



CITY OF OREM  
CITY COUNCIL MEETING  
56 North State Street, Orem, Utah  
October 13, 2020

*This meeting may be held electronically  
to allow a Councilmember to participate.*

**NOTICE OF ALL-ELECTRONIC MEETING & OPPORTUNITY FOR PUBLIC PARTICIPATION**

Pursuant to Mayor Richard F. Brunst's Proclamation dated October 5, 2020, the Orem City Council meeting on October 13, 2020 will be an all-electronic meeting. There will be no anchor location for the meeting. The City cannot ensure the recommended minimum of six feet of social distancing for meeting participants at the usual anchor location in the Orem City Council Chambers. Therefore, holding the meeting at the City Council Chambers would present a substantial risk to the health and safety of those who may be present at the meeting and may contribute to the spread of COVID-19. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically.

To view the meeting: please go to [orem.org/meetings](https://orem.org/meetings).

To make a comment: Please submit your comment through:

[orem.org/comments](https://orem.org/comments)

OR

[CityCouncilPublicComments@orem.org](mailto:CityCouncilPublicComments@orem.org)

Comments will be accepted before and during the meeting. All comments received will be entered into the record and forwarded to each City Council member for review. Comments will also be read aloud during the live meeting when required by law or when time permits. Once an item has been voted on, that item will be closed to additional comments.

Thank you for your cooperation during these challenging times.

**4:45 P.M. WORK SESSION - CITY COUNCIL CONFERENCE ROOM**

**PRESENTATION - Central Corridor Transit Study (20 min)**

The Central Corridor Transit Study team will present an update on the next phases of the study.  
*Presenter: Eric Rasband, UDOT Region 3 Planning & Mary De La Mare-Schaefer, UTA Regional General Manager*

**DISCUSSION - City Retention Schedule (5 min)**

Presentation and Discussion of a proposed City of Orem Retention Schedule for sections of the City Manager's Department.

*Presenter: Jody Bates, City Recorder*

[2.Human Resources.docx](#)

[4.Redevlopment.docx](#)

[5.Risk Mgmt.docx](#)

[6.CDBG.docx](#)

1. AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

The City Council will review the items on the agenda.

2. CITY COUNCIL REPORTS (BOARDS & COMMISSIONS, NEW BUSINESS, ETC.)

This is an opportunity for members of the City Council to raise issues of information or concern.

Presenter: Terry Peterson

6:00 P.M. REGULAR SESSION - COUNCIL CHAMBERS

3. CALL TO ORDER

4. INVOCATION/INSPIRATIONAL THOUGHT: BY INVITATION - DAVID SPENCER

5. PLEDGE OF ALLEGIANCE: BY INVITATION - DAVID SPENCER

6. MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

**6.1. REPORT - Arts Council**

The Arts Council will provide an annual update of the year's activities for the City Council's consideration.

*Presenter: John Reinhard, Arts Council Chair*

7. PERSONAL APPEARANCES – 15 MINUTES

Time has been set aside for the public to express their ideas, concerns, and comments on items not scheduled as public hearings on the Agenda. Those wishing to speak are encouraged to show respect for those who serve the city. Comments should focus on issues concerning the city. Those wishing to speak should have signed in before the beginning of the meeting. (Please limit your comments to 3 minutes or less.)

8. CONSENT ITEMS

**8.1. APPROVAL OF MEETING MINUTES**

Minutes of City Council Meeting - September 29, 2020

[09.29.2020.ccmn--Draft.pdf](#)

**8.2. APPOINTMENT TO BOARDS AND COMMISSIONS**

Natural Resources Stewardship Committee:  
- Hilary Hungerford

[Hilary Hungerford - NRSC.pdf](#)

**8.3. RESOLUTION - Approval of certain sections of the City of Orem Public Works Department Retention Schedule**

The City Recorder recommends the City Council adopt the Resolution.

[RES--Records\\_Retention\\_Schedule\\_Approval.doc](#)

[1.Cemetery.pdf](#)

[6.Parks.pdf](#)

[7.Public Utilities.pdf](#)

[8.Volunteers.pdf](#)

9. SCHEDULED ITEMS

**9.1. PUBLIC HEARING**

**RESOLUTION - The City will receive Public Comment on the Community Development Block Grant (CDBG) Projected Use of Funds for CARES ACT CDBG-CV funding and consider approval of a substantial amendment to the 2019-2020 Annual Action Plan**

The Community Services Manager recommends that the City Council hold a public hearing to receive public comment on the projected uses of the funds for the CARES ACT CDBG-CV funding, adopt the recommendations of the CDBG Advisory Commission, and approve a substantial amendment to the 2019-2020 Annual Action Plan.

*Presenter: Kenneth Ransom, CDBG Advisory Commission Chairperson, and Kena Jo Mathews, Community Services Manager*

[RES--CDBG CV Annual Action Plan Amendment.docx](#)

**9.2. RESOLUTION – Designating a portion of 1200 West Street from Center Street to University Parkway as Wolverine Way and 1200 West**

The City Manager recommends the City Council, by resolution, designate a portion of 1200 West Street from Center Street to University Parkway as Wolverine Way and 1200 West.

*Presenter: Jason Bench*

[Agenda-Rename1200West.docx](#)

[Application.pdf](#)

[Wolverine Way Location Map.pdf](#)

[Resolution-Rename1200West.docx](#)

10. COMMUNICATION ITEMS

11. CITY MANAGER INFORMATION ITEMS

This is an opportunity for the City Manager to provide information to the City Council. These items are for information and do not require action by the City Council.

12. ADJOURN

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.**  
**If you need a special accommodation to participate in the City Council Meetings and Study Sessions,**  
**please call the City Recorder's Office at least 3 working days prior to the meeting.**  
**(Voice 801-229-7000)**

**This agenda is also available on the City's webpage at [orem.org](http://orem.org)**

# **SCHEDULE 1 – CITY MANAGER’S DEPARTMENT**

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## **Section 2: Human Resources/Personnel Records**

### **1.201: COMPLAINT INVESTIGATION FILES**

Initial documentation of complaints that result in an investigation but do not result in disciplinary action.

RETENTION - Retain for 7 years after end of employment or case closed, whichever is greater, then destroy

### **1.205: DRUG TEST - NEGATIVE RESULTS**

This screening test is used as a pre-employment screen, post accident screen, and for random screening of employees, the results of which are found to be negative. The records contain the name, date, type of test, substance for which the medical facility tested and test results.

RETENTION - Retain by office for 1 year, then destroy

### **1.206: DRUG TEST - POSITIVE RESULTS**

This screening test is used as a pre-employment screen, post accident screen, and for random screening of employees. If test is positive employment offer is withdrawn or disciplinary action is taken for employees. The records contain the name, date, type of test, substance for which the medical facility tested and test results.

RETENTION - Retain by office for 5 years, then destroy provided it is transferred to personnel file if disciplinary action is taken

### **1.209: EMPLOYEE MEDICAL RECORDS**

These records document an employee's fitness for duty. Documentation for health-related leave is included. Additionally, the records related to emergency or other personal leave show the name of employee, dates of absence, explanation of emergency, signature of employee taking emergency leave, and signature of supervisor. These are applications for leave, and supporting papers relating to request for, and the approval of, taking leave time (vacation, sick, etc.). These files contain compilations of leave earned and taken. Includes the annual leave compilation card.

RETENTION - Retain 3 years after separation/end of employment, then destroy

### **1.212: EQUAL EMPLOYMENT OPPORTUNITY (EEO) COMPLIANCE CASE FILES**

These are compliance files containing background papers and correspondence relating to contractor employment practices.

RETENTION - Retain for 3 years, then destroy

# **SCHEDULE 1 – CITY MANAGER’S DEPARTMENT**

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## **Section 2: Human Resources/Personnel Records**

### **1.213: EQUAL EMPLOYMENT OPPORTUNITY (EEO) DISCRIMINATION COMPLAINT CASE FILES**

These files document official discrimination complaints received and resolved by the municipality. The files contain complaints, related correspondence, reports, exhibits, withdrawal notices, copies of decisions, records of hearings and meetings, and other records as described in 29 CFR 1613.222 (1992).

RETENTION - Retain for 3 years after resolution of case, then destroy

### **1.214: EQUAL EMPLOYMENT OPPORTUNITY (EEO) PROGRAM FILES**

These files document the adoption and administration of municipal affirmative action programs under the Civil Rights Act of 1964 and the Equal Employment Opportunity Act of 1972. The files include program correspondence, program plans, reports, and may include anti-discrimination committee meeting records and reports.

RETENTION – Permanent, retain for 10 years and transfer to the State Archives

### **1.215: EQUAL EMPLOYMENT OPPORTUNITY (EEO) REPORTS**

These reports are required to be filed with the Equal Employment Opportunity Commission (EEOC) in accordance with the provisions of Title VII and the Americans with Disabilities Act (ADA) (29 CFR 1602 (1992)). They include statistical information on employees hired, rehired, and terminated.

RETENTION – Permanent, may be transferred to the State Archives

### **1.216: EQUAL EMPLOYMENT OPPORTUNITY (EEO) STATISTICS FILES**

These files contain employment statistics and statistical reports relating to race and gender.

RETENTION - Permanent, may be transferred to the State Archives

### **1.218: GRIEVANCE RECORDS**

Initial documentation responding to working condition grievances that result in any type of investigation for possible personnel or administrative action.

RETENTION - Retain for 3 years, then destroy

# **SCHEDULE 1 – CITY MANAGER’S DEPARTMENT**

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## **Section 2: Human Resources/Personnel Records**

### **1.219: GRIEVANCE AND DISCIPLINARY CASE FILES**

These files document the review of grievances and appeals raised by the municipal employees, except EEO complaints. These case files include witnesses’ statements, reports of interviews; and hearings, examiner’s findings, recommendations and exhibits; and records relating to a reconsideration request.

RETENTION - Retain for 3 years after case is closed, then destroy

### **1.220: INSURANCE DEDUCTION FILES**

These are reports and related papers including copies of vouchers and payment schedules pertaining to insurance deductions.

RETENTION - Retain for 3 years, then destroy

### **1.221: JOB APPLICATIONS FOR CANDIDATES NOT HIRED**

Records related to the recruiting and hiring of employees, including candidates no hired. The resume and application of hired individuals are part of the Employee History Records. These are records described in 29 CFR 1602.14 (1992) relating to interviews with prospective employees. They include correspondence, reports, lists of questions, notes, and test scores. These are tests taken by municipal employees to determine eligibility for promotion. They include the actual tests, answer keys, individual test scores, and the results from oral interviews.

RETENTION - Retain for 2 years after final action, then destroy

### **1.229: PERSONNEL FILES**

These files are the official employment files for all municipal employees. Contains: original employment application, correspondence, credential files, letters of recommendation, pay and leave history, work performance, training certificates, PA's, pay history, evaluations, changes to payroll and benefits, and E-verify I-9 form (sub-record). Final actions taken as a result of disciplinary action or grievances are included in this schedule. These records document employee cumulative salary for employees needed for retirement purposes. Information includes employee details, department and position information, earnings, deductions, and related records. Employment history documents a person's application, correspondence, credential files, letters of recommendation, pay and leave history, work performance, training certificates, evaluation forms, including all records necessary to calculate benefits. Final actions taken as a result of disciplinary action or grievances are included in this schedule. These files document the performance of exempt employees. They may include performance records superseded through

# **SCHEDULE 1 – CITY MANAGER’S DEPARTMENT**

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## **Section 2: Human Resources/Personnel Records**

an administrative, judicial, or quasi-judicial procedure; performance appraisals along with job elements and standards upon which they are based; and supporting documentation.

Also contains: Medical Files (pre-employment background check, EEO Status Declaration forms, insurance selection, return to work due to injuries, short or long term disability, leaves of absence). This information documents an employee's performance, including awards, performance plans, personal action forms, and evaluations.

These are files maintained on temporary employees who were not provided benefits by the municipality. They include copies of correspondence and employment forms. They do not include personnel records created for specific federal programs. Contains: medical files (background check, EOC status, insurance selection, return to work due to injuries, short or long term disability), PA's, pay history, evaluations, changes to payroll and benefits.

RETENTION - Retain for 65 years from date of employment or 7 years after retirement or death, then destroy

### **1.233: SALARY SURVEYS**

These are salary survey reports on various municipal positions. They are used to compare salary ranges, benefits, education, and required experience. They include positions, grades, salaries, benefits, education, and experience. These files contain wage survey reports and data; working papers and related correspondence pertaining to area wages paid for each employee class; background papers establishing need, authorization, direction, and analysis of wage surveys; development and implementation of wage schedules; and development of specific rates (excluding authorized wage schedules and wage survey recapitulation sheets).

