

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
November 14, 2023

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

CONDUCTING	Mayor David A. Young
ELECTED OFFICIALS	David Young, David Spencer, Terry Peterson, LaNae Millett and Debby Lauret (Jeff Lambson and Tom Macdoanld by Zoom)
APPOINTED STAFF	Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager/Development Services Director; D. Jacob Summers, Deputy City Attorney; Brandon Nelson, Finance Director; Marc Sanderson, Fire Chief; Carlo Okolowitz, IT Division Manager; Jason Bench, Asst Development Services Director; 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](https://www.orem.org/meetings) under “City Council Presentations”

<https://www.youtube.com/watch?v=53HpZn5tjxU&t=0s>

Hillcrest Park Playground Ribbon Cutting / Orem Express and Fire Engine 31 Unveiling:

Presenter: Dave Young, Mayor, Terry Peterson, City Councilmember, and Carol Walker, Recreation Advisory Commission

In Attendance: Mayor Dave Young, Debbie Lauret, Terry Peterson, LaNae Millett, Tom Macdonald, Dave Spencer and Jeff Lambson.

Mayor Young welcomed those in attendance to the grand opening of phase 1 of Hillcrest Park. He noted that it has been 20 years since the city built a brand-new park from scratch. Phase 1 of this project includes three amazing playgrounds, the pavilions, nearly a mile in walking paths, the wide open greenspace, the hammock/slackline area and the access entrance from University Park. The second phase is scheduled for Spring of 2024 and it will include 12 pickleball courts, table tennis, 9 square courts, outdoor lounge and much more. He thanked many for their part in helping with this park. Mayor Young continued to unveil a new fire truck and the Orem Express, a new city events train.

Ms. Walker, from the Recreation Advisory Commission, spoke about the collaboration of efforts that were needed to make this park happen. She spoke of the CARE tax and the part it played in the process. She highlighted that there are 21 parks in the City of Orem. She expressed gratitude for everyone who helped with the dream of Family City USA.

Mr. Peterson gave some history about the Hillcrest Elementary School and spoke about how the Orem Engine came about. He is appreciative to Mr. Bybee for making it possible. Mr. Peterson is excited for this new park and gave thanks to the many involved in this park.

<https://www.youtube.com/watch?v=53HpZn5tjxU&t=1923s>

Proposed Resolution for Historic Memorial: *Presenter: D. Jacob Summers, Deputy City Attorney*

Mr. Summers explained that this proposed resolution is because of a previous city council meeting. He gave an overview of the Historical Preservation Advisory Commission. This commission works in an advisory role regarding the identification and protection of local historic and archaeological resources. In 1995, the city adopted a Historic Marker design by A. Dale Brown. Mr. Summers continued to explain the historical marker issues to resolve are what is considered historic and an audit needs to be done of current markers in Orem. Mr. Summers is not proposing any criteria on historical markers. This resolution is to provide city staff on how to proceed. The proposed actions are to (1) reaffirm that it is in the best interest of the city, (2) direct the Historic Preservation Advisory Commission to develop criteria, (3) requests the Historic Preservation Advisory Commission create a process of recommendations, (4) request the Historic Preservation Advisory Commission prepare a report identifying existing markers, (5) direct City staff to explore and develop potential options, (6) direct staff to continue efforts to preserve unique nature of land within the PF zone, and (7) request that City staff works towards the planning and development of other memorial monuments.

Ms. Lauret asked if we should have a brand or similar look. Mr. Summers thinks it would be appropriate to have similar markers. Mayor asked how many markers we currently have. Mr. Bench reported that there are about 20 of the original markers. Mayor Young would like to see us hire a design firm to give proposals. Mr. Lambson would love to see our communications team to share these markers with the Orem residents. Mr. Bybee suggested putting benches at these locations. Mr. Peterson would like to see the City tie this into the SCERA Heritage Museum. Ms. Millett would like to see the City seek for a location for a Women's and Children's park with a monument.

