

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
August 11, 2026

3:30 P.M. WORK SESSION - CITY COUNCIL CONFERENCE ROOM

CONDUCTING	Mayor Karen McCandless
ELECTED OFFICIALS	Karen McCandless, Crystal Muhlestein, Jeff Lambson, Jenn Gale, LaNae Millett, Chris Killpack, ZOOM Quinn Mecham
APPOINTED STAFF	Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager; Steve Earl, City Attorney; Chris Tschirki, Public Works Executive Director; Bryce Merrell, Community Services Executive Director; Brandon Nelson, Chief Finance Officer; Marc Sanderson, Fire Chief; BJ Robinson, Police Chief; Gary McGinn, Community Development Executive Director; Peter Wolfley, Community Services Executive Director, PIO; Teresa McKitrick, City Recorder

NOTE: The referenced report and presentation documents for each discussion may be viewed at orem.gov/meetings under “City Council Presentations”

WORK SESSION ITEMS

Justice Court Nominating Commission Presentation *Presenter: Steve Earl, City Attorney*

Steve Earl opened the discussion by informing the council that Justice Court Judge Reed Parkin is set to retire at the end of December, necessitating the appointment of a new judge before or by that time. He explained that while the Administrative Office of the Courts has already completed its initial role by advertising the open position and receiving applications, the next step involves establishing a five-member Justice Court Nominating Commission. This commission consists of two members appointed by the Orem City Council, one by the Utah County Commission, one by the Utah County Bar, and one selected by a committee of Utah County mayors. Earl emphasized that the council's immediate action item for their upcoming regular meeting is to select its two appointees. Mayor Karen McCandless noted that Councilmembers Kilpack and Millett had expressed interest in filling those roles, and she announced her intention to formally recommend their appointment that evening.

Once formed, the nominating commission will review applications, conduct interviews with top candidates, and submit a narrowed list of at least three names to City Manager Brenn Bybee. Earl clarified that Bybee has the discretion to conduct further reviews, background

checks, and interviews—either individually or with an advisory panel—before selecting the final candidate, who must then be ratified by the City Council. Addressing a question from Brandon Nelson regarding the review process, Bybee confirmed his plan to involve Nelson, Jody Cano, and potentially others to conduct a thorough, high-profile selection process to ensure they choose the right individual for the court.

Detached Accessory Dwelling Units (DADU) Discussion *Presenter: Gary McGinn, Community Development Executive Director and Jared Hall, Planning Director*

Mr. Hall led a discussion on regulating detached accessory dwelling units (DADU). He presented detailed graphic mockups applying proposed setback parameters to standard 11,000-square-foot prototypical lots as well as several randomly selected real-world Orem properties (including cul-de-sac and corner lots). He outlined a potential framework: requiring a 6-foot separation from the primary house, 10-foot interior side setbacks, a 25-foot rear setback, and a 30-foot buffer from an adjacent neighbor's buildable envelope (or a hard minimum 20-foot separation from an existing neighboring structure). To provide context, Mr. Hall shared permit and setback data collected from surrounding Utah jurisdictions: South Salt Lake: Permitted 73 detached units (primarily garage conversions/over-garage builds allowed up to property lines). Bountiful: Permitted 27 units under an 8-foot rear/side setback standard active since 2008. Salt Lake County (Unincorporated): Recorded 20 units with 5-foot setbacks (1-foot for garage conversions). West Jordan: Recorded 12 units using 15-foot rear and 8-foot side setbacks. Murray: Recorded 9 units under 10-foot rear and side setbacks.

Mr. Hall also addressed building envelope dimensions, suggesting lower overall height caps—such as 12 to 16 feet for flat roofs (to accommodate modular/Conex shipping container units) and 14 to 18 feet for pitched roofs (to allow for interior lofts without permitting full second stories). Additionally, he recommended scaling back maximum unit size thresholds from 1,000 square feet down to 650–850 square feet, noting that smaller units are significantly more affordable to build, more popular among property owners, and far less intrusive to neighboring yards.

