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## **PROVO MUNICIPAL COUNCIL**

### **Redevelopment Agency of Provo**

#### **Regular Meeting Agenda**

5:30 PM, Tuesday, August 06, 2024

Council Chambers

Hybrid meeting: 445 W. Center Street, Provo, UT 84601 or

<https://www.youtube.com/provocitycouncil>

#### **Roll Call**

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Councilor Becky Bogdin

Councilor Gary Garrett

Councilor Travis Hoban

Councilor Rachel Whipple

Chief Administrative Officer Scott Henderson

Council Executive Director Justin Harrison

Councilor Craig Christensen

Councilor George Handley

Councilor Katrice MacKay

Mayor Michelle Kaufusi

City Attorney Brian Jones

City Recorder Heidi Allman

Conducting: Chair MacKay

**Prayer** – Councilor Garrett

**Pledge of Allegiance** – Councilor Whipple

#### **Public Comment [0:11:35](#)**

Chair MacKay read the public comment preamble and opened the public comment period.

Sharon Hassan, of Provo, raised concerns about her residentially zoned neighborhood, where she believes individuals renting out rooms or properties without the proper permits are violating local regulations. According to her understanding, homeowners must apply for a permit and obtain approval from 60% of the neighborhood to rent to non-family members, such as students. She shared that about two months ago, she filed a complaint about neighbors who were renting out multiple rooms to students and another renting their basement and upstairs to separate tenants. She expressed frustration over the parking issues, garbage, and lack of lawn care, which she believes are degrading the neighborhood. She said it took the city over two months to act, and the matter has now been referred to criminal court. She also mentioned that other residents in the area are engaging in similar practices, turning the neighborhood into student or rental housing. Hassan noted that when she moved to the area six years ago, she specifically chose Provo for its zoning, wanting to avoid the instability and property value decline often associated with high renter turnover.

With no other comments, Chair MacKay closed the public comment period.

#### **Action Agenda**

- 1. An ordinance amending the Zone Map classification of real property located at 210 S 500 W, from Residential Conservation (RC) Zone to General Commercial (CG) Zone – Franklin**

**Neighborhood (PLRZ20240163) [0:14:07](#)**

**Motion:** An implied motion to approve an Ordinance, as currently constituted, has been made by council rule.

Mary Barnes, Planner, presented. She said the rezone request is linked to ongoing code enforcement proceedings involving the property's use as an illegal Airbnb for the past 11 years. Ms. Barnes explained that while the property owner cited reasons like the need for rental income to maintain the historic home, the city's priority is not to assist homeowners with such costs. Additionally, there are existing grant programs, like the landmarks register, to help with historical home upkeep. Although the applicant stated there were no neighborhood complaints over the past decade, the city became aware of the illegal short-term rental due to a complaint, with more complaints surfacing recently. She highlighted several reasons why city staff recommend denying the rezone. First, there is no public benefit; the rezone would only benefit the property owner. Second, the CG zone would introduce uses incompatible with the surrounding single-family neighborhood, such as an automobile repair shop or dance hall. Rezoning could also set a precedent for allowing short-term rentals on busy streets like 500 West, which the city has historically avoided. She added that the Planning Commission also recommended denial on June 26, noting that while the location could be appropriate for an owner-occupied accessory dwelling unit (ADU), there is no current code allowing short-term rentals for owner-occupied properties.

Justin Zsiros, applicant, shared his case for keeping his historic home operating as a bed and breakfast, which he has run for over 10 years without realizing it was not permitted. He read a letter from a supportive local resident praising the property's historical significance, its upkeep, and its benefit to the community. Zsiros emphasized that the home, built in 1870, is one of the oldest in Provo and serves as a "living museum." He highlighted the challenges of maintaining the home and noted that short-term rentals have allowed him to fund necessary repairs. While there have been no major complaints from neighbors over the years, he acknowledged one minor parking issue. Zsiros argued that short-term rentals, unlike long-term tenants, help preserve the home's historic features. He also mentioned that the home has served as affordable temporary housing for local residents in need. Zsiros asked for flexibility from the city, expressing his willingness to work with them, possibly by placing the home on the historic registry, to ensure that it remains a community asset without commercial overdevelopment.