<https://www.youtube.com/watch?v=53HpZn5tjxU&t=1923s>

Proposed 2024 City Council Schedule: *Presenter: Teresa McKitrick, City Recorder*

Ms. McKitrick presented a draft of the proposed 2024 City Council Schedule. This will be a consent item on the December 12, 2023 City Council meeting.

Mayor Pro Tem for January 2024-June 2024: Presenter: Teresa McKitrick, City Recorder

Ms. McKitrick presented Dave Spencer as the pro tem mayor for January 2024-June 2024. City Council was in agreement and this will be a consent item on the December 12, 2023 City Council meeting.

Ms. McKitrick spoke about the canvass on December 5, 2023. There will be a zoom option for all City Council Members except Mayor Pro Tem Debby Lauret who will be at the City Council Chambers in attendance. Those on zoom will give consent to have the canvass signed digitally if they vote aye.

AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

<https://www.youtube.com/watch?v=53HpZn5tjxU&t=2706s>

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

Mr. Peterson serves on the Planning Commission and appreciates how diligently they serve. He recommended that the council member who replaces him attend each meeting. He believes it is important for the planning commission to feel that support. Mr. Peterson also serves on the Utah Lake Authority. He would like to be part of the committee to select his replacement on the board. He reminds the council that there is some controversy about Utah Lake and that we will want to have a strong voice at the table.

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

CONDUCTING

Mayor David A. Young

ELECTED OFFICIALS

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

APPOINTED STAFF

Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager/Development Services Director; D. Jacob Summers, Deputy City Attorney; Brandon Nelson, Finance Director; Marc Sanderson, Fire Chief; Jason Bench, Assistant Development Services Director; Carlo Okolowitz, IT Division Manager; Peter Wolfley, Communications Manager, PIO; Gary McGinn, Assistant City Attorney; Heath Stevenson, Emergency Manager; Carson Hardy, Management Analyst; Teresa McKitrick, City Recorder

<https://www.youtube.com/watch?v=53HpZn5tjxU&t=3825s>

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT – Jim Lauret

PLEDGE OF ALLEGIANCE – Blaine Blad

MAYOR'S REPORT/ ITEMS REFERRED BY COUNCIL

Mayor Young reported that former Mayor Stella Welsh passed away last week. Mayor Young asked Ms. Lauret to speak about her. Ms. Lauret said that Ms. Welsh served on the city council from 1980-1987 and then became Orem's first elected female mayor from 1992-1997. She was helpful in the creation of the Timpanogos Park and in getting the Timpanogos Regional Hospital in Orem. She was also helpful with the land and zoning issues on the WordPerfect complex, now Canyon Park. She is an incredible example of how much good one person can do for their city. Her funeral will be Saturday at 11 am.

<https://www.youtube.com/watch?v=53HpZn5tjxU&t=4105s>

Metropolitan Water District of Orem Annual Report *Presenter: Chris Tschirki, Public Works Director and Reed Price, Assistant Public Works Director*

Mr. Tschirki explained that Mr. Brown is not able to attend. He introduced the current board and staff. Mr. Tschirki gave some history of the Metropolitan Water District of Orem. The district was created in 1935 to protect water in the City of Orem. The boundaries of the Water District have changed over the years. Orem City has an excellent portfolio of water resources, including groundwater, surface water and spring water. He continued that we have shares with several irrigation, canal or other water associations. We don't own the water but we are shareholders in those companies and that gives us the right to use the water. We also have water as part of a contract with the Central Utah Water Conservancy District in the late 1970's. We pay 1.89 million dollars for that water annually and will continue to pay that through 2047 when the contract will need to be renegotiated.

Mayor Young asked if the water fee is variable. Mr. Tschirki explained that the amount we pay per acre foot does not vary and will stay the same until 2047. Ms. Lauret asked how our 10 million gallon water tank plays into this. Mr. Tschirki informed the council that this is the difference between storage and supply. That storage tank is 10 million gallons and could supply the city for one day. Mr. Tschirki continued and reported that as our population has increased our water usage has gone down. He believes that our residents are being better water stewards.

