



PROVO MUNICIPAL COUNCIL

Work Meeting Minutes

12:00 PM, Tuesday, August 07, 2018

Room 310, City Conference Room

351 W Center St, Provo, UT 84601

Agenda ([0:00:00](#))

Roll Call

The following elected officials were present:

- Council Chair Gary Winterton, conducting
- Council Vice-chair David Harding
- Councilor George Handley
- Councilor George Stewart
- Councilor David Sewell
- Councilor David Knecht
- Councilor Kay Van Buren, arrived 12:05 PM
- Mayor Michelle Kaufusi, arrived 12:05 PM

Prayer

The prayer was given by Dixon Holmes, Economic Development Division Director.

Approval of Minutes

July 10, 2018 Work Meeting

July 17, 2018 Joint Meeting with the Provo Housing Authority

July 26, 2018 Joint Meeting with Orem Council

Approved by unanimous consent.

Business

1. A discussion on the bond election for the Provo City Center. (18-073) ([0:03:30](#) and [4:33:44](#))

Wayne Parker, CAO, expressed appreciation for the Council's decision process. Mr. Parker outlined the operations & maintenance costs (O&M) that had been prepared at the Council's request. Operating costs were defined at an annual per square foot amount (utilizing industry standards for office buildings of given ages, including costs for utilities, routine and preventative maintenance, as well as factoring inflation). In order to provide fair comparisons, the options were prepared to reflect equal square footage in year 21, then forecasted 50 years. The net present value (NPV) calculation was applied to provide the data in 2018 figures. Dan Follett, Finance Division Director, outlined the NPVs for each option:

- Option 1: \$137,763,351
- Option 2: \$131,917,299
- Option 3: \$127,175,609

Councilors shared comments and questions, with responses supplied by members of the Administration:

- Satellite city departments such as Public Works and Parks Maintenance would remain separate from the main city center complex.

- Mayor Michelle Kaufusi shared that much of the City’s organizational growth is not from more people in each department, but rather as a result of departments utilizing evolving technology to provide better city services.
- Councilor George Stewart did not feel that the City would need much more space.
- Councilor David Sewell noted that Salt Lake City, with a population 50% greater than Provo, has a much larger Council staff. Mr. Sewell said that he found the work of being a City Councilor very demanding while also holding a full-time job; as that burden continues to grow, it is possible the Council would need more staff at some point in the future.
- Councilors shared questions and comments about maintenance and equipment costs, as well as refurbishments with the various options. Operations and maintenance (O&M) costs would be higher for an older building and systems; a newer building would utilize more sustainable and efficient elements, so resulting maintenance and utility costs would be lower.
- Because construction costs escalate faster than inflation, Mr. Parker expressed that if a new space were needed, the City would be better off financially in building it sooner.
- Both options 1 and 2 intended that additions would occur as new standalone structures.
- Councilor David Knecht suggested that the addition for option 1 could be built and leased out until the City needed it for expansion. Building the addition immediately would introduce tremendous cost savings, although it would increase the amount the City would bond for in 2018.
- Councilors asked for clarification regarding the space needs analysis and resulting figures.

Cliff Strachan, Council Executive Director, asked whether the Council would like to continue to another topic and resume the discussion after staff could run some updated models. Mr. Strachan clarified that the intention of this meeting was to answer the questions of the Council and to offer an opportunity for Council to propose an option for the bond language resolution at the evening meeting. Councilor David Harding was not comfortable with making a selection for the option during the Work Meeting, as he preferred to take public comment before the Council made a decision.

