energy, and the mutual learning experienced by both the youth and council members.

## **PERSONAL APPEARANCES**

### **Opened at 6:55 PM**

Marissa Harris is speaking on behalf of over 65 local Orem residents who are responsible short-term rental (STR) hosts and some long-term landlords, a representative from a six-woman board requested the city formally recognize their group as a city-sponsored committee. They offered their research and expertise to help bridge the gap between landlords and the city, implement good landlord practices, and address misunderstandings, aiming for a balanced and seamless transition to new STR regulations.

Kyle Maudin, an Orem resident, addressed the council regarding proposed regulations, urging consistency in quiet hours (currently 10 PM-7 AM for residents versus 10:30 PM in the draft). He also asked the council to reconsider the proposed eight-person occupancy cap for short-term rentals, arguing it's too restrictive for large homes that can safely accommodate more people.

Gary Havens, an Orem resident, urged the council to permit Accessory Dwelling Units (ADUs) for short-term rentals (STRs), noting he built his ADU based on city assurances for that purpose. He explained that the proposed ordinance would prevent him from using this income for retirement and family support. Havens emphasized the need for the council to collaborate with STR hosts to find practical solutions.

Rob Sloat, an experienced real estate broker and short-term rental (STR) host, argued the proposed STR ordinance seems designed to end STR operations, suggesting the council may not fully grasp host realities. He proposed a 60-day collaboration period between three STR hosts and city staff to develop mutually agreeable solutions, potentially resolving issues without further public debate.

Leisha Geddis requested the council establish a legal framework for owner-occupied short-term rentals (STRs), emphasizing their role in providing supplemental family income. She argued that these units, like her own, typically have minimal neighborhood impact and should have distinct regulations from investor-owned properties, particularly concerning less restrictive proximity limits. Ms. Geddis also noted that STRs bring unique economic benefits to Orem by attracting visitors seeking specialized treatments.

Jackson Rawlins, an Orem property owner since 2007, shared his experience transitioning from long-term rentals (LTRs) to a short-term rental (STR) on Airbnb in May 2024. He noted that while LTR tenants were often problematic, his experience with STRs has been largely positive, leading to no more parties, a cleaner home, and happier neighbors, despite one instance where a tenant misrepresented their visit as a family gathering instead of a bachelor party. Mr. Rawlins emphasized his appreciation for Orem, echoing a sentiment of love for the city previously expressed by Chief Robinson.

Sheri Salsburg, a long-time Orem resident and owner-occupied short-term rental (STR) host, urged the council to reconsider the proposed STR ordinance, particularly the 182-night cap and strict proximity limits. She argued that owner-occupied hosts, who often rely on STR income for financial security, are inherently incentivized to maintain their properties and respect neighbors, as evidenced by her own unproblematic basement rental. Salsburg advocated for exempting compliant owner-occupied units from the cap and implementing a permit system focused on addressing actual complaints like noise and safety, rather than broadly restricting responsible hosts, to ensure Orem remains a place where residents can thrive.

Thomas Packer, a 20-year Orem resident and basement apartment short-term rental (STR) host, reported no neighbor complaints across 495 bookings over three and a half years. He urged the council to work with conscientious hosts to understand the nuances of STR issues like parking-to-occupancy ratios, suggesting that current metrics may be flawed or lack sufficient data. As a data scientist, he noted Utah County's second-lowest STR rate among populated Utah counties, implying less impact on affordable housing.

Kim Poole, an Orem resident since 1991, voiced her concern about the proposed short-term rental (STR) ordinance. She explained that her daughter purchased the adjacent home in 2022 and relies on a basement STR to afford the mortgage. Ms. Poole emphasized that city



staff and inspectors previously assured them their STR operation was fully compliant, making the current threat of closure particularly distressing.

Kristi Harward advocated for data-driven problem-solving regarding short-term rental regulations, urging collaboration with the Community Council. She questioned concerns about street parking when it doesn't cause issues and emphasized accommodating modern neighborhood configurations. Ms. Harward highlighted her own proactive engagement with neighbors, seeking solutions that benefit residents.

Vic Deauvono, a long-time Orem resident, stressed the importance of safe neighborhoods for children, advocating against STRs that could pose risks near schools. He highlighted positive experiences with a large STR next door and urged the council to postpone further STR meetings for 2-3 months due to upcoming holidays.

Kim Best urged the council to enforce rules against disruptive neighbors, citing her own successful experience. She highlighted that her two short-term rentals offer a unique service for families, providing amenities hotels lack, and asked for stricter enforcement for rule-breakers, arguing that responsible hosts benefit everyone.

Jordyn Kawe, a 39-year Orem resident, described a nearby short-term rental as "extremely destructive," causing weekly issues like parking, noise, and speeding. Living near an elementary school, she cited safety concerns due to transient tenants unfamiliar with local children's patterns, leading to "several close calls." She feels her family neighborhood has become a hotel, ruining its cohesiveness, and expressed frustration over the ineffectiveness of neighborhood enforcement.

Trish Barrus, a 40-year Orem resident, reported that a neighboring property functions as an event center, hosting gatherings with 40+ cars multiple times weekly. She voiced significant safety concerns for children in her neighborhood, stressing the critical distinction between short-term rentals and event venues.

Brandon Henrie urged the council to consider two points regarding the proposed short-term rental (STR) amendment: the significant impact of expanding nightly rentals city-wide, necessitating broader public input, and the critical need for a clear plan and budget for enforcement to ensure regulations are effective.

Ben Hathway, a 10-year law enforcement officer and Orem resident, voiced strong safety concerns about a nearby short-term rental (STR) due to increased traffic near a school in a low-visibility area. He stressed that transient STR guests are unfamiliar with local hazards and warned that proposed regulations would be difficult and costly to enforce.

Matthew Beadle, a father of 10, stated his short-term rental (STR) supports Orem's family focus by allowing large families to gather for events. He argued his STR creates less disruption than some long-term homes, and that STRs are a valuable solution for community needs.

Brendon Beele, owner of a 7,000 sq ft short-term rental (STR), stated his home serves large families, not parties. He argued proposed caps would hinder this use. For safety, he suggested fire inspections and alarm checks as more enforceable measures. As an actively

involved host, he asked the city to support responsible operators rather than over-regulating their existence.

