

CITY OF OREM  
CITY COUNCIL MEETING  
56 North State Street Orem, Utah  
December 12, 2023

5:00 P.M WORK SESSION - CITY COUNCIL CONFERENCE ROOM

CONDUCTING	Mayor David A. Young
ELECTED OFFICIALS	David Young, David Spencer, Terry Peterson, LaNae Millett, Tom Macdonald and Debby Lauret (Jeff Lambson by Zoom)
APPOINTED STAFF	Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager/Development Services Director; Steve Earl, City Attorney; D. Jacob Summers, Deputy City Attorney; Brandon Nelson, Finance Director; Keri Rugg, Management Services Director; Marc Sanderson, Fire Chief; Chris Tschirki, Public Works Director; Josh Adams, Police Chief; Jesse Riddle, Director of Legislative Counsel; Jason Bench, Asst Development Services Director; Sam Kelly, City Engineer; John Dorny, Transportation Engineer; Carl Okolowitz, IT Division Manager; Peter Wolfley, Communications Manager, PIO; Carson Hardy, Management Analyst; Teresa McKitrick, City Recorder

**NOTE: The referenced report and presentation documents for each discussion may be viewed at [orem.org/meetings](http://orem.org/meetings) under “City Council Presentations”**

<https://www.youtube.com/watch?v=GA6jZkxaV0g&t=225s>

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

Mr. Summers presented an update on the Short Term Rental discussion from a previous City Council work session. Mr. Summers referred to a court case that was brought before the Orem City Administrative court. He explained that there were 3 violations of the Orem City Code: 1) Improper Maintenance of Property by violating Code 22-6-10(C) - Keeping of Animals in violation of ordinance. 2) Improper Maintenance of Property by violating Code 22-6-8(F) - Renting of Property in violation of Single Family Definition, and 3) Improper Maintenance of Property by violating Appendix A of the Orem City Code - Renting of property for a non-permitted use. In the case, neighbors provided much of the evidence about the frequency and number of guests that were renting out this property. At times more than 50 guests. With their

help the City was able to show that the owners were in violation of the above listed codes. In the case the City submitted that Short Term Rental is not listed in Appendix A, but the following uses are prohibited in Residential Zones; Rooming & Boarding Houses, Fraternity & Sorority Houses, Membership Lodging, All Transient Lodging and Hotels, Tourist Courts & Motels. The Ruling in the Administrative Court was in favor of the City. The Court held that Short Term Rental (the GOAT House) operations violated City Code and the Court ordered the Short Term Rental to cease operations and that they may not operate until City regulations are adopted and operation is in compliance with said regulations. Ms. Millett wanted to know how neighbors were informed about the ruling. Mr. Summers explained that many of the neighbors attended court that day and some of them testified.

Mr. Summers explained that the next step is to decide how the city would want to move forward with any sort of regulations or regulatory scheme, if any. Mr. Summers has looked at other cities and other ways that the city could branch out. He suggested the city could expand the existing landlord tenant program. In the expansion the City could adopt a licensing fee, restrictions and requirements. Mr. Summers was asked if Short Term Rentals were legal in Orem. Mr. Summers, in his legal opinion, says they are not a permitted use in Orem. He explained the idea is not to prohibit short term rentals but to have them operate consciously of their neighbors and provide safety for the renters. The city should manage in a way that is responsible and cognizant of the residential neighborhoods. Mayor Young questioned why the process took time to stop the "Goat House" activities. Mr. Summers explained that it takes time to collect evidence and to bring it before the judge and City Council.

Mr. Earl spoke about the upcoming Utah State Legislature General Session and that there is a draft bill addressing Short Term Rentals and requirements for municipalities to adopt ordinance or regulations. Mr. Summers suggests that waiting for the Legislative Session to conclude before changing our code might be a wise decision. After discussions with the City Council, the direction is to track the bill but the City of Orem should continue to move in the direction of updating our code concerning Short Term Rentals.

<https://www.youtube.com/watch?v=GA6jZkxaV0g&t=1635s>

#### Update on the Traffic Tiger Team *Presenter: Chris Tschirki, Public Works Director*

Mr. Tschirki explained that the tiger team was developed 18 months ago and is a combination of the City Manager's office, Public Works, Engineering, Planning and Police. Mr. Bybee explained why this group was formed. Mr. Tschirki said there have been 54 cases and 29 have been resolved. There are currently 25 active cases. The following groups have submitted cases: 30% from City Council, 50% from Public, 10% from Staff, 10% from ASD or neighboring cities. These are the types of cases that have been submitted: traffic calming, traffic safety, traffic movement, bike lanes, pedestrian crossing, street lighting and parking.