Mr. Tschirki moved on to speak about our Deer Creek Intake Project. This is a 98 million dollar project. This will replace the intake structure that is under about a hundred feet of water. That is currently under construction today and it will be completed next year. Deer Creek services about 1.5 million people. If this structure fails there would be no Provo River and no water for irrigation or drinking water. This makes this project super critical. Orem's overall cost

for this project is about \$400,000. Water impact fees have reduced and that water revenue has been used to fund water projects.

The board works with the City staff on the following projects: the Provo River Watershed Council, water supply monitoring, our springs and other water resources available, well projects, and water tank projects. Mr. Tschirki reported on the adoption of new policies in fraud reporting and our recent fraud reporting score went up and our audit gave us a bill of clean health. The Metropolitan Water board has donated millions of dollars to Orem City and has a symbiotic relationship with Orem. Both have the goal of providing safe drinking water to the city.

Mr. Price spoke about some items that the water division has been working on. There are 3 departments in the water division: supply, distribution and utility. He explained what each division does. Supply gets the water to our pipes using springs, surface water and wells. The supply department received a perfect score on the Sanitary Survey conducted by the State of Utah. Distribution maintains the pipes and gets the water to the meters. They respond to tickets for water line repairs and meter repairs. They respond 24 hours a day if needed. The utility group is responsible for finding out how much the customers use. This group is replacing all of the meters in the city with smart meters.

Ms. Millett asked for clarification on the micro bubbles that were noticed in the northeast area of Orem. Mr. Tschirki explained that the micro bubbles are air bubbles. The water tastes fine and is clean but high volume of water causes the air bubbles. The City went out and checked the lines and the water to make sure it was safe. Ms. Millett thanked the water department for their service.

Mr. Peterson has first hand knowledge of the dedication of our water department from when his neighbors had line problems. He was impressed with their willingness to work late and get things done. Mr. Peterson asked if purified water is better than Orem water? Mr. Reed said our water meets and probably exceeds the water quality of bottle water. Mr. Tschirki reminded the council that the water department does a yearly water report that can be found on the Orem website.

Before concluding, Mr. Tschirki wanted to recognize LaDell Gillman for his years of service. Mr. Gillman spoke about his time with the Metropolitan Water Board. He has loved his time on the board and gave recognition to Stella Welch, the former Mayor.

<https://www.youtube.com/watch?v=53HpZn5tjxU&t=6117s>

Emergency Management and City Drill Report *Presenter: Heath Stevenson, Emergency Manager*

Mr. Stevenson reported on the Emergency Management plan, including Emergency Preparedness and the Orem City Drill Report. Mr. Stevenson spoke of the success of 2023 in Emergency Management. When there is a change in Mayor or City Manager then the Comprehensive Emergency Management Plan needs to be updated and that has been updated this year. The Neighborhood Preparedness Courses were successful and had good turnouts from

residents. The City of Orem taught four successful HAM radio classes. There was an inspection at the Oremfest and that inspection passed. Everbridge was merged into the Utah County System for emergency notification. Another success was the transfer of Wildland Fire resources from NMAS to WebEOC to align with the state.

Mr. Stevenson spoke about Orem's emergency management partners. This year there was a Utah County Emergency Operations Exercise, courses on Incident Command System by the State of Utah Division of Emergency Management and participation with hospital administration for the Timpanogos Hospital mass casualty exercise.

Finally, Mr. Stevenson spoke about the annual Orem City Drill. The report had 45,000 residents participating in the drill. The report was sent to the City within 2.5 hours. Mr. Bybee spoke to the importance of Emergency Management and gave appreciation to the communications department and fire department. Mayor agreed with Mr. Bybee's observations. Ms. Lauret asked about the command center in the new city building. Mr. Stevenson spoke about the move of fire to the new city building.