Councilor Garrett complimented the homeowner on the property's upkeep and landscaping, calling it a beautiful part of the block. He then referenced a point from the development team's presentation, noting that changing the zoning to Residential Conservation (RC) would require identifying seven parking stalls, but there currently seems to be limited parking behind the property. Councilor Garrett asked how the homeowner plans to address the parking requirements under the RC zone designation.

Mr. Zsiros acknowledged that the property's backyard has a pool, which has been costly and time-consuming to maintain. He mentioned that the pool area is "begging for a new use" and expressed his willingness to replace it with parking if necessary. Zsiros said he is open to finding a creative solution to meet the parking requirements by utilizing the space where the pool is currently located.

Councilor Garrett referenced the minutes from the planning commission and staff comments about an accessory dwelling unit (ADU) designation. He asked Mr. Zsiros if he had considered living in the home as an owner-occupant and leasing out part of it under an ADU designation, allowing the property to remain in the Residential Conservation (RC) zone while continuing to operate in a residential capacity.

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Mr. Zsiros explained that he had looked into the ADU option, but it is not a practical solution for him. As a single homeowner without a large household, he feels the best use of the property is to share it with the community. He believes that operating it as a short-term rental is the best approach for his situation.

Councilor Whipple shared that she has been familiar with the house for years and noted that her own home, located on a busy street, had a similar history. It was once a business, and there were doubts about it ever becoming a single-family home again, despite efforts to put it on the historic registry. She related to Mr. Zsiros' situation and expressed excitement about his home. She then asked him when he started operating it as a bed and breakfast, as he mentioned it had been running for about nine years.

Mr. Zsiros stated that he bought the home in 2013 and gradually began operating it as a bed and breakfast shortly after the purchase.

Councilor Whipple asked Mr. Zsiros about the history of his bed and breakfast operations. Mr. Zsiros explained that when he began renting rooms shortly after purchasing the home in 2013, he was unaware of the local requirements. He mentioned that he currently lives in Salt Lake City while pursuing graduate studies and is temporarily absent from the property but received approval to do long-term rentals without needing a rental license.

Councilor Whipple inquired if he had operated the bed and breakfast as a business. Mr. Zsiros confirmed that he ran it as a business until the end of 2020 but did not have a local business license, only a statewide business entity. He created a new LLC in 2024 called Alpine Homestead, LLC, and previously operated under a consulting company.

Councilor Whipple concluded that it seemed Mr. Zsiros was trying to keep the house financially viable by renting it out but was not fully aware of the applicable laws and regulations. Mr. Zsiros agreed, noting that he had been unaware of Provo's short-term rental restrictions, which had been in place since 2008, well before he purchased the home.

Councilor Whipple asked Mr. Zsiros to clarify who "we" referred to when he mentioned it in his comments. Mr. Zsiros explained that "we" included family, friends, and workers who help maintain the house. Councilor Whipple then inquired if others had ownership in the property or business, and if Mr. Zsiros had begun the process of getting the house listed on the historic registry. Mr. Zsiros said he had not started the process but was learning about it.

Councilor Whipple encouraged him to pursue the historic designation but explained that being listed on the registry would not prevent demolition or significant changes to the house. She used Hotel Roberts as an example of a historic building that was demolished. However, being on the registry would offer benefits like access to grants for maintenance. She pointed out that the house seems to be filling a need for boarding-type housing, which the city lacks but does not currently allow in any zone.

Mr. Zsiros agreed, noting that such housing could fill a gap. Whipple appreciated his efforts to bring the property into compliance but expressed concern that rezoning the property could increase its value as a commercial lot, potentially putting it at risk for future development. Mr. Zsiros had assumed that historic designation would protect the property, but Whipple clarified that zoning, not registry status, plays a key role in determining property use.

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They also discussed how certain commercial uses might be permitted for historic buildings under RC zoning, though those adjacent to his property were grandfathered in. Mr. Zsiros reiterated his commitment to preserving and sharing the home, viewing the historic registry and RC zone as possible solutions.