Mr. Tschirki specifically spoke about Mr. Macedone's request from the last city council meeting. They have studied the area in question. The results are that the volumes and speeds on

that road are low. The average speed was 26 mph. This area will probably need to be reevaluated when the street light goes in at 600 W and 800 N. This signal will be a UDOT intersection and project.

Mr. Tschirki showed the tracking sheet that is used by the group to track cases and data. Ms. Millett spoke about one of the cases she brought to the team and that it was concerning school safety. Mr. Bybee spoke to the value of this team. Mayor Young commended the creation of this team and the efforts they are making.

#### AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

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

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

##### CONDUCTING

Mayor David A. Young

##### ELECTED OFFICIALS

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

##### APPOINTED STAFF

Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager/Development Services Director; Steve Earl, City Attorney; D. Jacob Summers, Deputy City Attorney; Brandon Nelson, Finance Director; Josh Adams, Police Chief; Chris Tschirki, Public Works Director; Keri Rugg, Management Services Director; Bryce Merrill, Library and Recreation Director; Marc Sanderson, Fire Chief; Jesse Riddle, Director of Legislative Counsel; Carlo Okolowitz, IT Division Manager; Jason Bench, Asst Development Services Director; Sam Kelly, City Engineer; John Dorny, Transportation Engineer; Peter Wolfley, Communications Manager, PIO; Carson Hardy, Management Analyst; Teresa McKittrick, City Recorder

<https://www.youtube.com/watch?v=GA6jZkxaV0g&t=3262s>

##### CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT – Julie Allen, Brigham Young University Professor

**PLEDGE OF ALLEGIANCE** – Lon Bowen, Historic Preservation Advisory Commission

**MAYOR'S REPORT/ ITEMS REFERRED BY COUNCIL**

<https://www.youtube.com/watch?v=GA6jZkxaV0g&t=3396s>

**Introduction of Public Safety Peer Support Dogs** *Presenter: Aliza Stevens, Victim Advocate; Trevor McGinty, Fire Captain; and Rachel Thomas, Fire Services Specialist*

Ms. Thomas serves as a fire services specialist. She is introducing public safety peer support dogs. The three dogs are Rocky, Duke, and Torch. Mr. McGinty started the peer support program about 5 years ago. The peer support team is a group of 11 fire members who are on call to give support to fellow firefighters. Three years ago, dogs were added to the peer support group. The dogs are an asset to the team. Donations were made to purchase two of the fire support dogs.

Ms. Stevens spoke about her support dog, Hoku, for the Victims Advocate Office. Hoku is currently going through training to aid victims of crime. Hoku's needs are funded through donations.

<https://www.youtube.com/watch?v=GA6jZkxaV0g&t=4066s>

**Highlights of "Lights On"** *Presenter: Karina Eckern, City Events Coordinator and Bryce Merrill, Library and Recreation Director*

Mr. Merrill expressed appreciation for those who made the night successful and the residents who supported the event. Ms. Eckern showed a video highlight of the 12th annual "Light On" event. She expressed gratitude to the SCERA, Treeo, Walker Sanderson, Rendezbooth, and Sunset Farmer Market. The new Orem Express train was giving rides to families all night. Mayor Young gave praise to the city for putting on an amazing event. Ms. Lauret asked about numbers and Mr. Merrill reported about 3,000 attended the Monday event and it is estimated that about 7,000 to 8,000 will participate in at least one event.

<https://www.youtube.com/watch?v=GA6jZkxaV0g&t=4552s>

**Farewell Remarks by Council Members Debby Lauret and Terry Peterson**

Ms. Lauret began by thanking the Orem citizens, the city staff and her fellow Council Members. She explained that she had 2 goals as a Council Member: to improve quality of life for citizens and economic development in Orem. Some noted projects that Ms. Lauret was involved with are: the James Christensen Park at SCERA, extra family dressing rooms at the new Recreation Center, saving the gym at Hillcrest Park, the Library Hall addition to the Library and the new City Hall building. She attended many ribbon cuttings for new businesses and supported the Orem Business Alliance. She served on many commissions, notably the Arts Council and

Oremfest Commission. She hopes she will be known for caring and coming prepared, as well as her emphasis on quality of life and economic development.

