

6:00 P.M. REGULAR SESSION

CONDUCTING Mayor Richard Brunst

ELECTED OFFICIALS Councilmembers Margaret Black, Tom Macdonald, David Spencer, and Brent Sumner

APPOINTED STAFF Jamie Davidson, City Manager; Richard Manning, Administrative Services Director, Greg Stephens, City Attorney; Steve Earl, Deputy City Attorney; Karl Hirst, Recreation Director; Chris Tschirki, Public Works Director; Bill Bell, Development Services Director; Scott Gurney, Interim Public Safety Director; Charlene Crozier, Interim Library Director; Jason Bench, Interim Planning Division Manager; and Taraleigh Gray, Deputy City Recorder

EXCUSED Councilmembers Hans Andersen and Mark E. Seastrand

**INVOCATION /
INSPIRATIONAL THOUGHT** Marcie Molner

PLEDGE OF ALLEGIANCE Ki Currin

APPROVAL OF MINUTES

Mr. Sumner **moved** to approve the minutes of the City Council meetings on November 12 and 19, 2013 and December 10, 2013. Mrs. Black **seconded** the motion. Those voting aye: Councilmembers Margaret Black, Richard Brunst, Tom Macdonald, David Spencer, and Brent Sumner.

MAYOR’S REPORT/ITEMS REFERRED BY COUNCIL

Upcoming Events

The Mayor referred the Council to the upcoming events listed in the agenda packet.

Upcoming Agenda Items

The Mayor referred the Council to the upcoming agenda items listed in the agenda packet.

Appointments to Boards and Commissions

Mr. Sumner **moved** to appoint Jim Lauret to the Summerfest Advisory Committee. Mr. Macdonald **seconded** the motion. Those voting aye: Margaret Black, Richard Brunst, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

Recognition of New Neighborhoods in Action Officers

No new Neighborhood in Action officers were recognized.

City Council Commission Assignments

Mayor Brunst reviewed the Council assignments for the year 2014.

City Council NIA Assignments

Mayor Brunst reviewed the Council Neighborhoods in Action assignments for the year 2014.

CITY MANAGER APPOINTMENTS

By the advice of Mr. Davidson, Mr. Sumner **moved** to reappoint Roger Knell to the Board of Building and Fire Code Appeals. Mrs. Black **seconded** the motion. Those voting aye: Margaret Black, Richard Brunst, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

With advice and recommendation from Mr. Davidson, Mr. Macdonald **moved** to appoint Mayor Brunst to serve as a member of Utopia board and Mr. Spencer to serve as a member of the Utah Infrastructure Agency (UIA) board. Mrs. Black **seconded** the motion. Those voting aye: Margaret Black, Richard Brunst, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

With advice and consent, Mayor Brunst **moved** to appoint Mr. Davidson as an alternate to both the Utopia board and the Utah Infrastructure Agency board. Mr. **Sumner** seconded the motion. Those voting aye: Margaret Black, Richard Brunst, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

PERSONAL APPEARANCES

Time was allotted for the public to express their ideas, concerns, and comments on items not on the agenda. Those wishing to speak should have signed in prior to the meeting, and comments were limited to two minutes or less.

Adam Shepherd, a member of the Provo District Dental Society, invited the council to lend support for "Give Kids a Smile" day on Saturday, March 1, 2014. This day was set apart to donate dental services to uninsured children in the area. Mr. Shepherd requested involvement from the city to help sponsor this effort.

Jim Fawcette expressed concern regarding Utopia and the possibility of a utility fee being assessed with the possible new partnership regarding Utopia.

Brian Kelly shared a personal story and related it to his concerns about the abundance of rentals in Orem.

CONSENT ITEMS

There were no new consent items.

