



CITY OF OREM
CITY COUNCIL MEETING
56 North State Street, Orem, Utah
November 12, 2013

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

4:00 P.M. STUDY SESSION – PUBLIC SAFETY TRAINING ROOM

1. Overview – PD-34 Zone – Jason Bench

4:45 P.M. STUDY SESSION – PUBLIC SAFETY TRAINING ROOM

2. Update – Street Connection Master Plan – Paul Goodrich

5:00 P.M. STUDY SESSION – PUBLIC SAFETY TRAINING ROOM

AGENDA REVIEW

3. The City Council will review the items on the agenda.

CITY COUNCIL - NEW BUSINESS

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

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

CALL TO ORDER

INVOCATION/INSPIRATIONAL THOUGHT: By Invitation

PLEDGE OF ALLEGIANCE: By Invitation

APPROVAL OF MINUTES

5. The minutes from the October 8 and 22, 2013, City Council meetings are not yet available for approval.

**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 229-7074) (TDD # 229-7037)**

This agenda is also available on the City's Internet webpage at orem.org

MAYOR’S REPORT/ITEMS REFERRED BY COUNCIL

- 6. UPCOMING EVENTS**
- 7. UPCOMING AGENDA ITEMS**
- 8. APPOINTMENTS TO BOARDS AND COMMISSIONS**
 - Beautification Advisory Commission..... 2 vacancies
 - CDBG Advisory Commission 4 vacancies
 - Heritage Advisory Commission 1 vacancy
 - Historic Preservation Adv. Commission 1 vacancy
 - Library Advisory Commission 2 vacancies
 - Recreation Advisory Commission 3 vacancies
 - Summerfest Advisory Committee 2 vacancies
- 9. RECOGNITION OF NEW NEIGHBORHOODS IN ACTION OFFICERS**
- 10. OATH OF OFFICE – Youth Council**
- 11. PROCLAMATION – National Elevator Escalator Safety Awareness Week – November 10-16, 2013**

CITY MANAGER’S APPOINTMENTS

- 12. APPOINTMENTS TO BOARDS AND COMMISSIONS**

PERSONAL APPEARANCES – 15 MINUTES

- 13. Time has been set aside for the public to express their ideas, concerns, and comments on items not on the Agenda. Those wishing to speak should have signed in before the beginning of the meeting. (Please limit your comments to 2 minutes or less.)**

CONSENT ITEMS

- 14. There are no consent items.**

SCHEDULED ITEMS

6:20 P.M. PUBLIC HEARING

- 15. ORDINANCE – Amending Section 22-2-1 as it pertains to the definition “Family” and amending Section 22-11-46 as it pertains to the maximum number of unrelated people that may occupy a dwelling unit in the PD-33 zone at 800 South Geneva Road**

REQUEST: The applicant requests the City amend Section 22-2-1 as it relates to the definition of “Family” and Section 22-11-46 as it relates to the occupancy requirement of units in the PD-33 zone, Transit Oriented Development, at 800 South Geneva Road.

PRESENTER: Jason Bench

POTENTIALLY AFFECTED AREA: Citywide

BACKGROUND:

The applicant is interested in developing attached housing in the PD-33 zone. The definition of family prohibits any dwelling in the PD-33 zone (and the majority of the City) from housing more than three unrelated people. The applicant would like the ability to have four unrelated people in each unit. Two text changes are required to make this possible.

The first amendment allows the definition of family to be altered for different PD zones. Because of the unique nature of PD zones, it sometimes makes sense to allow a greater number of unrelated individuals to live in a unit within a given PD zone. For example, the current definition of family allows up to six unrelated individuals to live in a unit in the Student Housing Overlay zone or the PD-21 zone.

The second amendment specifies that up to four unrelated individuals may live in a unit in the PD-33 zone provided the unit has at least four bedrooms. Since the number of required parking stalls is based on the number of bedrooms in a unit (.65 stalls per bedroom), it is necessary to require four bedrooms if there are four occupants in a unit. This will help ensure that there is adequate parking while still allowing the applicant the flexibility to have four unrelated individuals in a unit. If a unit has four bedrooms, 2.6 parking stalls will be provided for that unit which is consistent with the anticipated parking demand for the zone. Because the PD-33 zone was specifically designed as a high-density development and due to the proximity of mass transit, it may make sense to allow up to four related individuals to live in a unit within the PD-33 zone.

The text of the proposed amendments is as follows:

22-2-1:

"Family shall mean one of the following groups of individuals, but not more than one at the same time: (1) an individual living alone; or (2) two or more people all of whom are related to one designated occupant of the dwelling by blood, marriage, adoption, or legal guardianship and their foster children and up to two other unrelated persons who do not pay rent and are not the primary occupant(s) of the dwelling; or (3) up to three related or unrelated individuals who live and cook together as a single housekeeping unit; or (4) two unrelated individuals and any children of either of them living as a single-housekeeping unit; (5) up to six unrelated individuals living in the Student Housing Overlay zone or PD-21 zone; or (6) a number of unrelated individuals as may be specifically indicated in a particular PD zone.

22-11-46. PD-33 zone (Transit Oriented Development-800 South Geneva Road)

H. Occupancy of Residential Units. A residential unit in the PD-33 zone may be occupied by either (1) one single family as defined in Section 22-2-1 or (2) up to, but no more than four individuals who are not all related to each other where the unit has at least four bedrooms..

Advantages of the proposal include:

- PD zones may allow for more than three occupants
- Occupancy cannot exceed the number of bedrooms provided

Disadvantages of the proposal include:

- None identified

RECOMMENDATION: The Planning Commission recommends the City Council approve this request.

6:20 P.M. PUBLIC HEARING

16. RESOLUTION – Establishing a Residential Parking Permit Area on 300 South between 400 East and Campus Drive.

RECOMMENDATION: The Interim Public Safety Director recommends that the City Council, by resolution, establish a residential parking permit area on 300 South between 400 East and Campus Drive.

PRESENTER: Scott Gurney

POTENTIALLY AFFECTED AREA: Citywide

BACKGROUND: The City of Orem is responsible for protecting the health, safety, and general welfare of the City. With the rebuilding of Orem High School, there has been an increase in the number of nonresidents who are using 300 South between 400 East and Campus Drive as on-street parking during school hours. The nonresident motor vehicles remain on 300 South for the majority of the day between 7:00 a.m. and 4:00 p.m. This increase in use of 300 South between 400 East and Campus Drive as parking for students and others visiting Orem High School has caused increased traffic congestion and has contributed to the inability of residents and their visitors to park near their homes. A group of individuals who reside on 300 South filed a petition with the Public Safety Department asking that a study be conducted to determine whether it would be appropriate for the City to create a residential parking permit area along 300 South between 400 East and Campus Drive.

The Public Safety Department has conducted the study and come to the following conclusions:

1. While Orem High School is in session, 300 South is congested with motor vehicles that are not owned by those living along 300 South.
2. Each day after school concludes, the majority of the motor vehicles parked along 300 South are gone.
3. During the school day, there is a significant number of open parking spaces in Orem High School's parking lot which is located on the north side of the school's campus.

Having completed the study and reviewed the requirements of Orem City Code 19-5, the Public Safety Department recommends that the City Council create a residential parking permit area on 300 South between 400 East and Campus Drive. Currently there are signs along the south side of 300 South limiting parking along the street to one (1) hour while school is in session. These signs have been ineffective in decreasing the number of nonresident motor vehicles on 300 South during school hours.

If the City Council creates the residential parking permit area as proposed, each household within the residential parking permit area will be permitted to park any cars registered at their 300 South address in the residential parking permit area and each resident who resides within the residential parking permit area will be given two (2) visitor/guest permits.

17. RESOLUTION – To Appropriate Public Safety Evidence to Public Interest Use.

RECOMMENDATION: The Interim Director of Public Safety recommends the City Council, by resolution, appropriate a Dell Vostro laptop currently in evidence to public interest use by the Public Safety Department.

BACKGROUND: On June 5, 2013, eight stolen items were turned in to the Public Safety Department by a mother who found the items in her son's room. The son had been arrested for theft earlier in the day. One of the items is a Dell Vostro laptop. In trying to locate the owner of the laptop it was found the laptop had been wiped clean so no information could be pulled from the computer to identify the owner. The serial number of the laptop is not listed on any database as stolen. Public Safety has been unable to identify the rightful owner. In cases where the rightful owner cannot be located, the State Legislature has authorized the Public Safety Department to apply the property to a public interest use, providing the City Council gives permission to apply the property to public interest use and the City Council designates and approves the public interest use of the property.