Mr. Peterson spoke about his great opportunity to serve the city. He felt honored to get to represent the citizens of Orem. He was moved by the retirement party the city held for him yesterday. He was very grateful for those who helped with that event. He is grateful for the citizens of Orem and he has tried to be loyal to those things he said he would do. Mr. Peterson expressed gratitude for the employees of the City of Orem, including first responders. He expressed gratitude for the other members of the City Council. Mr. Peterson ran for office because he was concerned about high density housing and transportation. He is proud to be part of the decisions he made as a City Council Member including the new Hillcrest Park. He is grateful for the things he accomplished over the last 4 years.

<https://www.youtube.com/watch?v=GA6jZkxaV0g&t=5324s>

## **PERSONAL APPEARANCES**

### **Opened at 6:32 PM**

Mike Christensen came to speak about the Lights On event. He enjoyed the new event but wished there were better lighting on the stage, he missed having Santa coming in on the fire engine with sirens and then having him load into the train, and he also would like the start time to be better explained.

Steve Astle spoke of his appreciation for the city and their help in the short term rental issues in his neighborhood. He would like the city to consider studying other cities who have been successful in short term rental laws.

Heather Fry she was upset about the removal of trees that were removed on State Street but was very impressed with the Lights On event. She wants to remind the council that the people of Orem care even if they can't always get involved. She hopes that the council will work together to take care of Orem.

Becca Driggs and Jill Barrick came together to speak about the Memorial Designation resolution that is proposed. She is grateful for the City Council's support with the "Women's and Children Memorial" project.

### **Closed at 6:57 PM**

## **CONSENT ITEMS**

**Approval of Meeting Minutes November 14, 2023**

**Approval of 2024 City Council Meeting Schedule**

**Mayor Pro Tem for January 2024 - June 2024** - David Spencer

**Appointment to Beautification Advisory Commission** - Kirsten Bascom

**Appointment to Recreation Advisory Commission** - Danny Miller

**Appointment to Library Advisory Commission** - Nancy Schultz

**Appointment to CDBG (Community Development Block Grant) Commission** - Ashley Gil and Eileen Black

**Mr. Macdonald moved** to approve all consent items. Ms. Lauret **seconded** the motion. Those voting yes: David Young, Jeff Lambson, Tom Macdonald, Terry Peterson, Debby Lauret, LaNae Millett, and David Spencer. The motion **passed**.

## **SCHEDULED ITEMS**

**<https://www.youtube.com/watch?v=GA6jZkxaV0g&t=6327s>**

**Independent Financial Audit - FY 2022-2023** *Presenter: Brandon Nelson, Finance Director and Jon Haderlie, Partner, Larsen & Co., PC*

Mr. Nelson reported that the City of Orem has completed the Financial Audit for FY 2022-2023. He explained some key points. First, the general fund increased by \$5.4 million comparative to the prior year. Normally this increase would be sales tax, but this past year the sales tax was lower than previous years. The biggest contributor to the increase in the general fund is interest rates. The city went from 1% to 5% interest and that resulted in \$3.7 million dollars. One fund that is in a deficit is the facilities maintenance fund. The fund's deficit will be eliminated in the current fiscal year. Mr. Peterson asked about sales tax for online purchases. Mr. Nelson explained that this is done by audit from the State Tax Commission. Ms. Lauret commented that the city was wise and refinanced their loans while interest rates were low and now that the interest is higher the City is benefiting from proper planning. She thank Mr. Nelson for his management.

Mr. Haderlie recommends the City Council read the report that Mr. Nelson has provided. They offer 3 opinions. The first opinion pertains to the financial statements. This is an unmodified or an unqualified opinion. In layman's terms that is a clean opinion that means that the financial statements are material correct. The second opinion is for the federal government. That is an opinion on Orem's compliance and internal controls of how Orem spent federal money. This is a dual opinion, first, they looked at the compliance with those programs. Federal programs have conditions on how that money is spent, when that money can be spent and if there is matching funds required. There were no issues with compliance in this area. They also looked

at the City's internal controls on tracking of that money and no issues were found. The third opinion is for the Utah State Auditor. There was a federal single audit report and the compliance report. They found no significant issues that would need to be reported. Mr. Nelson had to complete an internal control spreadsheet outlining every compliance. No concerns with the controls that are currently in place.