Mr. McGinn provided critical planning background, clarifying that staff developed visual lot overlays specifically in response to council concerns from previous meetings regarding visual massing and setback reductions. He reminded the council that state law permits municipalities to go down to zero-foot property line setbacks, but staff strongly advises against going below a 10-foot minimum under any circumstances. Mr. McGinn emphasized that lot constraints will naturally prevent some property owners from constructing detached units, particularly if their main home already consumes the entire buildable envelope. He also raised practical municipal issues beyond simple setbacks, including the unmonitored spread of rear-yard hardscaping (such as pickleball courts, sport courts, and expansive concrete parking pads) and how those developments affect stormwater management. Finally, Mr. McGinn reassured the council that municipal codes are evolving documents; staff routinely monitors real-world outcomes and will bring the ordinance back for adjustments after 6 to 9 months of implementation.

City Manager Bybee focused on administrative execution, quality assurance, and alternative housing options for residents. He highlighted that property owners who are restricted from building a detached unit due to lot geography or tight setbacks still retain the legal right to construct internal or basement ADUs, provided they meet standard building codes. To replace anecdotal assumptions with statistical data, Bybee proposed running a formal random sample across Orem's roughly 5,000 eligible single-family lots to calculate the exact percentage of properties that would be rendered ineligible under various setback proposals. Finally, Bybee confirmed that due to the high-profile nature of the selection and development processes across city operations, administrative staff like Brandon Nelson and Jody Cano would be directly involved in refining high-impact municipal implementation plans.

Councilmember Millett was concerned with protecting existing neighborhood character and the property rights of adjacent homeowners. She argued against measuring setbacks relative to a neighbor's existing structure rather than the physical property line. Ms. Millett contended that buffering off a neighbor's house incentivizes the host property owner to push the ADU into the furthest rear corner of their lot, thereby shifting all privacy, shadow, and visual impacts directly onto the next-door neighbor. She emphasized that residents who bought into R8 single-family zones did so with a legal expectation of consistent 20- to 25-foot rear yards across the entire block. Ms. Millett expressed deep concern over potential long-term unintended consequences, such as increased neighborhood density without council oversight or future legislative pushes allowing property subdivision. She advocated for maintaining tight 20- to 25-foot rear property line setbacks or establishing rules that force detached ADUs to be sited immediately adjacent to the primary residence.

Councilmember Gale advocated for lower, more flexible setback requirements, arguing that a 25-foot rear setback combined with a 30-foot buildable buffer is an extreme outlier when compared to ordinances in surrounding Utah cities and national standards (e.g., Salt Lake City, Murray, Colorado Springs, and Portland). She expressed concern that shielding a neighbor's unbuilt, theoretical "buildable area" creates equity issues for the property owner who decides to build first. Ms. Gale pointed out an inherent policy contradiction: under current zoning, a homeowner can build a massive, two-story house extension up to 8 feet from the side property line, yet a tiny, detached single-story ADU would be subjected to far stricter distance requirements. She cautioned that overly rigid detached ADU setbacks would unintentionally incentivize residents to build larger, more imposing home additions instead. Additionally, Ms. Gale questioned the 12-foot height cap on flat-roofed designs as being unnecessarily restrictive for modern building techniques.

Mayor McCandless expressed concern that imposing excessively large setbacks—specifically 25-foot rear yards combined with a 30-foot buffer from neighboring buildable zones—might cause the city to be viewed as making ADUs "unreasonably difficult to locate," which would violate state mandates governing 11,000-square-foot lots. While acknowledging that not every single eligible lot in Orem must be able to host a detached unit, she stressed the importance of striking a fair balance between state requirements and neighborhood

expectations. She concluded by confirming the upcoming legislative schedule, noting that the council has two formal meetings in September to finalize and pass the ordinance before the state deadline.

