

CITY OF OREM  
CITY COUNCIL MEETING  
56 North State Street Orem, Utah  
February 24, 2015

**3:00 P.M. STUDY SESSION – PUBLIC SAFETY TRAINING ROOM**

CONDUCTING Mayor Richard F. Brunst, Jr.

ELECTED OFFICIALS Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Greg Stephens, City Attorney; Chris Tschirki, Public Works Director; Karl Hirst, Recreation Director; Scott Gurney, Fire Department Director; Gary Giles, Police Department Director; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Ryan Clark, Economic Development Division Manager; Jason Bench, Planning Division Manager; Neal Winterton, Water Division Manager; Reed Price, Maintenance Division Manager; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder

UPDATE – Master Plan – Utilities

Chris Tschirki, Public Works Director, introduced Tai Riser, K.C. Shaw, Carol Walker, Jim Michaelis, Bill Peperone, and Reed Price of the Public Works Advisory Committee (PWAC). Mr. Tschirki then turned the time over to Keith Larson of Bowen Collins & Associates. Mr. Larson introduced Fred Philpot, with Lewis Young Robertson & Burningham, who had done most of the financial work and modeling associated with the rates. Mr. Larson then presented information on water, sewer, and storm capital facility plans and rate impacts.

Mr. Larson reiterated points made in his presentation to the City Council in the study session held January 13, 2015. He then gave a presentation on funding options for the proposed capital facility plans, noting that it would not require new debt or additional bonding, but would be on a pay-as-you-go basis. He said that, even with proposed increases, Orem had competitive low rates. The punchline was an average annual increase to the residential monthly bill for all three utilities at \$9.38. The implementation of meter improvements and rate structure changes would give customers greater control of utility bills.

Mr. Larson said there were three rate scenarios for each utility to get the historic level of funding to match the required long-term level of funding. The scenarios were (1) a one-time increase, (2) follow the capital improvement plan as was, or (3) a five-year level increase. For all utilities,

scenario 1 would generally collect more revenue over the five-year period. Scenario 2 would remain the same, neither decreasing nor increasing. Scenario 3 would eventually collect less revenue over the five-year period.

Mr. Larson shared the following other considerations:

- Water
  - Move to a seasonal water rate
    - better matched cost of service
    - encouraged conservation when needed most
    - gave residents greater control over bill
- Sewer:
  - Move to base rate per unit
    - eliminated subsidy and improved fairness
    - increased revenues by \$500,000 to offset additional increases
- All Utilities:
  - Consider adoption of citywide impact fees
    - more fairly allocate costs between existing rate payers and future growth

Mr. Larson showed comparisons of annual water rates, sewer rates, and storm drain rates for average residential customers in cities throughout Utah. He showed projections on where Orem would be in five years moving forward with the proposed changes. Mr. Larson said the recommendation was to move forward with scenario 2 on all three utilities.

Mr. Tschirki said Provo City was looking to make similar changes on sewer base rates, and the matter had already been before the Provo Council in a study session.

Mayor Brunst asked how many cities did not charge impact fees. Mr. Larson said only one city they knew of did not charge impact fees, which was Orem. An impact fee study would be completed before anything changed.

Discussion included the following issues:

- Sewer Timeline
  - Proposed change from per connection account to per unit go into effect January 1, 2016
    - Numbers subject to change if implementation later than January 1, 2016
    - City Council would ultimately make determination
  - Proposed change for residential fees go into effect July 2016
    - Followed direction from City Council that those using services should pay for those services
    - Rectify unfair subsidy of those paying fair prices
      - Residential – according to individual units instead of accounts
      - Non-residential (commercial, industrial, etc.) – according to meter size and American Water Works Association (AWWA) multiplier
      - AWWA multiplier currently used for water, but not sewer
- Water
  - Federal money had funded Orem’s water treatment plant initially

- Orem had paid usage charges, but nothing toward capital improvement since the 1970s
    - Federal funds were drying up and would not be available for the future
  - Many variables affected pipes
    - Proactive maintenance kept pipes in good condition
    - Looking for funding before pipes were in complete disrepair would put Orem ahead of other cities in terms of maintenance and CIP
- Citywide impact fees
  - PWAC strongly encouraged Orem to consider citywide impact fees for maintenance and growth
  - Would be fair over the life of the utility
  - Perception was that other cities were considering similar changes, Orem was not alone in proposed changes
    - More established cities already had infrastructure, water rights, etc. but needed to keep up with maintenance and improvements
    - Newer cities and towns were not included in comparison because most already had high impact fees
  - Controlled replacement would save significantly long-term
    - Replacement on as-needed basis at appropriate time rather than needing to overhaul system all at once
    - Current assets needed to be preserved
- General Concerns
  - Scenario 3 would be unsustainable and would require bond, unless amount was raised
  - Orem still below average on most utilities in 2020 even with proposed changes
    - Proactive approach important, as services would be necessary beyond the five year period
    - Increase according to inflation, rather than large jumps after many years
    - Project had been identified for the next ten years
  - Fees would cover replacement and repair to aging system
    - No negligence on system, but meeting lifespan of certain infrastructure
      - Population had increased significantly since installation
      - Older system seeing greater demand with limited improvements
    - Fees would cover only capital improvements, no increase to operational costs
  - Significant jump to meet required level of funding
    - Proposed changes would be less than \$10 dollars
      - Examine range possibilities to lessen amount for residents
      - Range of costs would be in construction estimates
    - Would be to avoid bonding to cover required improvements and maintenance
    - Residents had not been paying appropriate apportion of costs, now needed funds to make required improvements

