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PROVO MUNICIPAL COUNCIL

Work Meeting Minutes

3:00 PM, Tuesday, April 12, 2022

Provo Power Board Room, 251 W 800 N, Provo, UT 84601

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

Roll Call

The following elected officials participated:

Council Chair Travis Hoban, conducting
Council Vice-chair George Handley
Councilor Shannon Ellsworth
Councilor David Shipley
Councilor Katrice MacKay
Councilor Rachel Whipple
Councilor Bill Fillmore
Mayor Michelle Kaufusi

Prayer

Councilor Bill Fillmore offered the prayer.

Closed Meeting

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

Brian Jones, Council Attorney, outlined the statutory basis for the closed session.

Motion: Shannon Ellsworth moved to close the meeting. Seconded by David Shipley.

Vote: Approved 7:0.

Business

The Council reconvened in the open meeting at 4:15 PM.

1. A discussion regarding the Council's budget priorities for FY 2022-2023. (22-037) ([0:07:00](#))

John Magness, Interim Council Executive Director, presented. He introduced the presentation on the Council's actionable priorities for the next two years. They would like to narrow the list to

10-15 items. Staff will review the related policies and funding issues as they relate to the Council's budget priorities which will be addressed during discussions in May. The initial priorities which the Council submitted have been put in alphabetical order for the discussion.

AIRPORT (0:08:21)

- Increase destinations
- Increase carriers

Mr. Magness indicated that these areas were primarily budget-related rather than legislative. Councilor George Handley said that he shared this objective, but he felt there wasn't a specific role for the Council as the airport was headed in this direction already. Councilor David Shipley thought it would be helpful to ask the Administration if they felt any budget or legislation was needed; did the Council need to budget for new destinations for the airport or any other needs.

Deputy Mayor Isaac Paxman noted the new airport would continue to have CIP improvements and there may be additional budget needs in the future. Wayne Parker, CAO, indicated that in the early stages of a new airport, the municipality is often trying to recruit airlines to the airport. The airline industry is still recovering after the pandemic. He indicated that there is a lot of planning taking place and the airport grand opening would be happening in the near future. Mr. Shipley asked about county participation with regional airports and what was typical. Mr. Parker indicated it can vary, but Utah County contributed \$4.5 million to the terminal construction.

CANYON ENHANCEMENTS (0:19:11)

The Council discussed gravel pits. Mr. Magness noted that one of the best tools is rezoning; the Council could also explore budgetary options. Councilor Katrice MacKay asked who owned the gravel pit property. Dixon Holmes, Deputy CAO, explained that there were three gravel pits in Provo Canyon; the City owned a piece of ground located below the shooting range.

Councilor George Handley raised a potential legislative issue the Council may need to address. He noted that the Critical Hillside Overlay Zone has a limited disturbance provision. The process for rehabilitating a gravel pit would likely violate that particular provision of the law; this is something the Council may need to address in the future. Councilor Bill Fillmore suggested a feasibility study may be a good way to learn more about the possibilities for the gravel pit property. Councilor Shannon Ellsworth asked whether the gravel pits issue was written into the scope of the foothills and canyons plan. She also asked to add Slate Canyon to this list. Mr. Magness noted that Slate Canyon was included in the parks and recreation priorities list. Mr. Shipley felt comfortable deferring this item to the supplementary plans to the general plan, which would likely include some short-term recommendations. Mr. Handley had questions about the lifespan of a gravel pit and when it is exhausted. Mr. Fillmore asked Dave Decker, Public Works Director, if the city still needs the gravel pit. Mr. Decker said the site is not currently used as a gravel pit, however it is sometimes used to store materials, but it is not really utilized or needed. Mr. Magness noted the Council could also look at different incentives regarding gravel pits.

Mayor Michelle Kaufusi and Mr. Holmes shared an update on the extension of the Provo River Trail through Provo Canyon up to Wasatch County.

COMMUNITY DEVELOPMENT (0:30:48)

One of the main items in this section is to make sure the neighborhood program functions for all neighborhoods and citizens. Mr. Magness indicated that revisions to the neighborhood program were in progress. Another item on the list was a diversity and inclusion committee. Mr. Magness noted this was included in the draft general plan, but the Council could always act on this sooner as a legislative item. Councilor David Shipley thought this would be good to do as a legislative item. Councilor Shannon Ellsworth asked the Council what they envisioned. She saw it as a more permanent advisory body that could make recommendations. Councilor George Handley said there had been lots of concern in summer 2020 about diversity and representation in the community. Mayor Kaufusi had talked about creating a neighborhood committee of diverse leaders in the community at one point. Mr. Handley had several ideas for the committee and its possible objective; it could examine the practices of the city itself as an organization, or it could have an outward focus on the community. Mr. Handley also noted that research has shown that decision-making is better when it involves a more diverse group of voices (both in business and government contexts). Mr. Magness indicated he attended a recent conference and made some contacts at some different universities which may be helpful resources for ideas that could work for Provo. He indicated that staff could work on a proposal to bring back to the Council. Mr. Shipley thought an ad hoc committee might be helpful in evaluating the proposals. Another item on the list for this priority was creating unity/social capital; Mr. Magness indicated this would follow from the diversity and inclusion committee and neighborhood program.