Councilmember Mecham noted that while he was deeply sympathetic to Councilmember Millett's intent to protect neighbor privacy, the visual slides demonstrated that the initial 25-foot rear yard and 30-foot buildable setbacks were overly restrictive and constrained usable space on standard lots. Drawing from his personal experience living in an 800-square-foot main-floor layout in Orem—which comfortably accommodated two bedrooms, a kitchen, and a living area—he supported capping unit sizes at 800 square feet. For setbacks, Mr. Mecham advocated striking a middle ground by establishing a 15- to 20-foot rear setback and a standard 20-foot separation distance from neighboring improved buildings.

Councilmember Muhlestein brought insights from a recent Utah League of Cities and Towns (ULCT) webinar on state ADU mandates. She reassured the council that setting conservative, protective setbacks would not be legally construed as "unreasonably difficult" under state definitions, as cities retain the legal right to preserve single-family neighborhood character. She argued that owning an 11,000-square-foot lot does not automatically entitle a resident to a detached unit if the lot cannot physically support it without harming surrounding properties. Ms. Muhlestein supported keeping rear setbacks around 20 feet, emphasizing that as a parent, she would not want a neighboring rental structure towering directly over her backyard play area. She urged the council to adopt a stricter ordinance initially, noting that municipal regulations are far easier to loosen later than they are to tighten after construction has begun.

Councilmember Lambson praised the visual layout templates and asked planning staff if interactive digital tools or standardized informational cheat-sheets could be published online so homeowners could easily map out their lot parameters. On policy, Mr. Lambson expressed support for a simple, uniform 10-foot interior side property line setback. While sympathetic to both sides of the debate, he concluded that a 20-foot rear property line setback represented a fair compromise. He agreed with Ms. Muhlestein and Ms. Millett that the primary visual and spatial impact of an ADU should fall on the property owner receiving the benefit rather than being pushed onto adjacent neighbors.

Councilmember Killpack agreed that a 30-foot setback measured from a neighboring buildable area was excessive and impractical. He advocated for reducing the rear yard requirement to 20 feet, explaining that dropping from 25 feet to 20 feet opens up a substantial amount of buildable lot space for homeowners while still preserving a significant buffer from surrounding residences. He noted that many existing homes already have 10-foot patio covers or accessory structures extending into their rear yards, so maintaining a consistent 20-foot buffer would feel natural and unobtrusive to the neighborhood.

Mayor McCandless gave Mr. Carlisle a few minutes to speak. Expressing his gratitude for Orem City services, Mr. Carlisle shared that after suffering life-threatening complications following a five-bypass heart surgery in May, Orem City paramedics arrived at his home within two minutes

and rushed him to Utah Valley Hospital, saving his life when doctors initially gave him a slim chance of survival. Rebuffing arguments against funding emergency services, he praised the paramedics' swift action and added a second note of thanks to Orem City's public works employee, Danny, and a city crew who promptly repaired and asphalted a dangerous, sunken manhole cover near his home within days of being called, leading him to express his overall love and appreciation for the city.

Community Development Code Update Presentation *Presenter: Gary McGinn, Community Development Executive Director*

Mr. McGinn introduced an upcoming, technical municipal code cleanup to align Orem's official city code with the department's recent rebranding from "Development Services" to "Community Development." He explained that the shift in naming was intentionally chosen to signal a broader focus on the entire community and its residents, rather than appearing solely focused on providing services to commercial developers. Because the current code routinely refers to "Development Services," this effort requires well over 400 individual updates across city documents and the municipal code. Many of these adjustments fall within the zoning ordinance, meaning the proposal must first go before the Planning Commission for review before returning to the City Council. Addressing Councilmember Millett's request, Mr. McGinn confirmed that all edits will be presented in a redline format for easy tracking across the extensive document. Ultimately, Mr. McGinn provided this advance notice so the council would be comfortable with the rationale behind the change and prepared for the sheer volume of updates heading their way.

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

Councilmember Gale delivered a report on the various commissions and local initiatives she oversees, beginning with the America 250 commission wrapping up its work and celebrating with a volunteer appreciation lunch the following week. She noted that the CARE Commission has also concluded most of its activities for the term, receiving positive thank-you notes from participating organizations while planning to refine and formalize its decision-making process for the coming year to reduce arbitrariness. Following an IHC outreach hospital tour alongside Mayor McCandless and Councilmember Muhlestein, Ms. Gale highlighted the new addition at Orem Community Hospital, including a state-of-the-art MRI machine that improves community health offerings and shortens wait times.

