



## PROVO MUNICIPAL COUNCIL

### Redevelopment Agency of Provo

### Regular Meeting Minutes

5:40 PM, Tuesday, July 05, 2016

Room 200, Municipal Council Chambers

351 West Center

## Opening Ceremony

### Roll Call

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Council Member Kim Santiago	Council Member David Harding
Council Member David Knecht	Council Member George Stewart
Council Member Vernon K. Van Buren	Council Member Gary Winterton
Mayor John R. Curtis	CAO Wayne Parker
Council Attorney Brian Jones	Council Executive Director Clifford Strachan

Excused: Council Member David Sewell

Conducting: Council Chair Kim Santiago

### Invocation and Pledge

Invocation: Johnny McKinney, Sherwood Hills Boy Scout Troop

Pledge Ceremony: Jake Weed and scouts from Sherwood Hills Boy Scout Troop

#### ○ Sherwood Hills Neighborhood - Richard Pratt

Richard Pratt, Sherwood Hills Neighborhood Chair, reported that Jake Weed had applied for a matching grant from the neighborhood program to clean, plant trees, and install/repair sprinkling systems at Sherwood Park for his Eagle project. City employees helped dig the holes for the trees and neighborhood volunteers helped with the planting, backfill, and spreading mulch. Mr. Pratt gave a brief report on the project which included the following:

- Cash Donations
  - Neighborhood Cash Donations - \$5,029.37
  - Parks & Recreation - \$5,000
  - Neighborhood Matching Grant - \$5,000
- Volunteer Neighborhood Labor – 425.5 hours @\$8 per hour = \$3,400
- Professional Labor - Fire and Parks Departments - \$5,345
- Cost of Materials (trees and irrigation supplies) - \$12,031.47
- Balance of Cash Donations - \$2,997.90 – would be rolled over to the 2016-2017 Sherwood Hills matching grant.
- Total Savings to the City on this Project - \$15,666.87

## **Approval of Minutes – June 7 and June 21, 2016**

Chair Santiago asked for a motion to approve the minutes of June 7, 2016. She recommended the June 21, 2016 minutes be considered at the next meeting because she had a question about some of the motions.

**Motion:** Council Member David Knecht moved to approve the June 7, 2016 minutes as written. The motion was seconded by Council Member David Harding.

**Roll Call Vote:** The motion passed 6:0 with Council Members Harding, Knecht, Santiago, Stewart, Van Buren, and Winterton in favor. Council Member Sewell was excused.

## **Presentations, Proclamations and Awards**

### **1. Provo's Bike Challenge Awards**

Ben McMurry, Provo, reported that May was National Bike Month and Provo's Second Annual Bike Challenge. Residents, employees, and students were encouraged to log their miles ridden on the National Bike Challenge website. He said Provo ranked 20<sup>th</sup> on the national leader board with a total of 320 participants riding 16,679.3 miles.

Mr. Murray announced the top competitors.

- Women's Division
  - Kelly McPherson rode 24 out of 31 days for a total of 547.6 miles. Her best day was 64.3 miles and set a weekly record of 134 miles.
- Men's Division
  - Trent Denison rode 28 out of 31 days for a total of 1,045.7 miles. His best day was 98.6 miles and set a new weekly record of 355.6 miles.
- Top Provo Organization – BYU (top ten listed below)
  - Travis Hoyt
  - Brad Slade
  - Jennifer Quinlan
  - Nate Bench
  - Lee Chestnut
  - Ryler Nielsen
  - Roger MacFarlane
  - Brent Ellingson
  - Dillon Franks
  - Steve Park

Mr. McMurry thanked all those that participated and also thanked the administration and council for supporting bicycling and making Provo a bike friendly community.

## Public Comment

Beth Alligood, Lakeview North Neighborhood Chair, wanted to share her comments about a proposed ordinance clarifying restrictions on farm animals and creating a buffer zone between agriculture and residential zones. Several farmers in her neighborhood, and also the neighborhood to the south, expressed concern about the proposed ordinance and did not want their land use restricted. A dairy farmer that had been in the neighborhood for more than 100 years did not know if he could continue to run the farm in Provo with the proposed restrictions. New residents should be given information about where they were moving versus restricting people's land use on land they had owned for a very long time. In the development agreement for a twin home project, being built on 1180 North, the neighbors wanted it specified that residents of the twin homes would be moving next to a goat farm. New residents would be asked to sign the agreement stating they understood all the sights, sounds, and smells of moving next to a farm. Why not require the buffering zone on the side of new residential developments instead of on the side of the agricultural land. The people moving into these new developments should take into consideration the area they were moving into and not harm the farmers trying to make a living.

There were no more public comments.