ECONOMIC DEVELOPMENT (0:40:11)

Councilors shared comments about making the downtown area more pedestrian-friendly. This was an item which could be addressed by the budget. Dave Decker, Public Works Director, referenced the recommendations from the Transportation and Mobility Advisory Committee, which included some temporary adjustments which could serve as a beta-test for more permanent measures. Councilors were supportive of this effort.

Councilor Bill Fillmore had suggested working with the BYU incubator for startups. Mr. Fillmore shared some of the opportunities the city could have to attract some of these startup incubators. Councilor George Handley referenced comments from developers who have indicated that certain zoning designations would make development projects more feasible.

Regarding westside commercial development, Mr. Magness noted there was \$1 million set aside in the Legacy CIP for recruiting a west side grocer. Councilor Travis Hoban asked if the city was doing any market analysis; Wayne Parker, CAO, said the city had contracted with a firm to do some market analysis on the west side and at the mall. This data is helpful to share in proactive ways with developers, grocers, and retailers. Redevelopment of the Provo Towne Center mall was important to all the Councilors. Councilor Shannon Ellsworth had a rough draft of an intent statement emphasizing commercial and retail, true mixed-use, in redevelopment of the mall. Mr. Fillmore also emphasized the role of incentives and the Redevelopment Agency.

GENERAL PLAN (0:55:41)

The Council briefly discussed the gateways and suggested that the gateways plan include design standards for South State Street, South University Avenue, 1860 South, and West Center Street.

Councilor George Handley asked about the timing of the general plan—he hoped the subsidiary plans were not greatly delayed by the general plan process. Mr. Magness indicated that the Administration has sent out the final survey to Provo residents about the general plan. One of the changes being made to the general plan is consolidating information on housing into one section.

There has been a suggestion of possibly updating the Provo City Codes after the General Plan is adopted. Councilor Shannon Ellsworth suggested outsourcing this review to a consultant. Mr. Magness noted that the underlying code includes important design standards. Councilor Rachel Whipple asked if there would be public input for the additional chapters of the General Plan. Wayne Parker, CAO, indicated that the plan for the additional chapters is to go to the Planning Commission again for feedback before coming to the Council for a public hearing.

GOVERNMENTAL ADMINISTRATION (1:10:06)

Councilor Shannon Ellsworth shared a scholarship that Orem City does for women staff to promote opportunities to advance more women to management and leadership positions. Councilor Katrice MacKay noted that right now, more women graduate from college than men. Ms. Ellsworth noted that cities provide public services and women's voices often aren't represented even though women pay taxes. There is a tremendous benefits in corporations and governments when women are parts of conversations.

Another item on this list was keeping Provo competitive in the labor market—similar discussions are taking place around the state in city government. Councilor Travis Hoban expressed frustration after an interaction with HR that he did not feel was very helpful in outlining what the Council could do. The Administration indicated this would be an important conversation to inform budgeting decisions. Councilors were supportive of these efforts to keep Provo's compensation competitive and to prevent loss of talent to other organizations.

Another priority was ensuring fees for services are keeping up with inflation. Councilor David Shipley thought it was concerning that in spite of city revenues increasing, the general fund balance was decreasing. He felt that cyber-security and a competitive labor market were really important initiatives to fund—both of these issues represent risks to the city and how it operates.

Councilor Shannon Ellsworth submitted “use key performance indicators for budget process” as another priority. She noted the Council has been using the General Plan to analyze the budget, but she did not feel this was the most relevant or helpful process. She suggested picking several KPIs for each department that are measurable and matter to constituents, then use them as a tool for analysis. She thought this would make the budget analysis more germane to the departments. Councilor Bill Fillmore also supported this idea. Wayne Parker, CAO, indicated the City Administration would support this as well and could help to collaborate with the Council on it.