RETENTION - Retain for 3 years, then destroy

### **1.234: STAFF ACQUISITION RECORDS**

Records related to the recruiting and hiring of employees. Contains: records related to the recruiting and hiring of employees, including (1) the original job requisition form, (2) the resumes and applications of candidates not hired (the resume and application of hired individuals are part of the Employee History Records), (3) interviews with prospective new employees and current employees applying for promotion (including correspondence, reports, lists of questions, notes, and test scores).

RETENTION - Retain for 2 years from application, then destroy

# **SCHEDULE 1 – CITY MANAGER’S DEPARTMENT**

## **Section 4: Economic Development & Redevelopment Records**

### **1.401: APPRAISAL PROJECT FILES**

These files contain evaluations of properties and structures within proposed projects. They are used to investigate project's viability, determine costs, and negotiate for purchase of real property. The files include financial assessments of the worth of real estate and buildings within proposed project areas. They may also include assessments of architectural and historical significance and condition of the involved structures.

RETENTION - Permanent, may be transferred to the State Archives

### **1.402: BUILDING ILLUSTRATIONS**

These are working copies of maps of real property and drawings and diagrams of actual buildings. They are used during the early phases of redevelopment projects. When the projects become official, the maps and drawings become part of the project file.

RETENTION – Retain for 4 years after final action, then destroy

### **1.403: CERTIFICATION FILES**

These files document the approval and certification process of all official redevelopment projects. They contain all documents necessary to certify a project including consultant's reports; a copy of the redevelopment plan; a report detailing reasons for the selection of the project area; a description of physical, social, and economic conditions in the area; a financial analysis of the project; consultant proposals; a plan detailing methods for the relocating of all families and persons in the redevelopment area; an analysis of the preliminary plan; a report with the planning commission recommendations; a blight survey; notices of hearings; copies of minutes of hearings; and copies of resolutions.

RETENTION - Permanent, may be transferred to the State Archives

### **1.404: CONSULTANT RECORDS**

These are separate files prepared by private consultants. They are used to document proposals made by individual consultants. The files contain both rejected proposals and those being considered and include the actual proposal and bid. Final approved proposals are filed in the certification file.

RETENTION – Retain for 2 years after final action, then destroy

### **1.405: FACADE PROJECT FILES**

# **SCHEDULE 1 – CITY MANAGER’S DEPARTMENT**

## **Section 4: Economic Development & Redevelopment Records**

These files document the regranting of funds received by the municipality to restore exteriors of architecturally important structures in project areas. These grants are totally funded grants made to individual property owners for separately assessed structures. The files include a work contract, photographs, and related correspondence.

RETENTION - Permanent, may be transferred to the State Archives

### **1.406: HOUSING AND URBAN DEVELOPMENT FINANCIAL RECORDS**

These files document the granting of Housing and Urban Development (HUD) funds for the rehabilitation of homes. These projects concern historic preservation, employment survey, and environmental review. They include financial reports, preliminary reports, and all other financial records (24 CFR 58 (1993)).

RETENTION – Retain for 3 years, then destroy

### **1.407: HOUSING AND URBAN DEVELOPMENT HISTORICAL PROPERTIES GRANT FILES**

These files document the granting of Housing and Urban Development (HUD) funds for the rehabilitation of homes. These granted fund projects deal with historic preservation, employment survey and environmental review. These files include copies of the plan, copies of the original grant, final report, resolution, copies of council minutes, and related correspondence (24 CFR 58 (1993)).

RETENTION - Permanent, may be transferred to the State Archives

### **1.408: LITIGATION FILES**

These files document lawsuits filed against the Redevelopment Agency concerning redevelopment projects. They contain related correspondence, research materials, copies of all official filings (complaints, answers, judgements, etc.), copies of depositions, and attorneys' notes. Usually the city attorney maintains the record copy of all lawsuits.

RETENTION - Permanent, may be transferred to the State Archives

### **1.409: OWNER PROJECT FILES**

These project files document both successful and unsuccessful negotiations and ongoing agreements for the purchase of property for redevelopment projects. The files include copies of

# **SCHEDULE 1 – CITY MANAGER’S DEPARTMENT**

## **Section 4: Economic Development & Redevelopment Records**

agreements and related correspondence.

RETENTION – Retain for 4 years after completion of project, then destroy

### **1.410: PRELIMINARY PLAN REPORTS**

These are reports required to be completed by the agency on proposed projects. The agency "may select one or more project areas comprising all or part of the proposed survey area and formulate a preliminary plan for the redevelopment or economic development of each project area in cooperation with the planning commission of the community" (UCA 17A-2-1206) (1997)). The plans must include a description of the boundaries of the project area containing a "general statement on land uses, layout of principle streets, population densities and building intensities and standards proposed as the basis for the development of the project area." The plans must also show how the "purposes of the act would be attained by such redevelopment" and "shows how redevelopment conforms to the master or general community plan" (UCA 17A-2-1207 (1997)).

RETENTION - Permanent, may be transferred to the State Archives

### **1.411: REDEVELOPMENT PLANS (NON-APPROVED)**

"The agency shall prepare or cause to be prepared a redevelopment plan for [each] project area" in accordance with the provisions of UCA 17A-2-1213 (1997). The agency is required to conduct examinations, investigations, and other negotiations regarding the plan. The plan "shall be consistent with the community's general plan, master plan, and other plans of the community involved in development or capital improvement programs affecting the project area." The agency shall "consult with the planning commission of the community in preparing a project area redevelopment plan" (UCA 17A-2-1213 (1997)). Approved plans become part of Schedule 24, Item #3 "Certification Files."

RETENTION – Retain for 2 years, then destroy

# **SCHEDULE 1 – CITY MANAGER’S DEPARTMENT**

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## **Section 5: Risk Management Records**

### **1.501: DISASTER PLAN RECORDS**

Disaster plans for records and office operations ensure that essential government functions continue to be performed following natural disasters, accidents, technical, or attack related emergencies. Information includes plans for restoring operations and protecting facilities and resources. Disaster recovery training materials may be included.

RETENTION - Retain until superseded by a new plan, then destroy

### **1.502: EMPLOYEE BONDS**

These are bonds with good and sufficient sureties, payable to the municipality to guarantee faithful performance of the duties of the respective officers. Bonds are placed at such amounts as may be determined by the governing body.

RETENTION - Retain for 3 years after resolution of issue/expiration of bond, then destroy

### **1.503: EMPLOYEE DRIVING RECORDS**

The city collects these records to verify that employees who drive city-owned vehicles are in good standing and have valid driver’s licenses. Information includes Department of Motor Vehicles driving records, driver’s license numbers and addresses.

RETENTION - Retain for until administrative need ends, then destroy

### **1.504: FIDELITY BONDS**

This is the municipal treasurer's bond to protect the municipality and to guarantee fidelity of the treasurer. The bond usually covers four years and may be set by resolution or ordinance in any amount, not less than that established by the state money management council.

RETENTION - Retain for 3 years after expiration (total of 7), then destroy

### **1.505: FIRST PARTY PROPERTY DAMAGE AND SUBROGATION FILES**

These files document traffic accidents investigated by the police department. The report usually includes complete information on all cars and drivers involved in the accident, accident location, damage, accident causes, date and time, accident diagram, description, and weather conditions. The original report is sent to the State Department of Public Safety if damage exceeds \$1,000, or injury or death occurs (UCA 41-6a-404 (2007)), and is maintained for seven years.

# **SCHEDULE 1 – CITY MANAGER’S DEPARTMENT**

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## **Section 5: Risk Management Records**

RETENTION - Retain for 3 years, then destroy

### **1.506: INSURANCE CLAIM RECORDS**

These records document coverage or compensation for a covered loss. Records may include validate claims and payments issued.

RETENTION - Retain for 12 years, then destroy

### **1.507: INSURANCE EXPIRATION LOG**

This record is regarding insurance information for fleet vehicles.

RETENTION – Retain for 1 year, then destroy

### **1.508: INSURANCE POLICY CONTRACTS**

These are insurance policy contracts between the municipality and private insurers.

RETENTION - Retain for 15 years after expiration of contractual agreement and settlement of all claims, then destroy

### **1.509: INSURANCE REPORTS**

These reports are used for the reference and generation of claim files.

RETENTION - Retain for 12 years, then destroy

### **1.510: LIABILITY RISK MANAGEMENT CASE FILES**

These case files document the reporting, investigation, and settlement of liability claims filed against the municipality.

RETENTION - Retain for 20 years after case closed, then destroy

### **1.511: LOSS CONTROL INSPECTION REPORTS**

Each year a municipal agency may undertake self-inspection to identify potential hazards within their buildings or on their grounds. If the agency completes this report, they can get a 15 percent discount on their premium after a follow-up survey has been conducted. This record might also be used as evidence in defense of a claim.

# **SCHEDULE 1 – CITY MANAGER’S DEPARTMENT**

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## **Section 5: Risk Management Records**

RETENTION - Retain for 7 years, then destroy

### **1.512: WORKER'S COMPENSATION CASE FILES**

Records include forms, first report of injury, reports, correspondence, and related medical and investigative records regarding on-the-job injuries, whether or not a claim for compensation was made. Refer to State Code for Worker's Compensation Act.

RETENTION - Retain by agency for 75 years from date of incident or 10 years after case is closed, then destroy

# **SCHEDULE 1 – CITY MANAGER’S DEPARTMENT**

## **Section 6: Community Development Block Grant Records**

### **1.601: COMMUNITY DEVELOPMENT BLOCK GRANT ADMINISTRATIVE RECORDS**

These files document the administration of projects funded under the Community Development Block Grant program (CDBG). These projects include both direct grants and re-grants. The records include the preliminary reports, audits, certificates, maps, and related correspondence. Under the federal guidelines, agencies are required to maintain records in sufficient detail to demonstrate compliance with the provisions concerning affirmative action, labor and environmental standards.

RETENTION – Retain for 4 years after completion of project, then destroy

### **1.602: COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION RECORDS**

These files document the application and completion of projects funded under CDBG funds. These projects include both direct grants and re-grants. The files include the initial application, and all final reports.

RETENTION – Retain for 4 years after completion of project, then destroy

### **1.603: COMMUNITY DEVELOPMENT BLOCK GRANT SUPPORTING FILES**

These are the supporting documentation to the application and administration of projects funded under Community Development and Block Grant (CDBG) funds. These projects include both direct grants and regrants. They include reports, audits, certificates, maps and related correspondence. Under the federal guidelines, agencies are required "to maintain records in sufficient detail to demonstrate compliance with the provisions" concerning affirmative action, labor, and environmental standards (24 CFR 570.611(f) (1992)).

RETENTION - Retain for 4 years after completion of project, then destroy

### **1.604: HOUSING REHABILITATION OR BUSINESS LOANS**

These records document the application and granting of money for, and progress of projects funded under Community Development Block Grants (CDBG). These projects include both direct grants and re-grants. Information may include the initial application, and final reports.

RETENTION - Retain for 4 years after loan is paid off/grant completion, then destroy

# DRAFT

CITY OF OREM  
CITY COUNCIL MEETING  
56 North State Street Orem, Utah  
September 29, 2020

*This meeting was held electronically  
to allow Councilmembers and Staff to participate.*

## **4:00 P.M. WORK SESSION – CITY COUNCIL CONFERENCE ROOM**

CONDUCTING Mayor Richard F. Brunst

ELECTED OFFICIALS Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner

APPOINTED STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Greg Stephens, City Attorney; Marc Sanderson, Fire Chief; Karl Hirst, Interim Police Department Manager; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Chris Tschirki, Public Works Department Manager; Brandon Nelson, Finance Department Manager; Debbie Boone, Interim Recreation Department Manager; Jason Bench, Planning Division Manager; Pete Wolfley, Communications Specialist; and Jackie Lambert, Deputy City Recorder

**NOTE: The referenced report and presentation documents for each discussion may be viewed at [orem.org/meetings](http://orem.org/meetings) under “City Council Presentations”**

### **PRESENTATION – Valley Visioning**

Ari Bruening, CEO of Envision Utah, and Ryan Beck, VP of Planning, gave a presentation on Phase Two of the Valley Visioning project. Mr. Bruening said more information could be found at [envisionutah.org/valley-visioning](http://envisionutah.org/valley-visioning). He said by 2065 Utah Valley would add 1 million people to its population, 85% of which would be from internal growth. Mr. Beck said Phase 1 of the project had been all about public engagement and listening to what the people had to say. Phase Two of the project identified priority group topics, including: air quality, water quality and quantity, workforce and education, agriculture and open space, housing, and transportation. Mr. Beck said once the priority group topics were identified they consulted with industry experts to generate scenarios about how and where the growth should take place.