Mr. Haderlie did speak about a couple of findings from the reporting process. First, the facilities maintenance fund is currently in a deficit position as Mr. Nelson has previously mentioned. The requirement is that the City needs to reduce that deficit by 5% of the revenue coming into that fund on an annual basis. The City transferred funds into that fund last year and the city has plans to eradicate that deficit. Mr. Haderlie expects this will not be a concern by next year. The second finding is concerning the general fund balance. This fund is required to maintain only a 35% maximum fund balance and that's 35% of all the revenues of the general fund for the year. The City of Orem is currently at 40%. This is against the state code but those funds are planned for future projects including the new city building. Mr. Haderlie stated that this doesn't not cause him concern.

**Mr. Macdonald moved** to accept and approve the audit for the fiscal year ending June 30, 2023 as completed and presented by Larson and Company, PC. Ms. Lauret **seconded** the motion. Those voting yes: David Young, Jeff Lambson, Tom Macdonald, Terry Peterson, Debby Lauret, LaNae Millett, and David Spencer. The motion **passed**.

<https://www.youtube.com/watch?v=GA6jZkxaV0g&t=7297s>

**New Orem City Seal Resolution** *Presenter: D. Jacob Summers, Deputy City Attorney*

Mr. Summers is presenting the adoption of a new City seal. This seal includes the name of the city, the year of incorporation, the Orem slogan (Family City USA) and the United States motto (In God We Trust). Mr. Summer spoke on the inclusion of the National Motto of "In God We Trust" to the Orem City seal. Many other cities and states have added similar mottos to flags and seals. The courts have supported the "In God We Trust" motto being displayed on coins and in government buildings. This motto was found to have a secular purpose. It symbolizes the historical role of religion in our society, it formalizes our medium of exchange, it fosters patriotism and it expresses confidence in the future. This motto was also found to have no theological or ritualistic impact. It has spiritual and psychological value and inspirational quality.

Ms. Lauret asked if a challenge to this decision would be defensible. Mr. Summers is confident that it is. He believes that the City is on good footing based on prior rulings and multiple different federal district circuit courts of appeal as well as the statements made by US Supreme Court and other establishment clause cases.

**Mr. Spencer moved** to adopt by resolution the new Orem City seal. Ms. Millett **seconded** the motion. Those voting yes: David Young, Jeff Lambson, Tom Macdonald, Terry Peterson, Debby Lauret, LaNae Millett, and David Spencer. The motion **passed**.



<https://www.youtube.com/watch?v=GA6jZkxaV0g&t=7753s>

**Historical Marker Resolution** *Presenter: D. Jacob Summers, Deputy City Attorney*

Mr. Summers explained that this resolution is to direct the City of Orem in the creation of a historic marker program. The contents of the resolution are to identify, preserve and create educational material regarding the community history of the City of Orem. The Women's and Children's Monument will be part of this resolution as requested by the City Council.

Mr. Macdonald asked about funds for this project, Mr. Bybee responded that the costs are not known at this time and he would suspect that a fundraising effort may come into play at a later date. Currently the only funds required would be for staff time and the cost to hire a design company.

Mr. Summers answered the question of why now? The City has made efforts to preserve Orem History in the following ways: the creation of a Historical Preservation Advisory Commission, the sponsoring of the Orem Heritage Museum by CARE tax and support of citizen-led efforts to educate and preserve Orem history.

Mr. Summers spoke specifically about the Women's and Children's Memorial. The creation of this memorial is to honor the role of women in the history of the City of Orem. The exact location and monument will be determined at a later date. The parcel at 1600 N is located within the PF zone and the resolution calls for the development of plans for a landscaped open space, installment of a historical marker and acknowledgement of future development of a well house on the parcel.

Mr. Summers continued to speak on the proposed resolution and issues that will need to be resolved, such as what is considered historic, the audit of needed markers and a refresh of the historic marker design. The last part is the inclusion and installment of the Heritage Park tank site.

