



## PROVO MUNICIPAL COUNCIL Work Meeting Minutes

2:30 PM, Tuesday, December 10, 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 David Knecht  
Councilor George Stewart  
Councilor George Handley  
Mayor Michelle Kaufusi

#### Prayer

The prayer was given by Councilor George Stewart.

#### Business

**1. A presentation regarding the Pleasant View Neighborhood Plan from the collaborating student team from Brigham Young University. (19-148) ([0:04:39](#))**

Robert Mills, Planner, introduced a BYU student group from Professor Jamin Rowan's class, which had worked on the Pleasant View Neighborhood Plan. Kelsey Larsen, project manager, presented an outline of the plan and reviewed steps in the planning process, including data collection, drafting the plan, and collaboration with the neighborhood. Major concerns of the neighborhood were neighborhood safety, walkability, and cohesion. Ms. Larsen shared several sections of the plan, using mobility on 2200 North as an example to illustrate these elements. A proposal in the Transportation Master Plan identified 2200 North as a potential project to widen it to a 5-lane arterial road. The impacts to the neighborhood presented some complications and contradicted elements of the General Plan philosophy and neighborhood cohesivity. It was also unclear whether widening the road would actually mitigate the issues with traffic flow; if other parallel routes were still low-trafficked, there may not be a need to widen 2200 North. Paul Evans, Pleasant View Neighborhood Chair, shared further insight on possible solutions.

Councilors shared comments and questions on the topic, including:

- Councilor George Handley was concerned about the proposed road expansion and its impacts on school safety.

- Councilor Gary Winterton was concerned about widening 2200 North, given the limitations for more development of 900 East which connected to it.

Mr. Mills shared a recent discussion with the Transportation and Mobility Advisory Committee regarding the draft Transportation Master Plan. Given these concerns with widening 2200 North and the current and projected traffic counts (which seemed to remain steady), the language in the master plan would likely be drafted to focus on other alternatives that address safety and traffic mobility, without resorting immediately to the financial and community impacts of purchasing additional homes to widen the road. Mr. Mills expressed that the student group has produced a great framework for moving forward. The group has also presented this plan to the Planning Commission and following further revisions and discussion, it would be brought back to the Council in the future for adoption. *Presentation only.*

## Redevelopment Agency

### 2. A discussion regarding the proposed project area plan and budget for the Medical School Community Reinvestment Project Area. (19-142, 19-143, and 19-144) (0:20:20)

David Walter, Redevelopment Agency Division Director, presented. Mr. Walter shared details on the recent public comment period for the plan. The plan encompassed 8 acres which previously comprised the Nature Sunshine property. The developer planned some housing and potentially ground-level retail, which would interface through the street design with the rest of the medical school campus. The next step in the process would be to negotiate interlocal agreements between the various taxing entities. The proposed enhancements in this area would provide benefits to the City, BYU, UVU, and local high schools that utilize the facilities for golf and cross-country. The Provo School District was also aware of the opportunities for students to have medical internships and experiences.

Councilors discussed the proposed project area:

- Councilor Kay Van Buren was concerned about what kinds of protection or guarantee the City and residents would have regarding the project. Mr. Van Buren felt the medical school was essentially asking for tax increment to subsidize sewer improvements for a 736-unit apartment building. Mr. Walter clarified that the TIF amount did not amount to the full amount of the sewer improvements. The developer has borne all costs associated with relocating the three holes of the golf course. This proposal did not mean that the City levied a tax or increased the tax burden on the City, but that the developer captured a portion of the tax increase in order to make more improvements to the property.
- Councilor David Harding asked what the City had agreed to in the initial agreements. Mr. Walter said that the contracts included language indicating that the City would use its best efforts to create a redevelopment project area. Mr. Harding was curious about what, if anything, had changed from the developer's original proposal for housing.