<https://www.youtube.com/watch?v=53HpZn5tjxU&t=6739s>

PERSONAL APPEARANCES

Opened at 6:27 PM

Jordan Macedone is here to speak about 600 West between 800 North and 400 North. This has become a main artery in the city and he has collected signatures to lower the speed limit and add speed bumps. He would also like to see a new crosswalk put in. Mr. Macedone has collected signatures and provided them to the city recorder. Ms. Millett asked if there was a dispatch issue. Mr. Bybee reminded the council of our new team that looks at traffic issues. He will have the team look into this area. Mayor Young clarified Mr. Macedone's request. Mr. Tschirki spoke about the Tiger Traffic Team and the process that will follow.

Anne Kendall came to talk about irrigation water. She explained that there are about 100 residents that own water in Orem. She has been told that when Lindon claims their water it will not leave enough water for those in Orem that have water rights. She would like the council to think of ideas to help those with water rights to be able to water their property.

Blyden Lontenhock spoke about a flier he received in the mail from Stronger Together which he says is now going by Stronger Orem. The flier is promoting three candidates. He spoke about Proposition 2 and the desire to continue fighting for an Orem school district.

John Barrick said he has one comment and two questions. The comment was about a professional dress code in Orem City. His questions are: Is it ethical for Tom Macdonald to leave a city council meeting to attend a rally? And, is there proof that Tom Macdonald got a contribution from University Place and not Woodbury?

Closed at 6:47 PM

CONSENT ITEMS

Approval of Meeting Minutes October 24, 2023

Appointment to Metropolitan Water District of Orem Board - KC Shaw, Alex Lott and Chris Tschirki

Appointment to Beautification Advisory Commission - Britton Runolfson and Robert McFadden

Appointment to Oremfest Advisory Commission - Katrina Bleyl

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

SCHEDULED ITEMS

<https://www.youtube.com/watch?v=53HpZn5tjxU&t=7753s>

Notice of Intent to Consider the Boundary Adjustments Resolution between the City of Orem and Provo City located near the intersection of 1030 East 1630 South (Orem address); approximately 700 North 1550 East (Orem address); and approximately 200 South and Columbia Lane (Orem address) *Presenter: Gary McGinn, Assistant City Attorney*

Mr. McGinn explained that there are three resolutions to adjust the boundary of our corporate limits between Orem and Provo. The first one is at 1030 East and 1630 South. This is not a transfer of property, it is a clean up of the boundary.

The second resolution is for 700 North 1550 East. This is the Canyon River District. There is a project going forward that includes a townhome project. The developer requested that the townhome project be removed from Orem and put in Provo boundaries. There are three phases which include two commercial phases that are located in Orem. The city attorneys met with the developers to construct a draft development agreement to deal with city council's concerns about the commercial development.

The final resolution pertains to 200 South and Columbia Lane. There is a sliver of property that should come from Provo to Orem. Mr. McGinn explained that the passing of the resolutions does not make the boundary adjustments; it is just the first step in the process. This is a 60 day process that will end with a vote from the city council to change the boundaries and the draft development agreement could turn into a final development agreement.

Ms. Millett would like to see a pro and cons for this development for the public hearing. Mr. McGinn said that could be prepared.

Ms. Millett moved to give notice of intent to consider the boundary adjustments resolution between the City of Orem and Provo City to place approximately 3.18 acres of property located at approximately 700 North 1550 East (Orem address) entirely within Provo City. Ms. Lauret **seconded** the motion. Those voting yes: David Young, Debby Lauret, Jeff Lambson, David Spencer, Terry Peterson, Tom Macdonald, and LaNae Millett. The motion **passed**.

Ms. Millett moved to give notice of intent to consider the boundary adjustments resolution between the City of Orem and Provo City to place approximately 77,410 square feet of property located at approximately 2000 South and Columbia Lane (Orem address) entirely within the City of Orem. Ms. Lauret **seconded** the motion. Those voting yes: David Young, Debby Lauret, Jeff Lambson, David Spencer, Terry Peterson, Tom Macdonald, and LaNae Millett. The motion **passed**.