- Public Reaction and Education
  - Proposed implementation dates to give time to educate public on need for changes
    - Public hearings
    - Open houses
    - Newsletter
    - Multimedia effort and outreach
    - PWAC additional resource
  - Residents needed to know what fees funded
    - Capital Improvement Projects would mostly be underground, but signs could explain what improvements were done with the funding
  - Could see significant push-back
  - Fee schedule would be reviewed in May
    - All three utilities would be considered
    - Recommendation was to move forward with scenario 2

Mr. Tschirki said Tyler Peay, Engineering Water Utility Specialist, was heavily involved in looking at the various options for automated meter readers. A sample number of them had been installed and were linked to a website, [eyeonwater.com](http://eyeonwater.com), where historic water usage could be viewed. When consumers were able to see breakdowns of hourly, daily, weekly, and monthly water usage, it gave them more control and increased awareness of water usage. A smart phone application for [eyeonwater.com](http://eyeonwater.com) was also available, so consumers could view water usage and receive alerts of leaks.

Mr. Winterton said Orem was a trial customer with [eyeonwater.com](http://eyeonwater.com), which was one of many vendors who could provide the service. If the Council supported the capital facility rate structure, staff would do an open bid for a vendor and look at long-term contracts to provide the multimedia service to residents. Installing new, more accurate meters would be the real cost but would make the system more efficient. New meters would eliminate meter readers.

Mayor Brunst thanked the PWAC and Mr. Tschirki and his staff for their efforts. Mayor Brunst said he preferred further discussion on the topic before moving forward. Mr. Davidson said that could be arranged.

#### UPDATE – Arson Investigation

Chief Giles gave a brief update on Orem's arson investigation. He said there were some active leads that investigators were exhausting. There were some investigative tools being used that required the use of outside sources. Many construction sites had security and were taking further preventative measures. Police and fire officers continued to do extra patrols.

Chief Gurney said officers were making their presence known as they were out and about on routine and extra patrols and were stopping at construction sites to discuss safety precautions. Many developers and construction personnel had thanked them for their extra efforts.

Mayor Brunst said another \$1,000 was added to the reward amount, which brought the total to \$13,500.

UPDATE – Community Garden with IHC

Mayor Brunst said Intermountain Health Care was looking to put together a community garden program for Spring/Summer 2015 at the Orem Community Hospital.

Mr. Downs said there was a meeting scheduled March 17, 2015, at 5:30 p.m. with Scott Mortensen, the CEO of Orem Community Hospital, for any interested resident to get more information about the garden program and how to volunteer and get involved. Another meeting was scheduled for May 2015 to look at the progress of the program.

**5:00 P.M. STUDY SESSION – PUBLIC SAFETY TRAINING ROOM**

CONDUCTING	Mayor Richard F. Brunst, Jr.
ELECTED OFFICIALS	Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner
APPOINTED STAFF	Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Greg Stephens, City Attorney; Chris Tschirki, Public Works Director; Karl Hirst, Recreation Director; Scott Gurney, Fire Department Director; Gary Giles, Police Department Director; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Ryan Clark, Economic Development Division Manager; Jason Bench, Planning Division Manager; Neal Winterton, Water Division Manager; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder

Preview Upcoming Agenda Items

Staff presented a preview of upcoming agenda items.

Agenda Review

The City Council and staff reviewed the items on the agenda.

City Council New Business

There was no new City Council business.

The Council adjourned at 5:53 p.m. to the City Council Chambers for the regular meeting.

**6:00 P.M. REGULAR SESSION**

CONDUCTING	Mayor Richard F. Brunst, Jr.
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**ELECTED OFFICIALS**

Councilmembers Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner

**APPOINTED STAFF**

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Greg Stephens, City Attorney; Chris Tschirki, Public Works Director; Karl Hirst, Recreation Director; Scott Gurney, Fire Department Director; Gary Giles, Police Department Director; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; Ryan Clark, Economic Division Manager; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder

**INVOCATION /**

**INSPIRATIONAL THOUGHT**

Paula Jarmin

**PLEDGE OF ALLEGIANCE**

Ben Jones

**APPROVAL OF MINUTES**

Mr. Sumner **moved** to approve the February 10, 2015, City Council meeting minutes. Mr. Macdonald **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed**.