Chair MacKay opened the item for public comment.

Brett Hutchinson, of Provo, introduced himself as a homeowner of a historic house built in 1924. He expressed that while he is also focused on preserving and maintaining his property, he does not have the benefit of using an Airbnb to fund his efforts. Hutchinson argued that this is not a strong justification for changing the zoning of the home being considered. He referenced the 2002 zoning plan, which aimed to provide a buffer and halt commercial encroachment, particularly in the Franklin neighborhood where he grew up. He said although he appreciates the beauty of the home in question, he does not believe rezoning is the right approach. Hutchinson raised concerns about the potential for the owner to move, given the uncertain nature of academic careers, and how a new owner might use the property for commercial purposes. He recommended denying the rezoning request.

Johnny Griffith, of Provo, said he is currently living near the property in question. He expressed his appreciation for local history and Justin's efforts to preserve the historical nature of his home. However, Griffith raised concerns about the limitations of historical designations at the national, state, and local levels, noting that such designations do not guarantee preservation, much like the RC zone does not ensure protection of the home. He pointed out that the current zoning issue arose from a fire department investigation into violations at the property. He expressed concern about setting a precedence of approving a zoning change in light of such violations, which he attributed to a lack of understanding. He emphasized that rather than rewarding this behavior, the focus should be on education and collaboration to preserve the property in a reasonable and lawful way.

With no other public comments, Chair MacKay closed the public comment period.

Chair MacKay emphasized the importance of the Franklin plan and the RC zone, appreciating the foresight and the potential for commercial properties in the area to improve over time. She expressed confidence that the house in question, given its beauty and upkeep, would easily attract a buyer interested in making it a family home or primary residence, whether for a family, couple, or individual. She said she does not believe that running the property as an Airbnb is the only viable option, and she reiterated that it could be sold to someone who would live in it full-time.

Councilor Bogdin expressed agreement with the value of the Franklin neighborhood plan and praised Mr. Zsiros for maintaining the home well. However, she said she believes there would be no difficulty in someone purchasing the house to live in it as a residence. She also stated that allowing an Airbnb or bed and breakfast on the corner would not benefit the Franklin neighborhood.

Chair MacKay called for a vote.

**Vote:** The motion failed 6:1 with Councilors Bogdin Christensen, Handley, Hoban, MacKay, and Whipple in opposed. Councilor Garrett in favor.

**2. An ordinance amending Provo City Code Chapter 14.15 (Residential Manufactured Home Park Zone); Citywide application (PLOT20240155) [0:49:00](#)**

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**Motion:** An implied motion to approve Ordinance 2024-39, as currently constituted, has been made by council rule.

Aaron Ardmore, Planning Supervisor, presented. He explained that the proposed amendment, discussed earlier in a work session, was created by his department based on issues identified by the building division in mobile home parks. The primary goal is to address these concerns by removing the allowance for permanent garages in these zones. Additionally, the amendment includes general cleanups, such as grammar corrections and updates to ensure consistency with current building codes and Provo's zoning standards.

Chair MacKay opened public comment. With no comments, and no council discussion, she called for a vote.

**Vote:** The motion was approved 6:0 with Councilors Bogdin, Garrett, Handley, Hoban, MacKay, and Whipple in favor. Councilor Christensen excused.

**3. An ordinance amending Provo City Code regarding parking requirements in the Mixed-Use Zones; Citywide application (PLOT20240173) [0:51:09](#)**

**Motion:** An implied motion to approve Ordinance 2024-40, as currently constituted, has been made by council rule.

Mr. Ardmore explained that the mixed-use zone was introduced relatively recently with the goal of supporting urban infill in downtown neighborhoods. To align with downtown parking standards, a 25% automatic discount on parking requirements was included. However, since the zone is also being applied in more rural and suburban areas, the city now believes it is more appropriate to require full parking standards (100%) for those areas based on the specific land use proposal.

Councilor Handley expressed understanding of the logic behind the proposed change but sought further assurance. He said he appreciates the rationale of reducing parking requirements where it makes sense but is concerned that, without the automatic reduction, future mixed-use proposals might end up requiring excessive parking. This could raise project costs and result in unnecessary parking spaces. He asked for clarification on how the city would avoid this risk if the change was made, ensuring that the flexibility to reduce parking is still effectively utilized.