## Mayor's Items and Reports

### **2. Resolution 2016-29 authorizing execution of the Fifth Amended Interlocal Cooperation Agreement with Utah County relating to the Ice Sheet Authority. (16-080)**

Tucker Lougee, Ice Arena Manager, gave a presentation on the history of the Ice Sheet Authority (copy attached to the permanent minutes). The facility was built in 1998 as a venue for the 2002 Winter Olympic Games and hosted the men's practice sessions and women's hockey (including the Bronze Medal match). The arena was jointly owned by Provo City and Utah County and was privately managed until November 2008 when Provo City Parks and Recreation took over management of the facility.

The facility was operated by four full-time and scaled part-time/seasonal employees with year round activities on the two Olympic ice sheets and two indoor synthetic turf fields. Activities included hockey, skating, broomball, soccer, lacrosse, rugby, baseball, quidditch, ultimate Frisbee, bubble ball, and laser tag. Utah County reimburses Provo City for 50 percent of all operating and maintenance costs.

Although Provo City had been managing the facility since 2008, there had been no changes to the agreement which detailed the terms of the management; it was simply a verbal agreement between Provo City and Utah County.

Bud Powell, Safety Program Coordinator for Provo City, reviewed the proposed amendments to the interlocal agreement with Utah County for operation of the facility. The new agreement would reflect the ownership and management structure. It would also specify termination policies in the event that one of the entities wanted to sell their share of the facility. The Utah

County Commission authorized execution of the interlocal agreement during their June 14, 2016 meeting.

Chair Santiago invited public comment. There was no response to the request.

**Motion:** Council Member Gary Winterton moved to approve **Resolution 2016-29** as written. The motion was seconded by Council Member George Stewart.

**Roll Call Vote:** The motion passed 6:0 with Council Members Harding, Knecht, Santiago, Stewart, Van Buren, and Winterton in favor. Council Member Sewell was excused.

**3. Resolution 2016-30 authorizing the execution of an Interlocal Cooperation Agreement to authorize Provo City's participation in the Utah Valley Home Consortium in the U.S. Department of Housing and Urban Development's Home Investment Partnerships Program for Federal fiscal years 2017,2018, and 2019. (16-086)**

Dan Gonzalez, Redevelopment Agency, presented. The U.S. Department of Housing and Urban Development (HUD) administered a program called the Home Investment Program. The program allowed cities to join together as a consortium to receive funding for affordable housing that they might not qualify for individually. Provo City was the only city in the county that qualified for individual funding. As a result, a consortium was created in 1992 that provided a more regional approach to affordable housing. The current members included Provo City, Orem City, Lehi City, and Utah County. The consortium required an interlocal agreement be signed between all entities before funding could be awarded. The Utah County Commission authorized execution of the agreement during their meeting earlier in the day. Lehi and Orem would be considering the agreement during their council meetings next week (Tuesday, July 12, 2016).

In response to questions from the council, Mr. Gonzalez stated that Provo, as the lead agency, was responsible for managing the funding and making sure all regulations were being followed. The city was reimbursed for the costs associated with administering the program. While the consortium consisted of only four entities, all cities in the county could receive the benefit. A 32 unit housing complex was recently built in Springville with a similar one scheduled for American Fork. He indicated that housing units had also been built in Payson and Santaquin. They worked closely with Habitat for Humanity to build homes throughout the valley to help people get out of the rent trap and into affordable housing.

The advisory committee (which made recommendations for how the HOME dollars were spent) was made up of two members each from Provo, Lehi, and Orem with Utah County allowed up to five members. At that time Utah County only had three representatives – one each from Payson, Springville, and Spanish Fork.

**Motion:** Council Member David Harding moved to approve **Resolution 2016-30** authorizing the execution of an Interlocal cooperation agreement to authorize Provo City's participation in the Utah Valley Home Consortium in the U.S. Department of Housing and Urban

Development's Home Investment Partnerships Program for Fiscal Years 2017, 2018, and 2019. The motion was seconded by Council Member David Knecht.

**Roll Call Vote:** The motion passed 6:0 with Council Members Harding, Knecht, Santiago, Stewart, Van Buren, and Winterton in favor. Council Member Sewell was excused.

**4. A presentation on the process for implementing an Urban Deer Control Plan. (15-076)**

**NOTE: Chair Santiago announced that this item was information only.**

**An Open House would be held at 6:00 p.m. on July 12, 2016 at Timpview High School.**

**A public meeting would be held on this item at the July 19, 2016 Council Meeting at 5:30 pm in the Council Chambers. At that meeting the public would have an opportunity to comment on this item. Please submit comments to your Council Members.**

Brian Jones, Council Attorney, introduced the item and said that legal had been working through the process for making an urban deer control plan happen. He stated that Brian Cook, the regional expert on this matter with seven years of experience, was in attendance to make a presentation to the council (attached to the permanent minutes).

