



## PROVO MUNICIPAL COUNCIL Work Meeting Minutes

2:30 PM, Tuesday, February 19, 2019  
Room 310, Provo City Conference Room  
351 W. Center Street, Provo, UT 84601

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

#### Roll Call

The following elected officials were present:

Council Chair David Harding, conducting  
Council Vice-Chair Kay Van Buren  
Councilor Gary Winterton  
Councilor David Sewell  
Councilor George Stewart  
Councilor George Handley  
Councilor David Knecht, arrived 2:34 PM  
Mayor Michelle Kaufusi, arrived 3:43 PM

#### Prayer

Josh Ihrig, Information Systems Division Director, offered the prayer.

#### Business

##### 1. Approval of Minutes

- October 9, 2018 Work Meeting
- October 23, 2018 Work Meeting
- October 23, 2018 Town Hall on the Bond
- November 13, 2018 Work Meeting
- December 18, 2018 Work Meeting
- January 22, 2019 Work Meeting

*Approved by unanimous consent.*

#### Budget Committee

##### 2. A presentation on Administrative Services and potential budget requests. (19-004) ([0:03:20](#))

John Borget, Administrative Services Director, outlined the presentation from the department of Administrative Services. Mr. Borget explained that if asked to cut their budget by 5%, the process they would follow would include a thorough review of their services, the General Plan goals and objectives, efficiency (such as consolidation or process), and benefits versus costs of various services. They would also seek input from the people they serve; they provide many internal services, as well as some external services to the public. Most importantly, they would want to

determine the impact of eliminating or reducing services and to consider those impacts closely. Several Councilors shared comments and feedback on this process.

### **Finance**

Mr. Borget began a more in-depth review, starting with the Finance division. Mr. Borget outlined several sections of the General Plan implementation section that he felt related closely to Finance operations. Finance staff have sought to make the City budget documents and financial reports publicly available, which is a service appreciated and utilized by the public. Mr. Borget expressed that the Finance division felt they had adequate funding for the needs of their department; they were able to provide the services they do with the funding they have. Mr. Borget noted one area they have discussed as a department was an internal audit function. He outlined considerations of an internal audit function (such as staffing and associated costs), which if implemented, he felt would operate independently from the Finance division. Councilors shared comments on this idea.

### **Human Resources**

Daniel Softley, Human Resources Division Director, shared the ways in which he felt HR was involved in promoting relevant goals in the General Plan. For example, while HR is not directly involved with fighting crime, they are key players in establishing recruitment strategies and competitive wages and retention, which support such functions of the City. Mr. Softley outlined other functions of the division. If there were available funds in their budget, they would place a greater emphasis on training, both of supervisor-level employees as well as non-supervisors. Mr. Softley explained that there was about 10% turnover, about 4% of retiring employees and about 6% voluntary turnover. He felt that was a relatively low number, particularly considering the employment rates and the job market. Mr. Softley briefly addressed recruitment and retention strategies of the Police Department in response to a question from Mr. Winterton.

Mr. Softley explained the strain on their staffing levels due to the Provo 360 project currently underway. They could contemplate adding an additional staff member to help spread the burden of this implementation work, but they are managing at present. They did not receive any supplemental money last year.

### **Justice Court**

ReAnnun Newton, Justice Court Administrator, highlighted services of the Justice Court and how these related to the General Plan implementation section. She felt they had sufficient budget for meeting the goals of the General Plan. Several needs which were unfunded was a phone upgrade as well as installing security glass at the front counter, having recently renewed their lease.

### **Facilities Services**

Dick Blackham, Facilities Services Manager, briefly addressed the General Plan implementation section 5.4.7. Mr. Blackham outlined several efforts and accomplishments of the Facilities division in achieving these goals, including installation of electric vehicle charging stations and applying for grants to install additional stations, which would further the City's energy efficiency goals.

Mr. Blackham also addressed energy efficiency in connection with the construction of the City Police, Fire, and City Facilities building. Mr. Blackham outlined considerations of the construction

and Fire Station #2, noting that Fire Station #2 would be located to a temporary site (on another city-owned property on Canyon Road) during construction.

Councilor George Handley asked about LEED certification or a net-zero facility. Mr. Blackham invited Scott Henderson, Project Manager, to address those questions. Mr. Henderson explained that those considerations would be more robust when an architect and design team is brought on.