Isaac Aragon, representing his family, voiced strong opposition to a proposed rezoning, stating it would negatively impact their neighborhood and that no residents (besides the invested party) are satisfied. He warned it could disrupt school bus routes and worsen existing severe traffic issues on 1200 South, where a fatality has already occurred.

Remington Fuller, whose children play near a property facing rezoning, fiercely opposed converting an R8 residential home into a parking lot for Ken Garff. He argued this invites traffic hazards and accidents, particularly endangering children, on roads unsuited for heavy vehicles. Fuller criticized Ken Garff's access claims and lack of required traffic studies, dismissing their tax contributions as justification. He insisted the city prioritize family homes and safety over a car dealership's expansion, urging the council to maintain R8 zoning.

**Closed at 7:30 PM**

## **CONSENT ITEMS**

### **Approval of Meeting Minutes for March 25, 2025, April 8, 2025 and April 22, 2025**

**Mr. Killpack moved** to approve the minutes for March 25, 2025, April 8, 2025, and April 22, 2025. **Seconded by** M. Millett. Those voting yes: David Young, LaNae Millett, David Spencer, Tom Macdonald, Chris Killpack, Jeff Lambson, and Jenn Gale. The motion **passed**.

## **SCHEDULED ITEMS**

**ORDINANCE - Amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning the properties located generally at 134 East 1200 South and 110 East 1200 South (Ken Garff) from Single Family Residential (R8) to Commercial (C2) (approximately 1.05 acres).** *Presenters: Jared Hall, Planning Manager and Gary McGinn, Community Development Director.*

Mr. Hall presented Ken Garff's request to rezone properties at 110 East and 134 East, 1200 South, from Single Family R8 to Commercial C2. The proposal involves removing an existing single-family home to expand the dealership's parking and create new access on 1200 South. The C2 zoning is specifically requested to allow for additional access points, differing from the dealership's current PD-5 zone. The conceptual site plan includes 79 new parking spaces and landscaped buffers for adjacent residential properties.

A key aspect of this rezone is a development agreement, which aims to mitigate commercial impacts on the residential area. This agreement would legally bind Ken Garff to construct a stone masonry or "Syn-Tec" fence along the property line on 1200 South, mirroring improvements in the PD-5 zone and extending along the property immediately to the east to



replace an existing chain-link fence on the Honda property. This fence would include landscaping outside to soften the visual and provide a sound barrier, with wrought iron in specific "clear view" areas for safety at access points.

The Planning Commission previously reviewed this request, holding hearings on January 15th and February 19th. On the latter date, motions to recommend approval, including one tied to a development agreement, failed on a 3-3 tie vote, meaning no recommendation was forwarded to the council.

Chris Bick, representing Ken Garff, clarified details of the proposed access. The gate on 1200 South would be set back 10 feet from the sidewalk (approximately 15 feet from the face of the sidewalk). He assured that the rezone is for inventory parking only, not increasing the number of haulers, employees, or overall traffic. Semi-trucks would continue to use the main road, but the new access would allow them to park on the shoulder and directly offload cars into the site, reducing their time on the road and mitigating safety risks associated with backing up. He reiterated that the proposed fence and landscaping package, though not code-required, is a direct response to council and resident feedback for improved aesthetics and buffering.

Mayor Young acknowledged the thorough review and efforts to create a buffer between the commercial development and the neighborhood, noting that the new fence and landscaping would enhance the area's appearance. The council, having previously held a public hearing, indicated readiness to consider a motion on the rezone.

**Mr. Spencer moved to approve**, by ordinance, amending article 22-5-3(A) and the zoning map of the City of Orem by rezoning the properties located generally at 134 East 1200 South and 110 East 1200 South from R8 to C2 (approximately 1.05) subject to a development agreement.

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

**PUBLIC HEARING - ORDINANCE - Amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning the properties located generally at 710 West 2000 South (Wilkerson Farm) from the OS5 zone to the R8 zone (approximately 14.01 acres).**

*Presenters: Jared Hall, Planning Manager and Gary McGinn, Community Development Director.*

Mr. Hall presented a rezone request for the 14-acre former Wilkerson Farm property, located at 2000 South. The applicants are requesting a change from the current OS-5 (Open Space) zoning to R8 (Single Family). Hall explained that the OS-5 zone, while permitting single-family development on large five-acre minimum lots, and also allowing quasi-public uses, agriculture, and agritainment, was intended as a transitional holding zone when the property was annexed. The proposed R8 zoning would allow for single-family development on significantly smaller 8,000 square foot lots, with multi-family development remaining prohibited. A concept plan, which would require further subdivision approval, suggests the property could yield approximately 53 lots, ranging from 8,000 to 18,500 square feet, with an average of 9,200 square

feet. Hall noted that infrastructure for sewer and water has been considered. On March 19, 2025, the Planning Commission reviewed this request in a public hearing and voted 5-1, with one abstention, to recommend denial to the Council for the zone change.

Tyler Horan, representing the applicant, addressed the council regarding the proposed rezone of the former Wilkerson Farm property (14 acres, located at 2000 South near the "abridge") from its current OS-5 (Open Space) to R8 (Single Family) zoning. He provided a brief history, stating that about a year ago, the property owner decided to sell, and the applicants put it under contract. Upon consulting city staff and the general plan, they were initially guided toward a PRD (Planned Residential Development), which they pursued, but this plan faced pushback due to concerns about density and townhomes. Subsequently, they shifted to an R8 zoning request, which they were told is considered "the golden standard" for Orem, involving single-family homes on large (8,000-9,000 sq ft) lots.

Mr. Horan clarified that their application is solely for rezone, not to end Wilkerson Farm's operations. He emphasized that the requested R8 zoning is consistent with the city's general plan. He also addressed concerns about the adjacent 2000 South road, noting it's currently a narrow, old county road. Their development would involve widening this road and installing sidewalks, which would benefit existing residents walking to the nearby city park. Furthermore, he highlighted that the property's development aligns with several city master plans, including for utilities and a trail that is supposed to run through the area, as well as the installation of a large master plan storm drain line. He concluded by stating that the property has long been earmarked for development in city plans and that the proposed R8 plan represents a single-family approach, which they believe is the "golden standard."