Mr. Ardmore explained that the parking reductions being removed from the automatic provisions are mostly relevant in suburban areas, particularly on the west side. He noted that developers can still apply for reductions through various methods, such as a transportation demand management model or by increasing bike parking, both of which are allowed under city code. Additionally, shared-use allowances are available. He emphasized that the Planning Commission has significant experience in reviewing such requests and determining when they are appropriate. Mr. Ardmore said he is confident that developers and the public are aware of these options and will seek reductions when justified, particularly in multifamily projects, as frequently seen.

Chair MacKay opened the item for public comment. With no comments, she invited a council discussion.

Councilor Bogdin expressed appreciation for the proposed changes, particularly as someone from the west side, and thanked Aaron Ardmore and the staff for their work on the matter.

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Chair MacKay called for a vote.

**Vote:** The motion was approved 7:0 with Councilors Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

**4. An ordinance amending On-premises Short Hold Time Electronic Display Sign standards; Citywide application (PLOT20240164) [0:56:20](#)**

**Motion:** An implied motion to approve an Ordinance, as currently constituted, has been made by council rule.

Mr. Ardmore presented. He explained the request is from a medical office building on University Avenue, primarily offering dental services. The property owners want to amend the code to allow for shorter hold times on their signage, specifically changing the frequency at which an electronic sign can update from once per hour to once per minute. This change would help them advertise the various businesses within the building more effectively. After reviewing the current regulations, staff found that the proposed amendment aligns with other areas that allow shorter hold times, particularly along commercial corridors. Overall, they believe the request is consistent with existing signage regulations.

Councilor Garrett sought clarification on whether the designation for short hold display signage needs to apply to the entire block—from Cougar Boulevard to University Parkway—or if it could be limited to just half of the block.

Mr. Ardmore clarified that the request for short hold display signage does not have to encompass the entire block; it could be limited to just half of it. He mentioned that this decision arose from discussions between the applicants and staff, who considered what would be most straightforward for the public to understand. However, he indicated that if the council prefers, they could choose to designate the signage change to stop at a specific northern address.

Chair Mackay opened the public comment period.

Karen Payne expressed her desire to move back to Provo, where she was born, and raised concerns about restrictions on home purchases, specifically the notion that homes should only be sold to families. She mentioned her age, stating she is 64 and will not have any more children, which led her to question how such restrictions would apply to her.

Chair MacKay clarified that there are no restrictions preventing her from buying any home in the city. She noted that there may be specific regulations regarding how certain homes can be used, particularly concerning commercial activities such as operating an Airbnb. She invited Ms. Payne to talk to Development Services for more information.

Johnny Griffith, of Provo, expressed strong opposition to allowing faster flashing signs for the medical office building on North University. He highlighted that his children attend school nearby and emphasized his familiarity with the area. He pointed out that people can easily find businesses through online searches, and he believes there is no need to encourage more flashing signs. He referenced similar establishments, like Blue Medical and the mall, and urged the council not to approve this change.

With no other public comments, Chair MacKay invited a council discussion.

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Councilor Christensen expressed concern about the direction Provo is taking with signage. He noted how visible signs, like the one at the Wiggy Wash in Orem, can be from his home near Timpview, even during the day. Although he acknowledged that the current request is only about changing the rate of sign updates, he believes the city is moving in the wrong direction and will not support the proposal.

Councilor Bogdin commented that after initially watching the Planning Commission meeting, she was inclined to support the proposal. However, after hearing remarks from Councilor Handley and Councilor Hoban during the meeting, she changed her mind.

Councilor Hoban expressed concern about the potential outcome of denying the request, noting that the property owners could still install an electronic sign with the current hourly rotation, rather than the requested minute rotation. Hoban mentioned that by approving the request, the city would gain an agreement to move the sign to the south side, which they saw as an improvement. He said he was leaning toward supporting the request, believing it offers a better outcome than denying it.