Shifting to the Natural Resources Advisory Commission, Ms. Gale detailed several upcoming community and educational events, including an October seminar focused on Utah Lake restoration, an October 12th leaf-themed arts and crafts children's event at the new city greenhouse, and a library seed swap scheduled for February. She introduced "Rooted in Orem" as the official name for the city's new tree planting initiative, which aims to plant 1,000 trees over five years, noting that the first discounted distribution or sale of roughly 50 trees is set for early September. Additional commission projects include a recycling facility tour and assistance

with the farmers market bike valet, with acknowledgements to fellow commissioners for their strong contributions. Finally, Ms. Gale reported on Utopia, noting that their newly passed budget will increase Orem's revenue return by an additional \$95,000 for the upcoming fiscal year while funding new staff hires to maintain service levels, capped by the announcement that the city recently received a substantial financial return check totaling \$1,098,950 in June.

AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

ADJOURN TO REGULAR SESSION

Ms. Gale moved to adjourn to the regular session, **seconded** by Mr. Killpack. Those voting yes: Karen McCandless, Chris Killpack, Crystal Muhlestein, Jeff Lambson, Jenn Gale, LaNae Millett and Quinn Mecham. The motion **passed**.

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

CONDUCTING	Mayor Karen McCandless
ELECTED OFFICIALS	Karen McCandless, Crystal Muhlestein, Jeff Lambson, Jenn Gale, LaNae Millett, Chris Killpack, ZOOM Quinn Mecham
APPOINTED STAFF	Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager; Keri Rugg, Deputy City Manager; Steve Earl, City Attorney; Chris Tschirki, Public Works Executive Director; Brandon Nelson, Chief Finance Officer; Marc Sanderson, Fire Chief; BJ Robinson, Police Chief; Gary McGinn, Community Development Executive Director; Peter Wolfley, Community Services Executive Director, PIO; Teresa McKitrick, City Recorder

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT – Amy Walker

PLEDGE OF ALLEGIANCE / FLAG CEREMONY – Gray Walker

MAYOR’S REPORT/ ITEMS REFERRED BY COUNCIL

Citizen Life Saving Presentation *Presenter: Marc Sanderson, Fire Chief*

Chief Sanderson presented a detailed report commending Chief Swenson, A Platoon, and department personnel—ranging from battalion chiefs and critical care paramedics down to brand-new EMTs—for delivering extraordinary, life-saving care across their service area during

a period marked by a high volume of traumatic calls. Addressing the city council, Chief Sanderson highlighted several key achievements outlined in the department's quarterly recognition packet, beginning with operational excellence in medical emergencies. Notably, he recognized Captain Mellor and his crew alongside Critical Care Paramedics for responding to an eight-year-old cardiac arrest case; after bystander Bailey Bird initiated CPR, the crew successfully stabilized and transported the child to Primary Children's Hospital, where they recovered with no neurological deficits. He also praised Captain Hickman and his team for executing a complex extrication following a horrific auto accident on Geneva Road, successfully transferring the patient to a Level II trauma center.

Beyond emergency response, the presentation acknowledged municipal milestones—including Chief Boehner's 20 years of dedicated service—and highlighted rigorous professional development, such as Lieutenant McCaff completing a six-week Heavy Rescue School for the countywide Special Rescue Team and Critical Care Paramedic Scott Slater earning the Utah Fire Officer Designation. On a community level, Grant Dahlquist was commended for running specialized CPR training across various city departments, while Captain Hickman, firefighter Colehan, and firefighter Rosequist were recognized for stepping in to help a Utah Highway Patrol officer subdue a resisting suspect. Concluding his report, Chief Sanderson emphasized the deep compassion the department's first responders bring to even the most tragic circumstances, specifically noting their supportive handling of a heartbreaking call in Lindon involving the loss of a young child.