Jason Dodge, a representative for the owner of the property in question, presented a rezone request for the 14-acre former Wilkerson Farm property at 2000 South, seeking to change its zoning from OS-5 (Open Space) to R8 (Single Family). He explained that the property owner, who had supported Wilkerson Farm for 10 years without charge, is now moving on. Mr. Dodge emphasized that the OS-5 zoning was always intended as a transitional holding zone following the property's 2015 annexation, as putting correct zones in place immediately after annexation is challenging. He referenced the 2015 annexation documents, which described the land as having potential for various uses, including low-density residential, which was the accepted option in the general plan at that time.

Mr. Dodge then cited six rezone precedents within the 227-acre annexed area since 2015: three commercial (including a gas station and flex commercial, the Holiday gas station, and an Autism Center) and three residential. He particularly highlighted a PRD zone approved just 18 months ago for a contiguous lot, which allowed 25 single-family homes at 5.2 units per acre. He argued that applying this same density to the Wilkerson Farm property would yield 76 lots, whereas their current R8 proposal is for only 53 lots (3.7 units per acre), aligning with Orem's "Family City USA" vision. He stated that city staff confirms their proposal meets all requirements for traffic, engineering, and utilities, and is consistent with other approved



single-family neighborhoods. Mr. Dodge requested the council treat this property consistently with past rezone approvals and rezone it to low-density residential as initially intended.

Councilmember Millett offered context on some of Mr. Dodge's examples, noting the PD-55 commercial rezone fronted the new Lakeview Parkway and included significant buffer zones. She called the Holiday Oil C2 rezone a "sneak attack" during COVID-19, as the area was marketed as R8. Regarding the PRD for the Autism Center, she acknowledged its original intent for specialized homes but noted its current non-restrictive nature. Ms. Millett also expressed skepticism about traffic studies, citing past instances where results changed to suit developers' needs, and highlighted unknowns regarding future development and traffic on the Provo side of 2000 South.

Mr. Dodge clarified that the 2000 South road itself is being designed as a 66-foot wide, three-lane road with medians, which he believes will minimize traffic impact and address concerns about it being a "country road." He concluded by reiterating that the issue is primarily one of property rights, and that the farm will vacate the property by June 1, 2025.

In response to a question from Councilmember Lambson about traffic studies, Mr. Dodge presented data from Avenue Consultants, a "premier traffic study engineer." The study indicated that at peak hours, 58 vehicles would enter/exit in the morning and 78 in the evening, for a total of 784 daily trips across two access points. This study, which was agreed upon by city traffic engineers, projected minimal impact on 2000 South and Geneva Road waiting times, as most waiting would occur before entering 2000 South. However, Councilmember Millett inquired if this traffic study included the 30 homes planned for the adjacent Provo site, to which Mr. Dodge confirmed it did not.

### **Public Hearing open 8:15 PM**

Sherry Fong, an Orem resident, voiced concerns about a proposed development, citing previous misinformation about house counts. She questioned if developers would widen the entire street or just their frontage, fearing bottlenecks. Fong stressed current severe traffic problems, arguing the traffic study was outdated and didn't account for new businesses. She highlighted major safety concerns for children in her neighborhood due to traffic, particularly near school bus stops, and underscored that residents bought homes unaware of nearby commercial developments approved during COVID-19. Fong concluded by advocating for open space.

Anthony Kretchmer, speaking for Romay Allen, questioned the council on the rescheduled Wilkerson Farm rezone vote, demanding to know which council member orchestrated a private vote and if any were involved in a strategy to outlast resident opposition. He raised concerns about potential conflicts of interest and "backdoor deals," asking who assured developers of a favorable post-election outcome and if council members researched dangers of building near train tracks, especially given Orem's high density and the Planning Commission's denial recommendation.

Ryan McDougal, living near the proposed development, voiced concerns about the 750 West road entrance potentially funneling traffic, including from a northern stub, onto his street (600 West), endangering his children. He also highlighted continuous freight train horns (12-15 daily), which are not subject to the quiet zone, rattling his home and potentially leading to disrepair for new homes built closer to the tracks without an HOA or a quiet zone.

Rachel Flores proposed preserving Wilkerson Farm as a nonprofit educational farm, funded by donations and volunteers, to teach agricultural skills and provide fresh food. She argued this would benefit thousands of Orem families and uphold "Family City, USA," contrasting it with development that would benefit only a few.

Anna Green acknowledged the community's desire to preserve Wilkerson Farm but stressed property rights. She argued a "no" vote won't save the farm as its lease ends regardless. Green proposed allowing the community time to purchase the land, but if no buyer emerges, she believes developing it into single-family homes, consistent with the general plan, is the fair solution.

Steven Strong advocated for single-family home development at Wilkerson Farm, believing it's Orem's best use and would match the 30 new homes across 2000 South in Provo, creating safe park access. He highlighted a past instance where some opposing development had previously pushed for highway commercial zoning on another property, which was ultimately rezoned to R8 for new homes, positively impacting that neighborhood. Strong believes this R8 development would maintain a strong single-family environment.

Mercedes Devratori, holding a B.S. in Agribusiness Management, urged preserving Orem's farmland, like Wilkerson Farm, for agriculture, stating that while building is flexible, growing food requires specific land. She lamented the thought of productive farmland being paved, advocating for city incentives to keep farmers providing local, affordable food, echoing the sentiment, "Don't it always seem to go that you don't know what you got till it's gone."

Isla Stoddart urged the council to maintain Wilkerson Farm's current zoning, prioritizing community benefits over development. She cited major cities spending millions to restore lost urban agriculture, emphasizing that preserving Orem's remaining farmland offers green space, environmental benefits, and local food resilience, wisely guiding growth for future generations.

Linda Poulson, reading for Helena Kleinman, accused Councilmembers Chris Killpack, Jen Gale, and Jeff Lambson of an ethics violation, alleging they received an undisclosed "election contribution" from realtor Jason Dodge (involved in the Wilkerson Farm rezone). She claimed Dodge allowed them to place political signs on his Orem properties during the 2023 campaign as a "large favor," asserting this constitutes "pay to play." Olson demanded Chris Killpack recuse himself from the vote due to this alleged conflict of interest.