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

Upcoming Events

The Mayor referred the Council to the upcoming events listed in the agenda packet.

Appointments to Boards and Commissions

Mr. Macdonald **moved** to appoint Jeff Lambson, Annette Harkness, LaNae Millett, and Patricia Olsen to the CARE Advisory Commission. Mr. Spencer **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed**.

Mr. Macdonald **moved** to reappoint Barbara Willes and Thomas Carlile to the Senior Advisory Commission. Mr. Spencer **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed**.

Mr. Macdonald **moved** to appoint Griffin Harris, Rebecca Pipkin, and Scott Henricksen to the Transportation Advisory Commission. Mr. Spencer **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed**.

### Recognition of New Neighborhoods in Action Officers

There were no new Neighborhoods in Action Officers recognized.

### Report – Beautification Advisory Commission

Aaron Orullian, chairperson of the Beautification Advisory Commission (BAC), introduced BAC members Carol Manwaring, Phebe Hawkes, Gayla Muir, and Sean Orullian. Mr. Orullian enumerated the accomplishments of the BAC through the year 2014, including Arbor Day events and presenting awards for holiday home decoration, business beautification, and residential beautification.

Mr. Orullian said the UVU and Orem banners that hung from street light poles were in poor condition, and the BAC would like to examine ways to improve the look. The BAC was working with UVU to improve the flags.

The BAC had a Facebook page to share news of winning beautification awards, and other BAC projects. The BAC had previously been involved in the SummerFest parade and would be doing more through the summer and into the fall.

One project the BAC had completed in the past year was the clearing of the flower beds in front of the City Center. Miss Orem, Miss Teen Orem, and student council members from Orem and Mountain View high schools had volunteered to clear the flower bed of weeds and rocks and prepare the ground for future planting.

Ms. Manwaring introduced some BAC objectives for the upcoming year, including the Adopt-A-Pot program for hanging flower pots throughout the city. Businesses could adopt a hanging flower pot and be responsible for the upkeep. This would beautify the city without cost to the city, and allow businesses to express pride in their community.

The BAC would continue to be involved with SummerFest and Arbor Day events. They would also increase beautification recognition awards and try to award them sooner in the season.

Mrs. Black and Mayor Brunst thanked the commission for their efforts.

## **CITY MANAGER’S APPOINTMENTS**

### Appointments to Boards and Commissions

There were no City Manager appointments.

## **PERSONAL APPEARANCES**

Time was allotted for the public to express their ideas, concerns, and comments on items not on the agenda. Those wishing to speak should have signed in prior to the meeting, and comments were limited to three minutes or less.

Susan Lee, resident, said she believed the City should look into replacing some traffic lights with roundabouts, excluding the large intersections in the city. Ms. Lee said her proposal information came from the Intermountain Health Care Center Cardiac Unit, the Hinckley Charitable Institute,

Roundabouts USA, and the Federal Highway Administration Safety Board. 80,000 people died from air pollution related diseases like asthma, bronchitis, heart disease, and cancer each year. Roundabouts would significantly cut the time cars spent idling at empty intersections, and would lessen the air pollution which had been a problem in Orem for years. Ms. Lee believed there would be economic advantage in replacing light signals with roundabouts in terms of air quality, public health, and no longer needing to maintain traffic lights.

Gayla Muir, resident, gave a brief report of her time as Orem's representative on the Utah County Fair Board. The Utah County Fair was scheduled August 12 through August 15, 2015, in Spanish Fork. Ms. Muir said she was heading up a Seniors Day at the fair opening on Wednesday, August 12, 2015. Seniors and veterans would be incorporated with the opening ceremonies of the fair. She said she had spoken with Orem's library director about a talent competition at the outdoor stage that would feed into the finals at the Utah County Fair.

## **CONSENT ITEMS**

There were no Consent Items.

## **SCHEDULED ITEMS**

### 6:20 P.M. PUBLIC HEARING – Economic Development Strategic Plan RESOLUTION - Amending Chapter 6, Economics, of the Orem General Plan and approving the Orem Economic Development Strategic Plan

Ryan Clark, Economic Development Division Manager, recommended that the City of Orem, by resolution, amend Chapter 6, Economics, of the Orem General Plan and approve the Orem Economic Development Strategic Plan. Mr. Clark introduced Suzy Becker with Zions Bank Public Finance Municipal Consulting Group (ZBPF) to present to the public a presentation on the proposed Orem Economic Development Strategic Plan.