Mr. Blackham explained that in the past, they had had a training budget which was cut several years ago. He foresaw a greater need for training for Facilities staff as the City moved to new state-of-the-art buildings. They did not currently have any unfunded or underfunded projects and they did not receive any supplemental funds last year.

### **Recorder**

Amanda Ercanbrack, Recorder, outlined several items from the General Plan implementation section. Ms. Ercanbrack has updated the GRAMA request process to make it more streamlined for requesters. She also conducted an inventory of a time capsule that was buried at the Provo Cemetery, working to index and preserve these items, as well as sharing them with the public. Ms. Ercanbrack worked on the implementation of OnBase and the transition from SIRE to OnBase, which has helped improve and increase communications with the public. At present, she did not see anything that was unfunded or underfunded in their division.

Ms. Ercanbrack highlighted a supplemental request granted last year, which allowed them to fund a part-time records specialist position, which has helped with GRAMA volume and other records management and digitization. This item has been incorporated into the budget to continue. They had initially showed this as an ongoing supplemental request last year.

Councilor David Harding shared some ideas for historic preservation, including collaboration with City Planner Josh Yost, local historical preservation groups, and archival societies. Ms. Ercanbrack indicated that they had done some of those things and would continue to work toward that.

### **Information Systems**

Josh Ihrig, Information Systems Division Director, outlined General Plan implementation elements which related to IS functions, highlighting functions related to the communications and information sharing network, sustainability, safety, and innovation and being business-friendly. Mr. Ihrig outlined how IS supports data collection which drives many City functions and services.

Mr. Ihrig highlighted other areas where additional budget funds could further goals of the General Plan. He explained that investments of IS always provided returns. Mr. Ihrig highlighted elements with cyber security, staffing for higher levels of service, and utilization of existing tech stacks. He also highlighted accomplishments of the IS division with the supplemental funding and the City Innovation Funds they received. They have also invested in emergency GIS services, so that appropriate solutions and resources can be applied in the event of an emergency.

Mr. Ihrig outlined additional requests related to the FY 2020 budget, including additional safety and security functions, education and ADA compliance, office software suite and email standards,

supplemental requests regarding advances in technology, Smart City initiatives (to collect data and better address the needs of the city), aerial imagery, and GIS resources.

Councilor George Handley asked about the air quality monitoring initiative. Mr. Ihrig explained that they have been working with the Division of Environmental Quality to determine more robust sensors to track more granular air quality data. Councilor Gary Winterton thanked Mr. Ihrig for his report on how they utilized the \$50,000 supplemental request in FY 2019. Mr. Ihrig explained that he would have more detailed information on the IS division supplemental request when they presented the full details of the Administrative Services budget. *Presentation only.*

## **Business**

### **3. A discussion regarding an appropriation for additional Police Department expenses. (19-019) ([0:59:00](#))**

Dustin Grabau, Budget Officer, presented. He explained that this appropriation related to expenses for the Police Department after the tragic event of Officer Joseph Shinners' death in the line of duty. Mr. Grabau noted that UVU waived the event fees for the funeral, which was a very generous gesture to the City. *Presentation only. This item was already scheduled for the Council Meeting on February 19, 2019.*

### **4. A discussion regarding an appropriation for the Provo Police, Fire & City Facilities Bond. (19-021) ([1:00:50](#))**

Mr. Grabau also presented this item, which was intended to identify the City facilities bond as a unique event. Mr. Grabau addressed some specifics of the process and funds. *Presentation only. This item was already scheduled for the Council Meeting on February 19, 2019.*

### **5. A discussion on a proposed appropriation for the Airport Bond payment. (19-020) ([1:02:36](#))**

Mr. Grabau also presented this item. He explained that these were bond revenues for the Airport Bond which had already been received, but an appropriation was needed in order to utilize these funds to make an interest payment relative to that bond. *Presentation only. This item was already scheduled for the Council Meeting on February 19, 2019.*

### **6. A discussion on a proposed expansion of the Provo City Airport. (19-028) ([1:03:53](#))**

Isaac Paxman, Deputy Mayor, presented. Mr. Paxman outlined recent developments with the Provo Airport and a proposal that the Administration has prepared for a terminal expansion. The Airport recently secured an \$8 million grant from the Federal Aviation Administration, which will be used to construct the concrete apron in front of the terminal, which must be spent in the next two years. Provo City would contribute land for the construction, necessary utility infrastructure, and about 15-20% of the new quarter-cent transportation revenue; the City's contribution would be approximately \$19 million. The Administration has proposed requesting \$9 million from the State Legislature and \$4.3 million from Utah County.