The five overall scenarios were:

- Scenario A – Current Conditions
  - Growth continues as it has for the last 20 years

# DRAFT

- Scenario B – Organized Centers
  - Growth occurs in mixed-use centers near high capacity transportation
- Scenario C – Westward Growth
  - Growth primarily occurs west of the lake into Cedar Valley
- Scenario D – Southern Growth
  - Growth primarily occurs south between Provo and Santaquin
- Scenario E – Urban Infill
  - Growth is primarily accommodated in existing urban areas

Mr. Beck explained the scenarios and shared maps with suggested growth patterns. He showed the scenario results by location, age group, and gender, with people generally favoring Scenarios B, C, and E.

There was continued discussion on the proposed scenarios, and transportation needs that would be critical in how growth developed in Utah County. In response to questions about a bridge providing connection across the lake, Mr. Davidson said UDOT and MAG had much discussion about the project. There were still many unknowns about the location, cost, and timeline for that connection and the City would watch that closely going forward. Cameron Martin, formerly with UVU, said UVU and Orem had worked in collaboration with the Utah Valley Chamber of Commerce to further this planning project and he thanked Mayor Brunst for being so supportive.

Mr. Beck said he appreciated being able to present the information to the Council and asked that suggestions and comments regarding the Valley Visioning project be directed to himself or to Mr. Bruening.

## UPDATE – UTA Services

UTA Board of Trustee member Kent Millington provided an update on the effects of the COVID-19 pandemic on the UVX transit line. He said ridership was down approximately 75% system-wide in the first part of April; now ridership was rebounding to around 65,000 riders. Mr. Millington said much of that increase was because of the opening of schools in Utah County. He felt ridership would continue to recover if the pandemic were contained. Mr. Millington also spoke about studies currently underway to determine how best to increase transportation facilities in the face of the projected population growth. He referred to the North Lakeshore Area Study being conducted by MAG, which was to help unite and connect northern Utah County to Salt Lake County. He said more information could be found at [mountainland.org/nlstudy](http://mountainland.org/nlstudy).

Mr. Millington continued discussing other studies in progress. He said the UVX Bus Rapid Transit (BRT) project was regularly cited as an example of a successful BRT line and several other cities in Utah and other states were hoping to replicate that success. General discussion ensued regarding MAG and UDOT transportation studies, connectivity from the northern end of the state through Utah County, and light rail projects in the future. Mr. Millington encouraged the Council to reach out to him with any questions regarding the ongoing studies.

## DISCUSSION – City Retention Schedule

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Ms. Lambert stated this was the next section of the ongoing approval for the overall retention schedule. This would cover the remaining sections of the Public Works Division, namely Cemetery, Parks, Public Utilities, and Volunteers.

## DISCUSSION – Orem City Center

Mr. Davidson provided an update on the municipal campus and the City Center building. He said the COVID-19 pandemic had changed the way people were thinking about their work spaces in a number of ways and had also brought about some historically low interest rates, which was one reason to have this discussion at this time. Mr. Davidson shared the square footage of the City Center, Library buildings including the new Library Hall, the Public Safety building, and the justice court. He said some ideas were explored pre-COVID-19 assessing the required space for existing needs as well as accommodating future growth. Part of that process had been in-depth review of the condition of the existing City Center building, which had raised some significant concerns. Seismic improvements were gravely needed, as the building predated seismic building code regulations and posed a significant threat to anyone within or near the building in the event of an earthquake. Mr. Davidson said experts had reviewed the needs and costs to shore up the building to current seismic standards at approximately \$2.6 million.

Mr. Davidson said though the seismic concerns with the current building were considerable, they were by no means the only concerns of the condition of the building. Built in 1970, the City Center's mechanical, electrical, plumbing, security, technology infrastructure, and other systems were also in need of substantial upgrades. He reviewed some of the key upgrades needed for the electrical and mechanical systems in particular. Mr. Davidson then shared cost estimates completed in 2019 for seismic upgrade construction only as well as cost estimates for seismic upgrades and operational renovation construction. The seismic upgrade and operational renovation cost estimate was approximately \$17.6 million. The estimated project budget for a new municipal center at approximately \$22.6 million or \$453/square foot and included a justice court facility.

From 2017 to the present approximately \$1.2 million had been spent on needed capital improvements to the City Center. Mr. Davidson said the building was built before ADA accessible design standards were required and it would take significant renovations to be brought up to existing codes. He shared additional information about building renovation needs and costs. Mr. Davidson said there had been conversations with Joe Smith from Method Studio about the possibility of creating a conceptual project site and design that would complement existing library buildings. Mr. Davidson said it would take 90 days and cost approximately \$15,000-\$50,000 to create the conceptual plan. He said he also spoke with Laura Lewis of Lewis Young Robertson & Burningham (LYRB) for the financial analysis for the project with current municipal bond interest rates and construction costs. He shared data regarding municipal interest rate trends, pay-as-you-go vs. bonding, and debt service funding availability and alternatives. Mr. Davidson lastly addressed how best to assess public sentiment towards reconstruction of the City Center.

Mr. Sumner commented that there were a lot of old buildings in Orem and the county generally, and he did not understand the hurry to get this particular one rebuilt. Mr. Davidson said the reason they were having the conversation now was because of the opportunity to benefit from a

# DRAFT

historically low interest rate for the next 30 years which may not be available again. Mr. Sumner said he would prefer to wait and to put the project on the ballot for public vote.

Mayor Brunst said waiting could result in paying much more for a new building down the road. He felt introducing a General Obligation (GO) bond was the wrong way to go forward because it would require the raising of property taxes. He said rebuilding using a revenue bond was preferred; though it did not place the item on a ballot for public vote, it did not raise property taxes. Mayor Brunst said he did not feel comfortable with the building not meeting ADA accessibility requirements especially in the restrooms and the elevator. He was also concerned about the stability of the building if a seismic event occurred, and the possibility of loss of life. In his opinion, Mayor Brunst felt continuing to spend money on upgrading an old building with so many needed renovations was counterproductive. The cost to rebuild was comparable to renovation costs; now was the time to take advantage of beneficial financing opportunities.

Mr. Macdonald commented that the Mayor's passion for this project was well-known, but he himself had concerns particularly about the cost and financing for such a capital project. Mr. Macdonald did not see the urgent need to pull the trigger based on favorable interest rates when the Federal Reserve System had announced the interest rate would stay the same until 2023. He also agreed with Mr. Sumner in wanting the item on the ballot for public vote as he felt the project would need overwhelming public approval. Mayor Brunst reiterated his feelings about the effects of putting the item to vote on the property tax rates and said the public would not like that aspect.

Discussion continued about the projected costs and financing options. Mr. Lambson said he felt there was a big cost difference in retrofitting versus rebuilding. Mayor Brunst asked for the Council members' thoughts on moving forward with a conceptual project design. Only Mr. Spencer and Mrs. Lauret were in favor of at least seeing a general concept. In response to a council question, Mayor Brunst said they would not move the project forward without council consensus though he was disappointed that more of them were not as "forward-thinking" as he hoped they would be.

## Agenda Review & Preview of Upcoming Agenda Items

The City Council reviewed the evening's agenda. Discussion ensued regarding the scheduled items that would be considered.

## City Council Reports & City Manager Information Items

There were no Information Items shared by the City Manager.

## **6:00 P.M. REGULAR SESSION – COUNCIL CHAMBERS**

CONDUCTING

Mayor Richard F. Brunst

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## ELECTED OFFICIALS

Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner

## APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Greg Stephens, City Attorney; Marc Sanderson, Fire Chief; Karl Hirst, Interim Police Department Manager; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Chris Tschirki, Public Works Department Manager; Brandon Nelson, Finance Department Manager; Debbie Boone, Interim Recreation Department Manager; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Pete Wolfley, Communications Specialist; and Jackie Lambert, Deputy City Recorder

## CALL TO ORDER

### INVOCATION /

### INSPIRATIONAL THOUGHT

Mayor Brunst

### PLEDGE OF ALLEGIANCE

Mayor Brunst

## MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

Mayor Brunst read the following to begin the meeting:

“Pursuant to Mayor Richard F. Brunst's Proclamation dated September 1, 2020, the Orem City Council meeting on September 29, 2020 will be an all-electronic meeting. There will be no anchor location for the meeting. The City cannot ensure the recommended minimum of six feet of social distancing for meeting participants at the usual anchor location in the Orem City Council Chambers. Therefore, holding the meeting at the City Council Chambers would present a substantial risk to the health and safety of those who may be present at the meeting and may contribute to the spread of COVID-19. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically.

To view the meeting please go to [orem.org/meetings](http://orem.org/meetings).

To make a comment please submit your comment through:

[orem.org/comments](http://orem.org/comments)

OR

[CityCouncilPublicComments@orem.org](mailto:CityCouncilPublicComments@orem.org)

Comments will be accepted before and during the meeting. All comments received will be entered into the record and forwarded to each City Council member for review. Comments will also be read aloud during the live meeting when required by law or when time permits. Once an item has been voted on, that item will be closed to additional comments. Thank you for your cooperation during these challenging times.”

# DRAFT

## REPORT – Library Advisory Commission (LAC)

Suzanne Whitaker, Library Advisory Commission Chair, presented a report of the activities of the commission this past year and thanked Mr. Sumner for his support as the current City Council liaison to the LAC. Ms. Whitaker said this year was unusual for the library because of the closures caused by the COVID-19 pandemic, but she said there was still a lot of interaction with the public during that time. She said library staff had created videos and other online options for programs like story time and the Summer Reading drive. Ms. Whitaker said they were able to have a drive-thru finale for the Summer Reading program where participants could drive through to get treats and celebrate with library staff. She said when they were able to reopen the library new services like book bundles and technology-driven e-book rentals were in place to help returning library patrons. Finally, Ms. Whitaker said the new Library Hall would be completed in the coming weeks, and the LAC was excited for the public to get to enjoy the facility and participate in library programs together soon.

In response to Mrs. Lauret's question, Mrs. Crozier said the e-books had been heavily used during the closure and they struggled to meet demands. They also saw an increase in the number of books people would rent at once when the library reopened. She did not have specific statistics to share, but said this year would be an anomaly in annual statistics for libraries everywhere.

## **PERSONAL APPEARANCES**

Time was allotted for the public to express their ideas, concerns, and comments on items not scheduled as public hearings on the agenda. Those wishing to make a comment provided staff with written comments.

The public comments submitted were read into the record. Comments that were submitted for "Public Appearance" are attached to the end of the minutes in their entirety.

## **CONSENT ITEMS**

- APPROVAL OF MEETING MINUTES
  - o Minutes of Special City Council Meeting – September 1, 2020
  - o Minutes of City Council Meeting – September 8, 2020
- RESOLUTION – Approval of certain sections of the City of Orem Public Works Department Retention Schedule
- RESOLUTION – Amending the City Council Meeting Policies and Procedures

**Mayor Brunst moved** to approve the Consent Agenda as listed. **Mrs. Lauret seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner. The motion **passed**.

## **SCHEDULES ITEMS**

# DRAFT

## PUBLIC HEARING

ORDINANCE – Amending the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amend Section 22-5-3(A) and the Zoning Map of the City of Orem by rezoning the property located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezone approximately 0.79 acres to the HO (Hospital Overlay zone)

Mr. Bench said the applicant IHC Health Services proposed to amend the general plan land use designation and to change the zoning on the subject property as described above in order to make the classifications of its property more consistent with the classifications of the surrounding property (which was largely in the R7.5 zone). One property that the applicant owned was previously excluded from the hospital overlay because the hospital did not own it at the time. That property was proposed to be included in the Hospital Overlay Zone as part of this rezone request.

The applicant had no plans to change the existing hospital site now or in the future. A neighborhood meeting was held on August 10, 2020. The Planning Commission discussion centered on how the nature of this request was a minor change and that the zone would remain as a detached single family zone with the potential for slightly smaller lots.