Ms. Millett moved to give notice of intent to agree upon a common boundary between the City of Orem and Provo City located near the intersection of 1030 East and 1630 South (Orem address). Ms. Lauret **seconded** the motion. Those voting yes: David Young, Debby Lauret, Jeff Lambson, David Spencer, Terry Peterson, Tom Macdonald, and LaNae Millett. The motion **passed**.

<https://www.youtube.com/watch?v=53HpZn5tjxU&t=8341s>

Park Lighting and Closure Ordinance. *Presenter: D. Jacob Summers, Deputy City Attorney*

Mr. Summers reminded the city council that this was presented at the last work session. This is a recommendation from the Recreation Department to attract recreational opportunities and tournaments. This would allow parks to stay open later given certain weather conditions, if they have been approved and have proper permits. As requested, Windsor Park was removed from the Ordinance. Permit process is to submit an application and appropriate fees. The ordinance would allow denial of the application for specific concerns. The ordinance provides conditions for the permitted use and it requires city staff to be onsite for the late hours. The permitted use can be revoked if the requirements and conditions are violated.

Ms. Lauret asked about a drop dead date, Mr. Summers responded that it is not in the ordinance but the director would determine when it needs to stop. Mayor Young clarified this is for weather related delays. Mr. Peterson spoke to his experiences with sporting events. He encouraged having the pickleball courts at Hillcrest Park be 24 hour use.

Mr. Spencer moved to adopt the Park Lighting and Closure Ordinance. Mr. Peterson **seconded** the motion. Those voting yes: David Young, Debby Lauret, Jeff Lambson, David Spencer, Terry Peterson, Tom Macdonald, and LaNae Millett. The motion **passed**.

<https://www.youtube.com/watch?v=53HpZn5tjxU&t=8853s>

Recertification of the Orem Municipal Justice Court. *Presenter: D. Jacob Summer, Deputy City Attorney*

Mr. Summers informed the City Council about the need to recertify the Orem Municipal Justice Court. The Orem City Justice Court opened September 1, 2010. The jurisdiction of the court is for Class B and Class C misdemeanor, violations of ordinances and infractions committed within the city limits. The judge is Judge S. Parkin who has served since 2010. There is a small staff that supports Judge Parkin, as well as public defenders and prosecutors. The court has thousands of cases each year. The court is expected to recertify every 4 years and currently our certification will expire January of 2024. Mr. Summers explained that it is required that an affidavit be completed by Judge Parkin, an opinion letter is submitted from the City Attorney and a resolution be adopted by the City Council requesting recertification.

Mr. Spencer asked about complaints. Mr. Summers explained that all courts have complaints and the nature of the case is adversarial and emotional, but that complaints are handled as needed.

Ms. Millett moved to adopt by resolution the recertification of the Orem Municipal Justice Court. Ms. Lauret **seconded** the motion. Those voting yes: David Young, Debby Lauret, Jeff Lambson, David Spencer, Terry Peterson, Tom Macdonald, and LaNae Millett. The motion **passed**.

COMMUNICATION ITEMS

September 2023 Monthly Financial Report

<https://www.youtube.com/watch?v=53HpZn5tjxU&t=9438s>

CITY MANAGER INFORMATION ITEMS

Mr. Bybee spoke about the new Orem Express Train. The train will be at our 'Lights On' events. The 'Lights On' event should be an extraordinary event. He continued on to Mero's birthday that was celebrated with a food drive. Finally, the Orem Business Alliance is holding its Fourth Annual Standout Business Awards.

ADJOURN MEETING

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

PASSED and APPROVED this 12th day of December 2023.


David A. Young, Mayor

ATTEST:


Teresa McKittrick, City Recorder



<u>COUNCILMEMBER</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
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Mayor David A. Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jeff Lambson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Debby Lauret	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Macdonald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LaNae Millett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terry Peterson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Spencer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>