Councilors shared comments and asked for additional clarification about the City's CIP projects. The CIP would be adjusted to support infrastructure related to this project. Dave Decker, Public Works Director, explained that this would not affect funds going toward the wastewater treatment plant, but other wastewater CIP projects would be prioritized to complete planned airport and pipeline improvements near the airport sooner.

Mr. Paxman highlighted other benefits, such as the economic boon to the City, as well as the proximity and convenience for Sundance, the Convention Center, and diverting more local air traffic to Provo, which would in turn reduce the traffic demands on I-15. Councilor Gary Winterton highlighted the example of the Phoenix and Mesa airports, which shares similarities with the Salt Lake and Provo airport setup. The Mesa Gateway airport has had a significant effect on the growth in the broader Phoenix metropolitan area.

Mr. Paxman shared several details of the potential terminal plan, which would be designed to accommodate TSA, security, baggage claim, and four gates with the intent to expand to 10 gates.

Councilor George Handley asked about development near the airport, as well as any public safety concerns with the proximity of wetlands and birdlife. Administrative staff indicated that surrounding the airport was an area of airport-related commercial types, as well as the proposed regional sports park, which would provide a buffer between the airport and future residential development. The ecological impacts for the birdlife in the area was as yet unresolved, but the Administration was aware of the concerns and it was something they were considering as well. *Presentation only. This item was already scheduled for the February 19, 2019 Council Meeting.*

## **7. A discussion on the use of the surplus property list. (19-015) ([1:20:59](#))**

Tara Riddle, Property Manager, presented. Ms. Riddle outlined previous discussion of the surplus property list. Ms. Riddle shared details of a list of several properties that the City has been approached about, as well as several that the City would be interested in marketing. All these properties have gone through an internal audit for city department to review and respond regarding future use or plans. Ms. Riddle highlighted details of the properties listed:

- 39 acres at mouth of Provo Canyon
- 17.71 acres at the Buckley Draw property: the City owns three parcels and are negotiating the acquisition of a small island piece in the middle. This land has some drainage issues which would need to be addressed during any future development.
- 4.347 acres at the old Slate Canyon Gun Range Property: this property is part of a larger area which is not being used for any recreational purposes. An environmental study is currently underway to determine whether any mitigation is required from lead contamination due to the former shooting range operation.
- 1 acre which is a remnant substation property

*Presentation only. This item was already scheduled for the February 19, 2019 Council Meeting.*

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

### **8. An ordinance amending the Zone Map Classification of approximately 0.96 acres of**

**real property, generally located at 1356 South 500 West, from Residential Agricultural (RA) to Residential (R1.8). Lakewood Neighborhood. (17-0017R) (1:28:44)**

Aaron Ardmore, Planner, presented. He explained that this application had been postponed while the applicant awaited adjustments to lot sizes and widths in the zone. There have been some concerns from the neighborhood regarding building height; Mr. Ardmore indicated that the applicant has proffered keeping the homes to two stories, with the possibility of noting this restriction on the final plat. Additional concerns with grading of the lots and whether the developer can bring in additional fill, consequently affecting the final height, have been expressed. The building height is measured from the average grade of the lot to the midpoint of the roof. Councilor Kay Van Buren asked about implications should the homes be designed with an elevated basement; Mr. Ardmore indicated that the homes would still be required to comply with the 35-foot height restriction. He reiterated the applicant's offer of limiting homes to two stories. *Presentation only. This item was already scheduled for the February 19, 2019 Council Meeting.*

**9. An ordinance amending Provo City Code Section 14.14E.030(2) to remove the maximum density restriction in the Campus Mixed Use Zone. City-wide impact. (PLOTA20180432) (1:32:03)**

Bill Peperone, Community Development Assistant Director, outlined items that currently regulate the physical aspects of development in the Campus Mixed Use Zone, including building density, building height, and parking requirements. Mr. Peperone highlighted distinctions between the campus mixed use zones and other mixed use or downtown zones and elements.