Mr. Peterson said he heard the discussion from the Planning Commission meeting and he did not feel like there was a compelling reason behind the requested change. He was especially unclear on why the applicant wanted the rezone when they repeatedly said they were not going to do anything with it. The specified property had both R8 and R7.5 zoned areas around it and the land was currently used for the hospital. Mr. Peterson said he intended to vote against the request because there did not seem to be a good reason for the change. Tom Uriona with IHC Health Services said they periodically reviewed their properties relative to land use and felt this was an asset management change that would make it more consistent with the current zoning. Mr. Uriona said medical services were changing and there may come a time when they would need to use the property for other things, but it was not their plan to do so currently.

Mr. Lambson asked about neighborhood support and the effects to property value. Mr. Bench said there were comments from the neighborhood that were similar to those made by Mr. Peterson. He also said property values were discussed at the Planning Commission meeting but he was not sure of the impact the change could have.

Mayor Brunst opened the public hearing at 6:28 p.m. Public comments that were submitted for Item 9.1 are attached to the end of the minutes in their entirety. Mayor Brunst closed the public hearing.

**Mayor Brunst moved**, by ordinance, to amend the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amend Section 22-5-3(A) and the Zoning Map of the City of Orem by rezoning the property located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezone approximately 0.79 acres to the HO (Hospital Overlay zone). **Mr. Lambson seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom

# DRAFT

Macdonald, David Spencer, and Brent Sumner. Those voting nay: Terry Peterson. The motion passed.

## PUBLIC HEARING

ORDINANCE – Annexing 1.86 acres of property located generally at 1526 South 1250 West and amending the Orem General Plan map by designating the property LDR/SW (Low Density Residential/Southwest), and amending Section 22-5-3(A) and the zoning map of the Orem City Code by zoning the property OS5

Mr. Bench said the applicant submitted a petition for annexation into the City of Orem a few months ago. The City Council accepted the application on June 8, 2020. After an application for annexation was accepted, the state law allowed a 30-day period for the City and the County to determine that the proposed annexation met applicable requirements. After that period, a 30-day protest period began to run.

This 30-day period ended on September 2, 2020. During the 30-day protest period, one comment was received by the City. The comment was made by the neighbor immediately to the west of this property. They came in person to the Development Services desk to express their concern about the irrigation ditch running through the proposed annexation property to their property. They were concerned as to whether their access to the ditch might be removed or limited by this annexation. Staff explained that if the annexation were to happen, their water rights would not be infringed upon and would be reviewed at the time of development.

Staff recommended the property be designated in the General Plan as LDR/SW (Low Density Residential/Southwest) consistent with the recently adopted general plan land use designation category for the area and zoned to the OS5 zone. The City had not received any plans to develop the property at the time of this meeting. Applicant Mark Steffensen said he and his business partner owned land contiguous to this property and they purchased the property in the hopes of combining the whole piece to have one joint residential development.

Mr. Sumner asked about the utilities in the area. Mr. Clark said they were currently in the process of updating the City's utility master plans. When the project was submitted for site plan approval they would look at the capacity. Mr. Bench added that the infrastructure planned there would accommodate the density they were proposing.

Mrs. Lauret asked to clarify that any development on this property would be subject to the recent ordinance that planned residential developments (PRDs) near the Orem LDS Temple could only have up to seven units and not eight. Mr. Bench said that was correct.

Mayor Brunst opened the public hearing at 6:36 p.m. No public comments were received, so Mayor Brunst closed the public hearing.

**Mayor Brunst moved**, by ordinance, to annex 1.86 acres of property located generally at 1526 South 1250 West and amending the Orem General Plan map by designating the property LDR/SW (Low Density Residential/Southwest), and amending Section 22-5-3(A) and the zoning map of the Orem City Code by zoning the property OS5. **Mr. Spencer seconded** the motion. Those voting

# DRAFT

aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner. The motion **passed**.

## PUBLIC HEARING

ORDINANCE – Amending Section 22-11-35(L)(1) of the Orem City Code pertaining to the location of residential units in the PD22 Urban Village zone and amending portions of Appendix Q of the Orem City Code pertaining to the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land Uses map

Mr. Bench said applicant Bruce Dickerson owned the property at 1140 West 950 North in the PD22 zone. The property was originally owned by the Church of Jesus Christ of Latter-Day Saints and the concept plan for the PD22 zone contemplated a church being developed on this property. Mr. Dickerson wanted to make ordinance amendments to allow residential development to now go on the property. The applicant would like to build residential condominiums on the property similar to the Villa D’Este Condominiums located to the east of this property.

To make this possible, three maps in Appendix Q needed to be amended. These maps included the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land Uses map. In the PD22 zone, a maximum of seven hundred residential dwelling units were allowed. The applicant proposed to reallocate some allowed, but unused, residential units from the Mixed-Use area (112 units) and the Mix-Use Towers area (19 units) and transfer those units to the Residential Only Area. The applicant also wished to amend Appendix Q to include the subject property as part of the Residential Only area. The total number of allowed residential units in the zone would remain the same. Mr. Bench said the Planning Commission recommended approval of the three changes and reallocating some of the density from the Mix-Use Towers area to residential.

In response to a question from Mayor Brunst, Mr. Dickerson said these would be affordable housing units for private ownership. He said there was an owner-occupied restriction on the units that would keep them from being turned into rentals. He said 90% of the residents that occupied his other projects in Orem were young couples or single working professionals, and the goal was to help these young families with affordable housing that would cost less than if they were renting. Mr. Dickerson said the cost would likely be in the low \$200,000 range, and he had gotten Federal Housing Administration (FHA) approval for the units. Mr. Macdonald asked about older residents, like empty nesters and retirees, as well as common areas such as a clubhouse. Mr. Dickerson said there were plenty of older folks looking for smaller homes with less upkeep. He said there was not a clubhouse but there was a large open park area in the first phase for residents to use.

Mr. Sumner asked what would stop investors from buying units and turning them into rentals. Mr. Dickerson said there was overall restriction on the whole property that restricted only two adults per unit. He said the FHA typically required a 50/50 balance of owner-occupiers and rentals but in Orem the split was 60/40. They could only have 10% ownership in any given building, and most people buying units as investment properties were small mom-and-pop landlords looking to supplement their income.

# DRAFT

Mr. Lambson asked about the parking per unit ratio. Mr. Dickerson said there were two parking stalls per unit, and there was an on-site property manager to keep an eye on things.

Mr. Peterson said sometimes there was a tendency to think of high density housing as being low income housing, which was not the case for developments like The Aston at University Place. These proposed kinds of units were in a completely different market that needed to be addressed, and he thanked Mr. Dickerson for his efforts in providing FHA approved housing in the city.

Mayor Brunst opened the public hearing at 6:57 p.m. No comments were received, so Mayor Brunst closed the public hearing.

**Mayor Brunst moved**, by ordinance, to amend Section 22-11-35(L)(1) of the Orem City Code pertaining to the location of residential units in the PD22 Urban Village zone and amending portions of Appendix Q of the Orem City Code pertaining to the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land Uses map. **Mr. Macdonald seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner. The motion **passed**.

## PUBLIC HEARING

### ORDINANCE – Amending Appendix A of the Orem City Code by enacting Standard Land Use Code 6422 Towing Services Business (with building) as a permitted use in the M2 zone

Mr. Bench said Standard Land Use (SLU) Code 6421 of Appendix A of the Orem City Code currently referenced impound yards. However, SLU 6421 did not distinguish between impound yards that had a building as part of the yard and those that did not.

The Business Licensing department proposed to amend Appendix A to add new SLU 6422 for Towing Services Business (with building) to distinguish such uses from SLU 6421 which referred only to impound yards.

Making the distinction between tow yards that had a building and those that did not would be helpful to Business Licensing because the two different types of yards were treated differently for purposes of business licensing. Some towing companies had their offices in another city and were licensed in that city. If a towing business was licensed in another city and had just a yard with no building in Orem, they were not required to pay a business license fee in Orem. Staff requested an amendment to Appendix A to clarify.

Mayor Brunst opened the public hearing at 7:02 p.m. No public comments were received, so Mayor Brunst closed the public hearing.

**Mayor Brunst moved**, by ordinance, to amend Appendix A of the Orem City Code by enacting Standard Land Use Code 6422 Towing Services Business (with building) as a permitted use in the M2 zone. **Mr. Spencer seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner. The motion **passed**.

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## PUBLIC HEARING

### ORDINANCE – Amending Section 22-8-17(7), Additional Provisions for Specific Uses, of the Orem City Code pertaining to location requirements for Climate Controlled Storage units

Mr. Bench said this request was to clarify language in the Code for Climate Controlled Storage unit developments. The current language stated that no more than two (2) climate-controlled storage businesses/buildings may be located in the C2 zone. When the limit on climate-controlled storage buildings in the C2 zone was created in 2015, the intent was to prevent these types of uses from crowding out retail uses along the State Street corridor. In 2018, the five State Street District zones were created. These five zones included a significant amount of land that had been in the C2 zone. Most of these new zones allowed all of the same uses that were permitted in the C2 zone. One of the two climate-controlled storage uses that had been in the C2 zone was included in the North Village District zone. This opened the door to confusion about whether the limit on climate-controlled storage uses applied to the new State Street District zones. The proposed amendment would clarify that the limit of two climate-controlled storage units was a limit on the combined total of such uses in the C2 zone and all of the State Street District zones.

Mr. Bench said staff had filed an application on August 10 to make the modification to the code language. Julie Smith filed an application for a climate-controlled storage facility at 44 East 800 North. He said Ms. Smith had reached out to the Council saying she too submitted an application on August 10 but it was actually filed on August 11. Mr. Bench said the application filed by Ms. Smith was incomplete; it was a single page without any civil drawings, traffic studies, or any of the types of documents required with application submittal. Staff rejected the application based on it being incomplete, and nothing additional has been submitted since that time. Mr. Bench said Ms. Smith's attorney Bruce Baird had reached out about the timeline of application submittal and the subsequent rejection of his client's application, saying that Ms. Smith's application brought attention to this issue and that was when staff began working to modify the code language. Mr. Bench said that was not the case and they had already submitted an application the day before Ms. Smith submitted hers. They followed proper noticing procedures for the process and were not attempting to "sneak through" the modification.

In response to Mayor Brunst's question, Mr. Bench said the reason the Council limited the number of storage units in the C2 zone in 2015 was because percentage-wise Orem had more than its fair share of storage businesses.

Mayor Brunst opened the public hearing at 7:10 p.m. Public comments that were submitted for Item 9.5 are attached to the end of the minutes in their entirety. Mayor Brunst closed the public hearing.

Mrs. Lauret asked about the previously planned mixed use development with VASA Fitness that would be at this location. Mr. Bench said he was not sure the cause but part of the original plan had not gone forward. He believed the original developer was no longer attached to the property project. In response to Mrs. Lauret's question, Mr. Bench said this seemed like an "easy" use and not a higher and better use in a zoned district.

# DRAFT

Mr. Peterson said the space was a great opportunity for expanding recreational facilities like pickle ball and tennis courts, especially when the VASA already had indoor tennis courts. He said he did not understand enough about the storage units to have an opinion, but felt there were other options that would be beneficial for the community.

Mr. Sumner asked about the occupancy rates of the existing storage facilities in the city. Mr. Bench said he did not have specific statistics but knew they were relatively full and well used. The concern was more about having so many of the same businesses in the city and not having the space for other desirable businesses.

Mayor Brunst said the two existing climate-controlled storage facilities on State Street were attractive and well-kept, and he was not opposed to having a third. **Mayor Brunst then moved** to deny the request and amend the language to allow for three (3) storage facilities. The motion died for lack of second.

**Mr. Macdonald moved**, by ordinance, to amend Amending Section 22-8-17(7), Additional Provisions for Specific Uses, of the Orem City Code pertaining to location requirements for Climate Controlled Storage units. **Mr. Spencer seconded** the motion.

Mr. Earl said if the Council approved the code amendment tonight the applicant still had the option to submit application and come forward with a specific design plan to prove their requested use would be in the best interest of the City. The Council could then approve the development at their discretion.

The Council then voted on the motion made by Mr. Macdonald and seconded by Mr. Spencer. Those voting aye: Jeff Lambson, Debby Lauret, Tom Macdonald, David Spencer, and Brent Sumner. Those voting nay: Richard F. Brunst. Those abstaining: Terry Peterson. The motion **passed**.