Public Safety is asking the City Council to approve by resolution appropriating the Dell Vostro Laptop for public interest use. The laptop will replace an outdated laptop now used by the department's evidence technician to log evidence at crime scenes. Appropriating this computer will save the city from having to buy a replacement computer.

PERSONAL APPEARANCES – CONTINUED (IF NECESSARY)

18. Continuation of time has been set aside for the public to express their ideas, concerns, and comments on items not on the Agenda. Those wishing to speak should have signed in before the meeting. (Please limit your comments to 2 minutes.)

COMMUNICATION ITEMS

19. There are no Communication Items.

CITY MANAGER INFORMATION ITEMS

20. 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.

ADJOURNMENT

UPCOMING EVENTS

| DATE | BUSINESS AND LOCATION | TYPE |
|-------------|---|--|
| NOV 5 | GENERAL ELECTION | |
| NOV 11 | CITY OF OREM 11:00 AM Orem City Cemetery | VETERANS DAY PROGRAM |
| NOV 25 | CITY OF OREM 6:00 PM City Center Front Lawn | LIGHTS ON! |
| DEC 3 | CITY COUNCIL / EXEC. STAFF 6:00 PM Council Chambers | CHRISTMAS PARTY |
| JAN 6 | CITY OF OREM 12:00 NOON Council Chambers | SWEARING-IN CEREMONY |
| JAN 29 | UTAH LEAGUE OF CITIES & TOWNS 7:30 AM – 2:00 PM State Capitol/Lunch at Salt Palace Conv. Center | LOCAL OFFICIALS' DAY AT THE LEGISLATURE |

PROCLAMATION

WHEREAS, the week of November 10 -16, 2013, has been declared Elevator Escalator Safety Awareness Week and,

WHEREAS, the purpose of this week is to increase public awareness of the safe and proper use of elevators, escalators and moving walkway and,

WHEREAS, the goal of this week is to reduce, through education and awareness, avoidable accidents and,

WHEREAS, the elevator industry greatly contributes to the quality of life and,

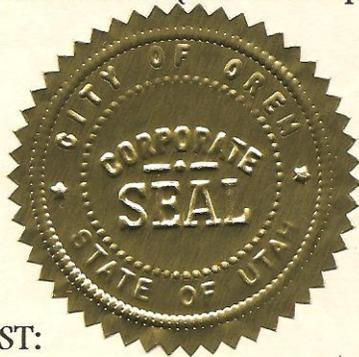
WHEREAS, this endeavor is worthy of support and cooperation to benefit the citizens, the general public and short range vertical transportation,

NOW THEREFORE, I, James T. Evans, Mayor of the City of Orem hereby proclaim the week of November 10-16, 2013, as

Elevator Escalator Safety Awareness Week

in Orem, Utah and urge all citizens to participate fully in this observance to improve our quality of life.

Dated this 12th day of November 2013.



ATTEST:

James Evans, Mayor

Donna R. Weaver, City Recorder

CITY OF OREM
CITY COUNCIL MEETING
 NOVEMBER 12, 2013



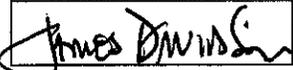
| | |
|-------------------|---|
| REQUEST: | 6:20 P.M. ORDINANCE – Amending Section 22-2-1 as it pertains to the definition of “Family” and amending Section 22-11-46 as it pertains to the maximum number of unrelated people that may occupy a dwelling unit in the PD-33 zone at 800 South Geneva Road |
| APPLICANT: | Sean Clark[DRS1] |

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Faxed to newspapers
- Emailed to newspapers
- Posted on <http://www.utah.gov/pmn/index.html>
- Mailed 82 notices on September 24, 2013
- Posted property on September 25, 2013

SITE INFORMATION (PD-33):

- General Plan
Professional Services and Low Density Residential
- Current Zones
PD-33
- Acreage
14.94
- Neighborhood
Sunset Heights West
- Neighborhood Chair
Vacant

| |
|--|
| PLANNING COMMISSION RECOMMENDATION |
| Vote: 6-0 Approve |
| PREPARED BY: David Stroud, AICP Planner |
| APPROVED BY:  |

REQUEST:

The applicant requests the City amend Section 22-2-1 as it relates to the definition of “family” and Section 22-11-46 as it relates to the occupancy requirement of units in the PD-33 zone (Transit Oriented Development) at 800 South Geneva Road.

BACKGROUND:

The applicant is interested in developing attached housing in the PD-33 zone. The definition of family prohibits any dwelling in the PD-33 zone (and the majority of the City) from housing more than three unrelated people. The applicant would like the ability to have four unrelated people in each unit. Two text changes are required to make this possible.

The first amendment allows the definition of family to be altered for different PD zones. Because of the unique nature of PD zones, it sometimes makes sense to allow a greater number of unrelated individuals to live in a unit within a given PD zone. For example, the current definition of family allows up to six unrelated individuals to live in a unit in the Student Housing Overlay zone or the PD-21 zone.

The second amendment specifies that up to four unrelated individuals may live in a unit in the PD-33 zone provided the unit has at least four bedrooms. Since the number of required parking stalls is based on the number of bedrooms in a unit (.65 stalls per bedroom), it is necessary to require four bedrooms if there are four occupants in a unit. This will help ensure that there is adequate parking while still allowing the applicant the flexibility to have four unrelated individuals in a unit. If a unit has four bedrooms, 2.6 parking stalls will be provided for that unit which is consistent with the anticipated parking demand for the zone. Because the PD-33 zone was specifically designed as a high-density development and due to the proximity of mass transit, it may make sense to allow up to four related individuals to live in a unit within the PD-33 zone.

The text of the proposed amendments is as follows:

22-2-1:

"Family shall mean one of the following groups of individuals, but not more than one at the same time: (1) an individual living alone; or (2) two or more people all of whom are related to one designated occupant of the dwelling by blood, marriage, adoption, or legal guardianship and their foster children and up to two other unrelated persons who do not pay rent and are not the primary occupant(s) of the dwelling; or (3) up to three related or

unrelated individuals and any children of either of them living as a single-housekeeping unit; (5) up to six unrelated individuals living in the Student Housing Overlay zone or PD-21 zone; or (6) a number of unrelated individuals as may be specifically indicated in a particular PD zone.

22-11-46. PD-33 zone (Transit Oriented Development-800 South Geneva Road)

H. Occupancy of Residential Units. A residential unit in the PD-33 zone may be occupied by either (1) one single family as defined in Section 22-2-1 or (2) up to, but no more than four individuals who are not all related to each other where the unit has at least four bedrooms..

Advantages of the proposal include:

- PD zones may allow for more than three occupants
- Occupancy cannot exceed the number of bedrooms provided

Disadvantages of the proposal include:

- None identified

RECOMMENDATION: The Planning Commission recommends the City Council approve this request.



DRAFT

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING SECTION 22-2-1 AND SECTION 22-11-46 AS IT PERTAINS TO THE DEFINITION OF FAMILY

WHEREAS on August 26, 2013, Sean Clark filed an application with the City of Orem requesting the City amend the definition of *Family* as contained in Section 22-2-1 and amend Section 22-11-46 as it relates to the maximum number of unrelated individuals that may reside in a dwelling unit in the PD-33 zone at 800 South Geneva Road; and

WHEREAS on October 2, 2013, the Planning Commission held a public hearing to consider the subject application and forwarded a positive recommendation to the City Council; and

WHEREAS on November 22, 2013, the City Council held a public hearing to consider the subject application; and

WHEREAS notices were mailed to all adjacent property owners within 300 feet of the subject property and the property was posted; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety, and general welfare of the City; the orderly development of land in the City; the effect upon the surrounding neighborhood; the compliance of the request with all applicable City ordinances and the Orem General Plan; and the special conditions applicable to the request.

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

1. The City Council hereby finds this request is in the interest of the public in that it will not harm adjacent residential neighborhoods.
2. The City Council hereby finds this request is in harmony with the Orem General Plan.
3. The City Council hereby amends the definition of Family as contained in Section 22-2-1 to read as follows:

Family shall mean one of the following groups of individuals, but not more than one at the same time: (1) an individual living alone; or (2) two or more people all of whom are related to one designated occupant of the dwelling by blood, marriage, adoption, or legal guardianship and their foster children and up to two other unrelated persons who do not pay rent and are not the primary occupant(s) of the dwelling; or (3) up to three related or unrelated individuals who live and cook together as a single housekeeping unit; or (4) two unrelated individuals and any children of either of them living as a single-housekeeping unit; (5) up to six unrelated individuals living in the Student Housing Overlay zone or PD-21 zone; or (6) a number of unrelated individuals as may be specifically indicated in a particular PD zone.