Councilor Whipple expressed support for the proposed sign change, considering the area appropriate for this type of electronic sign and faster churn rate due to its heavily commercial nature. She emphasized that the change would not negatively impact nearby residential areas or the small RC zone adjacent to the property. Whipple pointed out that the city's history of limiting electronic signs, particularly near residential zones, would discourage similar requests in less suitable areas. While acknowledging that electronic signs may not be aesthetically pleasing, she believes they serve a practical purpose for businesses and supports property owners' rights to use their property in competitive and consistent ways. Whipple underscored the importance of supporting established businesses in the community.

Councilor Handley stated that he does not believe the requested signage would significantly impact business profitability in today's digital age, as most people find locations online. He expressed concern that allowing this type of sign could set a precedent, potentially leading to more similar requests in the future. For these reasons, he stated he would not support the proposal.

Councilor Garrett expressed appreciation for the applicant's willingness to place the sign on the south end of their property. He suggested limiting the sign's designation to the midpoint of the block, preventing it from extending into the nearby RC zone. He noted that similar signage exists in other commercial areas, and this approach would reinforce the idea that the signage is appropriate for commercial zones but should not extend beyond the commercial property to University Parkway.

**Motion:** Councilor Garrett made a motion to amend the on premises short hold time electronic display to extend only to the edge of the commercial zone.

Mr. Jones pointed out that there is a rule in the handbook requiring that amendments be in writing before a vote can take place. If the current motion passes, the council will either need to continue the item to the next meeting or take a short recess to revise the ordinance. Additionally, they would need Aaron to specify the northern street boundary of the PO zone to make the necessary adjustments to the ordinance.

Councilor Garrett asked if it would be appropriate to vote on the amendment to see if the additional effort would be necessary.

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Chair MacKay asked if there was a second on the motion.

Councilor Whipple asked whether, if the boundary of the PO zone is set at its northern limit while the PF zone on the opposite side extends further, a property owner in the PF zone could potentially install one of the signs in the southern portion of their property, within the zone, even if the northern half is outside of it.

Mr. Jones explained that, depending on how the ordinance is defined, it could allow signage on the PF zone's southern portion while excluding the northern portion. He outlined three options for the Council to consider: approving the signage only on the west side of the street, approving it on both sides but limited to the PO zone (excluding PF), or approving it up to a specific northern boundary regardless of the adjacent zones.

Councilor Whipple seconded the motion.

Chair MacKay called for a vote on the substitute motion.

**Vote:** The substitute motion was approved 5:2 with Councilor Garrett, Handley, Hoban, MacKay, and Whipple in favor. Councilors Bogdin and Christensen opposed.

Chair MacKay postponed the item to the next council meeting for an official vote on the language change.

**5. A resolution to place a 1.18 acre parcel of ground located at approx. 200 North Lakeview Parkway on the Surplus Property List and authorize the Mayor to dispose of the property (24-061) [1:14:03](#)**

**Motion:** An implied motion to approve Resolution 2024-39, as currently constituted, has been made by council rule.

Tara Riddle, City Property Manager, presented. She said the property was acquired in 2017 for the construction of Lakeview Parkway. After a departmental review, no future uses were identified for the property. An appraisal valued it at \$126,500, and the adjacent property owner, Kirkland Family Investment LLC, has offered to purchase it at that price to incorporate it into their Birch Bend project, with a closing date set for December 3. She explained that since the property was purchased using MAG funding, the proceeds from the sale will reimburse that funding source. Provo City will retain a 40-foot utility easement along the riverfront. Additionally, a deed restriction will be placed on the property to prevent any construction, in line with regulations prohibiting building within 100 feet of the riverbank. She added the plan also includes ensuring public access to trails on the property, though these will be privately owned and maintained.

Chair MacKay confirmed that there would be a public easement next to the river.

Councilor Whipple clarified that while there is currently no trail in the area, if the property owner constructs a trail as part of their development, they will be required to provide public access to that trail.



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Chair MacKay opened public comment. With no public comments, she invited a council discussion.

Councilor Christensen confirmed that the public access easement will be recorded on the deed with Utah County.