Public Works Advisory Commission Presentation *Presenter: Chris Tschirki, Public Works Executive Director and Mike Whimpey, Public Works Advisory Commission Chair*

Mr. Tschirki and Mr. Whimpey presented the 2026 Annual Report, outlining the commission's administrative structure, recently completed capital improvements, ongoing regional studies, and upcoming water infrastructure projects. Serving alongside commission members Gary Morley, Jim Michaelis, Joseph Horton, Rob Moore, and Brent Tobler—with Councilwoman Muhlestein acting as city council liaison— Mr. Whimpey highlighted the group's advisory role in evaluating municipal utilities, reviewing technical engineering studies, and issuing policy recommendations to the city council. Meeting six times over the past ten months, the commission conducted annual state-mandated public meeting training, evaluated street conditions through the Transportation Utility Fund, and toured key facilities including Orem City Hall and the new Orem Water Reuse Facility.

Over the past fiscal year, the department completed several major municipal projects, including the construction of the Orem Water Reuse Facility, a new 10-million-gallon water storage tank, and nearly \$1,000,000 in Northeast section stormwater drainage improvements designed to prevent severe local flooding. Staff also substantially finalized the dissolution and abandonment of the Provo Bench and North Union Canal companies, while simultaneously completing multi-use recreational upgrades such as court renovations at Northridge and Windsor Parks. Through an inter-agency land arrangement with the Central Utah Water Conservancy

District (CUWCD)—which exchanged park access for a new sedimentation basin near Mount Timpanogos Park—the city successfully finalized Phase 3 of its local Bike Skills Park.

Looking ahead, Public Works is partnering with CUWCD on a water reuse feasibility study to explore optimal uses for excess treated effluent from Orem's wastewater reclamation facility, including potential land application, water supply augmentation, or advanced direct potable reuse. To mitigate Wasatch Fault seismic risks, the city is diversifying its water supply grid by completing Well #10 and an adjacent booster station at 400 South 400 West to feed the 10-million-gallon tank directly into the municipal system. Additional ongoing initiatives include partnering with UDOT on the Geneva Road widening and Lakeview Parkway construction, alongside multi-department design efforts for new city entry and park monument signage. Finally, backed by upcoming fall bonding, the department is preparing to drill a replacement for Well #1 at Hillcrest Park, overhaul Well #5 on Center Street, and begin drilling Well #11 at 4th West 16th North in conjunction with the development of the Pioneer Children's Memorial and the Cemetery Memorial Garden.

PERSONAL APPEARANCES

Opened at 6:36 PM

Teo Buckingham requested that the City Council issue an executive order or formal resolution prohibiting Immigration and Customs Enforcement (ICE) agents and cooperating personnel from using city-owned properties—such as parks, schools, libraries, public buildings, and parking lots—for immigration enforcement activities. Emphasizing that these public spaces should remain safe gathering grounds for all families and neighbors, Mr. Buckingham argued that all community members, regardless of documentation status, deserve protection from deportation operations and fully belong in the city.

Cathy Ambrose, Hope for Orem Executive Director, addressed the council regarding her suicide prevention nonprofit's exclusion from Oremfest following administrative restructuring that misclassified them as a commercial vendor. Clarifying that the organization sells no products, collects no data, and provides entirely free mental health resources—including crisis training, scholarships, and wellness fairs—Ms. Ambrose requested a formal Memorandum of Understanding (MOU) to permanently designate Hope for Orem as a public safety entity stationed alongside police and fire at future city events. She invited everyone to attend their free Mental Wellness Resource Fair on August 31st at Orem Library Hall.

Allie Asay urged Orem City to adopt a formal policy prohibiting local law enforcement from honoring ICE civil immigration detainers without a judge-signed judicial warrant. She argued that relying on administrative warrants violates Fourth Amendment protections against unreasonable searches and seizures, enables racial profiling, and terrifies both documented and undocumented residents. The speaker called on the city to hold federal agencies to a higher constitutional standard and protect the community.