DRAFT

4. The City Council hereby amends Section 22-11-46 by enacting subsection (H) to read as follows:

H. Occupancy of Residential Units. A residential unit in the PD-33 zone may be occupied by one single family as defined in Section 22-2-1 or by up to, but no more than four unrelated individuals. However, the number of occupants in a dwelling shall not exceed the number of bedrooms in that dwelling.

5. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.

6. All other ordinances in conflict herewith are hereby repealed.

7. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

PASSED, APPROVED, and ORDERED PUBLISHED this 12th day of November 2013.

James T. Evans, Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

PLANNING COMMISSION MINUTES – OCTOBER 2, 2013

AGENDA ITEM 3.1 is a request by Sean Clark to recommend the City Council amend **SECTION 22-2-1 (DEFINITIONS) OF THE OREM CITY CODE PERTAINING TO THE DEFINITION OF FAMILY AND AMEND SECTION 22-11-46(H) PERTAINING TO OCCUPANCY OF RESIDENTIAL UNITS IN THE PD-33 ZONE (TRANSIT ORIENTED DEVELOPMENT – 800 SOUTH GENEVA ROAD)** of the Orem City Code.

Staff Presentation: David Stroud said the applicant is interested in developing attached housing in the PD33 zone. This zone was approved as a TOD, or transit oriented development, for such housing based on the nearby train station. However, the definition of “Family” prohibits any dwelling in the PD33 zone (and the majority of the City) from housing more than three unrelated people. The applicant would like the ability to have four unrelated people in each unit. Two text changes are required and are as follows.

22-2-1:

"Family shall mean one of the following groups of individuals, but not more than one at the same time: (1) an individual living alone; or (2) two or more people all of whom are related to one designated occupant of the dwelling by blood, marriage, adoption, or legal guardianship and their foster children and up to two other unrelated persons who do not pay rent and are not the primary occupant(s) of the dwelling; or (3) up to three related or unrelated individuals who live and cook together as a single housekeeping unit; or (4) two unrelated individuals and any children of either of them living as a single-housekeeping unit; (5) up to six unrelated individuals living in the Student Housing Overlay zone or PD-21 zone; **or (6) a number of unrelated individuals as may be specifically indicated in a particular PD zone.**

22-11-46. PD-33 zone (Transit Oriented Development-800 South Geneva Road)

H. Occupancy of Residential Units. A residential unit in the PD-33 zone may be occupied by either (1) one single family as defined in Section 22-2-2 or (2) up to, but no more than four individuals who are not all related to each other where the unit has at least four bedrooms.

The first amendment provides the ability to specifically state in a PD zone the total number of unrelated people that may occupy a dwelling unit. This amendment will allow future PD zone the ability to specify the occupancy allowed per dwelling unit.

The second amendment applies only to the PD33 zone. The parking requirement is 0.65 stalls per bedroom. If unit has two bedrooms and each bedroom has two occupants, there would only be 1.3 stalls for four residents. This will not provide enough parking. The proposed text change would allow up to four occupants in a unit but the number of occupants cannot exceed the number of bedrooms. For example, if four bedrooms are provided, 2.6 stalls will be provided, just as the Code currently requires.

Recommendation: The Development Review Committee recommends the Planning Commission consider this request and forward a positive recommendation to the City Council.

Mr. Earl suggested that the occupancy can be a family as defined in the definition of family, which would let them go up to three (3) unrelated or as another option they could have up to four unrelated if there is four bedrooms.

Chair Moulton asked if the Planning Commission had any questions for Mr. Stroud.

Mr. Whetten asked if this would affect the homes that are already built. Mr. Stroud said the changes would be in effect for the entire zone. Mr. Earl said that is not a big concern, since those homeowners are anxious for the change.

Chair Moulton invited the applicant to come forward. Sean Clark introduced himself.

Mr. Clark said since the PD-33 zone was established, a lot of things has changed. One option was to adopt the PD-21 zone (Parkway Crossing). The density is definitely a pro, but some of the other elements are not as attractive, like the 40' setbacks, the village community, mixed use, office/retail element. That is not their intent in this location. The location of PD-21 is great for those uses; however, 800 South is not as suitable. Utah Valley University (UVU) is growing to the west; Vineyard is opening up and growing. The highest and best use of their parcel in conjunction with Front Runner and Intermodal Hub is a transit oriented development that allows for both families with one or two who commute or students. Their studies have shown there is a demand for families with two bedroom units, but there needs to be allowance for students

who want to walk to school classes that are happening on the west of the freeway. He does not feel that using the PD-21 zone will be feasible in the PD-33 zone.

Lynnette Larsen asked if there will be condominiums or townhomes, single units mixed with two room units. Mr. Clark said Parkway Crossing has 1, 2, 3 and 4 bedroom units, with a mix of married and singles. This is not what they want. Their plan has two bedroom buildings and four bedroom buildings. Logically, that will separate the students from the families. They will be constructed as condominiums and operated as apartments. Then if there is a need for individual units, they would already be constructed to code.

Chair Moulton opened the public hearing and invited those from the audience who had come to speak to this item to come forward to the microphone.

When no one came forward, Chair Moulton closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff.

Mr. Clark said he has heard that some of the other individuals want more density that is currently outlined. This will not negatively impact the seven parcels to the east. It will allow them to have the increased density if they desire.

Chair Moulton called for a motion on this item.

Planning Commission Action: Mr. Colledge said he is satisfied that the Planning Commission has found this request complies with all applicable city codes. He then moved to recommend the City Council amend Section 22-2-1(*Definitions*) pertaining to the definition of Family and amend Section 22-11-46(H) pertaining to occupancy of residential units in the PD-33 zone (Transit Oriented Development – 800 South Geneva Road) of the Orem City Code. Ms. Jeffreys seconded the motion. Those voting aye: Becky Cuxton, Mike Colledge, Karen Jeffreys, Lynnette Larsen, David Moulton, and Derek Whetten. The motion passed unanimously.

September 26, 2013

Public Hearing Notice

Sean Clark requests the City amend Section 22-2-1 with respect to the definition of “Family” and Section 22-11-46, PD33 zone at 800 South Geneva Road, to allow up to four unrelated occupants of a as yet to be built apartment development. A copy of the proposed text amendments are on the reverse of this notice.

The Planning Commission will hold a public hearing on **Wednesday, October 2, 2013, at 4:30 PM** in the City Council chambers at 56 North State Street. This meeting is open to the public and you are invited to attend.

The City Council will hold a public hearing on **Tuesday, November 12, 2013, at 6:20 PM** in the City Council chambers at 56 North State Street. This meeting is open to the public and you are invited to attend.

Questions can be directed to David Stroud at 229-7095 or Jason Bench at 229-7238.

This notice has been mailed to all property owners and residents within 300 feet of the subject properties. If you are aware of other persons who would be interested in this matter, it would be appreciated if you make them aware of this public meeting. If you are not the owner of the residence, please notify the owner regarding this notice.

**The public is invited to participate in all public meetings.
If you need special accommodations to participate, please contact the City at
Phone: 229-7058 or TDD: 229-7146.**