Ms. Ellsworth had also submitted a priority to retain a lobbyist. She noted Deputy Mayor Isaac Paxman did some lobbying during the session and that the Mayor's office also contracts a lobbyist. She wondered if the Council and Mayor are aligned to use the same lobbyist, or would it be beneficial to the Council to retain an independent lobbyist. Mr. Paxman shared details on the lobbyist, Paul Rogers, who was instrumental in securing state funds for the Provo Airport. Mr. Parker also noted that the cost of the lobbyist fluctuates but typically the lobbyist works on

appropriations or other financial issues, rather than other topics or priorities. Councilor David Shipley noted that the Council already has a line item that is funded that could be used for hiring a lobbyist independent of the administration. Ms. Ellsworth noted that one idea was to revisit this item in the fall and discuss what the Council wanted; just because the Council issued a resolution highlighting their position on a policy issue did not bind the Administration (and therefore their lobbyist) to that particular position.

HOUSING (1:25:15)

Single-family housing priority issues submitted by Councilors include: increase housing stock, neighborhood protections, increasing homeownership, decreasing the number of rentals, and controlling short-term rentals. Councilor Katrice MacKay shared an example of what she meant by neighborhood protections—in historic neighborhoods like Dixon, homes are often sold and then sit empty for long periods of time as investors buy up properties in a given area to redevelop. This creates a predatory situation which limits housing available to first-time or permanent resident homebuyers. Mr. Magness said he could draft a memo on suggestions for neighborhood protections. Ms. MacKay also had ideas to share, including some ideas from when John Curtis was mayor. Councilor Bill Fillmore suggested zoning enforcement also had a role.

Councilor George Handley commented that the city still does not have a housing inventory. Staff indicated that one staff member in Community and Neighborhood Services was working on this, but it would take a long time at that rate. Mr. Handley suggested the Council fund a formal housing audit. He noted many actionable parts of the general plan relied on this data. Councilor Travis Hoban agreed that this was a keystone task or objective that will then impact so many other things; he agreed with prioritizing this.

Councilor Rachel Whipple was interested in expanding opportunities for city employees to buy houses; she noted this could also help with retention. Melia Dayley, Policy Analyst, shared that several years ago, Representative Steve Waldrip helped run a bill for a pilot program in Weber County for workforce housing and it was later expanded to include schoolteachers. Mr. Magness noted there were other similar programs throughout the country.

PARKS AND RECREATION (1:33:08)

The Regional Sports Park is slated to be done in 2026. For the park to be finished by 2024, there is a gap in funding of \$8 million to accomplish it on that timeline. Councilors were interested in the economic impact of finishing the park early. Wayne Parker, CAO, noted that part of the challenge was the utility infrastructure in some of the later CIP projects which has a direct impact on the project. Mr. Parker also wanted to be careful not to equate economic impact with city revenue—the economic impact is probably most felt by others in the city not the city itself.

The Slate Canyon Recreation Area Plan and Rock Canyon Master Plan were also submitted by Councilors as priority items. Councilor George Handley indicated that the Rock Canyon Master Plan was already drafted and identifies several funding needs for its implementation. There is an old draft plan for Slate Canyon, but it needs revision to the data and recent property purchases. There is a lot of citizen interest and volunteer potential to implement these ideas. Councilor Shannon Ellsworth also supported moving plans forward at both canyons. Mr. Magness indicated this would relate to the Council's funding decisions.

Councilor Rachel Whipple felt strongly that if a park has a playground it needs to have a bathroom. Councilor Ellsworth thought that had been added to the Parks master plan. Ms. Whipple also highlighted the need for an additional dog park in the city. She also welcomed more education efforts from the Administration regarding the waterwise efforts in city parks. Ms. Whipple also supported planting more trees in the City. The Mayor is running a project to this effect. Elizabeth VanDerwerken, Matching Grant Coordinator, also highlighted a project the Timp Neighborhood did in recent years with matching grant funds to install sprinkler infrastructure for aging/historic homes.

The Council did not have time to discuss the remaining priority items (public safety, public works, and transportation), so those items were deferred to the Work Meeting on April 19, 2022, for further discussion. ***Presentation and discussion only.***

2. A discussion on American Rescue Plan Act (ARPA) funds. (22-017) ([1:43:22](#))

John Magness, Interim Council Executive Director, highlighted some ideas for how the Council could guide the use of these funds. He invited input from the Council regarding the criteria, how to measure priorities, and any other ways the Council would like to evaluate potential uses of the funds. Councilor George Handley thought it would be helpful to understand the alternatives and what the opportunity costs might be of choosing one project versus another. He also suggested the Administration clearly outline their process for evaluating uses of the funds which would help the Council understand how certain recommendations were reached. Wayne Parker, CAO, indicated the Administration was working on developing criteria.

Councilors Shannon Ellsworth and David Shipley gave some context of what the Council ARPA Committee has been discussing so far—the main point for feedback from the group was what lenses the Council would use for evaluating projects. Mr. Magness indicated they can also discuss this as part of the Council’s discussion of budget priorities. There was more discussion about the vetting process and the challenges inherent to the process. ***Discussion only.***

Adjournment

Adjourned by unanimous consent.