Councilors shared comments and questions, to which Mr. Peperone responded, including:

- Parking requirements state that residential parking must be located on-site. Commercial portions of mixed-use areas can be close-by. Commercial parking located adjacent or across the street requires additional Planning Commission approval.
- Mr. Peperone felt that the density cap certainly influences what can be built in that zone, but he felt that the other elements (design standards, building height, and parking requirements) still influence and impose restrictions on density.
- Councilor David Harding was interested in seeing several scenarios outlining what would be permitted under the current code versus under this proposal.

*Presentation only. This item was already scheduled for the February 19, 2019 Council Meeting.*

**10. An ordinance amending the General Plan Map from Commercial (C) to Public Facilities (PF) for approximately 23 acres and from Commercial (C) to Mixed Use (MU) for approximately 12 acres, located at 178 E 1860 S. East Bay Neighborhood. (PLGPA20180407) (1:39:23)**

Josh Yost, Planner, presented. He explained that this proposal aligned the goals of the General Plan Map and policies with the intent of the Administration and Council to accommodate the development of a medical school. Mr. Yost highlighted history of the property and past plans for retail development in the area. With the change of intent for the area to house a medical school and its student housing, this proposal was meant to update the General Plan Map and several General



Plan policies consistent with that intent. Several policies which were no longer pertinent would be removed, to reflect a final result consistent with the plans for the area.

Councilors shared comments and feedback on the proposal. Councilor Gary Winterton asked about the plans for zoning and whether a rezone could permit other residential development that would not be desirable in that particular area. Mr. Yost clarified the labeling and content on the map displayed; the rezone had already been approved which would facilitate the development of the medical school, however the area intended for student housing was still zoned as a commercial property. That parcel had not yet been rezoned to facilitate the student housing development, and any further action to do so would require a legislative action from the Council. *Presentation only. This item was already scheduled for the Council Meeting on February 19, 2019.*

**11. An ordinance to amend the General Plan regarding the Downtown Master Plan to clarify right-of-way improvements for 100 West. City-wide impact. (PLGPA20190008) ([1:43:48](#))**

Javin Weaver, Planner, presented. Mr. Weaver outlined the current street section and illustrated the proposed street section. The updated standard for the street section would have parking only on the east side of 100 West, with a wider sidewalk on that side as well. The intent was to improve bicycle safety by implementing 45-degree angled back-in parking. Mr. Weaver clarified that the proposal applies to sections of 100 West located between 100 South and 600 South, noting that the section of road adjacent to Nu Skin and the Provo City Center Temple may require some adjustments. Additional UDOT improvements planned for 300 South would include putting in a pedestrian and cyclist signal on 100 West and 300 South.

Regarding parking capacity, Mr. Weaver indicated that under ideal conditions, about 30 cars could park on a block with that back-in parking; the frequency of driveways bears an impact on the volume of back-in parking. *Presentation only. This item was already scheduled for the Council Meeting on February 19, 2019.*

## **Business**

**12. Further discussion on Council Committees, including a review of Council Board and Committee assignments and Council goals. (19-002) ([1:49:53](#))**

Mr. Harding introduced the discussion, after which Councilors discussed the various changes to board and committee liaisons and assignments. Mr. Harding outlined several elements of the proposed updates to committee structure. Several committees would be dissolved from being a standing committee, and move more toward an ad hoc committee process. They would also keep a running list of projects, or a working list, which could be adjusted as items were completed or as other items arose. The Council reviewed a list of existing items and gave updates on several, including discussion of items to add or items to remove:

- Fireworks – removed from the list
- Housing Audit – Councilor David Knecht indicated that this was an item for discussion which came from the Housing Committee.

- Gravel pits – several Councilors were interested in strengthening the City’s position and laws relative to gravel pits and more broadly foothill protection.
- Policy Governance Committee – once the committee has completed review of the parking permit program application process, then the committee would move to an as-needed basis.
- Election rules and code – proposed topic for an ad hoc committee
- CIP review – removed and placed on a future Work Meeting agenda
- Signage review – added to the project list
- Police issues – removed from the list as it requires budgetary support, but does not require legislative efforts from the Council.
- Several Councilors were interested in further discussion of committee status.
- Councilor David Sewell highlighted a policy discussion about no-kill shelters; pet stores and pet issues was added to the list.
- There was some discussion of the item “ensure best outcomes” with the City facilities planning process following the bond election. Council Leadership was still working out with the Administration what the Council’s role in the process would be, so this was kept on the list for the time being.