Ethan Stauffer urged Orem to cancel its Flock Safety contracts and remove its automated license plate reader cameras. Highlighting cases where out-of-state police used the Flock system to track and detain individuals for getting a legal abortion or legally purchasing marijuana across state lines, the speaker argued that unregulated private surveillance tools allow out-of-jurisdiction law enforcement to improperly target citizens for actions legal where they occurred.

Judy Christensen urged the city council to pass a formal resolution banning the use of municipal funds, staff, or facilities for federal immigration enforcement. Citing concerns for local friends and neighbors living in fear, she called on the city to stop voluntarily disclosing residents' immigration status to federal authorities, require public reporting of any city interactions with immigration officials, and govern with transparency and compassion.

Closed at 6:49 PM

CONSENT ITEMS

2026 City Council Meeting Schedule Update

Mr. Lambson moved to approve the updated City Council Meeting Schedule for 2026, **seconded** by Ms. Muhlestein. Those voting yes: Karen McCandless, Chris Killpack, Crystal Muhlestein, Jeff Lambson, Jenn Gale, LaNae Millett and Quinn Mechem. The motion **passed**.

SCHEDULED ITEMS

RESOLUTION - Appointments to Justice Court Nominating Commission *Presenter: Steve Earl, City Attorney*

Mr. Earl confirmed that the item had been previously reviewed in the work session, noting that the council's required action was to formally appoint two representatives to the Justice Court Nominating Commission. Mayor McCandless provided public context, explaining that Orem's current Justice Court Judge is retiring at the end of the year, which triggers a state-mandated selection process overseen by the Administrative Office of the Courts. She outlined that the multi-member nominating commission—comprising appointees from the Orem City Council, the Utah County Commission, the Utah County Bar Association, and local regional leadership—will review applicants to pare down the candidate pool. Once the commission submits its top recommendations, the final appointment will be made by the City Manager and ratified by the City Council. Noting that Councilmembers Millett and Killpack had both volunteered to represent Orem on the commission, Mayor McCandless invited a formal motion from the council to approve their appointments.

Mr. Killpack moved to approve the appointment of Chris Killpack and LaNae Millett to the Justice Court nominating Commission, **seconded** by Mr. Lambson. Those voting yes: Karen

McCandless, Chris Killpack, Crystal Muhlestein, Jeff Lambson, Jenn Gale, LaNae Millett and Quinn Mecham. The motion **passed**.

CITY MANAGER INFORMATION ITEMS

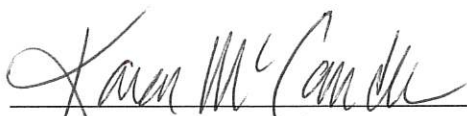
City Manager Bybee highlighted two upcoming city events, beginning with a public recognition of Lane Gray's retirement after a phenomenal 37-year career with the city. Praising Gray as a humble, dedicated, and consistently hard-working employee who always maintained a positive attitude under pressure. Mr Bybee invited the council members to attend Mr. Gray's retirement party this Thursday from 11:30 AM to 1:30 PM at the Library Hall. Additionally, Mr. Bybee requested their continued support for the "Building a Better Orem" Employee Appreciation Party taking place the following Thursday at City Center Park, where the city will recognize the outstanding accomplishments of its staff over the past year.

ADJOURN

Ms. Muhlestein moved to adjourn, **seconded** by Mr. Killpack. Those voting yes: Karen McCandless, Chris Killpack, Crystal Muhlestein, Jeff Lambson, Jenn Gale, LaNae Millett and Quinn Mecham. The motion **passed**.

(These minutes were created with the help of AI)

PASSED and APPROVED on this 8th day of September 2026.


Karen McCandless, Mayor

ATTEST:


Teresa McKittrick, City Recorder



COUNCIL MEMBERS

Mayor Karen McCandless

Chris Killpack

Crystal Muhlestein

AYE NAY ABSTAIN ABSENT

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☒	☐	☐	☐

Jeff Lambson	☒	☐	☐	☐
Jenn Gale	☒	☐	☐	☐
LaNae Millett	☒	☐	☐	☐
Quinn Mecham	☒	☐	☐	☐