Mayor Young believes the city council is going back to core values including preserving history. Mr. Peterson would like to see this program expanded to include a larger memorial at another more accessible location. Ms. Millett confirmed that this program will include more locations and thanked those who brought this opportunity to the City Council. She is excited and honored to be a part of this project. She mentioned that Quick Quack has offered support of this memorial.

**Ms. Millett moved** to approve the resolution for the historical memorial for the City of Orem. Ms. Lauret **seconded** the motion. Those voting yes: David Young, Jeff Lambson, Tom Macdonald, Terry Peterson, Debby Lauret, LaNae Millett, and David Spencer. The motion **passed**.

<https://www.youtube.com/watch?v=GA6jZkxaV0g&t=8517s>



**Rezone Amending Article 22-5-3(A) and the zoning map of the City of Orem by enacting Article 22-11-65 and Appendix ZZ of the Orem City code and by rezoning the property located generally at 1350 East 740 North from the R12 zone to the PD-52 zone (approximately 6 acres)** *Presenter: Jason Bench, Assistant Development Services Director*

Mr. Bench explained this is a current facility that is looking to rezone the property to allow for the expansion of the facility, known as the Provo Canyon Behavioral Hospital. This will result in the creation of the PD-52 zone. The purpose of the PD-52 zone is to allow an existing behavioral hospital to remain and allow an additional 24-bed expansion to be constructed. The property in the PD-52 zone shall be developed in conformance with the concept plan. Hospital Services and Secondary Schools are permitted uses in the PD-52 zone. All other uses are prohibited. The total number of beds related to the hospital use shall be limited to a maximum of 154 beds. Any final plat must conform to all development standards and requirements. All development standards and site plan requirements of Section 22-14-20 shall apply to any development in the PD-52 zone. The Provo Canyon Behavioral Hospital is proposing a one-story addition.

The planning commission recommendation is to rezone this property from R12 and PD-52. Mr. Macdonald asked about the support of neighbors. Mr. Bench explained that the developers worked with the neighbors to address concerns. Ms. Lauret asked about the demand of the facility and Mayor Young asked about the timeline and if there are any time limitations. Dave Gardner and George Bills were present. Mr. Gardner confirmed there is a demand and that their intention is to get going on this project after approval. Mr. Bench explained they will need to go through the planning commission for site plan approval and that there is a 2 year timeline once it is approved.

**Public Hearing Opened at 7:45 PM**

Bruce Cameron lives close to this facility and he is representing the Bella Vista neighborhood. He is familiar with the facility and is in support of the expansion after they made changes addressing neighbor concerns. The one concern is the smoking designation area is close to the homes. He would like to see it moved or a screen built.

In response to the concerns Mr. Bench said that the City Council could direct the hospital to continue to work with neighbors to resolve the smoking area.

Patrick Jackson has a personal experience with this hospital and he would like to see this hospital expansion happen. His wife benefited from this hospital and wants the City Council to support this hospital.

Mr. Peterson was impressed with the neighbors that came to the Planning Commission in support of this resolution and for the hospital listening to the neighbors concerns.

**Public Hearing Closed at 7:55 PM**

Mr. Earl would like to change some wording in the resolution about the number of beds. Ms. Millett appreciates the developers working with the neighborhood and for bringing this to the community. Mayor Young seconded previous comments.

**Ms. Lauret moved** to amend Article 22-5-3(A) and the zoning map of the City of Orem by enacting Article 22-11-65 and Appendix ZZ of the Orem City code and by rezoning the property located generally at 1350 East 740 North from the R12 zone to the PD-52 zone (approximately 6 acres) with the change recommended by Mr. Earl to have a maximum number of beds of 154. Mr. Macdonald **seconded** the motion. Those voting yes: David Young, Jeff Lambson, Tom Macdonald, Terry Peterson, Debby Lauret, LaNae Millett, and David Spencer. The motion **passed**.

<https://www.youtube.com/watch?v=GA6jZkxaV0g&t=10484s>

**Considering a proposed agreement between Wright Development Group and the City of Orem regarding development of the property located generally at 841 South State Street (former Meadow Gold Property)** *Presenter: Steve Earl, City Attorney*

Mr. Earl is here to discuss a proposed settlement agreement about the property commonly known as Meadow Gold located at 841 South State Street. Mr. Earl gave a history of the property and the Arts District where the property resided. In 2021, Wright Development submitted a proposal for a mixed use development. After the proposal, there was a dispute about the application. Shortly after this, there was a moratorium put on the development proposal. Wright Development decided to sue the City of Orem. There have been discussions between legal counsels to come up with a settlement. The proposal settlement is that the project would go forward but reduce the height, number of units and remove the commercial area.