UTAH DEPARTMENT OF
TRANSPORTATION
PO BOX 148420
SALT LAKE CITY, UT 84114

OLSEN, KIM D
PO BOX 1780
OREM, UT 84059

CORP OF PRES BISHOP CHURCH OF
JESUS CHRIST OF LDS
50 E NORTH TEMPLE
SALT LAKE CITY, UT 84150

UTAH TRANSIT AUTHORITY
%PROPERTY MANAGEMENT
PO BOX 30810
SALT LAKE CITY, UT 84130

DTS/AGRC MANAGER
STATE OFFICE BLDG, RM 5130
SALT LAKE CITY, UT 84114

ROCKY MOUNTAIN POWER
70 NORTH 200 EAST
AMERICAN FORK, UT 84003

CENTURY LINK
75 EAST 100 NORTH
PROVO, UT 84606

WILLOW CREEK BRADY PROPERTIES
563 E 820 S
PLEASANT GROVE, UT 84062

ALPINE SCHOOL DISTRICT
ATTN: SUPERINTENDENT
575 NORTH 100 EAST
AMERICAN FORK, UT 84003

WINN, VANCE & LONI
349 W 730 S
OREM, UT 84058

EDDY, ANNETTE
656 N 120 E
LINDON, UT 84042

PANGILINAN, EDGARDO &
CAROLINA
753 S 1420 W
OREM, UT 84058

MAG
586 EAST 800 NORTH
OREM, UT 84097

PATTERSON, BEN A & SANTA
759 S 1370 W
OREM, UT 84058

RODRIGUEZ, GUSTAVO R
764 S 1370 W
OREM, UT 84058

FAIRBANKS, JONATHAN R &
DEBORAH
752 S 1420 W
OREM, UT 84058

BOHN, RANDALL S & CYNTHIA G
763 S 1420 W
OREM, UT 84058

VEAS, IVAN O & PATRICIA V
776 S 1370 W
OREM, UT 84058

B & N FAMILY LLC
--OR CURRENT RESIDENT--
754 S 1370 WEST
OREM, UT 84058

GGR HOLDINGS LLC
--OR CURRENT RESIDENT--
770 S GENEVA RD
VINEYARD, UT 84058

MARTINSEN, JASON & ANILDA
793 S 1370 W
OREM, UT 84058

JONAS, CONNIE
762 S 1420 W
OREM, UT 84058

CISNEROS, HUGO (ET AL)
775 S 1420 W
OREM, UT 84058

MENDEZ, HERMAN
--OR CURRENT RESIDENT--
853 S GENEVA RD
OREM, UT 84058

RESENDIZ, BENJAMIN S & OFELIA
769 S 1370 W
OREM, UT 84058

ATKIN, TRISHA WELLING &
MATHEW TYRELL (ET AL)
792 S 1370 W
OREM, UT 84058

WILLOW CREEK BRADY PROPERTIES
LC
--OR CURRENT RESIDENT--
895 S GENEVA RD
OREM, UT 84058

MORGAN, JESSICA
774 S 1420 W
OREM, UT 84058

MENDEZ, HERMAN
849 S GENEVA RD
OREM, UT 84058

UTAH DEPARTMENT OF
TRANSPORTATION
--OR CURRENT RESIDENT--
917 S 1520 WEST
OREM, UT 84058

MORALES, LINDA
779 S 1370 W
OREM, UT 84058

MC CLAREN DEVELOPMENT LLC
--OR CURRENT RESIDENT--
877 S GENEVA RD
OREM, UT 84058

UTAH TRANSIT AUTHORITY
--OR CURRENT RESIDENT--
951 S 1350 WEST
OREM, UT 84058

UTAH VALLEY UNIVERSITY
800 W UNIVERSITY PKY
OREM, UT 84058

HUDSON, CHARLENE
912 S 1520 W
OREM, UT 84058

GGR HOLDINGS LLC
1294 W 3150 N
PLEASANT GROVE, UT 84062

MC CLAREN DEVELOPMENT LLC
--OR CURRENT RESIDENT--
865 S GENEVA RD
OREM, UT 84058

NIELSEN, MARK DALE & CINDEE D
932 S 1520 W
OREM, UT 84058

FRANSON, SHELDON R
--OR CURRENT RESIDENT--
1375 W 800 SOUTH
OREM, UT 84058

UTAH DEPARTMENT OF
TRANSPORTATION
--OR CURRENT RESIDENT--
909 S 1520 WEST
OREM, UT 84058

HOYAL, JAMES C
1161 E 350 N
OREM, UT 84097

WHITING, TROY L
1405 W 800 S
OREM, UT 84058

OBINYAN, JOHN O & ABIGAIL N
922 S 1520 W
OREM, UT 84058

UTAH TRANSIT AUTHORITY
--OR CURRENT RESIDENT--
1357 W 800 SOUTH
OREM, UT 84058

ALLEN, HAL J & CONNIE S
1421 W 800 S
OREM, UT 84058

SARATOGA HEALTH HOLDINGS LLC
--OR CURRENT RESIDENT--
960 S GENEVA ROAD
OREM, UT 84058

OKAMURA, ISAO & JUAN E
1396 W 800 S
OREM, UT 84058

STEPHENSON, ROBERT & DIANA
1451 W 800 S
OREM, UT 84058

UTAH TRANSIT AUTHORITY
--OR CURRENT RESIDENT--
1341 W 800 SOUTH
OREM, UT 84058

DOMINGUEZ, OSVALDO F (ET AL)
1418 W 800 S
OREM, UT 84058

MORRILL, GARY L & LANAE S
1495 W 800 S
OREM, UT 84058

ARNETT, HAROLD B & PENEE L
1391 W 800 S
OREM, UT 84058

EDDY, ANNETTE
--OR CURRENT RESIDENT--
1435 W 800 SOUTH
OREM, UT 84058

UTAH DEPARTMENT OF
TRANSPORTATION
--OR CURRENT RESIDENT--
1526 W 860 SOUTH
OREM, UT 84058

DOMINGUEZ, OSVALDO F (ET AL)
--OR CURRENT RESIDENT--
1408 W 800 SOUTH
OREM, UT 84058

YOUNG, NORMAN D & MARIETTA
--OR CURRENT RESIDENT--
1485 W 800 SOUTH
OREM, UT 84058

SCHULDT, NATHAN E
1538 W 860 S
OREM, UT 84058

JOHNSON, LARRY E & VALERIE ROSE
(ET AL)
1434 W 800 S
OREM, UT 84058

UTAH DEPARTMENT OF
TRANSPORTATION
--OR CURRENT RESIDENT--
1524 W 860 SOUTH
OREM, UT 84058

OLSEN, KIM D
--OR CURRENT RESIDENT--
1549 W 860 SOUTH
OREM, UT 84058

WINN, VANCE & LONI
--OR CURRENT RESIDENT--
1467 W 800 SOUTH
OREM, UT 84058

LASSEN, MICHAEL LYNN
1532 W 900 S
OREM, UT 84058

WALTERS, PAUL D & DIANA D
1564 W 860 S
OREM, UT 84058

UTAH DEPARTMENT OF
TRANSPORTATION
--OR CURRENT RESIDENT--
1518 W 900 SOUTH
OREM, UT 84058

GRAHAM, JAMES S & LINDA
CHRISTINE
1542 W 900 S
OREM, UT 84058

DARREL L CLEGG PROPERTIES LC
1905 W GOLDEN POND WY
OREM, UT 84058

UTAH DEPARTMENT OF
TRANSPORTATION
--OR CURRENT RESIDENT--
1529 W 860 SOUTH
OREM, UT 84058

UTAH DEPARTMENT OF
TRANSPORTATION
--OR CURRENT RESIDENT--
1553 W SPRINGWATER DR
OREM, UT 84058

UTAH CNTY SOLID WASTE DISTRICT
C/O RODGER HARPER
2000 WEST 200 SOUTH
LINDON, UT 84042

HICKEN, ANDREW R & MERRI D
1539 W 860 S
OREM, UT 84058

TALIA, TALALELEI (ET AL)
--OR CURRENT RESIDENT--
1567 W SPRINGWATER DR
OREM, UT 84058

UTAH DEPARTMENT OF
TRANSPORTATION
4501 S 2700 W
SALT LAKE CITY, UT 84119

ALARCON, NORMA
1550 W 860 S
OREM, UT 84058

QUESTAR GAS COMPANY
1640 NORTH MTN. SPRINGS PKWY.
SPRINGVILLE, UT 84663

COMCAST
9602 SOUTH 300 WEST
SANDY, UT 84070

MIRANDA, JOSE TITO
--OR CURRENT RESIDENT--
1579 W SPRINGWATER DR
OREM, UT 84058

YOUNG, NORMAN D & MARIETTA
2000 CANYON RD
SPRINGVILLE, UT 84663

B & N FAMILY LLC
7381 N 6500 W
AMERICAN FORK, UT 84003

JASON BENCH
1911 N MAIN STREET
OREM, UT 84057

MC CLAREN DEVELOPMENT LLC
4118 N EDGEWOOD DR
PROVO, UT 84604

SARATOGA HEALTH HOLDINGS LLC
27101 PUERTA REAL # 450
MISSION VIEJO, CA 92691

UTOPIA
2175 S REDWOOD ROAD
WEST VALLEY CITY, UT 84119

FRANSON, SHELDON R
9506 W 7350 N
LEHI, UT 84043

Project Timeline

Amend Section 22-2-1 and 22-11-46 – Family Definition

1. DRC application date: 8/26/2013
2. Obtained Development Review Committee clearance on: 9/3/2013
3. Publication notice for PC sent to Records office on: 9/5/2013
4. Neighborhood notice for Planning Commission mailed on: 9/25/2013
5. Planning Division Manager received neighborhood notice on: 9/26/2013
6. Planning Commission recommended approval on: 10/2/2013
7. Publication notice for CC sent to Records office on: 10/17/2013
8. Notice for City Council mailed on: 9/25/2013
9. Planning Division Manager received neighborhood notice on: 9/26/2013
10. Property posted for City Council on: 9/27/2013
11. City Council approved/denied on: 11/12/2013

CITY OF OREM
CITY COUNCIL MEETING
NOVEMBER 12, 2013



| | |
|-----------------------|---|
| REQUEST: | 6:20 P.M. PUBLIC HEARING - RESOLUTION – Establishing a Residential Parking Permit Area on 300 South between 400 East and Campus Drive. |
| APPLICANT: | Public Safety Department – City of Orem |
| FISCAL IMPACT: | The City will incur the cost of issuing and administering the permits and enforcing the residential parking permit area. |

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on the State 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:
 Orem

RECOMMENDATION:

The Interim Public Safety Director recommends that the City Council, by resolution, establish a residential parking permit area on 300 South between 400 East and Campus Drive.