Councilors continued to discuss the options and shared comments regarding the locations:

- Councilors discussed the redevelopment potential of the current City Center block. Parking was an important consideration in the discussion, though Mr. Parker noted that the parking needs of the public safety departments was very different than the other city administration.
- Councilor George Handley felt that location was critical to the decision and it was important to understand the implications of each option for the future and what Provo was creating in the City.
- Mr. Harding shared enlightening statistics from a 2005 study on county seats, comparing the economic output and vitality of those with government offices downtown versus those that did not; the study suggested that having government offices located in a downtown area was helpful to the economic potential and offerings of the downtown. Mr. Harding felt that recent revitalization efforts in the downtown area have been successful and that the City offices would be an important continuing element in that.
- Councilor Kay Van Buren suggested that removing the City offices from downtown might have a negative impact on the downtown area.
- Mr. Knecht was interested in getting data traffic counts for City Center visitors.
- Mr. Strachan noted that government offices have been frequently used by cities to reinvest in different locations—such facilities represent a commitment to investment and bring daytime traffic. Locating a government office in either location would result in a benefit to that area.
- Councilors were curious whether the benefit to downtown would be greater than the benefit to the East Bay area. Councilors also recognized the opportunity to create more energy in downtown.
- Mr. Stewart felt the mall offered important timing considerations; a new public safety facility would be ready about 24 months sooner and the City could be more sure of the costs as inflation

and construction costs continue to rise. He felt the benefit was faster, less disruption would be felt, and that the cost of the facilities was surer in going with the mall option.

- In option 3, the public safety facility would most likely be finished earlier than the rest of city hall; 24 months was a reasonable assumption for the timing of the public safety component.
- Mr. Stewart noted that option 1 for a bond of \$44 million included a future possibility of \$4 million coming back to the city as a result of the city center block being sold later on, versus the \$68 million total for option 3.
- Mr. Handley noted that there was a greater swing in the focus groups and survey conducted by Y2 Analytics for option 3 once residents became more informed about the needs. He was concerned that the public may not feel that options 1 and 2 were worth the price tag.
- Mr. Knecht was interested to know whether option 1 would be both the lowest up front and lowest cost over time, as that consideration would make a difference in his view.

Mr. Winterton indicated that the Council would return to continue the discussion later on in the meeting.

2. A discussion on a Rules Committee proposal regarding amendments to the Council Handbook and Provo City Code (18-078) ([1:01:30](#))

Brian Jones, Council Attorney, presented on the proposed changes. The Rules Committee had explored these changes and met with the Administration to obtain their feedback, prior to making this proposal.

Mr. Jones outlined the proposed changes to the Provo City Code section 2.50 on Council committees:

- Added definition of ‘councilor’
- Repealed and replaced previous section with a citation of the State code provision about the Council’s ability to appoint committees
- Added what items should be decided when the Council creates a committee
- Added additional clarifications where needed

The proposed changes also required changes to the Council Handbook, which Mr. Jones outlined later on.

Councilors shared comments on the proposal. Mr. Sewell noted that the proposal kept the ability for a committee to ask private citizens to assist and provide counsel as needed as non-voting advisors. Mr. Harding suggested reviewing the Council’s current committees against the City Code update. Mr. Knecht noted that the Housing Committee was comprised of 3 Councilors with a panel of private citizen advisors who were asked to attend fairly regularly.

Mr. Parker felt this language solved the previous issues that the Administration had highlighted and appreciated the opportunity to participate in the discussion.

Mr. Jones clarified that the intent with these changes was to give more flexibility and not less. In a prior handbook revision, there was an artificial distinction between three types of committees which had no basis under State law. This proposal would remove those artificial distinctions and clarify the process when the Council creates a committee. Mr. Jones clarified his interpretation of State statute with regards to the role and purpose of Council committees, noting that Mr. Parker’s interpretation differed from his.

Mr. Jones reviewed the changes to the Council Handbook, many of which were made to bring the handbook into conformance with the City Code. The Handbook changes included:

- Addition of a simplified version of Robert’s Rules of Order (created by the State Attorney General’s Office for reference purposes)
- Addition of practice pointers
- Appendix listing references of previous research by staff on the application of specific rules

- Restatements of Robert's Rules have been taken out/relocated to the practice pointers list
- Rules Committee recommendation: new rule stating that if the Council has voted on when an item will be heard, the item cannot be removed from the agenda prior to the public comment and presentation, unless it is requested by the item's sponsor in writing, or if in a public meeting the Council has voted by motion to postpone the item indefinitely or to move the item to a different date certain. If the Council were the sponsor of an item, it would require a majority of the Council to act as the sponsor in this situation.