Mr. Bench reviewed the proposed settlement agreement elements. A maximum building height of 52 feet and four stories with a limited exception for a rooftop structure enclosing the stairway, elevator and lobby which have a maximum height of 64 feet. A maximum of 311 residential units. The requirement of at least 650 parking stalls. Mr. Bench showed the site plan for the proposed development.

Mr. Earl recognizes this is a painful and difficult decision to make. This is an opportunity to resolve the lawsuit. The decision is if we want to mitigate the lawsuit and what is in the best interest of the City? Ms. Lauret wants to know what happens if they do not build the property in the allotted time. Mr. Earl explained that they have three years to complete an approved site plan. Then they have 2 years to pull the building permits.

Mr. Spencer asked if 900 South could be a one way street to stop traffic from going into the neighborhoods. Mr. Earl replied that a traffic study will be required for the project and that option could be looked at with the traffic study.

Mr. Spencer Wright and Mr. Logan Johnson are with Wright Development. They reported that this was looked at with the previous traffic study and that 900 South is a city street and would be determined by the City. Ms. Millett would like to see another traffic study. Mr. Johnson suggested that a new traffic study was done recently and it was reviewed by City staff. Ms. Millett asked about mitigating efforts? Mr. Johnson replied that there was not a right in, right out requirement on 900 South. Ms. Millett asked if UDOT approved the new plans? Mr. Johnson explained that they have not yet approved, but that UDOT had previously approved the plans. Mayor Young asked about the possibility of 400 East being blocked off. Mr. Bench explained that a full site plan has not been reviewed. That will happen after the City makes a determination to move forward with the settlement.

Mr. Dorny, Traffic Engineer, discussed possible options depending on neighbors and the developers agreement. He explained that there are options to reduce traffic or to calm traffic going into the neighborhoods. Wright Development has no need to access the neighborhoods and would support removing access to the neighborhoods.

### **Public Hearing Opened at 8:47 PM**

Mr. Scott Swain spoke about the neighbors and that they do not want a settlement agreement. He would rather have commercial development on the property. He would like the council to support the neighbors and vote against the settlement.

Mr. Ken Temple lives near this proposed property. He has noticed that the minimal traffic that already exists is too much. This development will increase that traffic dramatically. This development will ruin the historic value of the neighborhood. He would like the City Council to vote against the settlement.

Mr. Greg Duerden is not a resident of this neighborhood but he is reporting that Orem is the 4th dense city in the State of Utah. He is not in support of this development.

Mr. Dorny qualified that the cul-de-sac would be more difficult then he previously thought as an option.

Ms. Tammy Rodriguez is concerned about the traffic right now and the speed of drivers in their neighborhood without the additional units being built. She believes that parking is also going to be an issue, there are not enough parking spots planned in the design. She would like to see a gate added to the 400 East access point and close off the neighborhood, as well.

Mayor Young would like the city to look at the traffic in the neighborhood regardless of how the vote turns out. He also asked the developers about guest parking and how they will handle that. Developers feel confident that they will provide more parking stalls than the minimum required.

Ms. Heather Duncliff lives near the neighborhood and said there are 50 kids who live in that neighborhood. She is concerned about the safety of the children in the area. She doesn't think that a 4 story building is better than a 7 story building and she would like to see the City fight this lawsuit and not settle.

Ms. Ashley McCrary is upset by the way this development came about and does not want the city to accept the settlement agreement. This development is in her neighborhood and closing roads and other efforts does not solve the issues. She believed this development does not promote the health or safety of the neighborhood.

Mr. Chad Brown is unwilling to give up the safety of the children in the neighborhood. He believes that this settlement does not support protecting the people of Orem. This project will have far reaching consequences. He is asking the City to vote against a settlement.

Mr. (name not given) asked to bring up the original plan on the screen. He talked about the features of the original plan. He believes the developers have given up nothing in the settlement plan. He does not see a threat in the original plan and believes the city should vote against a settlement.

Ms. Debby Lamb has lived in this area for many years. Years ago this was a safe neighborhood and it has progressively become unsafe. This development will increase the dangers to the neighborhood.