Councilor Whipple expressed gratitude for the thorough consideration of the council's questions and noted that the proposal is an improvement over previous iterations. She suggested that, when evaluating properties with no identified future use, the staff should also consider whether the property could be suitable for housing developments, like the projects on Geneva Road and 2000 North. She emphasized the importance of incorporating the potential for land trust developments into their evaluation process.

Chair MacKay called for a vote.

**Vote:** The motion was approved 7:0 with Councilors Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

**6. A resolution placing a 0.375 acre parcel of ground located at 1992 North Geneva Road on the surplus property list and authorizing the Mayor to dispose of the property (24-062) [1:19:33](#)**

**Motion:** An implied motion to approve Resolution 2024-40, as currently constituted, has been made by council rule.

Ms. Riddle explained the city acquired the parcel in 2015 for road expansion and to include a traffic signal. The original purchase price was \$210,000. Following a departmental review and feedback from the council regarding housing projects, it was determined that the Redevelopment Agency would help fund the development. Since the property was purchased with road funding, the city must reimburse that fund, which is estimated to be around \$140,000. The remaining amount will be contributed towards the housing project. The plan is to sell the property to the Housing Authority, which will develop twin homes for low-income housing.

Chair MacKay opened public comment. With none, she invited a council discussion.

Councilor Whipple clarified that this project is not a low-income housing project, but a workforce housing project.

Councilor Bogdin clarified that workforce housing could be used for Provo City employees, including police officers and fire fighters.

Chair MacKay called for a vote.

**Vote:** The motion was approved 7:0 with Councilors Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

**7. A resolution approving the appropriation of \$383,000 in the Rental Housing Rehab Fund for an affordable senior housing project (24-046) [1:23:29](#)**

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**Motion:** An implied motion to approve Resolution 2024-41, as currently constituted, has been made by council rule.

Melissa McNalley, Community Grant Administrator, presented. She said this funding would be provided as a loan to complete an affordable senior housing rental project in Orem.

Chair MacKay reminded the public that this item was heard and discussed in a previous work session. She then opened the public comment period. With no public comments, and no council discussion, she called for a vote.

**Vote:** The motion was approved 7:0 with Councilors Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

**8. A resolution appropriating \$175,000 in the Water Fund for the purchase of property and funding service line improvements applying to the fiscal year ending June 30, 2025 (24-063) [1:24:58](#)**

**Motion:** An implied motion to approve Resolution 2024-42, as currently constituted, has been made by council rule.

Gordon Haight, Director of Public Works, presented. Gordon Haight presented a request for a budget amendment following the city's sale of a portion of a road due to the new temple project, resulting in an unallocated \$175,000. Of this amount, \$125,000 is proposed for purchasing additional property around tank sites to facilitate future construction and replacement of tanks over the next decade. The remaining \$50,000 is intended to assist the Quail Valley HOA in upgrading their waterline, which the city will be taking over. This funding will also support necessary improvements to ensure the waterline integrates smoothly into the city's system.

Chair MacKay opened the item for public comment. With no comments, and no council discussion, she called for a vote.

**Vote:** The motion was approved 6:0 with Councilors Bogdin, Christensen, Garrett, Handley, MacKay, and Whipple in favor. Councilor Hoban excused.

**9. An ordinance amending Provo City Code regarding unattended vehicles and trailers (24-058) [1:27:26](#)**

**Motion:** An implied motion to approve Ordinance 2024-41, as currently constituted, has been made by council rule.

Chair MacKay explained that this is a follow-up to a decision made earlier this year. She said the staff found some inconsistencies within the code that will be addressed with the proposed changes.

Michael Sanders, Council Policy Analyst, presented.

Chair MacKay opened the item for public comment. With no public comments or council discussion, she called for a vote.

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**Vote:** The motion was approved 6:0 with Councilors Bogdin, Christensen, Garrett, Handle, MacKay, and Whipple in favor. Councilor Hoban excused.