BACKGROUND:

The City of Orem is responsible for protecting the health, safety, and general welfare of the City. With the rebuilding of Orem High School, there has been an increase in the number of nonresidents who are using 300 South between 400 East and Campus Drive as on-street parking during school hours. The nonresident motor vehicles remain on 300 South for the majority of the day between 7:00 a.m. and 4:00 p.m. This increase in use of 300 South between 400 East and Campus Drive as parking for students and others visiting Orem High School has caused increased traffic congestion and has contributed to the inability of residents and their visitors to park near their homes. A group of individuals who reside on 300 South filed a petition with the Public Safety Department asking that a study be conducted to determine whether it would be appropriate for the City to create a residential parking permit area along 300 South between 400 East and Campus Drive.

The Public Safety Department has conducted the study and come to the following conclusions:

1. While Orem High School is in session, 300 South is congested with motor vehicles that are not owned by those living along 300 South.
2. Each day after school concludes, the majority of the motor vehicles parked along 300 South are gone.
3. During the school day, there is a significant number of open parking spaces in Orem High School’s parking lot which is located on the north side of the school’s campus.

Having completed the study and reviewed the requirements of Orem City Code 19-5, the Public Safety Department recommends that the City Council create a residential parking permit area on 300 South between 400 East and Campus Drive. Currently there are signs along the south side of 300 South limiting parking along the street to one (1) hour while school is in session. These signs have been ineffective in decreasing the number of nonresident motor vehicles on 300 South during school hours.

If the City Council creates the residential parking permit area as proposed, each household within the residential parking permit area will be permitted to park any cars registered at their 300 South address in the residential parking permit area and each resident who resides within the residential parking permit area will be given two (2) visitor/guest permits.

PREPARED BY:

APPROVED BY:

DRAFT

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING A RESIDENTIAL PARKING PERMIT AREA AT 300 SOUTH STREET BETWEEN 400 EAST AND CAMPUS DRIVE

WHEREAS THE City Council is concerned for the health, safety and welfare of all neighborhoods within the City; and

WHEREAS the City Council has determined that a certain area within the City of Orem has had an influx of motor vehicles owned by nonneighborhood residents; and

WHEREAS the City Council has determined that these non-resident vehicles compete for the limited number of on-street parking spaces of neighborhood residents, congest City streets, detract from neighborhood values, and disrupt basic essential services; and

WHEREAS the City Council has determined that in order to halt this deterioration of neighborhood values, there is a need to create a residential parking permit area; and

WHEREAS the City Council has determined that the highlighted areas of the attached City map, which map is incorporated herein and referred to as Exhibit "A" shall be a residential parking permit area; and

WHEREAS the City Council has determined that the hours of the parking regulations shall be in force from 7:00 a.m. until 4:00 p.m., Monday through Friday, August 15 through June 1 of every year.

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

1. The City Council hereby creates a residential parking permit area in the highlighted portions of Exhibit "A."

2. The City Council hereby directs that the hours of the parking regulations shall be in force from 7:00 a.m. until 4:00 p.m., Monday through Friday, August 15th through June 1st of every year, excluding holidays.

3. The City Council directs that each household in the permit parking area receive two (2) visitor parking permits.

PASSED and APPROVED this 12th day of November 2013.

DRAFT

James T. Evans, Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"



Exhibit A



City Of Orem
Department Of Public Safety

To: Director Scott Gurney

From: Lieutenant Craig Martinez

Date: September 5, 2013

Subj: Impact Study (300 S. - Orem High School)

The Department received a request from Edward Green, living at 460 E. 300 S., who requests an impact study be conducted in his neighborhood with the hopes that the City Council will create a parking district on 300 South between 580 East and 400 East. It will also affect two homes on 475 East and one home on 400 East. The street in question is the road just to the South of the Orem High School parking lot.

What I Observed

After visiting this neighborhood at different time during school hours, I have seen the following:

- Parking at the school seems to be adequate for the students needs. There were plenty of empty spaces in the parking lot, but parking on 300 South is closer to some of the school buildings then the spots in the parking lot (This may be the reason students would rather park here than in the parking lot).
- At the times I checked the area, it was congested with parked cars that didn't belong to the home owners in the area. This was always during school hours.
- At the times I checked the area after school hours, the parked cars had cleared out making it reasonable to assume that the parked cars did belong to students of Orem High school.

Recommendation

I believe this request fits exactly the conditions for which neighborhood parking districts were originally intended. Mr. Green's request is supported by petition and signed by every home affected in the area. The petitioners' request seems reasonable; parking outside persons would remain restricted , but residents would be allowed to park in front of their homes if they wished. Area residents could hardly complain about this proposed change.

Edward Green
460 East 300 South
Orem, UT 84097

July 28, 2013

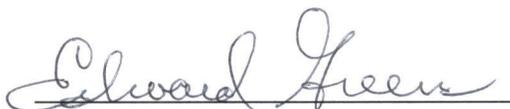
M. Scott Gurney, Fire Chief
Orem City
95 East Center Street
Orem, Utah 84057

Dear Chief Gurney,

I am writing on behalf of 14 families living on 300 South Street on the South border of Orem High School for your consideration of a Neighborhood Parking District that would go along 300 South from 400 East to Campus Drive. We have been inundated with students parking in front of our homes and in illegal positions as indicated in the accompanying photos. It has become a hazard when we are trying to back onto 300 South from our driveways not being able to see cars coming because so many cars block our view. Several of us have visitors as well as service contractors, health care professionals, etc. who cannot find parking in front of our homes and have to park blocks away. With the school having been built so close to the road, students would rather park on our street rather than have to walk across the front parking lot where there are many empty spaces. They could also be avoiding a parking fee if the school has one. Many park in the same spaces every day and ignore the one sign that now says: "Parking for One Hour When School is in Session." We would like you to consider giving our street the same status as other border streets on 200 South, 500 East, and 400 East currently have – a designation that says "Parking By Permit Only During School Hours." Given the increased parking spaces available on school property, there are many available places where students can park instead of parking in places that we need during the day.

Thank you for considering this request. I have enclosed a few photos taken during school hours that reflect our concern and support for this request as well as a petition signed by those who live on our street who are affected by the parking problem caused by the students.

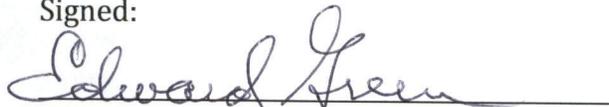
Sincerely,


Edward E. Green

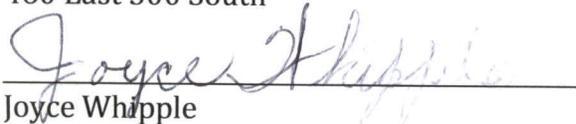
- PETITION -

We the undersigned hereby petition the City of Orem to consider establishing a Neighborhood Parking District (NPD) on 300 South on the South border of Orem High School from 400 East to ^{Campus} ~~580 East~~. Other bordering streets (200 South, 500 East, and 400 East) all have restrictions during school hours to avoid having students occupy parking spaces in front of homes. We are requesting a "Parking By Permit Only During School hours" designation.