Mr. Clark said the General Plan was a written guide for the future development of the City. Chapter 6 of the General Plan discussed economics. The chapter currently described the City's intent to maintain a healthy working relationship with the Commission for Economic Development in Orem (CEDO) in order to achieve the most desirable results in economic development pursuits.

In 2012, CEDO was integrated into the City of Orem and the Economic Development Division (EDD) was created. The EDD was now tasked with the responsibility for economic development in the City. Over the last year, in conjunction with Zion's Bank Public Finance, a new Economic Development Strategic Plan (EDSP) was completed. The EDSP was a guide for City of Orem economic development for the next five to ten years. Many goals associated with the EDSP require zoning and land use coordination. Therefore, in Chapter 6 of the General Plan, reference to the EDSP as a guiding document for economic development should be included to ensure coordination between land development goals and economic development goals.

It was proposed that Chapter 6, Economics, of the Orem General Plan be modified to reflect the dissolution of CEDO, the creation of the Economic Development Division, and the addition of the Economic Development Strategic plan dated December 2014.

Ms. Becker said the study combined market analysis with economics and planning, which was a trend she had seen in her field. Many workshops were conducted looking at marketing, RDAs, housing, transportation, etc. with the idea to have all the information combined into an economic and planning document. She said the study looked at Orem to identify different economic districts, and the unique opportunities each could offer in order to balance the City with long-term sustainability.

#### Implementation Plan Goals:

1. Increase the sustainability of the City's tax base through increased property values
2. Establish Orem as the employment hub of Utah County
  - a. Capitalize on investment at University Place – Orem's "downtown"
  - b. Cluster of class A office space at the intersection of State and University
  - c. Provide transition between mid-rise office and residential areas
  - d. Bring in hotels to serve business development
3. Maintain supremacy as the regional retail hub of Utah County
4. Improve the visual and physical appearance of State Street; develop and strengthen key economic nodes along State Street
  - a. Provide better connections between State Street and Orem Blvd.
  - b. Long Term: Future expansion of the City Hall
  - c. Use Form-based-code to transform 3-4 blocks of Center Street into Orem's "Main Street" – development along Center Street would include residential and first floor retail
  - d. Retrofit existing shopping centers to have a more urban street frontage while maintaining big box retail
  - e. Transform Orem Boulevard into a pedestrian and bike-friendly corridor lined with residential and neighborhood-serving commercial uses
5. Redevelop Geneva Road – The "Wedge"
  - a. Current discussions with Vineyard, MAG, and UTA to align light rail through "@ Geneva" development
    - i. Veers west from Geneva Road at 1600 North to parallel FrontRunner southward to 400 North
    - ii. Avoids much of Orem, doesn't benefit the Wedge
  - b. Near-term: City should influence alignment close to Geneva Road, BRT on University Parkway, and State Street
  - c. "The Wedge"
    - i. An underdeveloped area with potential for future redevelopment
    - ii. Potential "high visibility" class A sites along I-15
    - iii. Incubator sites within the interior of the Wedge
    - iv. Must be planned for the future
    - v. Anchor the west end of Center Street with a civic building and green
    - vi. Possibly a new park to incentivize development
6. Increase connectivity with Utah Valley University
  - a. Integrate more with community and connection with I-15

- b. UVU – “Wolverine Hill” – Create a student village with a mixture of housing, retail and recreation amenities
- 7. Develop a new, progressive and sophisticated image for Orem
  - a. Branding:
    - For the City of Orem’s economic development audience, Orem provides great value through a low cost of doing business and a quality workforce. Orem is the epicenter of Utah County, where start-up companies, established businesses and developers prosper.*
- 8. Encourage cultural arts activities
  - a. Potential for senior housing close to amenities
  - b. Enhanced park gateway and “parking plaza” – can double as farmer’s market
  - c. Enhance edges of park to better integrate with surroundings
  - d. Arts village clustered around the Arts Center
  - e. Connect park and Arts Center with Orem Boulevard
- 9. Thoughts on Implementation
  - a. Top 10 Business Decision Factors – EDC Utah
    - i. Labor Costs
    - ii. State and local incentives
    - iii. Highway accessibility
    - iv. Availability of skilled labor
    - v. Energy availability and costs
    - vi. Proximity to major market
    - vii. Tax exemptions
    - viii. Occupancy/construction costs
    - ix. Corporate tax rate
    - x. Availability of buildings

Ms. Becker said Orem had room for improvement, but was doing the right things to move forward. She thanked the City for allowing her to work with Orem.

Mr. Sumner asked about “Wolverine Hill” and what that project might entail.