## PUBLIC HEARING

### ORDINANCE – Amending the Current Fiscal Year 2020-2021 Budget and Amending the Compensation Program of the City

Mr. Nelson presented the City Manager's recommendation the City Council hold a public hearing to discuss amending the current Fiscal Year 2020-2021 Budget, and, by ordinance, amend the Fiscal Year 2020-2021 Budget.

The Fiscal Year 2020-2021 City of Orem budget had many adjustments that occurred throughout the fiscal year. These adjustments included grants or donations received from Federal, State, and other governmental or private entities or organizations; interest earnings on unspent 2019 G.O. Bond funds; impound yard business licensing fees; accessory apartment fee; a new public safety salary structure; and a 3% employee merit pay adjustment increase for those employees not a part of the new public safety program. A new SLU code was introduced for impound yards and thus, the business licensing fees associated with this change have been added and/or modified based on whether an office was located on the property or not.

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1  
2 A new fee was proposed to be added for those desiring to remove a legal accessory apartment. The  
3 fee for this affidavit to rescind a legal accessory apartment was to cover the costs associated with  
4 staff time to record such a removal in city and county records. Management had worked with  
5 various public safety personnel at all levels to develop a new salary structure (referred to as the  
6 Public Safety Hybrid Step Program) for both police and fire personnel. Sworn Public Safety  
7 personnel would no longer participate in the merit based system. Thus, the program would replace  
8 all grades and ranges for positions shown in Exhibit “D” and “E” of this budget amendment and  
9 as listed in the Compensation & Benefits section (Exhibit C) of the FY 2020-2021 Adopted Budget  
10 document.

11  
12 Mr. Nelson reviewed the notes addressing the budget amendments. He specified that the 3% merit  
13 increase was for non-public safety employees, who were proposed to be in a separate compensation  
14 program. He said both were expected to be funding through increased sales tax revenues. Mrs.  
15 Lauret asked whether the public safety personnel system would be funded by franchise or sales  
16 tax. Mr. Nelson said it was complicated with the event of the COVID-19 pandemic, but originally  
17 they did not budget the franchise tax portion to fund anything but be part of the General Fund.  
18 When it was decided to reduce sales taxes, they covered that reduction by using the expected street  
19 lighting portion of the franchise taxes to achieve a balance. He said now they were more confident  
20 in the sales taxes therefore they were going to raise those to cover these particular compensation  
21 costs.

22  
23 Mr. Nelson continued reviewing the amendments and the exhibits to the ordinance. He said the  
24 recent implementation of the Landlord Licensing program had led to an increase in calls from  
25 people that wanted to remove their legal accessory apartment from the records of the city and the  
26 county. This removal on city and county records would mean they did not have to pay the licensing  
27 fee of \$50 each year, but also that they would no longer be able to rent out the apartment. Mr.  
28 Macdonald asked if there was anything in place to ensure they honored that. Mr. Clark said  
29 homeowners would have to sign an affidavit spelling out the legal ramifications if they removed  
30 the legal accessory apartment but continued to rent. They could be charged criminally for such  
31 actions. Mr. Bench said the majority of homeowners interested in this change had built the  
32 accessory apartment but had never actually rented it out. In response to Mr. Sumner’s question,  
33 Mr. Earl said he believed the number of individuals actually prosecuted on these charges was  
34 extremely low, as there were several steps preceding a criminal charge to rectify the situation. Mr.  
35 Nelson said the proposed one-time fee to rescind the designation of accessory apartment was \$50.

36  
37 Mayor Brunst opened the public hearing at 7:46 p.m. No public comments were received, so he  
38 closed the public hearing.

39  
40 **Mr. Spencer moved**, by ordinance, to amend the Current Fiscal Year 2020-2021 Budget and  
41 Amending the Compensation Program of the City. **Mr. Lambson seconded** the motion. Those  
42 voting aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson,  
43 David Spencer, and Brent Sumner. The motion **passed**.

## 44 45 46 COMMUNICATION ITEMS 47

# DRAFT

1 There were no Communication Items to share.

## 3 4 **CITY MANAGER INFORMATION ITEMS**

5  
6 The City Manager said he would be ready by the end of the week to recommend a new police  
7 chief.

8  
9 Fire Chief Sanderson thanked the Mayor, Council, and City Administration for the restructure of  
10 the compensation. He said it would make a huge difference and he appreciated their support.

## 11 12 13 **ADJOURNMENT**

14  
15 **Mayor Brunst moved** to adjourn the meeting. **Mr. Spencer seconded** the motion. Those voting  
16 aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David  
17 Spencer, and Brent Sumner. The motion **passed**.

18  
19  
20 The meeting adjourned at 7:51 p.m.  
21

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## PUBLIC COMMENTS – September 29, 2020

### 7. Personal Appearances

#### **RYAN (unknown last name):**

Months ago, a house in my neighborhood was purchased and transformed into a massage parlor. The following are some observations and facts that have led my family and other neighbors to be concerned:

1 - The clientele are 100% males. The men rarely park at the residence, usually around the corner or in a parking lot for a church. Many of the men walk strange paths back to and from their cars, not the shortest path.

2 - When police cars are present in the parking lot, the people giving the massages have been seen waving off clients, signaling them not to come into the house.

3 - The business is listed on various websites that list massage parlors that will perform sexual acts.

4 - Orem Police have informed us that they suspect illegal activities are going on at the residence. They've spoken with clients who have said they were offered sexual services.

5 - On the same block of this massage parlor live over 15 children who are elementary school aged or younger along with a handful of other children under the age of 18.

6 - The staff are mostly all Asian women who speak very little to no English. There is a concern that many of these women may have been forced or pressured into this work.

7 - The homeowner does not live in the home. It is solely used as a massage parlor. We were informed that this fact alone means the business is operating improperly.

8 - A Sargent from Orem Police Department expressed his frustration with us that Orem doesn't currently have tools in place to deal with these massage parlors. In his words, "We are playing whack-a-mole." In addition, he said this is a growing problem and will only get worse.

The Sargent from Orem Police also proposed some potential solutions. He mentioned that Provo city has had more success in dealing with illegal massage parlors. Provo has a department or person that will do on-site inspections, leading to revoking business licenses from these illegal locations. We were informed that in the history of Orem, the city has never revoked a single business license, ever.

We are concerned that Orem City has either been unaware of this problem or unwilling to address it, and this negligence is putting our families at risk. It is one thing for these places to pop-up in commercial locations, but when it is happening next to our homes, next to our children, we become very concerned. We ask the Orem City Council to address this problem before massage parlors with sex workers are littered throughout our city.

#### **SCOTT SWAIN:**

I would like to propose an item for the agenda. At SCERA Park there is a lot on the far south end with a cell phone tower in it. My understanding is that the city owns this lot and the red brick house on 720 South. I would like to propose that we put a living farm there with an educational theme. This farm could have a petting zoo, a greenhouse to learn where our food comes from, fruit and

# DRAFT

nut trees and farm animals, and information on how they provide food, clothing, fertilizer, etc. for us. The main floor of the home could be used to show videos and to teach school children and others about the purpose of the farm before entering the living farm. USU interns and a full-time staff member/director could live in the home and direct the upkeep of the farm and run the educational element there. It could be a non-profit and we could apply for community development grants to fund this since the main theme of the farm is educational. This property once belonged to my great grandfather, Otto Julius Poulson who was a community builder. We could include information on him and a short history of Orem as it has developed from a farming community to a more urban, high-tech community. It would be easily seen and used being right next to the swimming pool and the SCERA Theater. I would be willing to help achieve this goal and work with a committee and the City to accomplish it.

## **9.1 Public Hearing Comments**

**Applicant IHC Health Services requests the City amend the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning the property located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezone approximately 0.79 acres to the HO (Hospital Overlay zone)**

### **NANCY HAIGHT:**

I would just like to add, in agreement with Tom Uriona, that in passing this item you've created and island of zone 8 homes to the east of the existing hospital property. Since the areas on three sides of the property is zone 8 it makes more sense to leave the property at zone 8 than to change the designation to zone 7.5. The same comments were expressed in the planning commission meeting by others who are property owners in the area. I tried to make the same comment during the planning commission hearing but was unable to figure out how to do so.

## **9.5 Public Hearing Comments**

**Development Services requests the City amend Section 22-8-17(7), Additional Provisions for Specific Uses, of the Orem City Code pertaining to location requirements for Climate Controlled Storage units**

### **JULIE SMITH:**

Mayor and Members of the City Council,  
I represent the owners of the old Vasa Fitness Center located on 800 North and Main Street. The owners have made many efforts to market their facility and have found that it has little viability for retail use, however there is a strong demand in the immediate area for climatized storage that

# DRAFT

will have a sales tax aspect as it will sell moving and storage supplies. Several weeks ago, I made application for this use at this site. The letter from Mr. Baird details that application and the staffs' refusal to accept it. When the original restriction on climatized storage was adopted for the C-2 zone in 2015, two concerns were expressed by the council, not wanting to loose out on tax revenue and wanting time to see if there were any negative impacts not anticipated. To date there has been no reported negative impacts on the City with the climate storage. If the intent of the Council was to restrict the number of "climate controlled" facilities in other zones they had the opportunity to do so when the zones were adopted. Instead they have reacted to a valid application with an attempt to change the restriction without proper notice to property owners who will be affected and by having a "so called public meeting" in which no serious discussion can be held. At best this is "governance by ambush"! If the city feels the necessity to restrict this right, it needs to be done in an open forum with adequate notice to property owners, a detailed list of negative impacts this use has had on the city and good reasons to restrict the use on 800 North. Please continue this item until a genuine public forum can be achieved or allow three climatized storage units in the C2 and State Street Zones.

## MARK HAMPTON:

I've owned property in Orem and have become very familiar with the Vasa (once Storehouse Market) land for more than 30 years. In the past with the various uses in the building, the traffic has been a concern for me and the local residents.

I have reviewed the applicants plans and find it very appealing. Not only will the existing building be repurposed to a beneficial use, the use has little to know impact on the surrounding community. No children, no police service, very little traffic, less congestion in our community. There is no downside for the City. In fact, a new façade on the existing building will be a huge improvement. In fact the City benefits from allowing the climatized indoor storage realizes the City added tax revenue, and the City is only to provide very limited services. What a wonderful thing for Orem City.

If the developers are forced to tear down the building and produce a true "mixed use" project in this location as per the City code, the impact on infrastructure, schools, police and public safety, etc. would be dramatically increased. I am in complete favor of this project and hope that you will be as well!

## BRUCE R. BAIRD, PLLC.:

Dear Orem City Council:

I am counsel for North Orem Investments, LLC, the owner of the property located at 44 East 800 North in your fine city. I am also counsel for Ms. Julie Smith who was the applicant for the mixed use site plan at that address which included, among other useful developments, a conversion of the Vasa Fitness building to be a climate-controlled storage facility.

Early in the morning on August 10, 2020, Ms. Smith made an application to the City for the

# DRAFT

1 proposed project. The City staff kept her application but wouldn't accept her payment of fees due  
2 to a confusion about the nature of the application. The application for the climate-controlled  
3 storage portion of the development was, at the time, allowed by City Code.

4 The property is zoned CX. The CX Zone incorporated by reference the "uses" allowed in the C2  
5 Zone. Those uses included climate-controlled storage. At the time the C2 Zone, but not the CX  
6 Zone, had an explicit limit on the number of climate-controlled storage allowed. Thus, there was  
7 either no limit on climate-controlled storage buildings in the CX Zone, or, at the least, the climate-  
8 controlled storage facilities in the C2 Zone would not count against the number allowed in the CX  
9 Zone. Either way, the proposed climate-controlled storage was an allowable component of the  
10 mixed-use project being proposed.

11 Apparently, Ms. Smith's application caused the City to recognize the issue raised above and to  
12 initiate, later the same day, the proposed text change that is before you now. No one from Orem  
13 City advised Ms. Smith of this pending change until I was advised of it by Mr. Steve Earl on the  
14 literal eve of a Board of Adjustment appeal of a staff decision that the climate-controlled storage  
15 use was not allowed due to the zoning interpretation above. Had we known about this issue earlier  
16 we would have made public comment about it to the Planning Commission when the Commission  
17 was considering the draft Ordinance that is now before you.