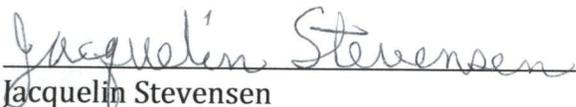
Signed:



Edward E. Green
460 East 300 South



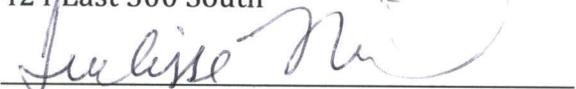
Joyce Whipple
448 East 300 South



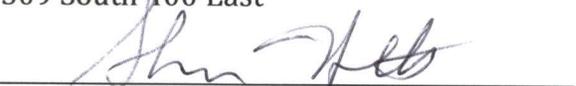
Jacquelin Steverson
434 East 300 South



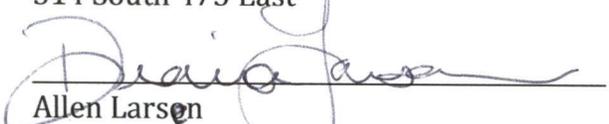
Kevin Done
424 East 300 South



Kyle Nielson Ivelisse Nieken
309 South 400 East



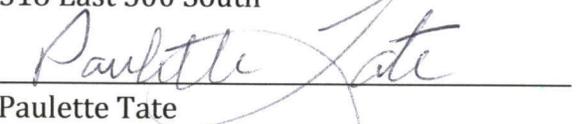
Shane Heath
314 South 475 East



Allen Larson
315 South 475 East



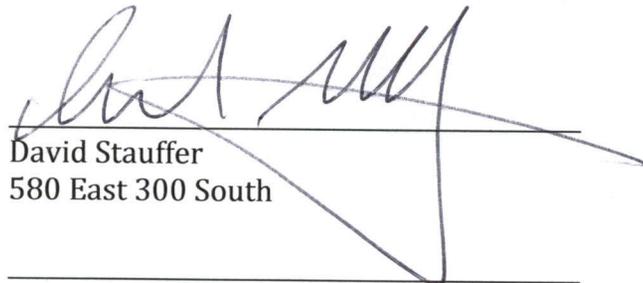
Matt Mark
518 East 300 South



Paulette Tate
528 East 300 South



Isaac Thomas
538 East 300 South

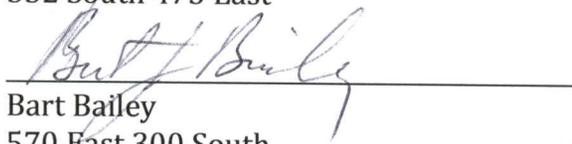


David Stauffer
580 East 300 South

~~David Farnell~~
~~312 South 610 East~~

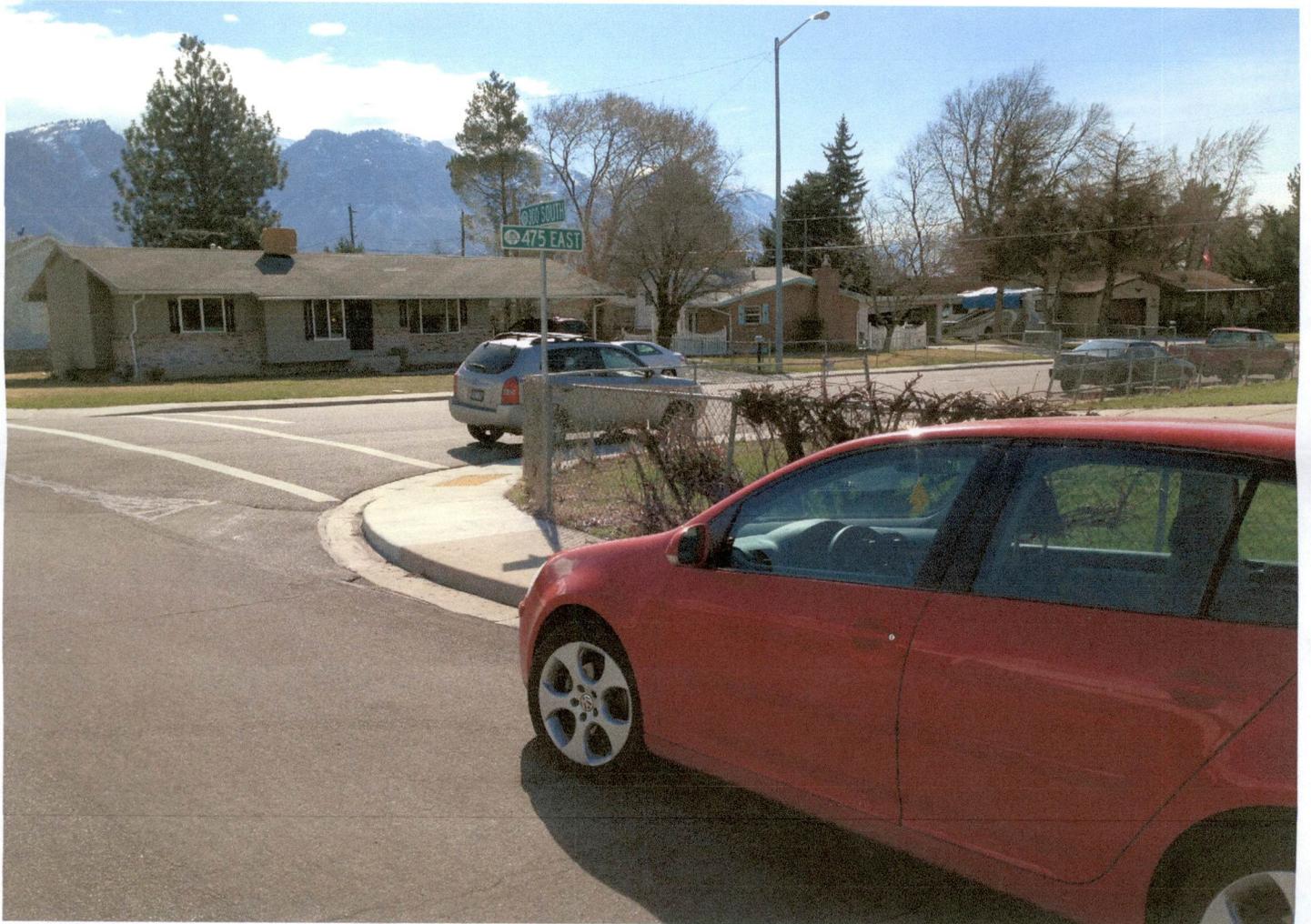


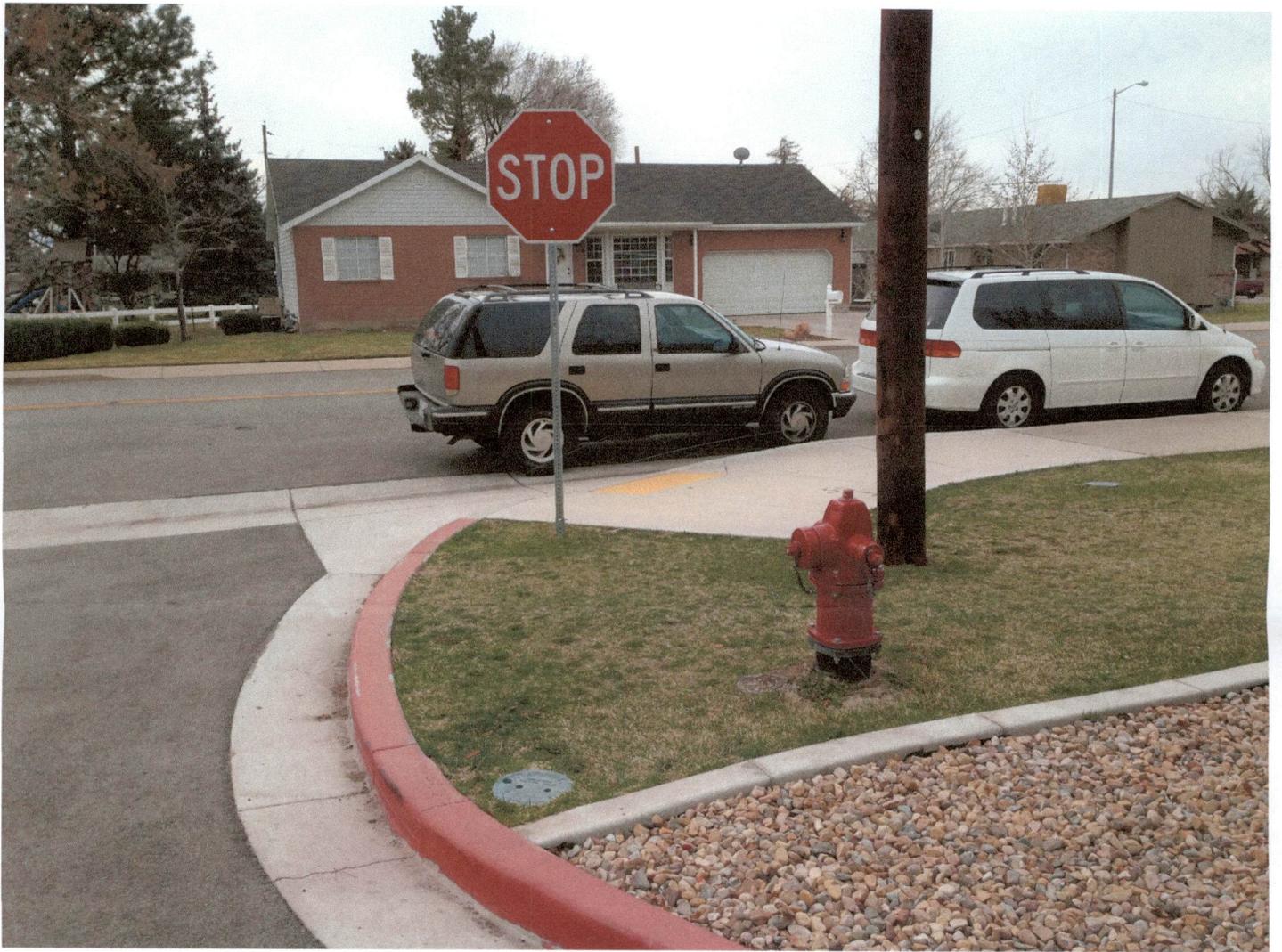
Scott Thurman
332 South 475 East



Bart Bailey
570 East 300 South









RESOLUTION NO. R-05-0038

A RESOLUTION ESTABLISHING A RESIDENTIAL PARKING PERMIT AREA ON THE EAST SIDE OF CAMPUS DRIVE BETWEEN WESTWOOD DRIVE AND 300 SOUTH STREET AND ALONG THE EAST FRONTAGE OF 651 EAST CAMPUS DRIVE.