Ms. Becker said UVU was a great part of the community, but more could be done to integrate the university with the city. The student village idea was a general idea they had come up with to connect university students more with the community surrounding UVU.

Mayor Brunst opened the public hearing.

Jim Fawcett, resident, said he had attended the three-day workshop ZBPF had put on. Tax increment financing was allowed for the mall project, which he felt was an excuse. Mr. Fawcett had looked at Chapter 6 in the General Plan which referred to the EDSP. The number twelve listed goal in Chapter 6 was to develop CDAs for TODs (Transit Oriented Developments). It referred to key sites or nodes where TODs would be pushed. He said he was concerned with tax increments, especially for TODs. He wondered why the City would develop private property with incentives.

Mayor Brunst closed the public hearing.

Mr. Andersen said he wanted to continue the thought from Mr. Fawcett. Mr. Andersen said he believed strongly in private enterprise and did not believe in CDAs. He felt when the City used tax dollars to subsidize some businesses and not others it was no longer private enterprise. He felt it violated morals and private enterprise by picking winners and losers. Mr. Andersen said he looked at Washington, D.C. and the millions of dollars that went to getting politicians elected. The University Mall gave some \$18,500 dollars to candidates running for office in Orem. He said the mall did that for the same reasons people gave money to politicians in Washington, D.C., which he felt corrupted the elective process. Creating more CDAs would corrupt the whole process of private enterprise and development. Mr. Andersen said money would go toward businesses instead of police and fire departments, streets and roads, and schools. Residents would pay higher taxes so businesses could pay less.

Mayor Brunst said he was in favor of the proposal and thought the strategic plan was an important tool that would help the community as a whole to move forward in terms of growth and infrastructure, and in providing for the needs of the community.

Mr. Macdonald said Mr. Andersen did not believe in win-win opportunities. EDAs were not designed to take money away from tax payers but were designed to increase the tax base. When the University Mall CDA was approved, everyone in the community benefitted from it. Mr. Macdonald said he understood some opposed the idea, but he believed it was a popular idea with the majority of Orem residents. Everyone who had ever run for Council had received a benefit from the mall, in one way or another. Perhaps the benefit was not in dollar amounts, but the candidates were allowed to post campaign signs at the mall. Mr. Macdonald said he was elected to be a leader, not a politician. He would vote against ideas and projects if he did not believe in them, no matter who proposed them. Mr. Macdonald stated that for someone to make innuendos and question his integrity was an offense to him and should be an offense to every voter in the city. He could not sit idly while being backhandedly accused of improprieties. He was an honorable man and believed others on the Council were as well. Mr. Macdonald said he would not go on radio talk show and “throw people under the bus.” He said he would speak positively in meetings and outwardly, and if he disagreed he would voice that disagreement in the meeting. He said the City Council members were honorable people who tried to serve all of Orem, even those who had not voted for them, and he was grateful to serve with them. Mr. Macdonald said the EDSP was a blueprint, not a command. Property owners would have the ultimate say of what was done with properties. He said he was grateful for a good community of good people, and he was proud to represent them.

Mr. Sumner said Mr. Macdonald touched on many points he wanted to make. Mr. Sumner reiterated that the EDSP was a plan, not a required development. Planning had to start somewhere, or there was no forward movement or direction. He said he was encouraged by the plan. Each increment of the plan would need to be approved by the City Council. This was not a sweeping move but a vision for the future. He thanked Mr. Clark and Ms. Becker for the work that had gone into the plan.

Mrs. Black said the Council was trying to make Orem a better place for the future and to provide opportunities for the citizens. There was no dark effort or conspiracy behind proposed projects. The future had to be planned for, and there were great opportunities now to do that. Those providing and presenting the data were professionals who knew what they were doing. Orem had

invested in data and was moving forward with that information. She said CDAs, EDAs, and URAs were tools that could be used for certain things, which was why Utah was in great economic state. Mrs. Black stated that she was also offended by the idea that Councilmembers had been bought for votes in the future. She said believed everyone on the Council had good intentions and wanted the very best for Orem. Said she was in favor of the EDSP and appreciated all the good work by staff and the consulting groups that had gone into making this plan in a professional way.

Mr. Seastrand said he appreciated the plan. The key element he walked away with was that Orem was in a strong position in a number of areas. He said he thought it was wonderful to be part of Orem. The data showed how strong Orem's retail channels were compared to surrounding areas, and that was because of the University Mall. Because of the sales tax revenues the mall generated, the property tax in Orem had not increased since 1978. Many surrounding cities had no such benefit and had seen significant property tax increases. Mr. Seastrand said he thought working with businesses for planning and economic development could open doors to some improvements in the city. Things could change in the future, but a plan was a tool to have something to work toward.