18 Mr. Earl was very candid during his call including pointing out that one of the two uses climate-  
19 controlled storage building that triggered the potential conflict was not, itself, located in the C2  
20 zone any longer (that property had been re-zoned to another one of your various State Street  
21 Corridor-related zones) and thus did not count towards any limit. Mr. Earl did mention to me that  
22 he thought that the City staff may have been considering and talking about this potential issue  
23 before Ms. Smith's application on August 10 but given the immediately proximate timing of the  
24 filing of the Application by the City to effectuate this change I am not sure he is correct about that.

25 Either way, I believe that Ms. Smith's application should be considered legally vested. She applied  
26 in the manner customary for such an application in Orem and paid (or at least tendered) the  
27 application fee while the use was legal and before the City triggered the "pending ordinance"  
28 doctrine.

29 At the very least, even if Ms. Smith's application is not vested for some reason, it is not fair to Ms.  
30 Smith or North Orem Investments to deny the application. As the United States Supreme Court  
31 has written: "government should turn square corners with its citizens". I submit that changing the  
32 rules of the process for land development while applications are being filed fairly and legally by a  
33 private property owner (whose rights the Utah Supreme Court has stated are almost sacred) is just  
34 inherently not fair. It is not how the Council Members would want themselves to be treated.

35 It would be very easy to craft an adoption of this proposed ordinance that allows this project to  
36 proceed while still meeting the intent of the City regarding the C2 Zone on a going-forward basis.  
37 I would be happy to work with the City Attorney's Office to do that. We would also be happy to  
38 discuss this matter with you in person if you would open up the hearing to public comment in the  
39 future.

40 I thank you for your consideration and look forward to resolving this matter peacefully with you.

41 Thank you and please stay safe.

>>-----  
>> 9/14/2020 9:59 AM - EUDefaultUser (EU Group)  
>>-----

**Issue:**

**First Name:** Hilary

**Last Name:** Hungerford

**Street Address 1:** [REDACTED]

**Street Address 2:**

**City:** Orem

**State:** UT

**ZIP:** [REDACTED]

**Phone Number:** [REDACTED]

**Email:** [REDACTED]

**Board/Commission**

: Natural Resources Stewardship Committee

**If a position on your preferred board or commission isn't available, would you like to be considered for openings on other boards or commissions?:** Yes

**Summarize why you wish to serve on a city commission and if there are areas of concern that you would like to see addressed by a city commission.:** I would love to be more involved in my city and help the city find creative solutions to problems around environmental issues. Orem is an exciting place to live and we have some challenges ahead--from managing growth to preserving our quality of life. I will bring both a personal commitment to being an engaged citizen and a wide range of professional experiences to city committees.

**Please tell us a little about yourself. Also include a summary of the special skills and qualifications you have acquired from employment, previous appointments,**

**previous volunteer work, or through other activities.:** I moved to Orem in 2015 with my family for my job at Utah Valley University. At UVU, I am an Associate Professor of Geography in the Department of Earth Science. I have lived and worked on environmental issues in the midwest and western United States (Colorado, Kansas, South Dakota) and West Africa (Senegal, Niger, Benin). I am passionate about water conservation, gardening, air quality, and the links between culture and the environment. I would bring skills of organization, research, and communication to the committee and a commitment to helping Orem residents learn about how we can be stewards of our natural resources to ensure our quality of life in the future.

**First Name:** Hilary

**Last Name:** Hungerford

**Email:** [REDACTED]

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION BY THE CITY COUNCIL OF OREM, UTAH  
APPROVING A RECORDS RETENTION SCHEDULE

WHEREAS pursuant to Utah Code § 63G-2-701, the City of Orem has enacted Article 2-26 Records Access and Management establishing information practices for the City including classification, designation, access, denials, segregation, appeals, management retention and amendment of City records; and

WHEREAS Orem City Code Section 2-26-15.B. requires the City Records Officer to classify, designate and schedule City records for retention; and

WHEREAS the City is in the process of scheduling its records for retention; and

WHEREAS this scheduling is an ongoing process that will be periodically submitted to the City Council of Orem, Utah (Orem City Council) for approval; and

WHEREAS the Orem City Council has reviewed the proposed records retention schedule attached hereto as Exhibit A and hereby finds that adopting the proposed records retention schedule to be in the best interest of the public's health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE OREM CITY COUNCIL, as follows:

1. The Orem City Council hereby adopts the City Records Officer's proposed records retention schedule which is attached hereto as Exhibit A and incorporated herein by reference.
2. This resolution shall take effect immediately upon passage.
3. All other resolutions and policies in conflict herewith, either in whole or in part, are hereby repealed.

PASSED AND APPROVED this **13th** day of **October 2020**

\_\_\_\_\_  
Richard F. Brunst, Jr., Mayor

ATTEST:

\_\_\_\_\_  
JoD'Ann Bates, City Recorder

| COUNCILMEMBER           | AYE                      | NAY                      | ABSTAIN                  |
|-------------------------|--------------------------|--------------------------|--------------------------|
| Mayor Richard F. Brunst | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jeff Lambson            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Debby Lauret            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Macdonald           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Terry Peterson          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Spencer           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Brent Sumner            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

# **SCHEDULE 8 – PUBLIC WORKS DEPARTMENT**

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## **Section 1: Cemetery Records**

### **8.101: CEMETERY BURIAL REPORTS**

These historical records document burials, interments, and disinterments. Information identifies burial rights, permits, ownership of plots, layout, location of and information about deceased persons and related records. Documents are required from mortuary with information on the individual being buried.

RETENTION – Permanent

### **8.102: CEMETERY PLOT BUY BACK FILES**

These are documents requesting that the city buy back cemetery plots.

RETENTION - Permanent

### **8.103: CEMETERY PLOT PURCHASE CONTRACTS**

This is the contract issued when individuals choose to pay off plots within one year and not at the time of purchase.

RETENTION - Permanent

### **8.104: CEMETERY PERMISSION TO BURY DOCUMENTS**

These are documents giving permission to bury in a plot that is not in the deceased's name.

RETENTION - Permanent

### **8.105: CEMETERY TRANSFER OF PLOTS**

These records document transfer plots from one individual to another or from one location to another.

RETENTION - Permanent

### **8.106: CEMETERY WORK BOOK TICKETS**

These are handwritten tickets used by cemetery on any plot purchased or burial.

RETENTION - Permanent

### **8.107: CERTIFICATE OF BURIAL RIGHTS**

Also called deeds, these are copies of actual deeds issued to owners of cemetery plots. They are used to keep an accurate record of plot ownership and whether they have perpetual care. They include deed number, date issued, name of owner, amount of ground purchased, description of grave purchased, amount paid, and receipt number.

# **SCHEDULE 8 – PUBLIC WORKS DEPARTMENT**

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## **Section 1: Cemetery Records**

RETENTION – Permanent

### **8.108: DISINTERMENT FILES**

These files are documentation of disinterment from the Orem cemetery.

RETENTION – Permanent

### **8.109: GRAVE MARKER INSTALLATION REQUEST**

The files are documentation from the monument companies to set headstones.

RETENTION – Permanent

### **8.110: GRAVE OPENING ORDERS**

These are a signed authorization to dig graves. They are used to guarantee a body is interred in a specific burial plot and to generate the interment and lot records. They include time order was received, deed number, date, lot owner's name, authorization signature, address and telephone number, name of person being interred, location of grave by plot, block, grave number, and tier.

RETENTION – Permanent

### **8.111: INTERMENT/DISINTERMENT REGISTERS**

These registers serve as a cross-reference to plat books. They are arranged numerically by interment number. They include cemetery cards, interment number, name of deceased, permit number, date interred, certificate number, date of death, location of grave by plot, lot, tier, name of undertaker, owner of lot, and pertinent information on removal (if applicable).

RETENTION – Permanent

### **8.112: INTERMENT REPORTS**

These are copies of a monthly report submitted by the sexton to the Health Department's local registrar when deceased was buried in the cemetery. They are used to verify a report was made. They include "name of the decedent, place of death, date of burial, and name and address of the funeral director or other person making the interment" (UCA 26-2-18(2) (1997)).

RETENTION – Permanent

### **8.113: LOT BOOKS/FILES**

These books or files contain the exact location of all persons buried in the cemetery. They

## **SCHEDULE 8 – PUBLIC WORKS DEPARTMENT**

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### **Section 1: Cemetery Records**

include plot, lot, grave location, and lot ownership record.

RETENTION – Permanent

#### **8.114: MAP BOOKS**

This is a live program which contains maps of the cemetery and is used daily to locate specific grave sites. The program also includes index, plat, and lot pages which serves as a key to locating specific graves. This record is constantly updating.

RETENTION – Permanent

#### **\*MISCELLANEOUS CEMETERY DOCUMENTS \*Does this include anything different than what is already listed above? If not, it can be deleted...**

Every document collected and saved since the opening of the cemetery.

RETENTION - Permanent

#### **8.115: RECEIPT BOOKS**

These are receipts issued for money received for burial lots, deeds, and lot sales. They are used to record money generated by the cemetery. They include date, receipt number, name of person making payment, amount received, fees involved, credits, cash sales, and may include the address of person making payment.

RETENTION - Permanent

# **SCHEDULE 8 – PUBLIC WORKS DEPARTMENT**

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## **Section 6: Parks Records**

### **8.601: CONSTRUCTION PROJECT FILES**

These project files document the actual construction for park development, park renovation, and other recreational facility improvements. They are used for reference while projects are in progress and after completion. They include final drawings of all park/recreational facility development projects along with specifications, as-built construction drawings, and related correspondence. They may also include property acquisition records including original deeds.

RETENTION – Permanent, may be transferred to the State Archives after park closure

### **8.602: EMPLOYEE INFORMATION FILES (SEASONAL/FLEXIBLE)**

These are copies of seasonal/flexible employees. Application does not have employees' social security number, but does have key assignments and copies of certification/training records.

RETENTION – Retain until administrative need ends, then destroy

### **8.603: INVENTORY OF KEYS**

A record of keys that are given out to full time and seasonal/flexible employees to access buildings in city parks.

RETENTION – Retain for 1 year, then destroy

### **8.604: MAINTENANCE COMPLAINTS**

These files contain a record of complaints or requests received from the general public concerning municipal parks and recreational facilities. They are used to verify that action was taken to resolve issues. They include date, name, telephone, and address of requesting person; type of request; and comments of foreman handling request.

RETENTION - Retain for 1 year after resolution of complaint, then destroy

### **8.605: PARKS FACILITY FILES**

These files contain information concerning each of the city parks. They are used to maintain a record of construction projects in each park for historical and informational purposes. They include correspondence, architectural drawings, contracts, specifications, newspaper clippings, histories of individual parks, and photographs.

RETENTION - Permanent, may be transferred to the State Archives

## **SCHEDULE 8 – PUBLIC WORKS DEPARTMENT**

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### **Section 6: Parks Records**

#### **8.606: PARKS AND PARKWAYS INSPECTION FILES**

These are inspections records of all facilities in the parks and of the parkways.

RETENTION – Retain for 2 years, then destroy

#### **8.607: PESTICIDE LICENSE/CERTIFICATE RECORDS**

These files contain information concerning licenses/certificates for employees that have passed and received their pesticide license.

RETENTION – Retain for 3 years after expiration of permit or license, then destroy

#### **8.608: SUPERVISOR'S DAILY/WEEKLY REPORTS**

These report forms are compiled daily or weekly by each crew supervisor. They are used for budget planning and developing future plans. They include date, crew name, purpose of job, list of crew members, hours worked, pay amount per hours worked, total cost of labor, equipment used, and amount of rental equipment.

RETENTION – Retain for 1 year, then destroy

#### **8.609: TREE INVENTORY GIS PROGRAM**

This is an ongoing data base inventory of all City-owned trees, maintained by city horticulturist/urban forester.

RETENTION - Permanent

# **SCHEDULE 8 – PUBLIC WORKS DEPARTMENT**

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## **Section 7: Public Utilities Records**

### **8.701: BACKFLOW PREVENTION TEST REPORTS**

These tests report the results obtained from the testing of backflow preventer equipment. The reports show maintenance work performed, parts replaced, and repairs made.

RETENTION - Retain for 3 years after subsequent test, then destroy

### **8.702: BACTERIOLOGICAL QUALITY ANALYSES REPORTS**

These forms record water samples taken from various locations throughout the distribution system and sources of supply (raw or processed) for bacteriological tests. They include location, date of collection, name of person taking sample, type of sample taken, date of analysis, name of lab, person responsible for performing analysis, analytical method used, and results of the analysis. The State Health Department receives copies of these test forms and retains them for 40 years.