Michelle Lennon, an 8-year Wilkerson Farm employee, urged the council to vote against rezoning, emphasizing the farm's crucial role in fostering food awareness, food security, and valuable life skills for youth. She argued that losing this optimal farmland would be devastating, as its community benefits outweigh additional housing.



John Porter, a resident near the proposed development, dismissed the traffic study as inadequate and misleading. He stressed that Orem is Utah County's most densely populated city and is "completely built out," arguing against more homes, traffic, or associated problems. Mr. Porter urged the council to honor the existing large-lot residential and open space zoning to preserve Orem's heritage.

Karina Lewis expressed empathy for landowner Al Switzer, who she stated has invested significantly in Wilkerson Farm for six years without profit and now intends to sell, with proceeds benefiting Tabitha's Way. While acknowledging the community's desire for the farm's preservation, Ms. Lewis advocated for a free-market solution, fearing that if the land remained open space and vacant, it could be sold at a discount, hurting Tabitha's Way's funding, or later be developed into unwanted high-density apartment buildings. She urged the council to allow the owner the flexibility to sell the property to support his charitable mission.

Doyle Mortimer, a former dairy farmer, supports the proposed single-family home development for Wilkerson Farm, arguing it's a common-sense alternative to high-density projects seen elsewhere in Orem. He believes opposition is based on "falsehoods" and dismisses claims of undue influence on council members.

Brian Hansen, an Orem resident for 26 years, expressed concern over a "mob mentality" on Facebook regarding the Wilkerson Farm rezone, fearing Orem could follow his hometown's path of ruined communities when non-stakeholders dictate property use. He urged the council to uphold the original intent for single-family homes and avoid legal challenges by maintaining clear precedents, aiming to prevent a "slippery slope" for Orem.

Mark Johnson, a 33-year Orem resident, supported rezoning the property for single-family homes, calling it a sensible solution aligning with property rights. Despite witnessing significant changes in his own neighborhood, he believes Orem remains a great place and that the development will allow more people to enjoy it, dismissing concerns about lost farmland and criticizing "smear campaigns."

James Brown urged the council to deny the Wilkerson Farm rezone, advocating for consistent property rights for all. He proposed a third option: a citizen consortium would purchase the farm at full price within a year if the rezone is denied, preserving it as a farm, which he noted was the original owner's stated goal. Mr. Brown also questioned the logic of Tabitha's Way benefiting from the farm's loss and stated he'd withhold donations if the rezone passes.

Skyler Griffin, living next to Wilkerson Farm, feared the rezone was a "stepping stone" to high-density development, despite his family's cherished memories at the farm. He argued that property rights don't override zoning and urged the council to deny the rezone to protect his family and "Family City, USA."

Melissa Erickson, a Lehi resident, stressed Wilkerson Farm's crucial role in providing local, organic food through CSA shares, particularly during the pandemic's food shortages. She argued the farm's loss would be a huge detriment to the entire community, contradicting Orem's "Family City USA" motto by eliminating a vital family gathering place. She urged the council to not rezone the property.

Suzanne King urged the council to deny the Wilkerson Farm rezone, advocating for its preservation as a community educational farm. She highlighted historical food shortages and population density studies to stress the critical need for preserving open spaces like the farm for community well-being.

Margaret Dayton appreciated the council's new setting and "pro-green" efforts, but urged them to uphold private property rights while reflecting constituent desires. She emphasized that the council's role is to create effective zoning, ultimately asking them to vote against the proposal to preserve Orem's open space.

Crystal Muhlstein argued against zoning Wilkerson Farm for housing due to its proximity to train tracks, warning of disruptive noise for future residents and potential neighborhood decline. She asserted that while property rights are important, R8 zoning is a "bad choice" here, suggesting agriculture, open space, or light industrial would be more suitable than housing.

Nathaniel Wilkerson expressed concerns about living near train tracks, stating that they are loud, dangerous, and cause houses to shake like an earthquake. He challenged the council to consider if they themselves would want to live in a house backing directly onto the railroad, implying that most people would not. He urged them to consider these factors when casting their vote on the proposed development.

Leanne Swanson, a 30-year resident of Sand Hill Road, voiced frustration over persistent traffic issues and lack of enforcement, which make exiting her driveway difficult. She contended that the presented traffic study is flawed for not including Sandhill Road, as drivers will use it to access Geneva Road and Walmart. Ms. Swanson proposed keeping the property as Wilkerson Farm, suggesting it continue as a farm and also host a carnival and an event center for special occasions, similar to venues in nearby cities.

Rachel, a Wilkerson Farm employee, urged the council to maintain the property as farmland, citing the farm's positive impact on youth and its role in providing produce. She warned that losing this open space would be tragic and also highlighted hazardous traffic conditions in the area.

Rachel Wilkerson addressed complex issues surrounding Wilkerson Farm, noting that farmland sales for development reflect industry difficulties, not operator failings, and that the "American dream of land ownership" is dwindling. She stressed the need for open spaces for families to escape urban pressures. Wilkerson attributed current land use conflicts to fluctuating land values, not a shift in the farm's food security mission, and revealed that despite its challenges, the farm profoundly impacted her life. She expressed optimism for a win-win solution, potentially through a community purchase.

Aleen Jones, a non-profit worker with extensive community garden experience, passionately advocated for preserving Wilkerson Farm as a productive organic community garden. She argued its intrinsic value is "priceless," akin to discovering a dinosaur bone. Ms. Jones voiced deep concern over the deterioration of the American food supply due to corporate "poisoning" of crops, alleging a deliberate plan for "fake famine." She urged the council to prioritize food security and recognize the vital role of local farms.



Reece Hogal urged the council to postpone the vote for one year to allow citizens to purchase Wilkerson Farm, citing the owner's generosity and the need to preserve open space. He proposed zoning the adjacent Provo parcel for agriculture and open space, emphasizing a need for clean air for children and a solution that balances development with remaining open space.

Rhett Jorgansen expressed concerns about increased traffic on Sandhill and 2000 South from new housing, fearing clogged arteries. He also worried about train noise near proposed homes, questioning who would buy such properties. While not against development, he urged caution on losing open space and adding traffic without a comprehensive plan.