Mayor Brunst **moved**, by resolution, to amend Chapter 6, Economics, of the Orem General Plan and approve the Orem Economic Development Strategic Plan. Mrs. Black **seconded**. Those voting aye: Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. Those voting nay: Hans Andersen. The motion **passed**, 6-1.

6:20 P.M. PUBLIC HEARING – PD Zones

ORDINANCE - Amending a portion of Section 22-5-1 of the Orem City Code to include and update the names of various PD zones

Jason Bench reviewed with the Council the Planning Commission's recommendation that the City Council, by ordinance, amend a portion of Section 22-5-1 of the Orem City Code to include and update the names of various PD zones.

Article 22-5 of the Orem City Code listed the various zones established by City Code including all of the Planned Development (PD) zones. Many new PD zones had recently been adopted and an update to section 22-5 was needed to include the names of these new PD zones. The names of several PD zones had also changed over time and the proposed amendment would show the current names of these PD zones as well.

The proposed changes were as follows:

**22-5-1. Establishment.**

The City of Orem is hereby divided into zones and districts as follows:

...

PD ZONES

PD-1	Between Center Street and 165 South and between Orem Boulevard and 200 West Street.
PD-2	800 North between 200 East and 400 East.
PD-3	800 North between 100 West and 200 East - Repealed.
PD-4	800 North at 800 East.
PD-5	1200 South to 1400 South between 200 East and 400 West Street

PD-6	Timpanogos Research & Development Park.
PD-7	100 South between 400 West and 200 West.
PD-8	Palisades Drive between 600 North and 800 North.
PD-9	Palisades Drive between 500 North and 600 North.
PD-10	Northwest Corner of 800 North and 800 East.
PD-11	1430 South Sandhill Road.
PD-12	Southwest Corner of 1300 South and Main Street.
PD-13	Southwest Corner of 400 North and Orem Boulevard.
PD-14	Residential Estate Zone.
PD-15	2000 West Springwater Park Drive.
PD-16	400 South 1800 West.
PD-17	1200 South Between 50 East and 150 East.
PD-18	Residential Estate Zone, The Berkshires, 1300 South Carterville Road.
PD-19	South Rim PRD, 1755 South 750 East.
PD-20	Jameson Point PRD, 1559 South 850 East.
PD-21	Student Housing Village Zone, 1200 South Geneva Road.
PD-22	Urban Village.
PD-23	Midtown Village, 320 South State.
PD-24	Carrara Estates, 1300 North 400 East and 1600 North 400 East
PD-25	Verona, 600 South 800 East.
PD-26	Tanglewood, 1600 North 1200 West.
PD-27	Blackhorse Run II, 700 South Geneva Road.
PD-28	North Pointe Plaza, 1600 North 1030 West.
PD-29	Siena Villas at Columbia Lane.
PD-30	Centennial Plaza.
PD-31	Intermodal Center - 1350 West 1000 South.
PD-32	MBARQ Senior Independent Living Facility – 256 East Center.
PD-33	Transit Oriented Development - 800 South Geneva Road.
PD-34	University Place - 1300 South State Street.
PD-35	Windsor Court, 320 West 1360 North.
PD-36	Orem Falls Business Park, 1200 North Geneva Road.
PD-37	Legacy at Orem - 1450 South State Street.
PD-38	Summit Ridge Apartments - 1697 South 400 East.
PD-39	Cascade Village, 920 North and State Street.
PD-40	460 South State Street.
PD-41	1200 West Center Street.

Mr. Bench said the proposed changes were to correct an oversight and correctly label the names of the PD zones in the code.

Mr. Sumner asked if naming the PD zones would give them any advantage or privilege. Mr. Bench said it would not. It simply listed the names of the PD zones.

Mayor Brunst opened the public hearing. There were no public comments, so Mayor Brunst closed the public hearing.

Mayor Brunst **moved**, by ordinance, to amend a portion of Section 22-5-1 of the Orem City Code to include and update the names of various PD zones. Mr. Andersen **seconded**. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed**, 7-0.

6:20 P.M. PUBLIC HEARING – Utility Connections  
ORDINANCE – Amending Section 20-3-5 of the Orem City Code pertaining to separate sewer connections

Mr. Bench reviewed with the Council the Planning Commission’s recommendation that the City Council, by ordinance, amend Section 20-3-5 of the Orem City Code pertaining to sewer connections.

Article 20-3-5 currently required separate sewer connections “for every building and for every dwelling unit in buildings having more than one dwelling unit.” By implication, this language did not require a separate sewer connection for every commercial unit in a building containing multiple commercial units. By deleting the word “dwelling,” the proposed amendment would correct this problem and would require a separate sewer connection for all units of any kind in buildings having more than one unit.