Mr. Jared Fisher is worried that this neighborhood is not going to continue to be safe in the future.

Mr. Jose Alvarez loves his neighbors and is worried about the future of this neighborhood. He wants the City to protect the neighborhood. He is against a settlement.

Mr. Mark Gessel just recently moved into the neighborhood last December. He loves Orem but he believes this development seems like a disaster. He already has an issue with traffic and this development will bring too much traffic. He doesn't believe the traffic study is accurate.

Ms. Linda Sheldon says that the traffic is too fast and dangerous already. The local car dealership brings test drivers into the neighborhood. She believes that parking will be a problem and it will encourage people to park in the neighborhoods.

Ms. Annette Olson agrees with previous people and wants the city council to vote against the settlement due to traffic problems.

Mr. Ralph Olson knows the history of Orem and he is against the settlement and is compassionate to the current city council about having to deal with this issue. He wants Orem to stay "Family City USA". He is asking the City Council to correct the mistakes of the past. He is asking the City Council to vote against settlement.

Mr. Mike Christensen doesn't live in the neighborhood in question but he supports the neighbors here tonight. He thinks the city should buy the property and build a park.

Mr. Bruce Palmer is concerned about solutions for the city. He wants to propose that a medical facility come into that property. He doesn't want to see his taxes go up to pay for this lawsuit. He thinks this lawsuit is not going to have any winners. Previously he sold his home to expand Costco.

Mr. (name not given) got up again to thank the city council and hopes they will continue to support Orem residents.

**Public Hearing Closed at 10:03 PM**

Mr. Spencer asked Wright Development about the possibility of going forward with a different project on that property. Mr. Wright said that would not be an option at this time.

Mayor Young sympathizes with the citizens but he feels his hand is tied behind his back. The full story is not available for discussion at this time. They are being advised to settle this lawsuit. Mayor Young spoke that this is a problem that was created by previous councils which caused this legal battle. His personal preference is not to move the project forward, but the council has to look at the total risk to the City of Orem. He went over the options available. This comes down to a risk/reward situation. He is encouraging the developer to think about the needs of the neighborhood and see if there is a better solution with little impact to the neighborhood.

Mr. Lambson felt that the mayor expressed many of his concerns and he wanted to add that going forward he would like to see the city do mitigation efforts to calm the traffic in that area.

Mr. Macdonald echoes what the mayor expressed.

Mr. Peterson is very angry about this development. He wants to represent the families in this area. He thinks that this development will lead to streets being widened and parking issues. He questions why Wright Development would want this legacy. He will not be voting for the settlement.

Ms. Lauret was part of the city council that created the state street plan. She assured the public that the plan was to keep apartments out of the neighborhoods. She is sensitive to the neighbors but she does not want to risk more money being spent on this development.

Ms. Millett believes this is the definition of high density housing in neighborhoods. She believes this development will hurt the surrounding neighborhoods and the quality of life. She says the Wright Development bought this property as a commercial zone. She believes that they should choose to develop this property as commercial. She wishes this zone change had never happened. She is forced to vote tonight and believes there is no winning in this.

Mr. Spencer was part of the city council that voted for the State Street plan and he feels he was sold a different vision than what he was given. He would like Wright Development to work with the neighbors to come up with a better solution.

**Ms. Lauret moved** to approve the proposed agreement between the Wright Development Group and the City of Orem regarding development of the property located generally at 841 South State Street (former Meadow Gold Property) and authorize the mayor to sign the proposed settlement. Mr. Macdonald **seconded** the motion. Those voting yes: David Young, Jeff Lambson, Tom Macdonald and Debby Lauret. Those voting nay: Terry Peterson, LaNae Millett, and David Spencer. The motion **passed**.

## **CITY MANAGER INFORMATION ITEMS**

Mr. Bybee gave thanks to Ms. Lauret and Mr. Peterson for their service.

## **ADJOURN MEETING**

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

**PASSED and APPROVED** this 9<sup>th</sup> day of January 2024.

  
David A. Young, Mayor

**ATTEST:**

  
Teresa McKittrick, City Recorder

**COUNCIL MEMBER**

**AYE NAY ABSTAIN**

Mayor David A. Young  
Jeff Lambson  
Jenn Gale  
Tom Macdonald  
LaNae Millett  
Chris Killpack  
David Spencer

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