RETENTION - Retain for 5 years after subsequent test, then destroy

### **8.703: BILLING ADJUSTMENT RECORDS**

These records document adjustments made in utility billings for debit, credits, refunds, returned checks and abatements. They include customer's name and address, type of adjustments and justification, total amount changed, and authorizing signatures.

RETENTION – Retain for 3 years, then destroy

### **8.704: BILLING RECORDS**

These records relate to billing transactions and are used for audit purposes. They include accounts deleted, accounts transferred, routes billed, adjustments posted, reported balances, direct billing authorizations, and other records related to utility billing functions.

RETENTION – Retain for 3 years, then destroy

### **8.705: BILLING REGISTER**

This register is an itemized list of customer accounts. It includes name of customer, service address, meter reading, water usage, water and other charges, payments, adjustments, prior balance due, and current balance due. The register is used for reference purposes.

RETENTION – Retain for 3 years, then destroy

# **SCHEDULE 8 – PUBLIC WORKS DEPARTMENT**

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## **Section 7: Public Utilities Records**

### **8.706: CHEMICAL/RADIOLOGICAL ANALYSES**

These forms verify water quality and show the various locations of sampling points of water taken from the distribution system and sources of supply for chemical and radiological tests. They include location, date of collection, name of person taking sample, type of sample taken, date of analysis, name of lab, person responsible for performing analysis, method used, and results. The State Health Department receives copies of these test forms and retains them for 40 years.

RETENTION - Retain for 10 years after subsequent test, then destroy

### **8.707: COMPLAINT FILES**

These files contain customer complaints concerning utility problems which require research and a resolution. They include complaint, results of investigation, meter sheets, and method of resolution.

RETENTION – Retain for 3 years after resolution of issue, then destroy

### **8.708: CONNECTION BOOKS**

These books document the extension of or connection between specific property and municipal utilities. They represent the most comprehensive guide to the system. They act as the system's master listing of all diagrams of connections in the system.

RETENTION - Permanent

### **8.709: CROSS CONNECTION CONTROL SURVEY FILES**

These files monitor potential or actual water system health hazards within specific premises. They are used to determine compliance with state laws, schedule surveys, and to write reports. They include various reports, surveys, and related correspondence.

RETENTION - Retain for 3 years after destruction of premise, then destroy

### **8.710: CUSTOMER APPLICATION RECORDS**

These are applications completed by customers requesting water, sewer, or electric service. They are used for billing purposes. The applications include customer's name, address, and telephone number; meter information, date and approval signature(s).

RETENTION – Retain for 3 years after account closed, then destroy

### **8.711: CUSTOMER DEPOSIT CARDS**

## **SCHEDULE 8 – PUBLIC WORKS DEPARTMENT**

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### **Section 7: Public Utilities Records**

These cards provide a record of customers required to pay a deposit to receive service. They include date, amount of deposit, name and address, account number, date signed, date account closed, and amount of deposit confiscated and reason.

RETENTION – Retain for 3 years after account closed, then destroy

#### **8.712: DAILY FILTER LOG**

This log records a daily instrument table of information regarding filter operations required by Utah code.

RETENTION - Retain for 5 years, then destroy

#### **8.713: DAILY OPERATIONAL LOG**

This log records daily information on plant operations such as rate of flow, chemical inventories and chemicals used, chlorine residual testing results, and turbidity amount in water. It is required by 40 CFR 130.4. An annual summary is submitted to the State Health Department.

RETENTION - Retain for 2 years, then destroy

#### **8.714: DAILY PUMP STATION WELL REPORTS**

This is a daily monitoring report of a water system. This report shows the time pumps or wells are started and stopped, hours run, power used and amount of water pumped. A summary report is usually created from these daily reports.

RETENTION - Retain for 2 years (provided summary report is compiled), then destroy

#### **8.715: DISCHARGE MONITORING AND WATER RECLAMATION PLANT REPORTS**

These are monthly and quarterly reports on the daily operations of treatment plants. They are submitted to the State Bureau of Water Pollution and to the Environmental Protection Agency (EPA). These reports are a record of the average amount of pollution discharged into the waters of the municipality from National Pollutants Discharge Elimination System (NPDES) permit holders. They document the daily operations of the Water Reclamation Plant such as sewage flow, grit removal, chlorine usage, residuals, digester gas products, and lab analytical results (40 CFR 122.41(j)(2) (1996)).

RETENTION – Retain for 5 years after creation, then destroy

#### **8.716: DITCH FLOW DAILY REPORTS**

## **SCHEDULE 8 – PUBLIC WORKS DEPARTMENT**

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### **Section 7: Public Utilities Records**

These records report the daily amounts delivered to various water companies. The amounts are summarized monthly and annually. They are used for litigation purposes and to verify amounts delivered. The records include name of company, date, amount of water delivered, and amount required.

RETENTION - Retain for 7 years or 4 years after litigation is settled provided summary report is compiled, then destroy

#### **8.717: ENVIRONMENTAL PROTECTION AGENCY (EPA) GRANT FILES**

These are project files maintained by the municipality for monies granted to the state of Utah and then distributed to individual local government entities. The files document the expenditures of these funds. They include a detailed listing of disbursements, receipts, grant modifications, related correspondence, and a copy of the original grant (40 CFR 30.501). The State Health Department's copy is maintained permanently.

RETENTION - Retain for 3 years after final audit, then destroy

#### **8.718: METER BOOKS**

These books record the readings of customer's water, sewer or electric meters by municipal employees. They are used for billing purposes. The books include name of employee reading meter, meter readings, date read, account number, billing code, final reading, reasons for turnoff, if meter was pulled or reinstalled, and meter charges.

RETENTION - Retain for 3 years, then destroy

#### **8.719: METER LOCATION RECORDS**

These records contain information about all meters (water). They are used to locate meters for service and billings. They include address, work order number, size of meter, contractor, owner, plumber and date installed.

RETENTION – Retain 1 year after final action, then destroy

#### **8.720: METER REPAIR AND TESTING FILES**

These records document the installation, repair, testing, and replacement of meters. They include address, work order number, date of initial installation, dates of testing and repair, and remarks.

RETENTION - Retain for 1 year after final action, then destroy

# **SCHEDULE 8 – PUBLIC WORKS DEPARTMENT**

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## **Section 7: Public Utilities Records**

### **8.721: NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS**

These are permits issued under the Clean Water Act permitting the discharge of specific pollutants under controlled conditions (40 CFR 122.28 (2008)). This applies to municipalities with a population of 100,000 or greater.

RETENTION - Permanent, may be transferred to the State Archives

### **8.722: PUMP STATION WELL SUMMARY REPORTS**

This is the summary information compiled from the daily monitoring report of a water system. The information includes the time pumps or wells are started and stopped, hours run, power used and amount of water pumped.

RETENTION - Permanent

### **8.723: SEWER MAIN LOCATION PLATS**

These are plat drawings of each municipal street detailing all sewer mains in the municipality system by area number. They are used to locate sewer mains. The plats include drawings of all sewer mains in municipal system showing depth of sewer mains, percentage of grade, location of lateral connections and sewer manholes, and size of lines.

RETENTION - Retain until updated or superseded, then destroy

### **8.724: VIDEO INSPECTION REPORTS**

These are video reports taken by special monitoring cameras located at critical parts of the sewer lines. They are used to monitor conditions of the sewer lines.

RETENTION - Retain for 3 years or until updated or superseded, then destroy

### **8.725: WATER CONSUMPTION MONTHLY REPORTS**

These reports consist of monthly statistics of daily water consumption. They are used for research and litigation purposes and to assist in predicting future flows and peak demands. The reports include water consumption in million gallons, and cubic feet from treatment plants, springs, artesian wells, pumped wells, and reservoirs along with precipitation amounts.

RETENTION - Retain for 1 year (provided annual report is compiled), then destroy

### **8.726: WATER FLOW ANNUAL RECORDER CHARTS**

These charts are taken from recording stations in streams or wells for annual periods. They are used to determine water flows. The charts include water flow according to gauge flows, height,

## **SCHEDULE 8 – PUBLIC WORKS DEPARTMENT**

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### **Section 7: Public Utilities Records**

or level of aquifer in well on an annual basis.

RETENTION - Permanent

#### **8.727: WATER FLOW WEEKLY RECORDER CHARTS**

These charts are taken from recording stations in streams or wells for weekly periods. They are used to determine water flows. The charts include water flow according to gauge flows, height, or level of aquifer in well, during a weekly period.

RETENTION - Retain for 3 years (provided annual chart is compiled), then destroy

#### **8.728: WATER MAIN CHARTS AND INDEXES**

These charts show the locations of all water mains, valves, hydrants, and water services to property owners in a given area.

RETENTION - Permanent

#### **8.729: WATER STOCK PURCHASE FILES**

These files document municipal purchase of water stock from irrigation companies and/or individuals. Each year the municipality is billed for the annual assessment of water stock. The files are used to verify purchase and for yearly assessment purposes.

RETENTION - Retain for 10 years after sale of stock, then destroy

#### **8.730: WATER TREATMENT PLANT OPERATIONAL REPORTS**

This is a copy of a monthly report submitted to the State Department of Health verifying drinking water standards (40 CFR 130.4)(1989). They are used to monitor compliance with water quality standards and to verify standards were met. The reports include daily and total monthly amounts, minimum, maximum, and averages for filter operation, filter rate in gallons per minute, length of filter run; filter head loss; and minutes of backwash; amounts and kinds of chemicals used. The State Health Department maintains their copy for 10 years.

RETENTION – Retain for 5 years, then destroy

#### **8.731: WORK ORDERS**

These files contain customer complaints concerning utility problems which require research and a resolution. They include complaint, results of investigation, meter sheets, and method of resolution.

RETENTION - Retain for 3 years after date of resolution, then destroy

# **SCHEDULE 8 – PUBLIC WORKS DEPARTMENT**

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## **Section 8: Volunteer Records**

### **8.801: ADOPT A SPOT FILES**

Application and agreement created between volunteer and Orem Public Works to document who is participating; the policy and procedures of Orem Public Works; and what is expected when volunteering with Orem Public Works. Original copy retained by Orem Public Works.

RETENTION – Retain for 1 year, then destroy

### **8.802: COURT-ORDERED COMMUNITY SERVICE RECORDS**

Application and agreement created between court-appointed volunteer and Orem Public Works to document who is participating; the policy and procedures of Orem Public Works; and what is expected when volunteering with Orem Public Works. Original copy retained by Orem Public Works. Includes copy of time sheet; original is given to volunteer doing the court-ordered hours to take back to the courts.

RETENTION – Retain for 3 years, then destroy

### **8.803: EAGLE SCOUTS PROJECT APPLICATIONS**

Application and agreement created between Eagle Scout candidate and Orem Public Works to document who is participating; the policy and procedures of Orem Public Works; and what is expected when volunteering with Orem Public Works. Original copy retained by Orem Public Works. Includes copy of Eagle Project Workbook if presented by scout; scout takes original copy back to the Boy Scouts of America.

RETENTION – Retain for 1 year, then destroy

### **8.804: PESTICIDE SPRAYING RECORDS**

Form used by volunteer coordinator to document when a pesticide is used by the volunteer coordinator in a park or along a roadway. Original copy retained by Orem Public Works. Includes license/certificate for employees that have passed and received their pesticide license.

RETENTION - Retain for 3 years after expiration of permit or license, then destroy

### **8.805: TOOL LENDING LIBRARY CHECKOUT**

Equipment checkout forms to document who is participating; the policy and procedures of Orem Public Works; and what tools are borrowed. Original copy retained by Orem Public Works.

RETENTION – Retain for 1 year, then destroy

# **SCHEDULE 8 – PUBLIC WORKS DEPARTMENT**

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## **Section 8: Volunteer Records**

### **8.806: VOLUNTEER SERVICE RECORDS**

Document created to track what projects were worked on, who participated, the number of participants, and how many hours were completed.

RETENTION – Retain for 3 years, then destroy



## City Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted by: Kena Mathews

Submitting Department: City Manager's Office

Item Type: Action Item

Agenda Section:

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### Subject:

PUBLIC HEARING

RESOLUTION - The City will receive Public Comment on the Community Development Block Grant (CDBG) Projected Use of Funds for CARES ACT CDBG-CV funding and consider approval of a substantial amendment to the 2019-2020 Annual Action Plan

### Suggested Action:

The Community Services Manager recommends that the City Council hold a public hearing to receive public comment on the projected uses of the funds for the CARES ACT CDBG-CV funding, adopt the recommendations of the CDBG Advisory Commission, and approve a substantial amendment to the 2019-2020 Annual Action Plan.