Mr. Cook reported that the reality of urban deer life was already lethal as evidenced by the number of deer killed along Utah roadways every year. It was estimated that between 6,000 and 10,000 deer were killed every year. That did not account for the animals that left the area and died later or were maimed and suffered major bodily injury. Provo Police reports indicated that in 2013 there were 190 deer killed on Provo streets, 180 in 2014 and 130 in 2015. Highland City was one of the first cities to implement an urban deer control plan. They reported a reduction of roadkill during the past four years from 74 the first year to only six during the past year.

In preparation for implementing a program, Mr. Cook and his team completed a deer survey during the winter of 2015 using both video cameras and on foot with binoculars and spotting scopes. While deer were located in all areas of Provo, the highest concentration seemed to be in the northeast. They reported 125-150 deer in Sherwood Hills, 175-200 deer in Indian Hills, and 100-125 deer in Oak Hills.

The Urban Deer Management Goals included:

- Increased public awareness and safety;
- Reduced vehicle collision reports by 50 percent;
- Reduced vegetation and crop loss;
- Reduced deer numbers to a tolerable amount;
- Utilized animals to feed those in need; and
- Removed animals discreetly and quietly using certified and trained specialists.

Mr. Cook said the city had already received a Certificate of Registration (COR) from the DNR and now had to present a plan for deer control. The plan could be lethal or non-lethal (moving the animals to a different location in the wild). The non-lethal method came at a pretty heavy expense because of the man hours involved. They had to bait traps and watch them on a regular basis so that animals caught in the traps could be moved as quickly as possible. Also, each animal had to be tested before it could be moved to avoid spreading disease. The state wanted to move the animals but the federal government did not. The COR was effective for three years.

Mr. Cook said that the public would be told a general area but not the exact area of where the specialists would be working. They tried to be as discreet as possible when removing the deer. They wanted to make sure the residents were on board with the program but did not want to specify the exact area to protect the specialist from getting harassed by people. DNR regulations limit the harvesting period to August 1 through December 31 of each year. During years of heavy snowfall (six to eight feet deep), when deer move down into the city, the program was closed until those deer moved out of the city. The city would designate a specific person to deal with the organization. They would be notified along with the chief of police and the DNR when the hunts would take place. Communication was the most important aspect of the plan.

The lethal method gave the city the opportunity to feed the hungry but some organization would only accept meat if it was cut and wrapped. Highland City donated 5,200 pounds of ground venison to the Food Bank although that came at a cost of about \$85 per animal. The costs were shared by Highland and the state. Utah Mission Centers in Salt Lake City anticipated that the amount of that donation would have provided more than 43,000 meals. He said there were people and places that would take the meat at no expense.

Mr. Cook was very particular about how the program was run. The deer in Provo were located in residential areas without a lot of open space. He would have to use the best specialists he had. He implemented a shooting test and a written test for all potential specialists. The tests were difficult to pass. In addition to being able to shoot accurately, they needed to show other characteristics such as honesty and integrity. During the last test only 12 out of 150 passed.

The cost of the program would be \$10,000 per year for the lethal method. Mr. Cook said they were negotiating with the DNR to implement a non-lethal method that would also be \$10,000 per year. The survival rate was about 33 percent for those animals that were relocated.

## **Policy Items Referred from the Planning Commission**

- 5. An ordinance amending Provo City Code Section 14.34.300 (Transitional Development Standards for Uses Abutting Residential Zones) clarifying restrictions on farm animals adjacent to Residential Zones. City-Wide Impact. (16-0006OA) (Item to be Continued to July 19th Council Meeting)**
- 6. An ordinance amending Provo City Code Sections 15.17.030, 15.17.040, 2.29.040 and 14.02.020 to reduce the notice requirements for public hearing before the Planning Commission for General Plan adoption and for General Plan Amendments from 14 to 10 days, as per Utah State Code, and to allow amendments to the General Plan more often than twice per year. City-Wide Impact. (16-0007OA) (Item to be Continued to July 19th Council Meeting)**

Chair Santiago said the next two items needed to be continued. She called for a motion to continue Item's No. 5 and 6 to the July 19, 2016 meeting.

**Motion:** Council Member Gary Winterton moved to continue the next two items to the July 19, 2016 meeting. The motion was seconded by Council Member David Knecht.

**Roll Call Vote:** The motion passed 6:0 with Council Members Harding, Knecht, Santiago, Stewart, Van Buren, and Winterton in favor. Council Member Sewell was excused.

#### Adjourn

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**Motion:** Council Member Gary Winterton moved to adjourn the meeting at 7:25 p.m. The motion was seconded by Council Member Vernon K. Van Buren.

**Roll Call Vote:** The motion passed 6:0 with Council Members Harding, Knecht, Santiago, Stewart, Van Buren, and Winterton in favor. Council Member Sewell was excused.