WHEREAS the City Council is concerned for the health, safety, and welfare of all neighborhoods within the City; and

WHEREAS Article 19-5 of the Orem City Code establishes a residential parking permit program that allows the City Council to designate certain areas as residential permit parking areas and to restrict the parking that may take place in those areas; and

WHEREAS the City received a request to create a residential parking district along portions of the Campus Drive area of Orem; and

WHEREAS City staff has conducted a study to review whether the Campus Drive area warrants a residential parking district; and

WHEREAS the City Council has reviewed the study and listened to input on this matter at a public hearing held on August 23, 2005; and

WHEREAS the City Council considered:

1. The extent of the desire and need of the residents for residential permit parking and their willingness to bear any administrative costs in connection therewith;
2. The extent to which legal on-street parking spaces are occupied by motor vehicles during the period proposed for parking restriction;
3. The extent to which vehicles parking in the area during the period proposed for parking restriction are non-resident vehicles rather than resident vehicles;
4. The extent to which motor vehicles registered to persons residing in the residential area cannot be accommodated by the number of available off-street parking spaces; and
5. The extent to which any other factor contributes to the need for a residential permit parking area; and

WHEREAS the City Council has determined that the Campus Drive area within the City of Orem has had an influx of motor vehicles owned by non-neighborhood residents; and

WHEREAS the City Council has determined that these non-resident vehicles compete for the limited number of on-street parking spaces of neighborhood residents, congest City streets, detract from neighborhood values, and disrupt basic essential services; and

WHEREAS the City Council has determined that in order to halt this deterioration of neighborhood values, there is a need to create a residential parking permit area.

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

1. The City Council has considered the Campus Drive area residents' support for residential permit parking, the existing parking conditions, the expected effectiveness of residential permit parking in improving parking conditions, and the location and size of the residential permit parking area. The City Council finds that a residential parking permit area designation in the Campus Drive area will be a benefit to the health, safety, peace, morals, comfort, and general welfare of people living in the area.

2. The City Council hereby creates a residential parking permit area in the highlighted portions of Exhibit "A", which is attached hereto and incorporated herein by reference.

3. The City Council hereby directs that parking be restricted in the designated areas between the hours of 3:00 p.m. and 10:00 p.m., Monday through Saturday of each week of every year, excluding Sundays and legal holidays.

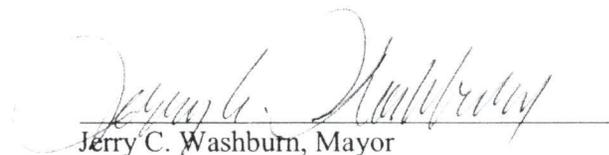
4. The City Council hereby directs that each household in the permit parking area receive two (2) visitor-parking permits.

5. All acts, orders, resolutions and ordinances, and parts thereof that are in conflict with this Resolution are hereby rescinded.

6. This Resolution shall become effective immediately upon passage.

PASSED AND APPROVED this **23rd** day of **August**, 2005.




Jerry C. Washburn, Mayor

ATTEST:


Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

Les Campbell

Dean Dickerson

Douglas R. Forsyth

Karen A. McCandless

Stephen E. Sandstrom

Shirce Thurston

Jerry C. Washburn

COUNCIL MEMBERS VOTING "NAY"

Campus Drive Parking District

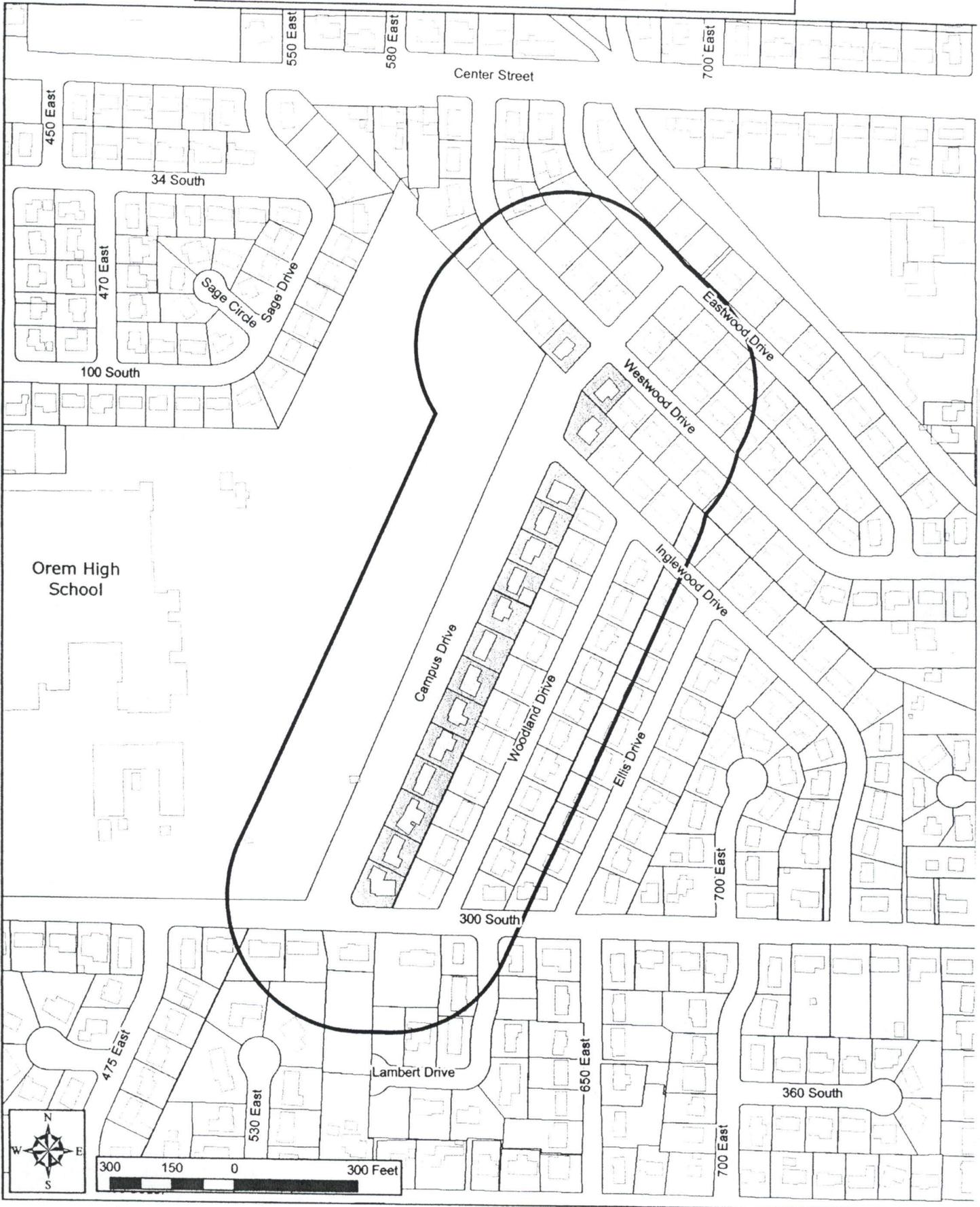


EXHIBIT A

RESOLUTION NO. R-03-0034

A RESOLUTION ESTABLISHING A RESIDENTIAL PARKING PERMIT AREA AT 200 SOUTH STREET BETWEEN 400 EAST AND 280 EAST.