Motion: George Stewart moved to place the Code changes on a future Council Meeting agenda and to approve the Handbook changes. Seconded by Kay Van Buren.

Roll call vote: Approved 7:0.

Motion: George Stewart moved to place the code changes on the consent agenda for the August 21, 2018 Council Meeting. Seconded by Kay Van Buren.

Roll call vote: Approved 7:0.

3. A presentation on the Sewer Metering Study (18-052) ([1:32:30](#))

Dave Decker, Public Works Director, presented on the City's wastewater meter system and shared an update on the metering study conducted over the last 3-4 months. Mr. Decker noted the wastewater treatment plant siting study and additional geotechnical studies were underway or had been recently completed. Mr. Decker explained that at the present time, it was too soon to determine specific technologies which might be employed in a new treatment plant, but that these would be examined during the process. Mr. Decker also shared details about the Division of Water Quality's invitation to Provo to participate in a study on a regional treatment plant in southern Utah County. Mr. Decker indicated that Provo City would participate in those early conversations, but that their staff have made clear that it was not likely that Provo would pursue this solution. Mr. Decker explained that this study was moving on a parallel track to the City's investigations on other wastewater treatment solutions, but that Provo Bay presented a significant physical barrier between Provo and other south Utah County cities, making the possibility and likelihood of a viable regional treatment plant considerably more difficult for Provo than for other cities involved.

Gary Calder, Water Division Director, presented on the Collection System Monitoring results and history of Provo's sewer system. Mr. Calder distributed a list of terms and definitions to the Council as a reference point. There are about 300 miles of sewer main lines in Provo's streets, some dating back to 1910, even earlier than the treatment plant. Mr. Calder explained that the most recent master plan was completed in 2010, and as a reference point it did not include Lakeview Parkway and the new Provo High School, both of which represent major impacts on the collection system in west Provo.

Mr. Calder outlined the methodology for the sewer system metering study. Meters were placed strategically in order to collect the most data possible for a basin and sub-basin. Rainfall events have also been illustrated to demonstrate how outside forces affect the sewer system. Throughout the presentation, Mr. Calder responded to questions from Councilors and offered clarifications on aspects of the metering study. Mr. Calder showed historic data from the last several decades, noting that there were lower per capita flows at present than in the 1990s. Mr. Calder attributed this change to several possible factors, including better pipes, a closed-circuit TV truck for monitoring the sewer lines, droughts, and better tracking and control of inflow and infiltration (I&I). I&I has one of the largest effects on a pipe system, and can result from aging pipes or older homes in which a sump pump connects to the sewer rather than the storm drain as it should.

Mr. Calder explained that sewer capacities must be very carefully handled and monitored, because unlike water systems, sewers utilize a gravity flow and there are no check valves to prevent backflow into residents' homes. A lift station lifts sewer contents upwards and moves the contents into a gravity system.

Mr. Calder explained that a sewer system capacity deficiency is identified as any point when the peak daily flow in the pipe was greater than 75% of the pipe's full flow capacity; a buffer of 25% is kept for storms and other contingencies. Public Works was concerned where the rise was between 75% and 100%, as there was not additional capacity for those areas if the system were to overflow. To help address I&I issues, Public Works plans to employ a technology to fit pipes with a fiberglass lining. Based on the monitoring, staff can identify a section of pipe to model and define what problems exist with I&I.

Mr. Calder also outlined some bottlenecks of the sewer system on the west side, noting differences between the forecasted development potential in the master plan and actual development constructed or approved since the master plan. Mr. Calder and Mr. Decker addressed several projects throughout the City (including Broadview Shores, the Mix, and Provo High School), noting where projects had been factored in and where the metering study highlighted previously unforeseen issues. Mr. Decker clarified that the City has not exceeded capacity on the west side, but that it is a critical issue. Mr. Decker noted that it was important to understand for rezone requests where the City has capacity and where there is insufficient capacity, and to try and move the capacity or future development away from lines with issues. Public Works has identified CIP projects which could be completed to alleviate the stresses on the areas of the system which are experiencing full-capacity usage. The sequence of these projects is somewhat related to the location of a treatment plant. The capacity issues would need to be addressed relatively quickly, and projects solving existing deficiencies would not be eligible for impact fee use, however projects contributing to new lines may be partially eligible for use of impact fees. Mr. Decker explained that Public Works could return with more detail on projects that needed to be done on the west side to delay or solve capacity issues.