### **Public Hearing closed 9:35 PM**

Councilmember Gale thanked all participants for their constructive dialogue on the sensitive issue of the Wilkerson Farm rezone. She acknowledged the strong community sentiment for preserving the farm and its open space but emphasized that it is privately owned land, and sentiment cannot override ownership. Ms. Gale explained that the city's general plan, predating the current owner's purchase, designated this land as low-density residential, not farmland. The property owner is now requesting R8 zoning, which aligns with this general plan and surrounding zoning, as nearly every adjacent parcel has already been zoned R8 or higher density PRD. She argued that denying this request would unfairly burden the owner with preserving open space for the entire community, which she believes is neither fair nor legally defensible. Lastly, while seriously considering suggestions to deny the rezone to allow public fundraising for purchase, Ms. Gale noted that the Wilkersons had over a year to purchase the land before it was listed, and the property was on the open market for nearly nine months without a public offer. Therefore, denying the rezone now, after those opportunities, feels unfair to the property owner. Despite her personal desire for the land to remain farmland and appreciation for arguments on its value, she indicated her decision to side with the rezone.

Councilmember Millett addressed several points, particularly clarifying the nature of Orem's General Plan. She affirmed, with confirmation from Planning Manager Jared Hall, that the General Plan is an advisory, living document, not legally binding or static, and is periodically updated to reflect city development, emphasizing it's a guideline, not law. Ms. Millett also challenged the claim that the Wilkerson Farm property is surrounded by residential zoning on "all" sides, pointing out that one side, adjacent to the railroad tracks, is not residentially zoned and includes an industrial strip.

Ms. Millett expressed exhaustion but gratitude for citizen engagement. She clarified that the council is not discussing saving Wilkerson Farm itself, as its lease is ending regardless of the vote. She then addressed property rights, stating that while she firmly believes in them, a property owner's rights do not infringe upon others, and city ordinances and zoning exist to protect everyone's rights. She reiterated that property rights extend to the *current* zoning, not to a guaranteed rezone.

Regarding the current OS-5 zoning, Ms. Millett explained it allows for low-density residential (one home per five acres) and serves as a crucial buffer/transition zone. She cited a land use manual definition of a buffer zone as minimizing conflicts between incompatible zones and mentioned real-world problems faced by a neighboring city due to a lack of such buffers. She argued that the OS-5 zone for Wilkerson Farm was wisely designated due to its proximity to a noisy freight train, a commuter train (FrontRunner), and heavy industrial uses with large machinery nearby. She described experiencing the intense noise and ground shaking from these trains firsthand, finding the environment "inhospitable" for residential living.

Ms. Millett asserted that allowing R8 housing in such an area would create a substandard living environment, potentially leading to rentals, which she believes renters deserve better than. She stated that the appropriate residential use for this land remains five-acre ranchettes under its current OS-5 zoning. She concluded by stating that the rezone would remove a necessary buffer and create an inhospitable living environment. Therefore, believing the current OS-5 zone is appropriate and upholding the principle that landowners have rights to their current zoning, not to a rezone, Ms. Millett announced she would be voting against the rezone request.

Councilmember Spencer thanked attendees and reflected on the first meeting in the new city council chambers. He firmly stated that as Orem is 95% built out, it is crucial to preserve remaining open space, emphasizing that "once it's gone, it's gone." He believes the city has ample residential homes and should prioritize revitalizing existing neighborhoods rather than building more, and that Orem's already busy streets cannot accommodate more traffic. Mr. Spencer cited Governor Cox's April 24, 2025, drought Executive Order, urging water conservation, and argued that building more homes exacerbates water scarcity for current needs.

He expressed concern about misinformation circulating on Facebook regarding Wilkerson Farm, questioning the source of internal city council details being shared publicly. Mr. Spencer then referenced the OS-5 zoning code, stating unequivocally that it is not a "holding zone" but an actual designation established to promote large-block developments not exceeding one dwelling unit per five acres, and to preserve open space for environmental, agricultural, or recreational purposes. He reiterated his support for private property rights, but stressed that these rights apply to the current zoning of a property. Since the property was purchased as OS-5 and serves as a buffer zone from train tracks and commercial buildings, Mr. Spencer concluded there is no compelling reason to change it from OS-5 to R8. He announced his vote to keep the OS-5 zone and preserve Orem's open space.

Councilmember Macdonald began by commending his fellow council members' articulate arguments. He then explained his perspective, informed by his service on the Governance Committee for Housing, which addresses broader housing and water rights issues, including the need for 30,000 new homes in the state. He acknowledged that while 20-50 homes on this specific site won't drastically alter the overall housing supply, the discussion in December revolved around treating this property similarly to northeast Orem, which recently underwent R8 rezoning. Mr. Macdonald recalled telling the developer and landowner's representative that he would only support R8 zoning for this project, as it's considered the "gold standard" for Orem.



He admitted possibly using the word "broker" in that conversation with James Brown, but clarified his intent was to ensure equitable treatment across city areas. While acknowledging the train track proximity, he suggested alternatives like storage units or townhomes as buffers, though R8 became the chosen path. Mr. Macdonald reiterated that master plans are flexible and changeable, and he believes this rezone to R8 single-family homes will bring new residents with minimal impact, similar to when existing homes were built on former farms. He concluded by stating he would be voting in favor of the zone change.

Councilmember Killpack thanked all speakers for their comments, acknowledging the thorough review and contemplation of the Wilkerson Farm rezone over time. He expressed appreciation for everyone's strong feelings and efforts, and stated his alignment with views on property rights and ownership. Mr. Killpack also noted his consideration of Councilmembers Millett and Spencer's perspectives, ensuring "the needs of all are considered and weighed." He acknowledged that the Master Plan indicated the property could possibly be used for homes. After weighing the pros and cons of all options, and recognizing the inevitable impact on different groups, Mr. Killpack decided to vote in favor of the R8 zone change, basing his decision on consistency with neighboring properties, other situations, and the available open space.

Councilmember Jeff Lambson thanked everyone for their participation and endurance. He began by acknowledging the Wilkerson family's hard work and contributions to the community, and also expressed gratitude for Tabitha's Way's noble cause of providing food for those in need. Lambson recalled that when the property was initially zoned OS-5, the council's intention was to change it to low-density residential once necessary infrastructure, such as water, became available, which it now is.