The existing exception allowing multiple connections to a single sewer lateral where justified by a fixture count analysis would continue to apply to buildings containing multiple dwelling units such as an apartment building with 12 units.

The proposed amendment was shown below.

**20-3-5. Separate connections required.**

A separate and independent building sewer shall be provided for every building and for every unit in buildings having more than one unit, except that multiple family buildings may perform a fixture count analysis to justify multiple dwelling connections on a single lateral. The analysis will be approved by the Director before the lateral is installed. Where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, but the City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection.

Mr. Bench said the request was simply to strike the word “dwelling” from the language in the code section. They required separate sewer connections for each unit, and removing the word “dwelling” made the language more clear and understandable. It would also make the language more defensible when people would ask why they needed a separate connection. The purpose for the separate units was for sampling, and if there was a sewer issue they could isolate the individual connection for repair rather than shutting down a group of connections.

Mayor Brunst opened the public hearing. There were no public comments, so Mayor Brunst closed the public hearing.

Mayor Brunst **moved**, by ordinance, to amend Section 20-3-5 of the Orem City Code pertaining to sewer connections. Mr. Spencer **seconded**. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed**, 7-0.

6:20 P.M. PUBLIC HEARING – Residential Parking Permit Area  
RESOLUTION – Establishing a Residential Parking Permit Area between 800 South and 925 South and 600 West and 725 West

Chief Giles, Orem Chief of Police, recommended that the City Council, by resolution, establish a residential parking permit area between 800 South and 925 South and 600 West and 725 West in Orem, Utah.

Chief Giles said the City of Orem was responsible for protecting the health, safety, and general welfare of the City. With the ongoing enrollment of students and the expansion of Utah Valley University, there had been an increase in the number of nonresidents who were using 600 West, 725 West, 925 South, 950 South and the connected cul-de-sacs as on-street parking during the university's business hours. The nonresident motor vehicles would remain on these streets for the majority of the day between 7:00 a.m. and 5:00 p.m. This increase in use of these streets as parking for students and others visiting Utah Valley University had caused increased traffic congestion and had contributed to the inability of residents and their visitors to park near their homes. A group of individuals who resided in the area filed a petition with the Orem City Police Department asking that a study be conducted to determine whether it would be appropriate for the City to create a residential parking permit area between 800 South and 925 South and 600 West and 725 West.

Chief Giles said the Orem Police Department had conducted the study and concluded that (1) during business hours, the area was congested with motor vehicles that were not owned by those living in the neighborhood; and (2) after 5:00 p.m., the majority of the motor vehicles occupying on-street parking are gone.

Having completed the study, the Orem City Police Department recommended that the City Council create a residential parking permit area between 800 South and 925 South and 600 West and 725 West.

If the City Council created the residential parking permit area as proposed, any resident within the residential parking permit area would be permitted to park any cars registered to his/her dwelling in the residential parking permit area, and each dwelling within the residential parking permit area would be given two (2) visitor/guest permits.

Chief Giles said the notice for the public hearing had not clarified specifically if the south side of 800 South was included in the permit area, but that area was included on the petition. For that reason, he believed they should proceed with the other specified streets and bring the issue of the south side of 800 South back to the Council at a later time. Chief Giles noted that 800 South was an area of concern for parking, so he anticipated permitting that specific area of the south side of 800 South as soon as possible.

Mr. Stephens said because the original petition did request 800 South be included, the only issue was in regards to the notice for the public hearing. He agreed with Chief Giles that they should proceed and revisit the item for the south side of 800 South at a later date.

Mr. Sumner asked about the north side of 800 South and said the parking issue was as bad on the north side as the south. Chief Giles said the petition did not include the north side of 800 South, and only specified the south side.

Mr. Macdonald asked about 880 South in the general area. Chief Giles said that area was not included in the petition, and he was not aware of an area there that students were using to reach campus.

Mr. Spencer asked about other problem streets in the area. Chief Giles said there were areas with red curb but the red curb ended adjacent to a fence as opposed to in front of a home. The original request included down to 750 West, but Lt. Craig Martinez, who had conducted the study, found the real problem to be in front of residential areas.

Mr. Seastrand said his experience in the past with residential parking permit areas was that the vast majority of neighbors were in favor of the permit area, but he asked if any neighbors were opposed to the permit area. Chief Giles said he believed it was a majority of the area that had signed the petition and had not heard neighborhood opposition to the change.

Chief Giles clarified that the permit area would be enforced during daytime school hours Monday through Friday from 7:00 a.m. to 5:00 p.m., except on holidays. All vehicles registered to residences in the area would be given a permit, and they would also be given two visitor parking passes. Visitors or residents would need to display the parking permit tag if parking on the street.

Mr. Seastrand asked if officers would routinely monitor the area or would it be residents making calls to report violations.