Mr. Decker noted that there had not been a challenging flood or rain event which challenged I&I figures during the monitoring period, so 2011 peak flows have been used to project I&I impacts to the system. A consultant with Horrocks Engineers explained that the sections currently at 75% were also concerning, as these sections have reached the recommended maximum capacity from the master plan. Mr. Decker responded to several questions from Councilors clarifying aspects of the study and Public Works' review of development proposals. Mr. Decker indicated that Public Works staff were continuing to analyze the monitoring study results to determine next steps. *Presentation only.*

4. A presentation on Utah's Housing Gap (18-070) ([2:24:50](#))

Brynn Mortensen, Salt Lake Chamber of Commerce Public Policy & Special Projects, presented on Utah's Housing Gap. Ms. Mortensen noted that the Salt Lake Chamber is the State of Utah's main Chamber of Commerce organization, representing 12,000 businesses across the state and 74 local chambers of commerce organizations. Ms. Mortensen and other Chamber staff have been working with local municipalities to present on this critical issue. Several years ago, the Chamber was being approached frequently by business leaders saying that their employees could not find a place to live. Ms. Mortensen highlighted that housing affordability across the whole housing market, not just affordable housing, was a critical need in Utah.

Ms. Mortensen highlighted a landmark study examining Utah's housing market in the Gardner Business Review, "What Rapidly Rising Prices Mean for Housing Affordability." For the first time in 40 years, there are more households than available housing units—with insufficient supply to meet demands, housing prices are increasing. The State of Utah is home to the 4th fastest growing housing prices in the country since 1991 and leaders across the state are concerned about pricing out their citizenry. In 26 years, a conservative estimate predicts the average home price will be more than \$700,000. With swiftly increasing housing costs, many essential community members such as schoolteachers, firefighters, nurses, etc. cannot afford to live in the communities where they work. Ms. Mortensen explained that a first-year teacher can afford 1% of the housing market, and a teacher who has been teaching for 10 years can afford about 12% of the housing market.

Ms. Mortensen highlighted factors impacting increased housing costs:

- Housing shortage
- Construction and labor costs
- Local zoning ordinances and NIMBYism (“not in my backyard”)
- Land costs and topography of Wasatch front counties
 - How to rezone to make land use more effective
- Demographic and economic growth
 - Utah has the highest proportion of economic growth in the nation since 2010.

Ms. Mortensen explained that the Chamber has had great success bringing together leaders from academia, businesses, and local government to participate in the Housing Gap Coalition. Steve Starks, President of the Utah Jazz, has suggested that this is one of the greatest economic threats to the state. The Housing Gap Coalition would be visiting every city council across the Wasatch Front in the next 6 months to get this message out to local municipalities. They encouraged cities to examine their General Plan, update their Moderate Income Housing Plan, and to plan smart so that when developments were ready to come in, the city would be ready to receive them. Ms. Mortensen highlighted other partnerships that the Housing Gap Coalition was forming, including market research from Y2 Analytics examining Utahans’ perspectives on related issues and plans for an education and awareness campaign. Ms. Mortensen asked Councilors for their thoughts and concerns which the Coalition should consider when meeting with the Legislature and other local officials.