He expressed concern about treating one property owner differently than another, noting that Peyton's Crossing, directly west of this parcel, was also OS-5 and was successfully re-zoned to R8 for beautiful homes. Mr. Lambson stated that during his council campaign, he ran on a platform against high-density housing but in favor of slow, measured, and metered growth, which he believes this R8 core acre neighborhood embodies. He cited conversations with other farmers who indicated this 14-acre parcel is not large enough to be a profitable farm.

Addressing concerns about homes near train tracks, Mr. Lambson shared that he drove through similar residential areas along railroad tracks in Orem and American Fork and observed occupied homes, with only one for sale, suggesting that people do live there. He acknowledged the need for coordination with Provo to ensure the adjacent road development is completed first to minimize negative impacts on neighborhoods. Lastly, Mr. Lambson expressed concern about the possibility of a lawsuit against the city if one property owner is treated differently. He concluded by stating his belief that R8 zoning makes sense for this beautiful area and that it is a good use of the land, despite differing opinions.

Councilmember Millett asked City Attorney Steve Earl about the potential for a lawsuit if the council's vote tonight denied the rezone. Mr. Earl confirmed that while anyone can file a lawsuit, state law grants municipal city councils significant discretion in zoning decisions,

making it a "very high bar" for a landowner to successfully challenge such a decision. He explained that a council's decision would typically need to be found "arbitrary and capricious" to be overturned, which is a high legal standard. Mr. Earl acknowledged that such lawsuits have occurred in the past but refrained from speculating on the likelihood in this specific case. Ms. Millett thanked him for providing both sides of the legal perspective.

Mayor Young began by thanking everyone for their thoughtful participation in a decision with permanent consequences for the community. He asserted that the rezone of Wilkerson Farm is not just another land issue, but fundamentally about Orem's future. He described Wilkerson Farm as the "heartbeat of this community," highlighting its role in producing 250,000 pounds of fresh food annually, supporting local families and businesses, employing seasonal workers, teaching children about food origins, and binding the community together.

The Mayor then addressed the concept of property rights, stating that while he respects them, ownership does not grant absolute freedom to do whatever one desires with land; this is the purpose of zoning. He argued that allowing residential housing next to an industrial corridor, a freight line, and a commuter train would be reckless, emphasizing that the council's job is to protect the public good and consider the long-term, irreversible nature of this vote. He pointed to past high-density decisions causing resident fatigue from traffic and congestion, advocating for a chance to "do better."

He distinguished the current request from previous rezonings like Canyon Park, where commercial land was "down-zoned" to residential. In contrast, this proposal involves "up-zoning" from OS-5 farmland to residential density, which he believes adds pressure, traffic, and erodes Orem's identity. The Mayor questioned the infrastructure's ability to absorb increased density, citing existing parking and traffic problems, and the lack of a clear plan or guarantees.

Drawing on personal experience living near train tracks as a teenager and more recent observations, Mayor Young vividly described the disruptive noise and ground shaking from both FrontRunner and freight trains. He argued that building single-family homes in such an environment is unacceptable, highlighting that sound pollution is a health hazard leading to stress and sleep disorders. He pointed out that 16 of the 53 proposed homes would be directly next to the tracks, asserting that the OS-5 farmland serves as a strategic and protective barrier or "buffer zone" from train vibrations, industrial activity, and noise. Removing this buffer would "deliberately expose people to noise, risk, and stress" for only 53 more homes in a city that already has 25,000.

Finally, the Mayor stated that over 1,000 residents have opposed this rezone, while he has heard from fewer than 10 supporters, indicating clear public sentiment. He urged the council to act as stewards of the community, prioritizing Orem's long-term health and values over short-term gain. For all these reasons, Mayor Young announced he would vote "no" on the proposal rezoning, advocating to protect the public good, preserve Orem's values, and maintain the city's beloved character.



**Mr. Spencer moved** to deny amending article 22-5-3(A) and the zoning map of the City of Orem by rezoning the property located at 710 West 2000 South from the OS5 zone to the R8 zone (approximately 14.01 acres). **Seconded by** Ms. Millett. Those voting yes: David Young, LaNae Millett, and David Spencer Those voting no: Tom Macdonald, Jeff Lambson, Chris Killpack, and Jenn Gale.. The motion **did not pass**.

**Mr. Macdonald moved** to approve amending article 22-5-3(A) and the zoning map of the City of Orem by rezoning the property located at 710 West 2000 South from the OS5 zone to the R8 zone (approximately 14.01 acres). **Seconded by** Mr. Spencer. Those voting yes: Tom Macdonald, Jeff Lambson, Chris Killpack, and Jenn Gale. Those voting no: LaNae Millett, David Spencer and David Young. The motion **passed**.

**RESOLUTION - Community Development Block Grant (CDBG) Projected Use of Funds for Fiscal Year 2025-2026.** *Presenters: Heather Cox, Management Analyst*

Ms. Cox presented the final budget resolution for the Community Development Block Grant (CDBG), noting the figures remain unchanged from the presentation approximately 30 days prior. The allocations are as follows: Police Department Victim Services: \$30,000, Police Department Homeless Services: Just under \$1,900, Critical Home Repair: \$57,000, Neighborhood Revitalization: \$1,800, LMI Playground Equipment Replacement: \$288,20, CDBG Administration: \$126,000 (with \$30,000 allocated to Orem City administration), Code Enforcement: \$161,500, Rocky Mountain University (Regional Project): \$15,000, Center for Story: \$35,000, Big Brothers Big Sisters: \$10,000, and Floyd Center for Housing: \$17,000. The presentation concluded with a request for a motion.

**Mr. Killpack moved** to approve CDBG projected use of funds for fiscal year 2025-2026. **Seconded by** Mr. Macdonald. Those voting yes: David Young, LaNae Millett, David Spencer, Tom Macdonald, Chris Killpack, Jeff Lambson, and Jenn Gale. The motion **passed**.