WHEREAS the City Council is concerned for the health, safety and welfare of all neighborhoods within the City; and

WHEREAS the City Council has determined that a certain area within the City of Orem has had an influx of motor vehicles owned by non-neighborhood residents; and

WHEREAS the City Council has determined that these non-resident vehicles compete for the limited number of on-street parking spaces of neighborhood residents, congest City streets, detract from neighborhood values, and disrupt basic essential services; and

WHEREAS the City Council has determined that in order to halt this deterioration of neighborhood values, there is a need to create a residential parking permit area; and

WHEREAS the City Council has determined that the highlighted areas of the attached City map, which map is incorporated herein and referred to as Exhibit "A" shall be a residential parking permit area; and

WHEREAS the City Council has determined that the hours of the parking regulations shall be in force from from 7:00 a.m. until 4:00 p.m., Monday through Friday, August 15 through June 1 of every year.

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

1. The City Council hereby creates a residential parking permit area in the highlighted portions of Exhibit "A."
2. The City Council hereby directs that the hours of the parking regulations shall be in force from 7:00 a.m. until 4:00 p.m., Monday through Friday, August 15th through June 1st of every year, excluding legal holidays.

3. The City Council hereby directs that each household in the permit parking area receive two (2) visitor parking permits.

PASSED AND APPROVED this 11th day of November, 2003.




Jerry C. Washburn, Mayor

ATTEST:


Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

Les Campbell

Dean Dickerson

Douglas R. Forsyth

Karen A. McCandless

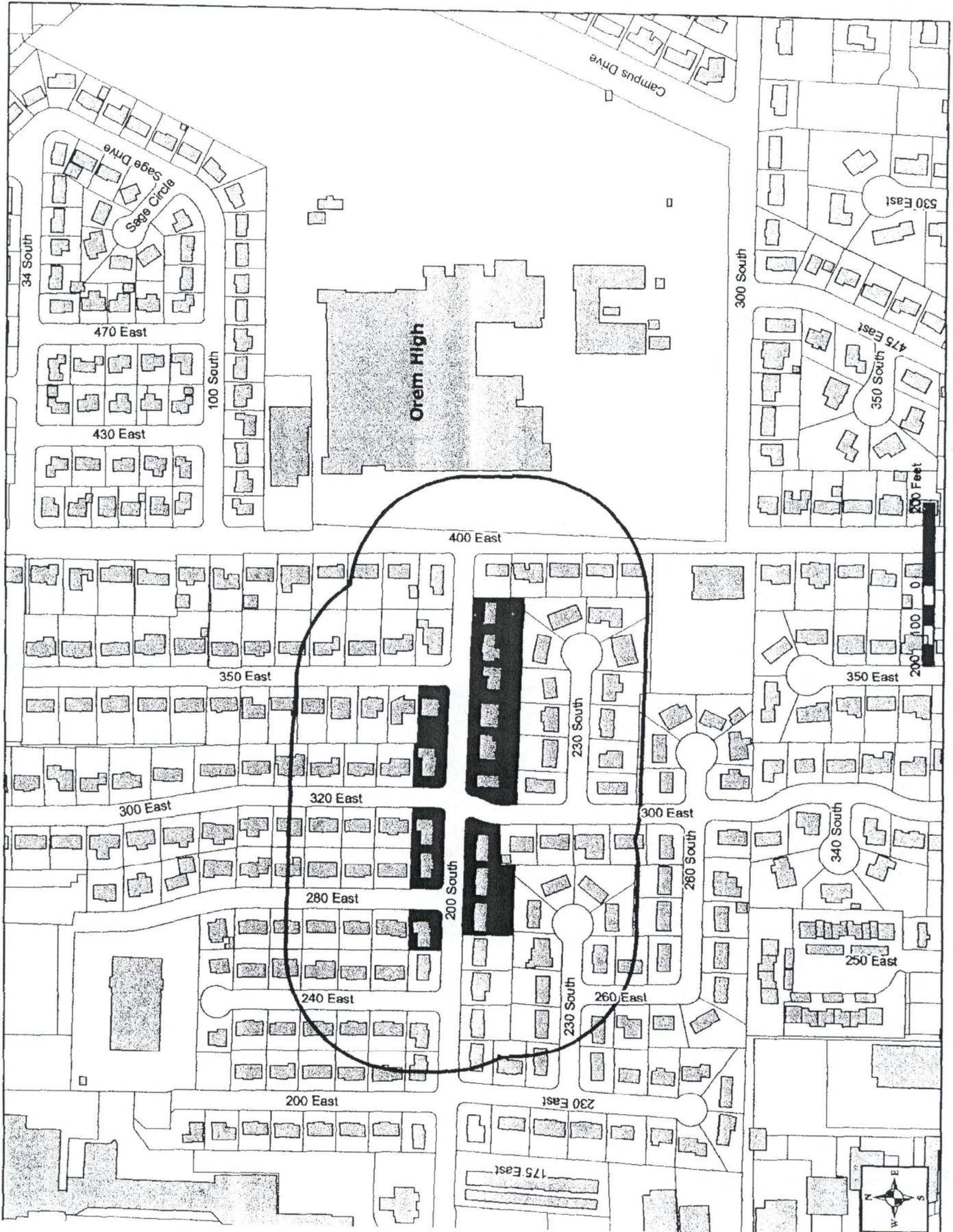
Stephen E. Sandstrom

Shiree Thurston

Jerry C. Washburn

COUNCIL MEMBERS VOTING "NAY"

Exhibit A



CITY OF OREM
CITY COUNCIL MEETING
 NOVEMBER 12, 2013



| | |
|-----------------------|---|
| REQUEST: | RESOLUTION—To Appropriate Public Safety Evidence to Public Interest Use. |
| APPLICANT: | Public Safety Department |
| FISCAL IMPACT: | \$800.00 savings |

NOTICES:

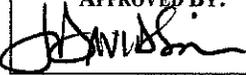
- Posted in 2 public places
- Posted on City webpage
- Posted on the State website
- Faxed to newspapers
- E-mailed to newspapers
- Neighborhood Chair

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: |

| |
|---------------------|
| PREPARED BY: |
|---------------------|

| |
|--|
| APPROVED BY:  |
|--|

RECOMMENDATION:

The Interim Director of Public Safety recommends the City Council, by resolution, appropriate a Dell Vostro laptop currently in evidence to public interest use by the Public Safety Department.

BACKGROUND:

On June 5, 2013, eight stolen items were turned in to the Public Safety Department by a mother who found the items in her son's room. The son had been arrested for theft earlier in the day. One of the items is a Dell Vostro laptop. In trying to locate the owner of the laptop it was found the laptop had been wiped clean so no information could be pulled from the computer to identify the owner. The serial number of the laptop is not listed on any database as stolen. Public Safety has been unable to identify the rightful owner. In cases where the rightful owner cannot be located, the State Legislature has authorized the Public Safety Department to apply the property to a public interest use, providing the City Council gives permission to apply the property to public interest use and the City Council designates and approves the public interest use of the property.

Public Safety is asking the City Council to approve by resolution appropriating the Dell Vostro Laptop for public interest use. The laptop will replace an outdated laptop now used by the department's evidence technician to log evidence at crime scenes. Appropriating this computer will save the city from having to buy a replacement computer.

DRAFT

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OREM
AUTHORIZING THE PUBLIC SAFETY DEPARTMENT TO
APPROPRIATE PUBLIC SAFETY EVIDENCE TO PUBLIC
INTEREST USE.

WHEREAS the City Prosecutor has determined that certain property used as evidence no longer needs to be held for that purpose; and

WHEREAS the Department of Public Safety has attempted to contact the rightful owner or the rightful owner is not authorized to lawfully possess the property; and

WHEREAS the property has not been claimed by the rightful owner or the owner cannot be located; and

WHEREAS the City Council desires to appropriate this property for use by the Department of Public Safety; and

WHEREAS the appropriation of this property to the Department of Public Safety would furnish said Department with new equipment without an expenditure of money by the City; and

WHEREAS the Public Safety Department has complied with the procedural and notice requirements imposed by State Statute found at U.C.A. § 24-3-101 through § 24-3-104.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, AS FOLLOWS:

1. Pursuant to U.C.A. §24-3-103(6), the City Council hereby grants permission to apply the following described property (the "Property") to public interest use:

A Dell Vostro laptop computer, serial number x16-96076

2. The City Council designates and approves the public interest use of the Property as a replacement laptop for an outdated one currently assigned to the Evidence Technician. This computer will be used to log evidence at crime scenes.

3. This resolution shall take effect immediately upon passage.

4. All other resolutions, ordinances, and policies in conflict herewith, either in whole or in part, are hereby repealed.

PASSED AND APPROVED this 12th day of **November** 2013.

DRAFT

James T. Evans, Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