Councilors shared comments on the presentation and on their concerns and feedback:

- Mr. Knecht highlighted Provo’s work in considering inclusionary zoning and community land trusts, which have been effective tools in Park City. The City has also been reexamining accessory apartments. Provo officials were interested in how to encourage other cities to do more. A regional approach that would promote collaboration and growth across the County and valley were critical. Mr. Knecht also noted that the Legislature’s approach has been to punish rather than incentivize and perhaps that could be shifted to better support communities moving in the right direction.
- Mr. Handley asked about the Coalition’s approach to NIMBYism for the public education campaign. Ms. Mortensen said they were in the process of analyzing the results of the Y2 Analytics market research, which would inform the educational campaign.
- Mr. Winterton supported a collaborative approach where everyone could be involved.

Ms. Mortensen expressed that they have already seen changes and differences where they have been able to visit with local officials. For instance, a city had 1-acre lots zoned, but have since reduced their requirements to permit two lots on a three-quarter-acre parcel. Ms. Mortensen highlighted the importance of bringing awareness to cities and then to the general public. Ms. Mortensen highlighted legislation in California and Seattle that the Coalition hoped to avoid in Utah, which was another reason they have made a huge effort to involve all cities in working together. Ms. Mortensen invited Councilors to the Housing Gap Coalition’s quarterly meeting, where they could continue their involvement. **Presentation only.**

5. A discussion on a draft of the Environmental Assessment (EA), Land and Water Conservation Fund (LWCF) for the Timp-Kiwanis/Bounous property conversion (17-036) ([2:53:00](#))

Scott Henderson, Parks and Recreation Director, presented. Mr. Henderson outlined previous steps in the process to date, noting that a public hearing would be held at the August 21, 2018 Council Meeting. Following the hearing on the Environmental Assessment draft, the EA would be submitted to the National Park Service for review. If approved, then the Council would make a decision on the disposition of this property. For the mitigation of the property, Parks and Recreation staff were motivated to find a property that would transform Provo and fill a need in the community. Of several potential sites identified, one in

particular accomplishes these goals and would be the site of a proposed regional sports park. Ron Clay, consultant on the mitigation process, explained several benefits of the proposal:

- Boundaries and property encroachments will be tidied up by this process
- Bring Provo City into section 6(F) compliance
- Bring Timpview High School into compliance with Title IX
- Potentially provide an opportunity to rebuild and expand Timpview High

Mr. Clay and Mr. Henderson outlined other alternatives investigated as part of the process:

- No action
 - Would not fix the issues noted above
- 11 potential ballpark locations
 - Identified by FFKR Architects as potential ballpark sites for both the girls' softball and boys' baseball fields for the Provo School District
- 3 potential new sites for replacing Timp-Kiwanis Park
 - Sites identified in Grandview, east Provo, and southwest Provo
- Sharing baseball/softball field
 - Different field sizes and configurations, scheduling difficulties, etc.
- Scheduling the baseball field to be shared with the public
- Potential of sharing the Edgemont Elementary field
 - Inadequate space and not an ideal mixing of student age groups

Mr. Handley asked about the scheduling of the baseball field to be shared with the public. Stefanie Bryant, Provo School District Business Administrator, explained that the baseball field was primarily used by the school, with occasional community use at the request of the Timpview baseball coach.

Mr. Clay outlined the process for mitigating the proposed replacement site in west Provo and building a regional sports complex. Environmental considerations and mitigation techniques for the property included:

- Cultural resources and Native American artifacts
 - Work with State Historic Preservation Office to mitigate impacts
- Wetlands
 - Work with Corps of Engineers to secure a section 404 permit to pipe ditches
- Potential Ute Ladies' Tresses wildflower habitat
 - Perform annual surveys of the habitat and presence of these wildflowers
- Floodplain
 - Move existing dike to east property boundary

A public hearing would be held at the August 21, 2018 Council Meeting regarding the environmental assessment, after which another hearing and resolution would be scheduled at the September 11, 2018 Council Meeting.

McKay Jensen, School Board President, shared the School Board's intent to preserve public green space at the Timp-Kiwanis Bounous Park. Mr. Jensen expressed that the Board did not anticipate building on the park, but they may use some of the space for staging should Timpview High School be rebuilt.

Mr. Henderson explained that Parks and Recreation planned to expedite a proposed Canyon Road park through the CIP process as a higher priority neighborhood park, in order to add another neighborhood amenity along with the continued green space at Timp-Kiwanis Bounous Park. ***Presentation only.***

Policy Items Referred from the Planning Commission

6. A discussion on an ordinance amending Provo City Code regarding allowances and requirements of home occupations. Citywide impact. (PLOTA20180109) ([3:23:47](#))

Brian Maxfield, Planning Administrator, presented. Mr. Maxfield explained that there had been two versions of the ordinance amendments which were circulated and deferred to Mr. Jones on clarification between those drafts. Mr. Jones highlighted the discrepancies between the drafts and he explained the miscommunication which resulted in the two versions. He outlined several courses of action that the Council could take moving forward.

Mr. Sewell was concerned that the Planning Commission had reviewed a draft which did not include proposed substantive changes. While the Executive Summary included those changes, the actual draft text had omitted those updates. He proposed, if the Council were amenable, to consider the original draft that the Council had discussed in April—this version matched what was presented in the executive summary, and it had been well-vetted and received considerable feedback from community stakeholders, neighborhood chairs, and the public.

Motion: David Sewell moved to make the April draft the implied motion for the August 7, 2018 Council Meeting. Seconded by George Stewart.

Councilors shared comments on the two drafts; several Councilors felt that it was a more diplomatic gesture to return the April draft ordinance to the Planning Commission for a complete and thorough review.

Amended motion: Mr. Sewell amended his motion to send the original [April Work Meeting] draft back to the Planning Commission. Seconded by George Stewart.

Councilors discussed whether the additional technical changes should be considered by the Planning Commission, along with the substance of the April draft. After some discussion on this point, Gary McGinn, Community Development Director, indicated that staff could implement the definition and technical changes that the Planning Commission has already considered into the April draft, to be considered together by the Planning Commission. This could be placed on the next Planning Commission agenda and would return to the Council's first meeting in September.

Roll call vote: Approved 7:0.

7. A discussion on an ordinance text amendment to Sections 14.10.40 (Lot Width) and 14.10.45 (Lot Depth) to decrease the required minimums for R1 Single-family zones. Citywide application. (PLOTA20180063) ([3:37:29](#))

Robert Mills, Planner, presented. Mr. Mills explained that in many municipalities, there is not a lot depth requirement, but amendments to the lot width portion of the zoning code were concerning to the City Planning staff—this has a significant impact on the rhythm and feel of a neighborhood, as well as the density. The lot width requirements control density greatly, as well as impact parking and safety concerns (lot width affects available on-street parking, driveways are closer together, etc.). Lot width is also a residential design standard consideration. Staff recommended partial approval to the Planning Commission—that the lot depth amendments be approved, but not those to the lot width section. The lot depth requirement changes somewhat based on the individual lot's depth, but it allows more versatility. This change would not make any adjustments to the required minimum lot area. Staff saw an advantage in allowing more flexibility with the lot depth requirements, however changing lot width requirements would have a much greater impact and would result in greater changes to the character of Provo's neighborhoods. Lot depth would still be governed by front and rear setback requirements.

Mr. Jones clarified that the ordinance for the implied motion reflected the original language proposed by the applicant, which would make changes to both lot depth and width. If it were the Council's preference to have the implied motion apply the Planning Commission's recommendations, then the Council could make such a motion either during the Work Meeting or in the Council Meeting that evening. Mr. Jones noted that the Planning Commission also recommended changing the R1.6 zone lot depth requirements.

Motion: George Stewart moved to substitute the Planning Commission's recommendation for the implied motion at the August 7, 2018 Council Meeting. Seconded by David Knecht.

Mr. Van Buren asked if this change would permit the applicant to subdivide their property in the manner they wanted. The applicant would not be able to subdivide the property into 3 lots but the applicant could substitute into 2 lots, which they said would still meet their needs.

Mr. Harding's preference was to start with the applicant's version and during the meeting to state the intent and then make the change during the meeting. Mr. Knecht suggested the presentation could highlight the applicant's original request and the distinction between that version and the implied motion.

Roll call vote: Approved 6:1, with David Harding opposed.

8. A discussion on a rezone request located at 1138 N Geneva Rd, from A1.5 to R1.6PD for approximately three acre, to allow for a twelve-lot subdivision (Lakeview Meadows). Lakeview North neighborhood. (PLRZ20180089) ([3:49:05](#))

Robert Mills, Planner, presented. The applicant has requested to rezone a property in northwest Provo from A1.5 to R1.6PD. The rezone would allow the applicant to develop 12 single-family homes on 3 acres. Staff reviewed the applicant's proposal and have identified concerns with the outstanding sewer issues and the interpretation of density on the west side. In this case, the applicant wished to move forward despite those unresolved issues. Staff recommended continuing the rezone to a future date as yet undetermined, to allow time for the sewer and density concerns to be resolved. The Planning Commission recommended approval.

Gary McGinn, Community Development Director, highlighted the assumptions under which Community Development and the Planning Commission had been operating; staff and the Planning Commission were making their best recommendations based on what information was currently available. The Council had a presentation earlier in the meeting regarding the sewer capacity on the west side, which is more current information that illustrates in more detail the current situation. Previously, for the last couple of years, Community Development had operated under a rule of thumb that there were about 600 additional sewer connections that the west side had sufficient capacity to service.

With the more recent information from Public Works presented earlier in the meeting, the situation and outlook has changed as information has become more refined. Mr. McGinn noted that the Planning Commission viewed this proposal in the context of a 12-home subdivision among 600 remaining connections. One of the challenges with the anticipated 600 connections was the methodology by which Community Development should apportion those—should they be first-come, first-served, should they reserve some connections for potential key commercial nodes on the west side, etc. Staff now have updated information with which to analyze applications and make recommendations. For this particular proposal, Community Development staff recommended continuing the rezone to a future date, as it would be difficult to predict the tipping point for sewer connections while there were larger citywide sewer issues to resolve.

Gary Calder, Public Services Division Director, explained the implications for the sewer infrastructure which would service the area where this rezone was proposed. Mr. Stewart felt it critical to receive input

from Public Works on the proposal and related concerns. Other Councilors shared comments as well to this effect and how the issues might be resolved. Brian Maxfield, Planning Administrator, clarified that the sewer issues could have been alleviated by running a sewer line under the highway, but it was decided to build a new treatment plant rather than do that. Public Works will come back with short-term and long-term solutions and proposals. Councilors and Community Development staff discussed the costs associated with single-family residential development and how this relates more broadly to the topic of affordable housing.

Mr. Jones highlighted several sections of the Broadview Shores development agreement, which stated that the City was not obligated to approve more than 200 sewer hookups. Another section addressed a lift station. Community Development staff explained that the first phase of Broadview Shores had about 80 units and with the units from the second phase, the total was still under 200 units. ***Presentation only. This item was already scheduled for the August 7, 2018 Council Meeting.***

9. A discussion on a proposed General Plan Amendment to adopt the Maeser Neighborhood Plan. (PLGPA20180201) ([4:08:19](#))

Dustin Wright, Planner, presented. Mr. Wright highlighted opportunities in the Maeser Neighborhood Plan for redevelopment and land use goals. The neighborhood has an asset in its commercial core, however it is in need of some revitalization. The neighborhood hopes to make 300 South a more inviting and inclusive gathering space in the neighborhood, rather than a barrier. The neighborhood also has an asset in the bus rapid transit route along its west boundary on University Avenue. The plan has identified several areas for sidewalks and bicycle lanes to further facilitate active transit. There are many historic homes in the neighborhood and the plan includes elements to help educate residents about the historic district within the neighborhood and educate them about opportunities in conjunction with the historic homes.

Several Councilors referenced a letter from the neighborhood chair regarding a request to add a section regarding implementing form-based code in some areas of the neighborhood. Gary McGinn, Community Development Director, explained that the plan could state a desire for the City to explore the application of form-based code in the Maeser Neighborhood. Form-based code is not concerned with use, so Mr. McGinn noted that implementing form-based code could be a very long and protracted process. ***Presentation only. This item was already scheduled for the August 7, 2018 Council Meeting.***

10. A discussion on an ordinance text amendment to Section 14.10.020(6) to allow commercial uses to operate "only in historic buildings" in the Residential Single Family (R1) Zone. Citywide application. (PLOT20180094) ([4:20:34](#))

Josh Yost, Planner, invited any questions from Councilors on this proposal. Mr. Harding was interested to better understand what prevents a commercial entity from locating in a historic building when doing so would have negative impacts on surrounding residences. ***Presentation only. This item was already scheduled for the August 7, 2018 Council Meeting.***

Council Recess

Following a brief recess, the Council returned to discussion on agenda item 1: A discussion on the bond election for the Provo City Center. (18-073) ([4:33:44](#))

Mr. Parker shared correspondence from Brixton Capital that indicated should the Council choose to move forward with option 1, they would be willing to keep the Sears box available to the Council only without the \$350,000 option until the November election. Mr. Parker and staff shared updated costs for the options, including the suggestion proposed by Mr. Knecht to build and rent additional space at the mall. In response to Mr. Handley's question of whether extra space were really necessary, Mr. Parker highlighted the findings

of the public safety and city center space needs analysis. The mall, at about 135,000 square feet, provided about a 20-year time horizon for the City's space needs, but at 20 years an additional solution would need to address the future space needs. Mr. Parker noted that each option had its own set of pros and cons.

Mr. Handley still had concerns about locating the Public Safety departments and staff at the mall. Police Chief Rich Ferguson expressed that his concerns remained the same from a public safety standpoint; he had spoken with many police commanders and other experts and not been able to find sufficient answers. Fire Chief Jim Miguel shared his positive experiences of having the Fire Department administration located with many of the City's other departments. Chief Miguel expressed several other concerns:

- The dispatch center must be built to a different priority (space, lighting, working conditions) than it has been in the current city center building.
- He was also concerned about the fate of Fire Station #1 and Fire Administration if those facilities remained in their current state; the building systems (HVAC and other systems) run from the main city center building and the potential impacts had not been fully examined.

Councilors asked questions clarifying details of each option. Mr. Parker indicated that option 1 would be the only option that would keep Fire Station #1 in its current location and state.

Councilors discussed the timeline for the decision and the implications of waiting until a subsequent Council Meeting to make a selection for an option and language to appear on the ballot. Mr. Parker indicated that following the Council's formal decision, the City could continue to provide neutral and educational information, but not advocate a specific position or use city money to do so. State statute outlined the specific schedule and process for providing voter information once a decision was made. Mr. Jones explained that with the implied motion, the Council would first need to select which option should appear in the resolution in its final form. This would allow Councilors the ability to express their views on their favored option and vote on their option for the resolution text, after which the Council would then vote on whether to support the entire process in their final vote on the resolution approval.

Motion: George Stewart moved to strike option 2 from the options to be considered and to vote on either option 1 or 3 at the August 7, 2018 Council Meeting. Seconded by George Handley.

Roll call vote: Approved 7:0.

Mr. Harding suggested that a new City Center would be an opportunity to rebrand the City facilities with less confusing and more conventional names. Mr. Jones suggested that if the existing names would result in confusion for a voter reading the ballot, it may be advisable to dictate the specific language.

Motion: David Harding moved to update the resolution bond language to include the terms "police and fire headquarters and emergency dispatch center" and "city hall." Seconded by George Stewart.

Roll call vote: Approved 7:0.

Closed Meeting

11. The Municipal Council or the Governing Board of the Redevelopment Agency will consider a motion to close the meeting for the purposes of holding a strategy session to discuss pending or reasonably imminent litigation, and/or to discuss the purchase, sale, exchange, or lease of real property, and/or the character, professional competence, or physical or mental health of an individual in conformance with § 52-4-204 and 52-4-205 et. seq., Utah Code. *None requested.*

Adjournment

Adjourned by unanimous consent.