Mr. Walter explained that the item scheduled for the evening meeting was a public hearing on the adoption of project plan and budget; it was not a final decision on funding the project with some of the tax increment. *Presentation only. This item was already scheduled for the Council Meeting on December 10, 2019.*

**3. A resolution designating a survey area, authorizing the preparation of a draft Community Reinvestment Project Area Plan and Budget, related to "The Mix" project, and authorizing and directing all necessary action. (19-139) (0:45:43)**

David Walter, Redevelopment Agency Division Director, presented. Mr. Walter outlined the project survey area and the parameters for the project area plan and budget. The agreement stipulated a limit of tax increment for 5 years or \$1.5 million, whichever came first; these limits were reduced from an earlier proposal.

Dixon Holmes, Deputy CAO, shared more information about the base year tax assessment. Typically, the increment would be measured based on the assessed value on the tax roll when the project started. In this case, it would probably be the tax roll from 2018. This would be established in the project plan. Mr. Walter noted that the owners have already put significant investment into the property—they have helped relocate tenants, built the new Cafe Rio, and made additional changes that would result in a more cohesive development. He noted that it was quite costly for the project developers to manage and carry the property for as long as they have in its current state. Councilors shared comments on the drawbacks as well as the value for the proposed project area and future uses at the property. *Presentation only. This item was already scheduled for the Council Meeting on December 10, 2019.*

## **Business**

**4. An ordinance amending Provo City Code to correct and update Title 18 (Storm Water) and the associated design and management manual. (19-109) (0:55:56)**

Brian Torgersen, Public Services Division Director, presented. Mr. Torgersen highlighted elements of previous discussions about the setback from the Provo River. Given that studies of the City's levees and river cross sections were forthcoming, and the drafting of the Provo River Master Plan was in progress, staff suggested that the reference to the river floodplain setback be removed from this document until the guiding documents were in place. Mr. Torgersen clarified that City Code already required a 100-foot setback from the Provo River. The new reference was intended to clarify elevation requirements for structures between the 100-200 foot areas. The rest of the changes to Title 18 and the design and management manual had not changed from the previous presentation to the Council. These revisions would bring the City's stormwater code into compliance with the State permit program, align with the City's master plan, and clarify several outdated items. In response to a question from Councilor David Harding, Mr. Torgersen said they anticipated that the river plan documents were about 6-8 months out. *Presentation only. This item was already scheduled for the Council Meeting on December 10, 2019.*

**5. An ordinance amending the Claim Settlement Authority Schedule in Provo City Code and providing for automatic inflation adjustments. (19-149) (1:01:07)**

Gary Millward, Assistant City Attorney, presented. This is something that has needed to be addressed for quite some time, given that the amounts have been in place since 1981 and have never been adjusted for inflation. This proposal would amend the amounts and introduce an

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automated method of keeping pace with inflation every five years. Councilors suggested using a rounded figure for the multiplier, to provide round figures for each level of settlement.

**Motion:** David Knecht moved to amend the ordinance as suggested by Brian Jones to \$750, \$12,000, and \$30,000. Seconded by David Sewell.

**Vote:** Approved 7:0.

**6. A resolution adopting the 2020 Council regular Meeting schedule. (19-145) ([1:12:30](#))**

Cliff Strachan, Council Executive Director, presented. Mr. Strachan outlined the calendar noting schedule for the coming year, noting several exceptions to the usual first-and-third Tuesday schedule. *Presentation only. This item was already scheduled for the Council Meeting on December 10, 2019.*

**Closed Meeting**

The Municipal Council or the Governing Board of the Redevelopment Agency will consider a motion to close the meeting for the purposes of holding a strategy session to discuss pending or reasonably imminent litigation, and/or to discuss the purchase, sale, exchange, or lease of real property, and/or the character, professional competence, or physical or mental health of an individual in conformance with §52-4-204 and 52-4-205 et. seq., Utah Code.

**Motion:** George Handley moved to close the meeting. Seconded by Kay Van Buren.

**Vote:** Approved 7:0.

**Adjournment**

*Adjourned by unanimous consent.*