**Motion:** David Harding moved to remove "Police issues" and adopt the amended list as the project list. Seconded by George Handley.

**Vote:** Approved 6:1, with Councilor Kay Van Buren opposed.

The discussion turned to the current Council committees and which would be kept as standing committees. Several Councilors shared comments on the committee structure. Mr. Harding proposed adjusting the committee structure; rather than having as many standing committees, to use the project list to prioritize and move forward the Council's work. If needed, an ad hoc committee could be created for a specific issue. A suggestion to discontinue the Rules, Impact Fee Review, and Development Approval Process Review (DAPR) Committees, was supported by several Councilors. Brian Jones, Council Attorney, indicated that if there was no formal Rules Committee, questions of that nature would by default be directed to Council Leadership. Councilor David Knecht felt that it was important to retain the Policy Governance Committee. Others felt that the mission statement of Policy Governance was broad and could use refinement.

**Motion:** David Sewell moved to make the Policy Governance Committee an ad hoc committee, and that the DAPR, Impact Fee Review, and Rules Committees be disbanded until or unless needed. Seconded by George Stewart.

**Vote:** Approved 7:0.

Mr. Harding allotted time to several Councilors who had prepared committee-related proposals.

**Motion:** David Sewell moved to create the Foothills Protection Committee with George Handley as Chair, David Sewell as a member, and with the mission statement: "Review the current staff report on the gravel pit issue and bring it to the Council for approval to release to the public. Bring recommendations to the Council for legislative changes to consider as a result of the lessons learned." Seconded by George Stewart.



Councilor Gary Winterton expressed interest in being involved with this committee.

**Motion:** David Sewell amended the motion to create the Foothills Protection Committee with George Handley as Chair, David Sewell and Gary Winterton as members, and with the mission statement: "Review the current staff report on the gravel pit issue and bring it to the Council for approval to release to the public. Bring recommendations to the Council for legislative changes to consider as a result of the lessons learned." Seconded by George Stewart.

**Vote:** Approved 7:0.

A discussion on communications with the Administration on Council budget priorities was continued to a later date. Councilor David Knecht deferred a discussion on recommendations for the Housing Committee and instead introduced a discussion of an ad hoc committee to address a parking permit program in the Joaquin Neighborhood.

**Motion:** David Knecht moved to create the Joaquin Parking Permit Committee, with David Knecht as Chair, George Stewart and Gary Winterton as members, and with the mission statement: "Work with all stakeholders to bring forward a parking permit program." Seconded by George Stewart.

Councilors shared comments and discussed the motion. Council Chair David Harding clarified that the item on the project list related to "parking permit programs" was a process he saw as separate or distinct from that of the Joaquin parking permit program. Mr. Harding felt that parking was an important item deserving a place on the Council's project or priority list.

**Motion:** David Knecht amended the motion to create the Joaquin Parking Permit Committee, with David Knecht as Chair, George Stewart and David Harding as members, and with the mission statement: "Work with all stakeholders to bring forward a parking permit program." Seconded by George Stewart.

**Motion:** David Knecht amended the motion again to create the Joaquin Parking Permit Committee, with David Knecht as Chair, George Stewart as Vice-Chair, and David Harding as a member, and with the mission statement: "Work with all stakeholders to bring forward a parking permit program." Seconded by George Stewart.

**Vote:** Approved 7:0.

The previous motion creating the Foothills Protection Committee did not specify which committee member would serve as the Vice-Chair.

**Motion:** Gary Winterton moved to appoint David Sewell as Vice-Chair of the Foothills Protection Committee. Seconded by George Stewart.

**Vote:** Approved 7:0.

## **Closed Meeting**

*A closed meeting was requested following the Council Meeting on February 19, 2019, and public notice in conjunction with the agenda for the Council Meeting was provided as such.*

## **Adjournment**

*Adjourned by unanimous consent.*