**10. An ordinance prohibiting parking in front of mailboxes in certain areas in proximity to Timpview High School (24-060) [1:28:48](#)**

**Motion:** An implied motion to approve Ordinance 2024-42, as currently constituted, has been made by council rule.

David Pyle, Council Intern, presented. He said the proposed ordinance aimed at prohibiting parking within 10 feet on either side of mailboxes in specific areas around Timpview High School. This 10-foot requirement aligns with USPS standards, ensuring safe vehicle access for mail delivery. The ordinance would be in effect from 6 AM to 6 PM, Monday through Saturday, allowing ample time for the Postal Service to complete their routes while minimizing disruptions for residents. He added the ordinance includes a sunset clause, coinciding with the scheduled completion of high school construction in 2029.

Councilor Handley asked about parking allowances on Quail Valley Drive. He mentioned an email that the council received that stated someone from the city had made a promise to the school board that there would be no parking along the north side of Quail Valley Drive.

Mayor Kaufusi explained that when construction began, the police department and public works collaborated with the School Board to address traffic issues, which were more significant than anticipated. They developed a solid plan and held follow-up meetings the next year to reassess the situation. She noted that Momi, the principal of Timpview High School, has been pleased with the progress and is quick to report any need for additional enforcement, allowing the city to respond promptly. Though the feedback that she has heard has been positive, the mayor expressed willingness to follow up further if needed.

Chair MacKay opened public comment. With no comments, she invited a council discussion.

Councilor Christensen expressed approval of the ordinance, highlighting that it addresses a significant issue affecting his neighbors. He appreciated that the impacted area has been clearly identified and was glad the ordinance included a sunset clause. He also emphasized the importance of ensuring residents can receive their mail without disruptions.

Chair MacKay called for a vote.

**Vote:** The motion was approved 7:0 with Councilors Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

**11. A resolution adopting the 2025 Council Regular Meeting Schedule (24-070) [1:34:30](#)**

**Motion:** An implied motion to approve Resolution 2024-43, as currently constituted, has been made by council rule.

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Justin Harrison, Council Executive Director, presented the proposed 2025 meeting schedule for the Provo City Council, as required by state code. The schedule includes 23 regular meetings, one more than the current year. He also highlighted the inclusion of budget priority meetings in January and February, with additional potential special meetings during budget season. He noted that the calendar is more favorable this year, with most holidays falling on Mondays, Thursdays, or Fridays, reducing the likelihood of scheduling conflicts.

Councilor Bogdin expressed her preference for eliminating the May 20 and July 22 meetings from the proposed schedule. She appreciated only having one meeting in July, as it is a busy time with people traveling and other commitments. Additionally, she found that not having a meeting at the end of May, especially with the end of the school year and all the budget discussions, was very beneficial.

Melia Dayley, Policy Analyst, mentioned that the Finance Department disliked having only one work meeting in May. This caused significant issues with their budget process because of state deadlines that require certain presentations to be made to the Council in a public meeting. She recommended keeping both meetings in May to maintain the necessary budget flow and schedule.

Councilor Garrett commented that the proposed schedule provides a good structure for meetings. While it is rare to cancel a meeting, he noted that if needed, the Council could decide to cancel a meeting later in the year for any reason.

Heidi Allman, City Recorder, emphasized the importance of the Board of Canvassers meetings, stating they are required for certifying election results for both primary and general elections. While these meetings are listed as "special meetings as needed," she clarified that the Board of Canvassers meetings will happen, and although typically short, more agenda items could be added to a special meeting if necessary.

Councilor Whipple expressed appreciation for the breaks in the proposed meeting schedule, particularly noting how helpful and restorative it was to have consecutive weeks without council meetings. She highlighted the breaks at the end of June into July, the end of August into September (except for the short Board of Canvassers meeting), and the longer breaks in November and December. She felt that these breaks provide much-needed time to recharge, especially in the latter half of the year after the hectic budget season and appreciated that the schedule places meetings more frequently when they are most needed while allowing for downtime when the agenda is less demanding.

Councilor Handley agreed with Councilor Garrett, stating that it is better to have the meetings scheduled and decide to cancel, if necessary, rather than potentially needing a meeting later and not having one planned. He reflected that the break in July this year was unusually long and noted that in his six years on the council, such a break was unprecedented. He emphasized that unforeseen events could arise, and it is too early to know if a meeting might be needed next July. He also mentioned the challenges of scheduling meetings and expressed a preference for avoiding long meetings, especially those starting early in the morning or running late into the evening.