### Presenter:

Kenneth Ransom, CDBG Advisory Commission Chairperson, and Kena Jo Mathews, Community Services Manager

### Background:

In response to the Coronavirus Pandemic (COVID-19), the U.S. Department of Housing and Urban Development Community Development Block Grant provided the City of Orem with a CDBG allocation of \$411,983 to be used to prevent, prepare for, and respond to COVID-19. Based on the recommendations from the CDBG Advisory Commission, the City of Orem would like to allocate \$4,500 to Geneva Elementary School for COVID-19 related lunchroom improvements and the balance of the funding of \$197,532.66 for public service COVID-19 related needs in our community.

### Potentially Affected Area:

Citywide

### Attachments:

[RES--CDBG CV Annual Action Plan Amendment.docx](#)

# DRAFT

RESOLUTION NO. \_\_\_\_\_

## A RESOLUTION APPROVING A SUBSTANTIAL AMENDMENT TO THE CITY OF OREM ANNUAL ACTION PLAN FOR FISCAL YEAR 2019-2020

WHEREAS the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), signed in March 2020 authorized Community Development Block Grant Coronavirus (CDBG-CV) Funds made available from the United States Department of Housing and Urban Development (HUD) to be allocated to prevent, prepare for, and respond to the COVID-19 Pandemic; and

WHEREAS the City of Orem, a CDBG entitlement, has been allocated CDBG-CV funding in the amount of \$411,983; and

WHEREAS the Orem City Manager is proposing this Substantial Amendment to the City of Orem's Annual Action Plan and budget for FY 2019-2020; and

WHEREAS the proposed amendment will incorporate \$202,032.66 of CDBG-CV Funds into the following projects: \$197,532.66 to public services and \$4,500.00 to Geneva Elementary School.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, as follows:

1. The City Council will approve the proposed Substantial Amendment to the City of Orem's Annual Action Plan and budget for FY 2019-2020 described above by adopting this Resolution:
2. This resolution shall take effect immediately upon passage.
3. All other resolutions and policies in conflict herewith, either in whole or in part, are hereby repealed.

PASSED and APPROVED this 13<sup>th</sup> day of **October** 2020.

\_\_\_\_\_  
Richard F. Brunst, Jr., Mayor

ATTEST:

\_\_\_\_\_  
JoD'Ann Bates, City Recorder

# DRAFT

| COUNCILMEMBER           | AYE                      | NAY                      | ABSTAIN                  |
|-------------------------|--------------------------|--------------------------|--------------------------|
| Mayor Richard F. Brunst | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jeff Lambson            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Debby Lauret            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Macdonald           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Terry Peterson          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Spencer           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Brent Sumner            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



## City Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted by: Jason Bench

Submitting Department: Development Services

Item Type: Resolution

Agenda Section:

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### Subject:

RESOLUTION – Designating a portion of 1200 West Street from Center Street to University Parkway as Wolverine Way and 1200 West

### Suggested Action:

The City Manager recommends the City Council, by resolution, designate a portion of 1200 West Street from Center Street to University Parkway as Wolverine Way and 1200 West.

### Presenter:

Jason Bench

### Background:

### Potentially Affected Area:

### Attachments:

[Agenda-Rename1200West.docx](#)

[Application.pdf](#)

[Wolverine Way Location Map.pdf](#)

[Resolution-Rename1200West.docx](#)

**CITY OF OREM**  
**CITY COUNCIL MEETING**  
**OCTOBER 13, 2020**



|                       |                                                                              |
|-----------------------|------------------------------------------------------------------------------|
| <b>REQUEST:</b>       | <b>RESOLUTION – Renaming 1200 West Street as Wolverine Way and 1200 West</b> |
| <b>APPLICANT:</b>     | Utah Valley University, Frank Young                                          |
| <b>FISCAL IMPACT:</b> | None                                                                         |

**NOTICES:**

- Posted in 2 public places
- Posted on City webpage
- Posted on the State noticing website
- Faxed to newspapers
- E-mailed to newspapers
- Neighborhood Chair

**SITE INFORMATION:**

General Plan Designation:

N/A

Current Zone:

N/A

Acreage:

N/A

Neighborhood:

N/A

Neighborhood Chair:

N/A

**PLANNING COMMISSION  
RECOMMENDATION**

Vote: N/A

**PREPARED BY:**

Jason Bench, AICP  
Planning Division  
Manager

**RECOMMENDATION:**

**The City Manager recommends the City Council, by resolution, rename 1200 West Street as Wolverine Way and 1200 West.**

**BACKGROUND:**

Utah Valley University requests the City Council rename 1200 West as Wolverine Way and 1200 West. 1200 West provides access to UVU's main Orem campus from both Center Street and University Parkway. 1200 West Street from 800 South to the Lindon border is a public street and the portion from 800 South to University Parkway is a private street owned by Utah Valley University.

Staff believes that renaming 1200 West to Wolverine Way will promote community pride and spirit and will create a positive sense of place in accordance with the Facility and Street Naming Policy that was previously adopted by the City Council.

If approved by the City Council, the 1200 West street signs will be changed to Wolverine Way with the coordinate address of 1200 West remaining below the descriptive name.



City of Orem  
Facility and Street Naming Application

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Applicants Name: Frank Young Applicants Phone#801-863-7202

Applicants Email: frank.young@uvu.edu

Facility / Street Being Considered: 1200 West from Center to 800 South

Individual / Organization to be Recognized: Utah Valley University

Proposed Name: Wolverine Way

Please check all that apply:

- ☐ An Orem police officer or firefighter who died in the line of duty.
- ☐ An Orem resident or individual with strong ties to the City of Orem who died in combat while serving in the military.
- ☒ A person or entity that made extraordinary and lasting contributions\* to the City of Orem.
- ☐ A person or entity that made substantial contributions\* to the creation or betterment of a specific City facility or park.
- ☒ A descriptive name to a City facility or street when doing so will promote community pride or spirit, will create a positive sense of place, or will enhance the aesthetic appeal of the area in which the street or facility is located.

\*Please provide additional information as to how and/or why the contribution of the individual or organization was significant or substantial to the City of Orem. (not to exceed two (2) typed pages)

Utah Valley University (UVU) and its 42,000 students continue to have a major impact on the city of Orem and the surrounding community through its rich academic offerings, athletic and arts events, and all the other benefits from being a college town. The 1200 W rename to Wolverine Way would highlight the entrance to UVU's main Orem campus from Center St. and University Parkway.

UVU is one of the largest employers and economic drivers in Utah County and makes a significant contribution to our society. Renaming 1200 W will provide greater community and student affinity and will bring recognition to a great institution housed in Orem.

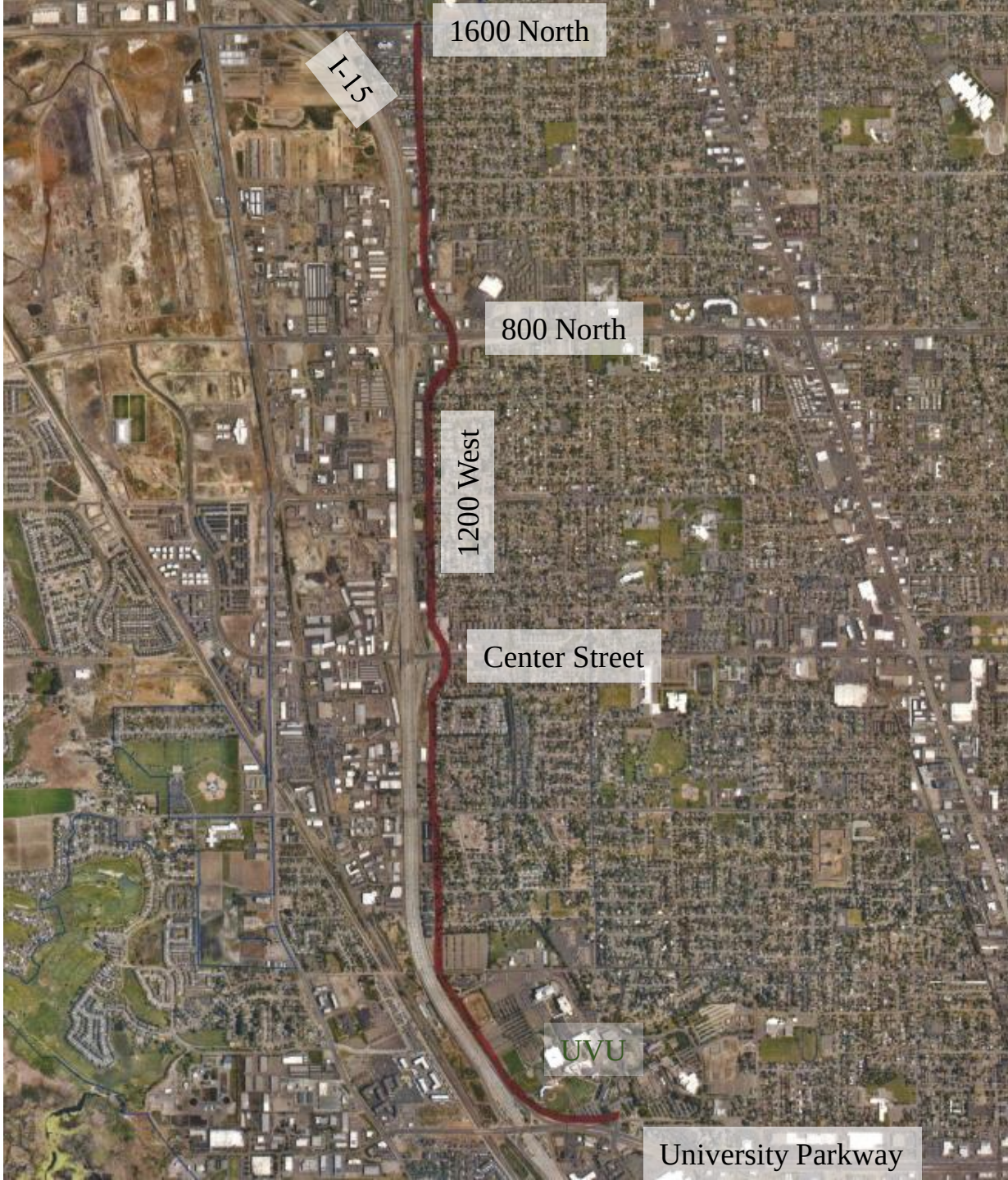
Renaming 1200 West to: **Wolverine Way**  
(1200 West)



Center Street

400 South

800 South



# DRAFT

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE OREM CITY COUNCIL RENAMING 1200 WEST AS WOLVERINE WAY AND 1200 WEST (WITH THE COORDINATE ADDRESS OF 1200 WEST TO BE LISTED BELOW THE DESCRIPTIVE NAME ON ALL STREET SIGNS)

WHEREAS Utah Valley University (UVU) has filed a request that the City Council rename 1200 West as Wolverine Way and 1200 West (with the coordinate address of 1200 West to be listed below the descriptive name on all street signs); and

WHEREAS 1200 West provides access to UVU's main Orem campus from both Center Street and University Parkway; and

WHEREAS 1200 West Street is a public street between 800 South and the Lindon border and is a private street owned by UVU between 800 South and University Parkway; and

WHEREAS the City Council finds that renaming 1200 West to Wolverine Way will promote community pride and spirit and will create a positive sense of place in accordance with the City's Facility and Street Naming Policy.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, as follows:

1. The City Council hereby renames 1200 West Street to Wolverine Way and 1200 West Street (with the coordinate address of 1200 West to be listed below the descriptive name on all street signs).
2. The City Council hereby authorizes and directs City staff to implement this resolution and to change affected street signs in accordance with this resolution.
3. This resolution shall become effective immediately upon passage.

PASSED and APPROVED this **13<sup>th</sup>** day of **October** 2020.

\_\_\_\_\_  
Richard F. Brunst, Jr., Mayor

ATTEST:

\_\_\_\_\_  
JoD'Ann Bates, City Recorder

# DRAFT

| COUNCILMEMBER           | AYE                      | NAY                      | ABSTAIN                  |
|-------------------------|--------------------------|--------------------------|--------------------------|
| Mayor Richard F. Brunst | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jeff Lambson            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Debby Lauret            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Macdonald           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Terry Peterson          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Spencer           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Brent Sumner            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

# DRAFT

## EXHIBIT A