**ORDINANCE - CARE Tax Distribution for FY 2025-2026.** *Presenters: Brandon C. Nelson, Finance Director*

Mr. Nelson presented the full distribution plan for the 11.4 Capex distributions for fiscal year 2025-2026, specifically detailing the allocations from the CARE Tax. He noted that previously, only the mid-major and major grants, primarily on the arts side, had been presented. The distribution includes: 1) Mid-Major Grants: \$126,000 (specific recipients not detailed, but "The Refuge" was questioned by a council member regarding its artistic nature, implying it might be a women's shelter). 2) Two Major Grants: \$984,999 for "the SCERA and the Metropolitan Ballet." Councilmember Macdonald highlighted that this represents a significant increase (\$250,000-\$300,000) in arts funding compared to previous years, crediting the CARE Tax. 3) Civic-Related Items: Remaining funds are allocated to Library Technical Hall upgrades and reimbursements to Library Hall for performance bookings by grant recipients. 4) Heart of

Downtown Improvements: The bulk of the remaining civic monies are being saved for improvements in the "Heart of Downtown" and "SCERA."

On the recreation side, projects include: 1) Co-Sponsor Groups/Events: Funds for chairs, tables, a trailer, and safety barricades, primarily for OremFest and other events. 2) Various Parks: Allocations for specific park projects, with Community Park mentioned for restroom improvements and playground shade. 3) Foothill Park: A specific allocation and 4) Administrative Fee: A fee tied to the total budgeted CARE Tax amount of \$3,350,000. Mr. Nelson concluded by asking for any questions regarding the budgeted items.

**Mr. Spencer moved** to approve the CARE tax distribution for FY2025-2026 as set forth in Exhibit A. **Seconded by** Mr. Lambson. Those voting yes: David Young, LaNae Millett, David Spencer, Tom Macdonald, Chris Killpack, Jeff Lambson, and Jenn Gale. The motion **passed**.

**PUBLIC HEARING - RESOLUTION - Fiscal Year 2025-2026 Tentative Budget Adoption.**

Presenters: Brandon C. Nelson, Finance Director

Mr. Nelson presented Orem City's proposed tentative budget for fiscal year 2025-2026, totaling just over \$177 million, a \$17 million increase from the current fiscal year's \$160 million budget. The official budget document is expected to be delivered by the end of tomorrow, June 2, 2025, or shortly thereafter, with numbers pulled directly from the new software system for this presentation.

Mr. Nelson highlighted that the revenue increase is primarily driven by enterprise funds, specifically water, water reclamation, and stormwater. The budget fully funds city compensation adjustments and provides a reserve for market position salary adjustments. A significant projected increase in health insurance costs is anticipated for January 1. The budget also includes \$2.8 million for fleet replacement and \$32 million for capital projects.

Breaking down the revenue, approximately \$15 million of the total increase comes from the general fund (\$3 million), water fund (\$3 million), and water reclamation fund (\$9 million). The general fund, comprising just under half of total revenues, is projected to see slight increases, including about \$500,000 from sales tax and \$300,000 from property taxes. Notable general fund revenue increases are also expected from cemetery fees (\$80,000), ambulance services (\$150,000), and fire contracts with Vineyard and Lindon (approximately \$800,000), partly to support the new Vineyard fire station. Mr. Nelson admitted these projections are "relatively aggressive." He noted a declining trend in general fund revenues from taxes relative to charges for services, and a conservative approach to franchise taxes. Interest earnings are expected to drop due to declining rates and spending on city projects. Ambulance fees are projected to increase with improved transports and collections, though Medicaid legislation could pose a risk.

Regarding expenditures, a large portion of the \$17 million increase is directed towards capital projects, particularly within the enterprise funds. General fund expansions include AI reporting software for the police department, patrol rifle replacement on a rotational basis, and



potential funding for a library admin remodel. Personnel additions include three firefighter paramedics for the Vineyard expansion, a person to oversee the new fire training facility (with hopes to offset costs via fees), a Deputy Fire Marshal, and a GIS technician for Public Works (allocated to enterprise funds). New Heritage Park equipment and personnel are also budgeted. Fleet replacement includes a fire apparatus (partially funded by prior set-asides) and sinking funds for large vehicles. Street department significant new items are the Memorial Trailhead and Lakeview Parkway project.

The Debt Service Fund includes payments for one general obligation bond, a new sales tax revenue bond for public safety, a Siemens energy lease, and the Utopia payment. Nelson clarified that Utopia's payment increase is fully offset by a corresponding revenue reimbursement from Utopia, making the net cost zero. He stated Utopia's debt runs until 2040, and the city used to subsidize Utopia operations, an increasing liability Utopia is accounting for. New cities joining Utopia, like Pleasant Grove and Bountiful, also benefit Orem.

Internal Service Funds, totaling over \$10 million, cover fleet maintenance, self-insurance (workers' comp, liability), IT, facilities maintenance, and warehouse/purchasing. Enterprise Funds (water, water reclamation, stormwater, recreation, solid waste): 1) Water Fund: Includes new fees for Jordanelle water and the Deer Creek project due to dried-up impact fees. Base rates for a three-quarter inch meter will increase from \$21.17 to \$21.81, with tiered usage increases. Despite these, Orem's water rates remain in the bottom half compared to other cities. 2) Water Reclamation (Sewer) Fund: A large increase is due primarily to base rates (from \$16.98 to \$21.82) to fund a future water treatment plant, which will likely require debt issuance. Approximately \$6 million of the \$9 million increase in this fund will be paid by Linden and Vineyard for their share of the treatment plant. Even with the increase, Orem's sewer rates remain in the bottom half of comparables. 3) Stormwater Fund: A modest increase in the issue rate maintains Orem's comparability. 4) Recreation Fund: Membership and indoor class participation continue to rise, partly due to the inclusion of facilities like the SCERA and Hillcrest Park. 5) Solid Waste Fund: No rate increase is proposed this year due to accumulated reserves, but costs from North Point and Waste Management are expected to rise in future fiscal years.

Overall, despite utility increases, Orem remains "very well positioned" compared to other cities, with an average overall utility increase of approximately 4.9%. The presentation materials will be available online, and the full budget document is expected tomorrow or Thursday. Mr. Nelson clarified that while this presentation is the first time the council and public are seeing the full budget details, it also serves as a public hearing. He explained that the complete budget document will be provided by the end of tomorrow or shortly thereafter. This allows approximately 30 days for public and council input before the budget's scheduled adoption on June 10, 2025. Any questions or feedback received during this period will be addressed before the final adoption.

## **Public Hearing open 11:03 PM**

Greg Duerden praised Orem's fiscally conservative budget, commending the Mayor and staff for building the new city facility with no bonding or tax increases, calling it a "shining example" of providing more services with less tax burden. They acknowledged enterprise fund fee increases as minor compared to Utah County's recent large tax hikes.