**Motion:** Councilor Bogdin made a substitute motion to cancel the July 22 Work and Council Meetings and adopt the rest of the schedule as written. Councilor Christensen seconded.

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Councilor Hoban mentioned that due to a family reunion, he will almost certainly miss the July 8 meeting, but he supports keeping it on the schedule. He acknowledged that it is common for council members to occasionally miss meetings due to personal commitments. He suggested that if Councilor Bogdin needed to miss the July 22 meeting for personal reasons, it would not be an issue, implying that it is okay to miss a meeting if necessary. He said he is in favor of keeping the meeting.

Councilor Whipple expressed that she prefers having two weeks in a row with meetings and dislikes having three consecutive weeks without one. She stated that she would not support such a long break. The only exception she sees is the end of December through early January, as that is a period when not much gets accomplished anyway.

Chair MacKay called for a vote on the substitute motion.

**Vote:** The motion failed 5:2 with Councilors Garrett, Handley, Hoban, MacKay, and Whipple opposed. Councilors Bogdin and Christensen in favor.

With no other council discussion, Chair MacKay called for a vote on the implied motion.

**Vote:** The motion was approved 6:1 with Councilors Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor. Councilor Bogdin opposed.

*With no objections, the Provo Municipal Council adjourned and reconvened as the Redevelopment Agency of Provo City with Chair Whipple conducting.*

## **Redevelopment Agency of Provo**

### **12. A resolution approving a real estate purchase contract regarding property at 77 North 100 West and a Parking Structure Use, Maintenance, and Operation Agreement (24-068)** [1:44:59](#)

Keith Morey, Division Director of Redevelopment, presented. He explained that Provo City entered into an agreement years ago with a hotel on Center Street, helping to build a parking structure to support the hotel as part of a redevelopment effort. This was successful, as the hotel expanded and added a convention center, benefiting downtown Provo. Now, the parking structure requires maintenance, and the hotel wants to use it as a financial asset. Provo City, not specializing in parking structure maintenance, plans to sell the structure back to the hotel. He added that this will benefit both parties by allowing the hotel to operate more effectively and providing the city with a return on its investment.

Board Member Christensen asked whether the hotel views the partnership and project as a success, given that the city sees it as highly successful.

Mr. Morey explained that the hotel does view the partnership as a success, though there were past conversations where the hotel had hoped the city might let go of the parking structure on different terms. After lengthy negotiations, both sides agreed on a price that considered the necessary improvements to the structure while ensuring the city met its fiduciary responsibility to the public. He emphasized that the outcome was a compromise, resulting in a win-win where the hotel could manage its operations, and the city received fair compensation. Mr. Morey expressed great appreciation for the Marriott's long-standing contribution to downtown Provo, highlighting its immense and positive impact

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on stabilizing the area for decades. He emphasized the city's support for the hotel's continued success and noted that the city hall's location demonstrates Provo's commitment to stabilizing and supporting downtown. He characterized the partnership with the Marriott as strong and valuable, calling the hotel an important member of the community.

Chair Whipple asked whether the 60 parking passes that the city will receive as part of the agreement have an expiration date.

Mr. Morey confirmed that the parking passes would expire after 20 years.

Chair Whipple opened the public comment period. With no public comments, she invited a board discussion.

Board Member Christensen expressed gratitude for the hard work that has gone into the downtown development. He emphasized the importance of the downtown area and noted that much of the public is unaware of the extensive behind-the-scenes efforts. He praised the development services team and Keith Morey for their tremendous leadership and work.

Board Member Bogdin added her thanks and appreciation.

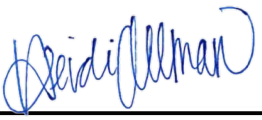
Chair Whipple called for a vote.

**Vote:** The motion was approved 7:0 with Board Members Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

### **Adjournment**

The meeting was adjourned by unanimous consent at approximately 7:17 PM.

These minutes were approved by unanimous consent on the 15th day of October 2024.

X   
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Heidi Allman  
City Recorder