Chief Giles said it would be difficult in terms of time and manpower to have routine monitoring of the area, but volunteers would check in as often as possible. The bulk of enforcement would come from neighbors reporting non-permitted cars being parked in front of their residence.

Mayor Brunst asked if these would be annual permits. Chief Giles said there was no expiration date on the permit, and the neighborhood could change its mind about the permit area at any point.

Mayor Brunst opened the public hearing.

Sherry Jenkins, resident, said she wanted to clarify some of the areas and questions that were brought up. The homes to the north of the isolated neighborhood requesting permits were already permitted. UVU was not going anywhere, and the parking continued to be a problem. The south side of 800 South was originally in the petition. All but the neighbors who were not home were represented on the petition. Ms. Jenkins said a couple of neighbors thought the permit area might be inconvenient but still wanted to remove UVU students parking in their neighborhood. She said she was concerned about revisiting the south side of 800 South at a later date because she anticipated the parking to become an even bigger problem once the other streets were permitted.

Steve Albrecht, resident, said he supported the parking permit area. His reasons were that (1) it was dangerous, with kids running from behind parked cars; (2) it lowered property values as the neighborhood became a parking lot with cars from UVU students who did not want to pay for parking. (3) there would be a lot of strangers wandering through the neighborhood because they were parked there, and (4) the neighborhoods to the north and to the east were already permitted, and yet their neighborhood did not have permits. They would appreciate the help from the Council to eliminate these problems.

Don Jenkins, resident, did not have anything new to add but agreed with what Ms. Jenkins and Mr. Albrecht has said. He was also concerned that the parking would be a bigger problem on 800 South if it was not included at this meeting. He appreciated the time police had spent looking into the matter.

Mark Tippetts, resident, wondered about the number of permits that were allowed for residents. He said he had four children who would visit with grandchildren asked wondered if it was possible to receive more than two guest permits.

Chief Giles said it was possible. He said typically every vehicle registered at the residence would receive a permit and two guest passes, but they were willing to give more guest permits as appropriate.

Mr. Tippetts said Pear Hollow Street should be considered in the permit area, because there was an empty lot that students would often park by and walk through to campus.

Christie Richards, resident, echoed the sentiments that had been shared. She said there were many cars parked on her street and students walking through yards. The parking situation caused increased traffic, vehicular and pedestrian.

Mayor Brunst asked about people going through the vacant lot.

Ms. Richards said they often went through on 800 South, but there were constantly pedestrians walking through the area. She agreed that the parked cars made it difficult to see beyond them.

Jesse McGrath, resident, said Cherry Drive was not permitted. He said he was also concerned about how far he needed to pull his vehicle out to see if the roadways were clear. The area had gotten busier, and he had seen many near-misses as far as vehicular-pedestrian traffic.

Caleb Anderson, resident, said he did not mind his neighbors walking through his property but did not want strangers or students using it. He wondered if there would be flexibility on the permit numbers.

Mayor Brunst closed the public hearing.

Mrs. Black said she thought it was clear they should move forward with what they could approve at that point, and revisit the item as soon as possible to correct any oversight on the part of the permit area.

Chief Giles said they would bring the item back after noticing the public hearing. He clarified that any neighborhoods beyond those specifically cited in the petition would need to submit their own petition to move forward.

Mrs. Black **moved**, by resolution, that the City Council create a residential parking permit area between 800 South and 925 South and 600 West and 725 West. Mr. Macdonald **seconded**. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed**, 7-0.

RESOLUTION – Authorizing the Transfer \$5,000 from the City Council Contingency Account as a City match for the Arson Reward

Mr. Davidson reviewed with the Council a recommendation that the City Council authorize the transfer of \$5,000 from the City Council Contingency Fund to the appropriate account to fund the City's portion of a reward for information leading to the arrest of an arsonist.

The City had two large fires caused by an arsonist(s) within the past two months. These fires had caused a tremendous amount of property damage. The Council desired to pledge \$5,000 as part of a reward being offered by the City and local business owners for information leading to the arrest of the arsonist(s).

Mayor Brunst **moved**, by resolution, to authorize the transfer of \$5,000 from the City Council Contingency Account as a City match for the Arson Reward. Mr. Seastrand **seconded**. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed**, 7-0.

## COMMUNICATION ITEMS

MONTHLY FINANCIAL SUMMARY – January 2015

The Monthly Financial Summary was included in the packets distributed to the City Council.

## CITY MANAGER INFORMATION ITEMS

There were no City Manager information items.

## ADJOURNMENT

Mr. Andersen **moved** to adjourn the meeting. Mr. Macdonald **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed** unanimously.

The meeting adjourned at 7:43 p.m.

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Donna R. Weaver, City Recorder

Approved: March 10, 2015