#### **Public Hearing closed 11:06 PM**

**Mr. Spencer moved** to approve, by resolution, the adoption of the Fiscal Year 2025-2026 Tentative Budget and set the public hearing to adopt the fiscal budget on June 10, 2025,. Seconded by Mr. Killpack. Those voting yes: David Young, LaNae Millett, David Spencer, Tom Macdonald, Jeff Lambson, and Chris Killpack. The motion **passed**. Absent - Jenn Gale

#### **CITY MANAGER INFORMATION ITEMS**

Council member Spencer paused the meeting to acknowledge the passing of former city council member Leslie Campbell, who served from 2000 to 2007, and also on the planning commission. He remembered Mr. Campbell was a very passionate civic servant instrumental in establishing the CARE tax. Mr. Spencer also noted the recent passing of Mr. Campbell's wife, Linda.

#### **ADJOURN TO A MEETING OF THE OREM REDEVELOPMENT AGENCY (RDA)**

**Ms. Macdonald moved** to adjourn to a meeting of the Orem Redevelopment Agency, **seconded** by Ms. Millett. Those voting yes: David Young, LaNae Millett, David Spencer, Tom Macdonald, Jeff Lambson, and Chris Killpack. The motion **passed**. Absent - Jenn Gale

#### **RDA CONSENT ITEMS**

##### **Approval of Meeting Minutes for June 18, 2024**

**Ms. Millett moved** to approve the RDA minutes for June 18, 2024. **Seconded by Mr. Killpack**. Those voting yes: David Young, LaNae Millett, David Spencer, Tom Macdonald, Jeff Lambson, and Chris Killpack. The motion **passed**. Absent - Jenn Gale

#### **RDA SCHEDULED ITEMS**

##### **PUBLIC HEARING - RESOLUTION - Redevelopment Agency of the City of Orem (RDA) Fiscal Year 2025-2026 Tentative Budget Adoption**



Mr. Nelson provided an update on the Redevelopment Agency (RDA) of Orem, a separate legal entity requiring its own budget. He stated that all older RDAs are now complete, with the University Place Community Reinvestment Area (CRA) being the only remaining active one. Consequently, there are no new incoming funds from the old RDAs. Regarding the University Place CRA incentive, 90% of received property taxes are remitted back to University Place, while the city retains 10%. Of this 10%, 5% goes to the general fund for administrative purposes, and the remaining 5% is retained within the RDA for future infrastructure or use. Mr/ Nelson also noted that there are still remaining funds in the old RDAs, totaling \$65,000 for project areas, which are being gradually expended and incur administrative and reporting costs. He highlighted the comparatively small size of these remaining funds relative to the active CRA.

#### **Public Hearing open 11:14 PM**

No public comment

#### **Public Hearing closed 11:14 PM**

**Mr. Spencer** moved to adopt, by resolution, the tentative budget for the Redevelopment Agency of the City of Orem (RDA) Fiscal Year 2025-2026 and set the public hearing to adopt the fiscal budget on June 10, 2025. **Seconded by** Mr. Lambson. Those voting yes: David Young, LaNae Millett, David Spencer, Tom Macdonald, Jeff Lambson, and Chris Killpack. The motion **passed**. Absent - Jenn Gale

#### **ADJOURN TO A MEETING OF THE OREM SPECIAL SERVICE LIGHTING DISTRICT (SSLD)**

**Ms. Millett moved** to adjourn to a meeting of the Orem Special Services Lighting District, **seconded by** Mr. Macdonald. Those voting yes: David Young, LaNae Millett, David Spencer, Tom Macdonald, Jeff Lambson, and Chris Killpack. The motion **passed**. Absent - Jenn Gale

#### **SSLD CONSENT ITEMS**

##### **Approval of Meeting Minutes for June 18, 2024**

**Ms. Millett moved** to approve the meeting minutes from the Orem Special Services Lighting District for June 18, 2024. **Seconded by** Mr. Macdonald. Those voting yes: David Young, LaNae Millett, David Spencer, Tom Macdonald, Jeff Lambson, and Chris Killpack. The motion **passed**. Absent - Jenn Gale

#### **SSLD SCHEDULED ITEMS**

**PUBLIC HEARING - RESOLUTION -Special Service Lighting District of the City of Orem Fiscal Year 2025-2026 Tentative Budget Adoption**

Mr. Nelson presented the proposed budget for the Special Service Lighting District, which focuses on street lighting. He explained that the budget primarily covers maintenance now that the final lighting district conversion is complete. Additionally, it now includes permanent funding for holiday lighting, following its past success. The street lighting fund is also responsible for paying its share of the debt service related to the energy lease that facilitated the conversion to LED streetlights. To cover these costs, there will be an increase in the street lighting fee from \$3.16 to \$3.28.

**Public Hearing open 11:18 PM**

No public comment

**Public Hearing closed 11:18 PM**

**Mr. Spencer** moved to adopt, by resolution, the tentative budget for the Orem Special Service Lighting District (SSLD) Fiscal Year 2025-2026 and set the public hearing to adopt the fiscal budget on June 10, 2025. **Seconded** by Mr. Killpack. Those voting yes: David Young, LaNae Millett, David Spencer, Tom Macdonald, Jeff Lambson, and Chris Killpack. The motion **passed**. Absent - Jenn Gale

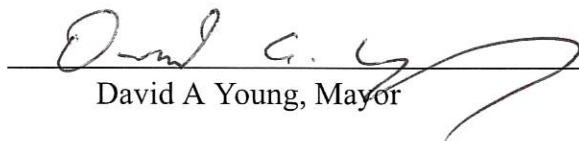
**(Closed Session is cancelled)**

**ADJOURN**

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

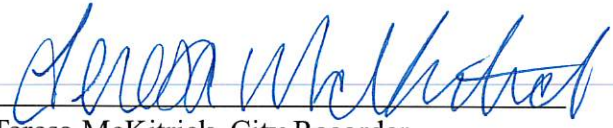
*(These minutes were created with the help of AI)*

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 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Chris Killpack       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Spencer        | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jeff Lambson         | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jenn Gale            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LaNae Millett        | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Macdonald        | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |