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PROVO MUNICIPAL COUNCIL

Redevelopment Agency of Provo

Regular Meeting Minutes

5:30 PM, Tuesday, December 05, 2017
Room 200, Municipal Council Chambers
351 West Center, Provo, Utah

Opening Ceremony

Roll Call

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Council Member David Harding	Council Member David Knecht
Council Member Kim Santiago (via teleconference)	Council Member David Sewell
Council Member George Stewart	Council Member Kay Van Buren
Council Member Gary Winterton	Council Executive Director Clifford Strachan
Council Attorney Brian Jones	Chief Administrative Officer Wayne Parker
Mayor Michelle Kaufusi	

Conducting: Council Chair David Sewell

Prayer – Devin Kaufusi

Pledge of Allegiance – Corbin Kaufusi

Neighborhood Spotlight - Provo Bay Neighborhood ([0:14:40](#))

Cathy Sorensen, Provo Bay Neighborhood Chair, presented the neighborhood spotlight. Ms. Sorensen said she hoped to bring passion and common sense to her new role as neighborhood chair. Ms. Sorensen's primary concern was the growth occurring in her neighborhood. Her intent was to manage the growth the best way possible and make Provo even better than it already was.

Approval of Minutes ([0:18:03](#))

- **October 17, 2017 Council Meeting**
- **November 14, 2017 Council Meeting**

The October 17, 2017 and November 14, 2017 meeting minutes were approved unanimously.

Presentations, Proclamations, and Awards

1 A presentation of the Provology graduates ([0:18:40](#))

Chair Sewell introduced the Provology program and explained it was a nine-week course that was offered twice per year. Participants are given the opportunity to tour city facilities and learn more about Provo.

Chair Sewell presented the following participants with certificates of completion:

Aaron Evenson	Alexis Willhite	Alice Gollwitzer
Chad Helper	Claire Warnick	Clint Wharton
Derrick Peterson	Devin Willie	Emily Angell
Jeff Rose	Karissa Evenson	Logan Moffett
Madison Daniels	Mary Hardin	Mary McChesney
Melissa Hurd	Niles Wimber	Paul Hardin
Rachel Pollock	Sahil Lavingia	Svetlana Wimber

2 A recognition of Provo City Employees ([0:24:54](#))

John Borget, Administrative Services Director, recognized Janene Weiss, City Recorder, for her service to the city. Mr. Borget said an article published in June 2017 appropriately described Ms. Weiss as being humble and reserved. Despite her quiet demeanor, her colleagues would miss her when she was gone. Ms. Weiss would be retiring on December 28, 2017.

Mr. Borget said Ms. Weiss began her employment with Provo City in 1984 and served the city in various departments and roles, including: Parking Cadet, Police Dispatcher, Budget Analyst, and City Recorder. He said being City Recorder was not an easy job. In addition to taking minutes at Council Meetings, she was also responsible for municipal elections, GRAMA requests, and city contracts.

Mr. Borget read several complimentary quotes from Ms. Weiss's colleges, including former Mayor, John Curtis. It was clear that Ms. Weiss was admired by many. Mr. Borget said she had made everlasting contributions to the city and would be greatly missed.

On behalf of the council, Chair Sewell also voiced appreciation for Ms. Weiss's service. He said she had been great to work with and always conducted herself in a kind and professional manner.

Next, Chair Sewell said while he was serving as Acting Mayor, a resident requested to speak with him to share a positive interaction he had with Provo Police Department. The resident asked that the following individuals be recognized:

Sergeant Robert Patrick	Officer Paul Shade	Officer Robert Campbell
Officer Travis Bushman	Sergeant Nisha King	Officer Mark Jackson
Officer Brooke Fox		

The resident said these individuals were kind and professional. He was very appreciative of their service. Chair Sewell was confident the few named were likely representative of the entire Police Department.

Public Comment ([0:33:43](#))

Fifteen minutes had been set aside for any person to express ideas, concerns, comments, or issues that were not on the agenda. Chair Sewell opened public comment, there was no response. Public comment was closed.

Action Agenda

3 A public meeting to appoint an individual to the office of Provo City Mayor to fill the remaining

portion of the unexpired term vacated by Mayor John Curtis until January 1, 2018. (17-132)
[\(0:35:48\)](#)

- **Applicants will be allowed a time-limited statement to the Municipal Council**
- **The Municipal Council may question the applicant and vote on Resolution 2017-56 appointing an individual to the office of Provo City Mayor to fill the remaining portion of the unexpired term vacated by Mayor John Curtis until January 1, 2018. (17-132)**

Chair Sewell said state code required an application and interview process to fill a vacancy, but, since there had only been one applicant, Mayor-Elect Michelle Kaufusi, it was not necessary to conduct a public interview. Chair Sewell invited Mayor Kaufusi to speak.

Mayor Kaufusi said she was looking forward to her next four years in office. She voiced appreciation to the council for their trust and belief in her ability to fill the vacancy.

Motion: Council Member Stewart moved to approve Resolution 2017-56. The motion was seconded by Council Member Winterton.

Mr. Stewart said he was looking forward to working with Ms. Kaufusi and was confident she would do a good job. Chair Sewell and Ms. Santiago also congratulated and welcomed Mayor Kaufusi.

Chair Sewell called for a vote on the motion.

Roll Call Vote: The motion Passed 7:0 with Council Members Harding, Knecht, Santiago, Sewell, Stewart, Van Buren, and Winterton in favor.

4 Administration of the oath of office to the mayoral appointee [\(0:41:15\)](#)

The Oath of Office was administered to Mayor Michelle Kaufusi by Janene Weiss, City Recorder. Following the oath, Mayor Kaufusi signed the Oath of Office and the audience gave a standing ovation.

Mr. Stewart invited Mayor Kaufusi to take her seat on the dais with the council and administration. Chair Sewell explained that according to state code, the mayor was welcome to speak freely in council discussions.

5 Resolution 2017-57 accepting a Provo City Audit Report and Comprehensive Annual Financial Report for the fiscal year ending June 30, 2017. (17-134) [\(0:43:44\)](#)

Motion: An implied motion to approve Resolution 2017-57, as currently constituted, has been made by council rule.

John Borget, Administrative Services Director, presented the Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2017. Mr. Borget said that the CAFR was reviewed in more detail during the work session, earlier in the day. For the benefit of the public, he gave a brief overview of the report. He said an audit of Provo's financial statements was conducted by Hansen, Bradshaw, Malmrose & Erickson, an independent accounting firm. Mr. Borget said the goal of the audit was to provide reasonable assurance that the financial statements are representative of the city's financial position in all material respects. Based upon the audit, the firm concluded the report was satisfactory.

The CAFR included a transmittal letter that summarized the scope of the report. One of the sections in the transmittal letter outlined major initiatives taken on by the city. Mr. Borget explained that one of the major initiatives during the year had been implementing a city-wide software system known as the Provo 360 Project. He said there had been much progress with the project implementation. On June 26, 2017, the finance department was able to begin using the new software. Modules for other departments would be completed in 2018. He said overall, the project was going well.

Mr. Borget explained that the Government Finance Officers Association (GFOA) had given Provo City a Certificate of Achievement for Excellence in Financial Reporting for the CAFR for the fiscal year ended June 30, 2016. The certificate is awarded annually and he would be submitting the current report to GFOA for consideration.

Mr. Borget acknowledged several employees in his department who had dedicated countless hours to the report and provided outstanding service.

Chair Sewell opened the item for public comment, there was no response.

Mr. Stewart thanked Mr. Borget and his staff for their efforts.

Chair Sewell called for a vote on the implied motion.

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

Recess as the Municipal Council and convene as the Redevelopment Agency.

Motion: Council Member Van Buren made a motion to adjourn as the Municipal Council and convene as the Redevelopment Agency. Council Member Harding seconded the motion.

Chair Sewell called for a vote on the motion.

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

Redevelopment Agency of Provo

- 6 Redevelopment Agency Resolution 2017-RDA-12-05-1 approving the appropriation and budgeting of \$3.8 million to purchase the property located at 57 West 500 South in Provo and to loan an additional \$2.2 million to Intermountain Farmer's Association to purchase the property at 898 South University Avenue in Provo. (17-141) ([0:53:06](#))**

Motion: An implied motion to approve Redevelopment Agency Resolution 2017-RDA-12-05-1, as currently constituted, has been made by council rule.

David Walter, Redevelopment Director, presented the resolution. Mr. Walter said that Intermountain Farmer's Association (IFA) owned a building at 57 West 500 South in Provo and the building was about 10,000 square-feet and had become too small for their business. The former Office Max building at 898 South University Avenue became available for purchase and was nearly double the size of their existing building. IFA entered into a purchase agreement with the owner of the former Office Max building but needed some assistance from the Redevelopment Agency to complete the transaction. Mr. Walters described the key points of the request:

- Provo Redevelopment would purchase the property at 57 West 500 South for \$1.6 million.
- Provo Redevelopment would provide a five-year loan of \$2.2 million, to assist IFA with the purchase of the building at 898 South University Ave.
- Monthly payments of approximately \$11,600 would be made by IFA, with a balloon payment of roughly \$1.9 million due at the end of the fifth year of the loan.

Mr. Walter noted there were other parties interested in redeveloping the entire block where the existing IFA building was located; owning the property could allow Provo the opportunity to participate in the redevelopment efforts.

Chair Stewart opened public comment.

Teri McCabe, Franklin Neighborhood Chair, said IFA's current building was adjacent to her neighborhood and she agreed that they had outgrown their current building. She offered her neighborhood's assistance with redevelopment efforts for the property at 57 West 500 South.

Mr. Winterton said there was a historic building located on the existing IFA property and asked Mr. Walter to provide additional information. Mr. Walter said the building Mr. Winterton referred to a smaller building located to the rear of the property. In the past, different vendors would use the building for temporary events, such as pop-up shops and art galleries. He said redevelopment could decide to continue using the smaller building to host temporary events, or they could choose to utilize it as part of a larger redevelopment effort. He noted that one developer had already approached him about the possibility of redeveloping this and other properties on the block. One possibility was turning the property into a daycare center for female entrepreneurs who worked in the nearby Startup District. Mr. Walter clarified the building was not on the National Registry of Historic Places.

Chair Stewart asked if there were any other comments, there were none. He called for a vote on the implied motion.

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

Adjourn as the Redevelopment Agency and reconvene as the Municipal Council.

Motion: Board Member Knecht made a motion to adjourn as the Redevelopment Agency and reconvene as the Municipal Council. Board Member Harding seconded the motion.

Chair Sewell called for a vote on the motion.

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

Action Agenda

7 Ordinance 2017-54 amending Provo City Code to update public works standards to meet 2018 criteria. City-wide Impact. (17-0022OA) ([1:01:13](#))

Motion: An implied motion to approve Ordinance 2017-54, as currently constituted, has been made by council rule.

David Day, Development Engineering Coordinator, presented the ordinance. He said this was an ordinance amendment to update public works standards to meeting 2018 criteria.

Chair Sewell opened public comment, there was no response.

Chair Sewell asked if any council member wished to hear the request again at their next meeting but everyone was prepared to vote without rehearing the item.

Chair Sewell called for a vote on the implied motion.

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

8 Resolution 2017-58 adopting the Provo City Strategic Parking Management Plan for decision making and policy formation in regards to parking management within Provo City. (17-126) ([1:03:10](#))

Motion: An implied motion to approve Resolution 2017-58, as currently constituted, has been made by council rule.

Clifford Strachan, Council Executive Director, provided an overview of the resolution. One year earlier, council held a retreat where they were presented with a report form an independent consultant regarding the parking master plan. Over the year different efforts had been made to see how the plan could apply to Provo. As a result, council was being presented with a condensed version of the Strategic Parking Management Plan. Mr. Strachan said the goals and visions were reviewed during work session earlier in the day. Some amendments had been made and council was presented with the amended draft.

Chair Sewell opened public comment, there was no response.

Matthew Taylor, Parking Administrator, provided further clarification. He said council was considering just the first two chapters of the plan. Mr. Taylor added there had been several discussions over the past few months where they reviewed the eight guiding principles of the plan. He noted these discussions could be found online for public reference.

Mr. Stewart referenced the second guiding principal which said parking enforcement would work closely with Community Development. He said it was his understanding that Mr. Taylor would be part of the

Community Development Department. Mr. Taylor confirmed he would be transitioned to the Community Development Department and said he would amend the text of the principle to accurately reflect this.

Mr. Harding wanted clarification on what council would be adopting by approving the resolution. He wanted to be sure they were not adopting the appendices because he wanted to make some suggestions regarding the organization. Mr. Taylor provided a 13-page document to council which would serve as the exhibit for the resolution. This document included a table of contents for the entire plan, not just chapters one and two, Mr. Taylor suggested they redact all other items from the table of contents to prevent confusion. Mr. Harding felt this would be helpful.

Motion: Council Member Harding made an amended motion to adopt Exhibit A as the Strategic Parking Management Plan with the table of contents, after Chapter 2, redacted. Council Member Knecht seconded the motion.

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

9 Ordinance 2017-55 amending Provo City Code related to the Provo City Neighborhood program and clarifying sections related to City Boards. (17-138) ([1:11:55](#))

Motion: An implied motion to approve Ordinance 2017-55, as currently constituted, has been made by council rule.

Clifford Strachan, Council Executive Director, presented. Mr. Strachan said the Neighborhood Program Review Committee, consisting of several council members, had been working on these clarifications for over a year. Mr. Strachan summarized the following proposed changes:

- Include the name of the program in the title of the code.
- The board would consist of nine-members; five area representatives, three council members, and others as recommended by council.
- Clarifications to the purpose of the program.
- Establish specific duties of the program.
- Allow the possibility of a vice-chair as an area rep.
- Clarify steps of the matching grant review process.

Mr. Knecht was concerned that sometimes Neighborhood Chairs are threatened with lawsuits for doing their jobs as chairs He wanted to address this in the future and hoped to be able to provide assurance to Neighborhood Chairs.

Chair Sewell opened public comment, there was no response.

Chair Sewell said he felt comfortable with the changes Mr. Strachan described.

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

10 Public Comment on the Rocky Mountain University proposal to build a medical school on a portion of the East Bay Golf Course (17-136) ([1:19:51](#))

Wayne Parker, Chief Administrative Officer, introduced the proposal. He said Dixon Holmes, Economic Development Director, would present the latest proposal, which he felt was responsive to concerns from the council and public. Then, Scott Henderson, Parks and Recreation Director, would provide an update on the status of the golf course and how the proposal would impact operations at the golf course. Mr. Parker said the applicant, Wasatch Educational, was also available to share their perspective.

Mr. Holmes had copies of the parcel map and proposal available for the public on a table in the back of the room. He said this was the second meeting of the council and the public. He noted the proposal displayed was not the agreement, it was just a proposal. He said if there was a decision to proceed with building a medical school on the golf course, council would be asked to do two things: First, council would surplus a portion of the golf course for the medical school. Second, council would authorize the administration to finalize an agreement between Provo City and Wasatch Educational.

Mr. Holmes directed attention to a map that provided an overview of the area being discussed. He identified several key areas: Nature's Sunshine, the retention pond at the golf course, the northern wedge of the golf course, and the southern wedge of the golf course. The map identified the development of the land in stages over the next 15 years.

Mr. Holmes said there had previously been a proposal with the Boyer Company for a project referred to as the Southgate Project, which would have been anchored by Target, Kohls, and several other retailers. In 2008, Provo rezoned a portion of the golf course to SC3, and when the project fell through, it was never changed back to PF.

Mr. Holmes reviewed Wasatch Educational's proposal section by section, beginning with the Nature's Sunshine parcel ([01:26:56](#)). For this parcel, the Redevelopment agency would create a Community Development Area. This would allow the purchase price to be earned back through tax increment financing for a minimum period of 12 years.

Next, Mr. Holmes reviewed the Detention Pond parcel ([01:30:50](#)). The first step would be for the city to determine whether the entire pond was needed for storm water runoff. If it was determined that we could reduce the size, the city would work with the Corps of Engineers to reduce the size of the pond to free up additional property, at city cost. Provo would then transfer approximately 1.6 acres adjacent to Nature's Sunshine parcel as part of the north wedge at no cost.

The Northern Wedge was described by Mr. Holmes as being 21 acres, where holes 10, 11, and 12 were located on the property ([1:32:18](#)). The purchase price would be the cost of relocating three holes to the east side of the golf course, which was sometimes referred to as the Kuhni property. If after the relocation of the three holes and the extraordinary land cost were accounted for, if there were a gap in the valuation, Provo City would seek a process to close the valuation gap. The proposal stipulated that work on the holes would need to be completed and playable before construction could begin on the medical school campus. Because this property was a former landfill, the developer would accept the risk of developing the medical school on a former landfill, but there were certain liabilities that could not be transferred because Provo City would still be in the chain of the title.

The Southern Wedge included 14 acres that Mr. Holmes said Wasatch Educational was interested in ([01:41:52](#)). The proposal included a 50 year right of first refusal that would be triggered by the city receiving an offer to purchase part or all of the golf course, golf leaving the location, and the city declaring the property as surplus (all three must be true). To exercise the right of first refusal, an accredited medical school would still need to be operating on the site. If the property were to be sold,

use would be limited to uses related to the medical school or Wasatch Educational education related programs.

The balance of the course was everything that had not already been described by the proposal (01:47:13). There would also be a 50 year right of first refusal on this balance of the course with the same conditions described for the south wedge.

Mr. Holmes gave his final remarks and encouraged council to make the decision that was best for the city as a whole (1:50:22).

Mr. Stewart wanted to clarify that the proposal was not about golf leaving the city or even the current location. He said the question to be answered was whether council would agree to accept the proposal and move holes 10, 11, and 12.

Mr. Knecht recalled that some of the north wedge was zoned SC3 and wanted to understand why so much of the golf course had been rezoned. Mr. Holmes asked for the zoning map to be displayed and showed which portion was SC3. He then explained that this was done years earlier in preparation for the Southgate Project, which was never developed.

Mr. Knecht asked if city would have lost the executive course if the project had been developed. Mr. Holmes said the executive course would have been eliminated as part of the development. Mr. Knecht asked if there were public hearings for the Southgate Project and Mr. Holmes said there had been only a hearing for the rezone and project remained confidential until an announcement was made at the Covey Center for the Arts in 2007. Mr. Knecht asked what the public reaction was when it was made known that the executive course would be removed. Mr. Holmes said he would have guessed that people were not very happy about it, but he did not know for certain. He said the project dissolved over time, beginning with smaller retailers backing out in 2008-2009 when the economy began to struggle. Up until 2010, Target was still planning to come to Provo, but eventually, that also fell through.

Mr. Winterton wanted to know more about the liabilities that Mr. Holmes said were non-transferrable. Mr. Holmes said the developer would first begin construction on the replacement holes. Next, they would work with Utah Department of Environmental Quality to find out what risks would be associated with building on a landfill. Mr. Holmes said Wasatch Educational was accepting a risk that it would be expensive to develop this land and Provo would not be responsible for the cost associated with development.

Mr. Winterton was interested in knowing specifically what risks Provo could have after the sale of the property. Brian Jones, Council Attorney, provided a hypothetical example. The example given was about television tubes in old televisions. Mr. Jones said if the tubes were known to be toxic, but the city allowed them to be deposited in the landfill anyway, then later someone were to be harmed by the toxins, then the city could be liable, even if the city no longer owned the property. Mr. Stewart correctly pointed out that Provo already has the liability, whether or not Provo owns the property.

Mr. Van Buren asked if the methane gas being emitted into the air by the landfill was a concern. He felt this was a more realistic concern than the example previously provided. Mr. Jones said there was an expectation for duty of care. Unless the city was supposed to do something and didn't, the city would not be liable. Mr. Jones said there was also other criteria, but did not go into detail.

Mr. Holmes said during the Southgate proposal, methane gas was a known concern, and their plans included methane evacuation systems that would vent the gas properly to prevent it from being

circulated inside the building. He assumed this developer would want to do something similar, but noted it would be their responsibility to do so.

Chair Sewell wanted to know more about the size of incentive the city was offering to Wasatch Educational and how it compared to other deals the city had made. To illustrate a comparison, Mr. Holmes referenced several notable transactions:

- Google Fiber: Provo sold its fiber optic network to Google for \$1; in exchange, Google committed to provide free service to residents for seven years. Google also invested money in system enhancements which allowed the system to operate at gig speeds.
- Mountain Vista: Formerly known as Ironton, this was another environmentally challenged property where the Redevelopment Agency discounted land to account for extra cost associated with building on the property.
- Utah Valley Convention Center: Provo contributed land worth several million dollars that was needed for the convention center to be built.
- Provo Towne Centre: Provo helped to relocate residents and provide property tax incentives to offset infrastructure costs associated with building the mall.

Mr. Holmes said when Provo was negotiating the Southgate project, Provo would have lost money on the sale of the property to facilitate the project. He said Wasatch Educational would be paying to relocate the holes, develop the ground, build something that would provide tax income, and bring a medical school to Provo, he felt this was a fair trade.

Mr. Winterton asked who would be participating in the Community Development Area. Mr. Holmes said traditionally, it would be Provo City (19 percent), Utah County (8 percent), Provo City School District (67 percent), and the Water Conservancy. All parties would need to be in agreement.

Mr. Knecht wanted to know what the out-of-pocket cost would be to Provo for this proposal. Mr. Holmes said it would mostly be staff time to work closely with the developer and giving up the value of the land, which was only as good as the next proposal, if there were to be one.

Mr. Knecht asked if moving the golf course was part of Vision 2030 or the General Plan. Mr. Parker said Vision 2030 was a collaborative community process and one of the goals was to evaluate the opportunity to relocate the golf course. Mr. Knecht said he heard from many people who did not want the golf course moved and those people wanted assurances that council would not relocate it. Mr. Homes said council would always maintain control of the future of the golf course.

Mr. Van Buren referred to Vision 2030. One of the goals of section 3.41 was to obtain funding through sale of the golf course to create first-class golf facility without the need to bond or tax the residents. He did not feel this proposal met this objective.

Mr. Holmes said he was not opposed to golf, but his job was to coordinate and present proposals. He said that if the council decided to pass on the proposal, he wanted to develop the Kuhni property.

Scott Henderson, Parks and Recreation Director, presented ([02:22:00](#)). Mr. Henderson said he was proud of the golf course. He expressed appreciation for all those who patronize the golf course. Mr. Henderson asked that the Parks and Recreation Board Members be treated as Neighborhood Chairs when public comment was opened so they could have more time to share their opinions.

Brett Watson, Golf Professional and Course Manager, shared a presentation with council. He had been asked to present on the status of the golf course. His presentation outlined the following:

- 2017 Use Statistics

- On pace for over 70,000 rounds of golf
- Over 20,000 buckets of range balls hit
- Busiest year in history
- Water use and sustainability – water bill is similar to a small home
- On pace to eliminate subsidy by FY2019
- North Wedge – impacts of proposal
 - Loss of holes 10, 11, 12
 - Relocation available
 - East Bat remains viable
 - Two lakes removed
 - Practice area affected
 - Minimal irrigation changes
 - Course under construction (dust and debris concerns)
 - Uncertainty of future
- Southern Wedge (right of first refusal, if executed)
 - Loss of holes 13, 14, 18 – relocated to executive course
 - Loss of 1/3 revenue
 - Subsidy would be necessary
 - Loss of uniqueness
 - Loss of championship golf course
 - Loss of cross country races
 - Program losses
 - Physical/Environmental impacts

Mr. Watson showed a chart that demonstrated how decisions concerning golf had impacted the course patronage. Examples provided:

- Novell expansion into course 1988 (decrease)
- Tiger Woods 1997-2000 (increase)
- Privatization Impacts 2001-2002 (decrease)
- Provo City buys out of contract 2004 (increase)
- Southgate Center Announcement 2007 (decrease)

Mr. Watson noted the longest period of growth and increased patronage has been from 2010 to current.

Mr. Knecht asked Mr. Watson to estimate how much their annual water expense would be if they were unable to reuse the water from the waste water treatment center. Mr. Watson said it would be in excess of \$300,000 annually. Mr. Knecht commented that if the waste water treatment facility were to be relocated, it could have an impact on the golf course. Mr. Watson said they would still have the millrace and backfill from Utah Lake. He suggested someone from Public Works could provide a more thorough response.

John Nemelka, Mapleton, spoke on behalf of Wasatch Educational ([2:32:50](#)). Mr. Nemelka expressed his love for Provo. He said the community and the golf course were both appealing to Wasatch Educational because it would help to attract the type of students they are looking for. Mr. Nemelka said they heard the concerns from the community and explained that the concern influenced their decision to withdraw the request for an option on the southern wedge. He said they were no longer asking the council to surplus the southern wedge.

Mr. Nemelka wanted to share his knowledge about a right of first refusal. He said it is commonly misunderstood. He explained someone might ask for a right of first refusal on a neighbor's home, so

that in the event the neighbor's home were to be sold, they would have the first option to make an offer or match other offers.

Mr. Nemelka said he was introduced to Dr. Richard Nielsen and Dr. Michael Skurja three years prior. He then went to work for their team and described them as honest people. He said millions of lives have been positively impacted because of what had been accomplished by Rocky Mountain University. Mr. Nemelka said their goal was to do something meaningful for the community and they were planning to build in Utah County regardless, but only extended an offer to Provo, because of their love for the city.

Dr. Richard Nielsen, representing Wasatch Educational and Rocky Mountain University, spoke to council. He explained why he loved Provo so much. Dr. Nielsen believed that schools and education were crucial for progress and opportunity. During Vietnam, Dr. Nielsen served in the Navy Medical Service Corp for 26 years where he met his partner, Dr. Skurja. When they retired from the military, they had a vision to build a premier health care institution in Provo. He explained their vision specifically involved Provo for its unique culture of service and quality of life. Dr. Nielsen said Rocky Mountain University, a subsidiary of Wasatch Educational, had graduated over 2,000 practitioners. He said being in Provo enabled them to attract students and faculty who want to be in Provo.

Dr. Nielsen went on to share a presentation about Wasatch Educational and Rocky Mountain University:

- Wasatch Education:
 - Established 1998
 - Would manage development of proposed Noorda College of Osteopathic Medicine
 - Parent company on Rocky Mountain University
 - Mission to promote and develop healthcare education institutions
- Rocky Mountain University:
 - Established 1998
 - Subsidiary of Wasatch Educational
 - Founder continue active roles in leading the university.
 - Vision of Rocky Mountain University is to advance the quality, delivery, and efficacy of healthcare.
 - 99 percent job placement
 - 100 percent board passage rate for DPT and FNP programs

Dr. Nielsen said the culture of the university was similar to the culture of Provo. A culture of service. They established a pro-bono clinic in Provo in 2014. He said they had treated over 5,000 indigent patients in their clinic in November.

Mr. Nemelka continued the presentation with statistics for out of state physicians:

- 400 students from Utah university leave the state each year to attend medical school elsewhere.
- Anticipated nation-wide physician shortage of 150,000 by 2025.
- Utah will need 375 new physicians each year to meet the state's growing medical needs.
- Utah ranks 49/50 states in the country for primary care physicians per capita.
- Utah ranks 43/50 in overall physicians to population ratios.

He said the proposed Noorda College of Osteopathic Medicine would help improve the statistics he provided and increase the quality of care in Utah.

Mr. Nemelka reviewed their property plan. He said they were attracted to the golf course and wanted to make the proposal work which was why they had removed the option on the southern wedge from the proposal. They were willing to relocate holes 10, 11, and 12 to the southeast corner of the course. They

would also build the only island hole in the state. Their project would be built in phases, as Mr. Holmes previously described.

Mr. Nemelka went on to explain how they thought the medical campus would benefit the community. He said they wanted students who were already living in Utah to be able to be trained as physicians in this community. He also said there would be significant property taxes paid to the local community. He estimated \$9 million to the Provo School District and \$13 million in total. He then described the economic impact in Utah County and Provo:

- \$83 Million construction related spending
- \$97 Million of business activity per year
- 522 Construction related jobs
- 825 Direct, indirect, and induced jobs

He also felt it would provide the stimulus needed to help revitalize the East Bay Area.

Mr. Nemelka continued by explaining that if the proposal were accepted, they would build additional pro-bono clinics that would benefit the indigent residents of Provo. Additionally, they planned to build partnerships with the local schools to provide medical internships for students of the Provo School District.

Dr. Nielsen summarized their presentation and emphasized they were not asking for the southern wedge to be put on the surplus list. He said they were planning to build it in Utah County but hoped it could be in Provo. In closing, he asked the council to consider surplusing the retention pond and the northern wedge for their medical school.

Mr. Knecht asked why this property and not somewhere else in Provo. Dr. Nielsen said property in Provo was very limited. Using the area near their existing Rocky Mountain University, would allow them to expand that campus onto the golf course. He also appreciated the greenery and prestige of being on a golf course. Mr. Nemelka said their developer and investors had asked the same thing as Mr. Knecht, and said they had been offered other properties elsewhere, but the freeway access, neighborhood, and loyalty to Provo were why they wanted this property.

Mr. Knecht recalled that expansion was one of the reasons they cited for wanting to build on the course. He asked them to explain how they would expand if they were unable to build on the southern wedge. Dr. Nielsen said their plan was to build the medical school and eventually relocate Rocky Mountain University to a larger facility. Their long-term goals included expanding their programs, but he felt they could be efficient within the bounds of the proposal. Dr. Nielsen said their plans for expansion were contained to the northern wedge.

Chair Sewell asked about the types of degrees that would be offered at the new school. Dr. Nielsen said they would offer a Doctor of Osteopathic Medicine (DO) degree.

Mr. Knecht asked Mr. Watson if he and/or his department participated in the creation and planning for Vision 2030 concerning the golf course. Mr. Watson said it was primarily a citizen effort, but he had been somewhat involved. He said the general idea was to consider relocating to Squaw Peak, if they were able to sell the golf course and fund the new location with the proceeds. But he said it was the opinion of the department that the east bay location was ideal, especially because of their ability to use reclaimed water.

Mr. Harding referred to a slide in Mr. Watson's presentation that suggested developing the northern wedge as a win-win solution. Mr. Harding wanted to know if this was also Mr. Watson's personal opinion. Mr. Watson said the proposal concerning the northern wedge was a win-win but he questioned

whether their plans to expand would eventually threaten the southern wedge, which he felt would be negative for the East Bay Golf Course.

Due to the number of people attending the meeting, Chair Sewell asked to get a count of those who planned to participate in public comment, there were more than 30 who planned to speak. He explained because of the number of people planning to participate, he wanted to strictly enforce the two-minute time limit. Mr. Winterton asked if those from the Parks and Recreation Board could have more time. Chair Sewell agreed to his request.

Mr. Winterton also asked that instead of repeating what has already been said, audience members could raise their hands to show they agree with what is being said. Mr. Harding liked this idea and suggested they could ask for a show of hands after each speaker to gauge how many agreed with what had been said. Mr. Van Buren disagreed and felt that everyone should be given their time to speak and wanted to stand by the regular council rules. Council agreed that Parks and Recreation Board Members would be given four-minutes, everyone else would be given two-minutes, and there would be no show of hands. Chair Sewell opened public comment.

Former Provo Mayor Joe Jenkins told council he had a solution ([3:16:09](#)). He felt that because Provo was a first-class city, residents expected a golf course. He said there were few courses in the state that made money, but the golf course was a necessity for a first-class city. He also said it was not economically reasonable to build a golf course in the canyon. He was supportive of the proposal, including the right of first refusal, but suggested an intent statement from council on the right of first refusal that explained it was not their intent to sale any additional golf course property.

Parks and Recreation Board Member Aubrey Hanks spoke to council ([3:23:38](#)). Ms. Hanks was a resident of the Franklin Neighborhood and felt the impacts of changes in East Bay. She questioned why council would want a new development to be built when there were so many vacant buildings for sale in East Bay. She agreed a medical school was needed, but questioned why it needed to be built on the golf course.

Marc Liebman, Parks and Recreation Board Member, shared his concerns with council ([3:25:37](#)). He said Provo had a uniqueness in terms of recreation. He believed that when recreational land was sold, it was difficult to replace it. He had concerns about the terms of the proposal and said it felt like Provo was being asked to give the land away for free. He said that if the course were to be moved later, there would be no funds available to support the move. Mr. Liebman said the process was taking place too quickly and not enough time was being spent on the details. He suggested the developers should pay market value for the land and the proceeds should be put into an endowment for the golf course to guarantee funding. He also agreed with Mayor Jenkin's suggestion of an intent statement.

Bryant Livingston, Parks and Recreation Board Member, addressed the council ([3:30:43](#)). Mr. Livingston said after the last work session, he had more questions than answers. He was supportive of the medical school and believed it would benefit the community, but had concerns about the location. Mr. Livingston reviewed the geotechnical report and wondered whether the land could be developed. He speculated where they would move 21-acres of garbage to make the property buildable. He wondered if there had been consideration of the value of the golf business and possible change in revenue because of the proposal. Mr. Livingston said there had already been a decrease in renewals, causing a loss of revenue, just because of the uncertainty of the future of the golf course.

Claralyn Hill, Parks and Recreation Board Member, moved to Provo over 30 years ago because of the parks and open spaces ([3:35:22](#)). Ms. Hill said she was supportive of the school, but pondered whether it was the right use of the property and the right deal. She questioned if the proposal provided enough

revenue to support future needs of the golf course. Ms. Hill also wanted to be sure that if the holes were moved, it would be done with careful consideration and planning to enhance the golf course. Another concern for Ms. Hill was the public perception of selling recreational land and communal open spaces. She thought it was important to make the best deal possible, while keeping Parks and Recreation involved in the process.

Bill Fillmore, former Parks and Recreation Board Member, spoke in favor of the medical school at the golf course ([3:39:55](#)). Mr. Fillmore said he liked the golf course and supports the school; he thought it was an ideal situation. He commented that holes 10, 11, and 12, were not the best holes on the course and thought this provided an opportunity to make them better and improve the course. Mr. Fillmore felt the benefits of the medical school were very positive. He said it was important for council to secure the long term economic health of the city and consider the long-term effect of their decisions.

Brittany Bugg, Provo, explained to council her concerns about the proposal ([3:43:15](#)). Ms. Bugg was concerned about the impacts the development would have on wildlife. She said there were 239 bird species migrating through the proposed area, half of which she guessed were protected species. Ms. Bugg said these birds were important for pest and rodent control. She suggested some of the land could be turned into a refuge.

Norman Christensen, Provo Physician, spoke to the council about his concerns with the medical school ([3:46:02](#)). Dr. Christensen had the opportunity to interview hundreds of students about their training opportunities, so he had great interest in the proposal. He said there were vital questions that remained unanswered about the medical school. He felt medical education was more complex than council knew. According to Dr. Christensen, in the past 12 years, there had been a few corporations that considered building in Provo, but they realized there was no infrastructure and support for quality education. Dr. Christensen said he was unaware of any efforts by Wasatch Educational to get the support of other local hospitals and doctors, which he thought would be critical to their success in the community.

Blair Giles, Provo, and his two sons, shared their love of East Bay Golf Course with council ([3:48:19](#)). Mr. Giles was the president of the Jimmer Fredette Foundation and had relocated to Provo from Washington D.C. to work for the foundation. He said when they first arrived in Provo, his son had success making new friends at the golf course and felt welcomed in the community. He appreciated the Youth on Course program that allowed low cost golf for youth. He wondered where the displaced kids would golf if something were to happen to the golf course. Mr. Giles said they chose to live in Provo because it was a great community with a great golf course, and he didn't want anything to negatively impact the golf course. He also said he frequently negotiated contracts as part of his profession and felt the right of first refusal should be avoided and the only land that should be considered was the northern wedge.

Kim Hood, Salt Lake City, was representing the Utah Golf Foundation ([3:50:29](#)). Ms. Hood said her message was that the Youth on Course program at East Bay was vital for success. She went on to explain what her foundation was about. It was a 501(c)(3) non-profit corporation with a mission to provide financial support opportunities for people to play golf. She said in 2016, the foundation implemented the Youth on Course program, which had been founded by the Northern California Golf Association. The purpose of the program was to subsidize golf for children aged 6-18 to allow them to play a round of golf for \$5 or less. She said East Bay Golf Course was the largest golf facility in Utah to offer the program. She said the program also had positive economic impact in the community. In closing, Ms. Hood said the East Bay Golf Course was critical for the success of their youth program.

Renee Van Buren, Woodland Hills, was a professor of ecology in the community ([3:52:43](#)). She had used the golf course on occasion, but was also a birder who observed the wildlife in the area. Ms. Van Buren

said Provo Bay was an important birding habitat. She also felt there was unquantifiable value in the aesthetics of the Golf Course that council should consider. In her opinion, a building would detract from the beauty of the area.

Jesse Dodson, Lindon, was a member of the men's golf league (3:54:38). Mr. Dodson was speaking on behalf of his father, Randy Dodson, who was president of Fairways Media. They felt it was inappropriate for council to consider surplus land from the golf course. He said the only win-win situation was the possibility of getting three new holes built in exchange for allowing the northern wedge to be developed. Mr. Dodson suggested using money from the sale of the land to fund an account designated for the golf course and future improvements and maintenance. He also suggested removing the right of first refusal and instead finding a legal way to protect the executive course from ever being considered for development.

Bill Peterson, Provo, worked for Provo City for 30 years and was a member of the East Bay Men's Club (3:56:26). Mr. Peterson said he started golfing to rehabilitate his body after serving in Vietnam. He did not believe that anyone should be allowed to build on the golf course. He said once the course was built, they immediately compromised three holes for Novell's expansion, and he was concerned about doing this again. Mr. Peterson was not amused by the idea of an island green and question how long it would extend a round of golf. He said he was not opposed to the school, just the location.

Sharon Memmott, Edgemont Neighborhood Vice-Chair, was concerned about losing the open space (3:58:36). Ms. Memmott also thought that federal grants may have been used to develop the golf course and might have to be repaid if the school were to be built. She felt there was great value in a subsidy-free golf course in a location where reclaimed water could be used for free. Ms. Memmott suggested locating the school in one of the vacant buildings throughout the city that would have better access to transportation.

Rona Rahlf, Provo, was the President of the Utah Valley Chamber of Commerce (4:00:56). Ms. Rahlf told council they should consider the return on investment of this proposal. She suggested that if the land were to be developed for the medical school, it could generate up to \$97 million per year.

Richard Brimhall, Provo, worked for Public Works for 33 years and had been the Assistant Water Resources Director (4:01:44). Mr. Brimhall had concerns about the proposed location. He said without a sewer lift station, it would be impossible to service the facility. He wondered who would be responsible for building a lift station and the ongoing expense of a lift station. Mr. Brimhall recalled when Provo City expanded the existing sewer treatment facility the cost was higher than anticipated due to unstable ground, he felt the same would be true of the proposed location. He suggested that other locations, such as Ironton or land near the airport should be considered. Mr. Brimhall also felt that noise would be a concern and said that a sound wall would need to be built. Lastly, he said the relocation of the garbage from the landfill would be an issue.

Ryan Larsen, BYU Student, explained to the council why he was in favor of the proposal (4:04:33). Mr. Larsen was a freshman studying Economics and Political Science. He said the medical school would fill a void in the community. He believed some of the arguments against the proposal could be mitigated as the agreement was negotiated. Mr. Larsen said not only are Utah students leaving the state to pursue medical degrees, the lack of a medical school also prevented people from attending school in Utah to begin with.

Dr. Sue Nyhus, was an NCAA Division 1 Golf Coach at Utah Valley University (4:06:05). She said the value of East Bay Golf Course was not insignificant. Dr. Nyhus said golf was a sport that could be played by everyone, regardless of age or physical health. She appreciated the idea of having a medical school in

the valley but felt the location was wrong. Dr. Nyhus told council she remembered a time when the golf course land was once submerged in water; she feared this could happen again and would be much worse for a medical school, than a golf course. She believed the reason Wasatch Educational wanted this property was because there was room for expansion, which she feared would compromise the future of the golf course.

Paul Pugmire, Director of the First Tee of Utah, addressed the council ([4:09:19](#)). He explained the First Tee of Utah was youth development organization. Mr. Pugmire was concerned about the par 3 junior course. He said this course was one of the largest youth development assets in the entire state of Utah. Mr. Pugmire believed the East Bay Gold Course was ideal the way it was, specifically the par 3 junior course. He asked council to keep the junior course unchanged.

Leo Lines, Provo, said he had a win-win solution ([4:11:35](#)). Mr. Lines asked for the aerial view of the course to be displayed. He said the Kuhni property should be sold to Wasatch Educational with a first right of refusal on the southern wedge. He said this would initially allow them to build without relocating any of the existing holes. Mr. Lines said the city should then move the entire golf course to the other side of I-15 by the airport. He said there would be enough room for a 36-hole championship course and an 18-hole executive course. Mr. Lines also suggested a larger clubhouse could be built to facilitate corporate events and receptions. He said the northern wedge should be used for an auto mall to generate tax revenue.

Dan Johnson, Provo, said he had played golf on Timpanogos course before the East Bay course was built ([4:13:59](#)). He said he recalled federal funds being used to facilitate infrastructure and flood control for the East Bay Golf Course. Mr. Johnson reminisced that in the early years of the course, there were no covers and paths. Mr. Johnson said that Merrill Bingham, former Public Works Director, organized a sod cutting fund raiser to raise money for golf course enhancements. He also recalled that volunteers would often work to remove garbage from the bodies of water at the golf course. Mr. Johnson felt that if this work had never taken place, the land wouldn't be desirable.

Keaka Hanamaikai, Provo, said he was grateful for East Bay Golf Course ([4:16:49](#)). He had played more than 50 rounds of golf per year at the East Bay Golf Course. He said the course was unique because it allowed people to spend time with their families. Mr. Hanamaikai asked council to preserve the course that he treasured so much.

Shane Brady, Provo, offered his perspective on the proposal ([4:19:06](#)). Mr. Brady said he was a member of Riverside Country Club and had access to golf at their facility but he still didn't want to see anything happen to the golf course at East Bay. Mr. Brady worked in the East Bay area near the golf course and said he understood why someone would want to build on the course, he thought it was an attractive area. Mr. Brady felt the cost to develop would be more than estimated and the revenue generated would probably be less than estimated. He expressed that he didn't want to see the city trade the history of the course for the proposal.

Leonard Surprise, Provo, commented about youth sports in Provo ([4:20:50](#)). He said over 25 years ago, there were baseball fields where the Shops at Riverwood were built. When the fields were removed, he said citizens were told the city would build new ones somewhere else in northeast Provo, but they were never built. Mr. Surprise said the removal of the fields made it difficult to transport kids from north Provo to other fields in the south area of the city which he believed led to decreased baseball participation at Timpview High School. He was concerned that if something happened to the youth course at East Bay, it would have similar consequences for youth golf. He asked council to consider the youth in their decisions.

Thomas Rosenvall, Provo, said he was an avid golfer (4:22:08). Mr. Rosenvall was on the Timpview High School golf team which allowed him to meet golfers throughout the state and nation. He said in his experience, East Bay Golf Course was well known for its offerings. He was concerned that if the proposal were to be accepted, the practice course would be at risk, as well as the identity the East Bay Golf Course.

Craig Pettit, Solana Beach, California, was the Vice President of Mall Operations for Brixton Capital, the group that recently purchased Provo Towne Centre Mall (4:23:24). Mr. Pettit was supportive of the proposal and felt it would help with efforts to revitalize the mall and surrounding area.

Scott Bowles, General Manager for Provo Towne Centre, and former Provo City employee, spoke to the council (4:24:41). Mr. Bowles said Provo Towne Centre Mall would be celebrating their 20th anniversary, and in those 20 years, he felt there had not been any substantial change to the East Bay area. Mr. Bowles was familiar with the Economic Development Strategic Plan, he said it named Rocky Mountain University as the single entity that could bring a medical school to Provo. He was in favor of the proposal.

Dick Harmon, Provo, spoke about the proposal (4:26:48). Mr. Harmon said he had the opportunity to visit with the people from Wasatch Educational and thought the project had merit. Although, he said the developers been touting that they would build the only island green in the state, but Mr. Harmon believed there was already one in St. George. He recalled that in the 1990's, Mr. Stewart said the golf course didn't belong to the council or administration, it belonged to the citizens of Provo. He encouraged council and Mayor Kaufusi to take time in making their decision and consider the value of the trade.

Cale Hunt, Orem, told council he wasn't opposed to the medical school, but didn't agree with the proposal as it was written (4:28:41). Mr. Hunt agreed with the comments made earlier by Mr. Dodson. He did not believe there should be a first right of refusal included in the proposal and thought the northern wedge should be sold at market value.

Brent Israelsen, Provo, spoke to council about the benefits of a medical school in Provo (4:30:10). Mr. Israelsen said two of his daughters volunteered at the pro-bono clinic operated by Rocky Mountain University, and another one of his daughters attended school at Rocky Mountain University. He said Provo needed a medical school and he thought the benefits of having a medical school would be significant.

Craig Van Buren, Provo, told the council he was opposed to relocating holes 10, 11, and 12 (4:32:58). Mr. Van Buren told the council about his favorite memories of golfing those three holes. He hoped the council would leave the entire course unchanged. He jested that if the decision was made to move those holes, he wanted the first right of refusal for the cup at hole 11, where he had made two hole-in-one shots.

Betsy Maxwell, Orem, was a representative of Wasatch Educational (4:34:11). Ms. Maxwell said her grandfather was an avid golfer and she appreciated the sport and the passion of those who shared their comments about the proposal. She thanked the council and Mayor for the opportunity to present the proposal for a medical school. Ms. Maxwell said she was a stage 3 cancer survivor and said it took multiple years to be cured. Because of her medical experience, she had gratitude for the medical community and thought building the school was a way to pay it forward.

Carrie Roberts, BYU Women's Golf Coach, spoke to council (4:36:20). Ms. Roberts said she had golfed her entire life, and her dad, Bruce Summerhays, was a professional golfer. She said she learned to golf at

East Bay and didn't want it to change. She said the golf course was a place people made memories. Ms. Roberts said East Bay golf course allowed those without a lot of money the opportunity to learn to golf. She also believed that golf helped to build character.

Brett Jensen, Logan, Utah, represented the development group that would be partnering with Wasatch Educational to build the medical school (4:38:30). He said part of his job was estimating the cost to remediate the landfill to make it buildable. Mr. Jensen said he estimated the cost to relocate three holes and remediate the landfill would be \$14 million. He believed the value of the site was \$6 million. He said the fact that Dr. Nielsen was willing to spend \$8 million more than the property was worth, showed his desire to be in Provo. Mr. Jensen thought the medical school would add to the community.

There were no others who wished to comment. Chair Sewell closed public comment (4:40:06).

Based upon the public comments, Mr. Stewart felt there was a misunderstanding about the economic value of the property. He said the value of the property, from a development standpoint, was less than \$0.

Mr. Winterton asked for clarification on the process going forward. Chair Sewell said if the council was interested in the proposal, they had the option of scheduling a surplus hearing. Otherwise, they could do nothing.

Motion: Council Member Stewart made a motion to schedule a public hearing for Tuesday, January 9, 2018. Council Member Winterton seconded the motion.

Mr. Van Buren was concerned that there had not been enough opportunity for the public to learn more about the project and have their questions answered. He believed there should be more than one public meeting before council made a decision.

Substitute Motion: Council Member Van Buren made a substitute motion to schedule a public open house prior to January 23, 2018 and subsequently schedule a public hearing to consider placing the property on the surplus property list on January 23, 2018. Council Member Harding seconded the motion.

Mr. Jones said if a decision were to be considered on January 23, the public notice needed to be made 14 days in advance. Mr. Van Buren agreed.

Mr. Harding asked the applicant how the substitute motion would impact their project timeline. Brett Jensen, the developer working alongside Wasatch Educational, explained they were under contract for the Nature's Sunshine parcel and only had until January 15 before their earnest money would be lost. He said they could attempt to get an extension. Mr. Nemelka also took the opportunity to ask the council for a list of specific questions they could be prepared to answer at the next meetings.

Mr. Sewell was informed by Mr. Strachan that Ms. Santiago had been monitoring the meeting and was attempting to reconnect via teleconference so that she could participate in the conversation and vote (4:51:43).

Mr. Stewart was apprehensive to delay beyond January 9, 2018, as he felt it could put the proposal at risk. He said there was no harm in scheduling the hearing for the 9th, just to be prepared, and recognized they would still have the option to continue the item then. This was a failsafe incase Wasatch

Educational was not able to extend their purchase agreement with Nature's Sunshine beyond January 15, 2018.

Mr. Harding questioned whether it would be possible to schedule a public meeting or open house prior to January 9. Due to the holidays, Mr. Van Buren did not believe the timing was reasonable. He went on to further explain the importance of the decision. Mr. Van Buren stated the golf course was an important asset and it deserved more public input. He did not see any problem with asking for another 30 days.

Mr. Nemelka told council that Wasatch Educational would agree to the suggestion from former Mayor Joe Jenkins to include an intent statement from council.

Mr. Knecht also wondered if it would be possible to schedule a public meeting or open house prior to January 9. He said there would need to be a sponsor and administration available. Mr. Parker said administration would be supportive of the council's decision and understood there could be consequences for delaying.

Chair Sewell asked Mr. Jones if they could wait until January 9, to determine if they wanted to consider surplus the property on January 23. Mr. Jones said if they waited until the 9th, there would not be adequate time for the required public notice because it must appear in the paper 14 days before the surplus hearing. However, he noted that the decision to issue notice didn't need to come from council. He said the notice could be issued by administration or the Council Chair, as long as it was published by the 9th for a hearing on January 23.

Mr. Harding said he did not want to risk losing the proposal by delaying. Mr. Winterton pointed out that they could put it on the surplus list and then if something did not work out, they would not have to sale the property. Mr. Jones said the terms of the surplus would be dictated by the resolution.

Mr. Knecht proposed an open house on January 4, as well as reviewing the item again in work session on January 9. He did not want to risk the proposal, but felt more public input was important. He also asked if council could begin the process to rezone the southern wedge as PF. He felt the current zoning sent a message that the property was for sale. Mr. Jones said they could do that. Mr. Harding added that the council could pass an intent statement the expressed their desire not to sale the southern wedge.

Chair Sewell said he wanted to have the surplus hearing on January 9. He also liked the idea of more public input and was also in favor of an open house on January 4. Chair Sewell felt this would allow council the option to make a decision on the 9th, if they were ready to do so. He felt the medical school was the most compatible commercial use of the land and the economic benefit would be substantial. He said he agreed with Mr. Holmes and said if the medical school were not built, he wanted to see the Kuhni parcel be developed. Chair Sewell felt like Wasatch Educational would be a good partner to work with and noted the considerable investment they were willing to make in Provo. He said he agreed with the idea of issuing an intent statement for the southern wedge.

Ms. Santiago said she appreciated the comments made by the public and council. She agreed with Mr. Stewart's motion to have the public hearing on January 9 and felt it was the most flexible option and would allow council to make a decision that night or continue it to another meeting.

Chair Sewell asked for Mayor Kaufusi input. Mayor Kaufusi said she appreciated the public input and said she was still collecting and processing information but would be supportive of the council's decision. She respected Mr. Nemelka's request for a list of specific questions so that direct answers could be provided.

Chair Sewell called for a vote on the substitute motion.

Roll Call Vote: The motion failed 1:6 with Council Member Van Buren in favor and Council Members Harding, Knecht, Santiago, Sewell, Stewart, and Winterton in opposed.

Chair Sewell called for a vote on Mr. Stewart's motion to schedule a surplus hearing on January 9, 2018.

Mr. Knecht asked Mr. Stewart if he would amend his motion to include an open house on January 4, 2018. Mr. Stewart agreed.

Amended Motion: Council Member Stewart amended his motion to include hosting an open house on January 4. Council Member Winterton seconded the amended motion.

Chair Sewell called for a vote on Mr. Stewart's amended motion to schedule a surplus hearing on January 9, 2018 and host a public open house on January 4, 2018.

Roll Call Vote: The motion passed 6:1 with Council Members Harding, Knecht, Santiago, Sewell, Stewart, and Winterton in favor. Council Member Van Buren opposed.

Adjournment

The meeting was declared adjourned by common consent at approximately 10:47 p.m.