SCHEDULED ITEMS

6:20 P.M. PUBLIC HEARING

ZONING ORDINANCE AMENDMENT – Amending Section 22-12-3(N) of the Orem City Code pertaining to signage requirements in the Hospital Overlay zone

REQUEST: The applicant requests the City amend Section 22-12-3(N) of the Orem City Code pertaining to signage requirements in the Hospital Overlay zone.

Jason Bench, Planning Division Manager, presented to Council and staff regarding the proposed amendment to the Orem City Code pertaining to signage for Orem Community Hospital. There are two hospitals currently in Orem: the Timpanogos Regional Hospital and the IHC Orem Community Hospital. Both are located in the Hospital Overlay (HO) zone which is designed to allow for necessary medical services. Signage in the HO zone currently allows for wall signs, canopy signs, freestanding monument signs and hospital directional signs. Mr. Bench reported the proposed amendment would allow a pole sign with a maximum height of eighteen feet and a total of one hundred square feet in area. The largest sign currently available to the applicant is a six foot tall monument sign. Timpanogos Regional Hospital, located within sign zone B, has an existing pole sign which is allowable within that zone. Mr. Bench stated the Orem Community Hospital is not currently in a sign zone and the proposed amendment would allow them the opportunity to also have a pole sign.

Mr. Bench indicated the General Plan states that, “new signage regulations should be adopted to support the positive aspects of signage and to discourage the negative aspects.” The proposed amendment achieves this by:

- Allowing a sign that is not excessively large in comparison to others.
- Limiting the number of signs to one per development.
- Setting design standards by not allowing visible support structures or poles.

The proposed amendment is outlined below:

22-12-3(N) Signs. A detailed sign plan shall be submitted to the City for approval prior to occupancy of any new building, issuance of a building permit for any signs, or installation of any signs. Permitted signs include wall signs, canopy signs, freestanding monument signs, and hospital directional signs. All signs proposed in the HO zone shall comply with the provisions of Chapter 14 and the following regulations:

1. Total Permitted Sign Area. The total maximum allowable area of all signs, including wall, canopy, freestanding monument, and hospital directional signs shall not exceed one square foot per lineal foot of building frontage.

2. Freestanding monument signs. One freestanding sign shall be allowed for each city approved drive approach. All freestanding monument signs shall comply with the provisions of Chapter 14; however, one (1) freestanding monument sign on each street frontage of an hospital or collector street may exceed the minimum square footage requirement of Chapter 14 by thirty six (36) square feet. Said sign shall be no greater than six feet (6') in height.

3. Wall & Canopy Signs. No wall or canopy sign shall be directed toward adjacent residential zones; unless wall sign is a minimum distance of two hundred feet from adjacent residential zone boundary, and sign is no higher than fifteen feet (15') from ground level.

4. A hospital complex shall be permitted one (1) freestanding pole sign with a maximum height of eighteen (18) feet and one hundred (100) square feet in area. The pole sign must be located outside any clear vision area. The allowance of a pole sign under this section shall only apply to a hospital complex that is not permitted a similar sign under another provision of the City Code. Such sign shall have no visible interior support structures or poles.

Mr. Macdonald asked if the new ordinance would allow flashing signs. Mr. Bench said no and clarified the fact that the new ordinance would not allow electronic signs in this overlay zone.

Steve Badger, Orem Community Hospital Administrator, indicated this sign is needed for EMS personnel and others seeking emergency services at Orem Community Hospital.

Jeff Krantz with Young Electric Sign Company said he was available for questions.

Mayor Brunst opened the public hearing.

Adam Shepherd spoke to the signage concern at Orem Community Hospital and said he appreciated the recommendation to allow a more visible sign here.

Mayor Brunst closed the public hearing.

Mrs. Black **moved**, by ordinance, to amend Section 22-12-3(N) of the Orem City Code pertaining to signage requirements in the Hospital Overlay zone. Brent Sumner **seconded** the motion. Those voting aye: Councilmembers Margaret Black, Richard Brunst, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

6:20 P.M. PUBLIC HEARING

REZONE AND ZONING ORDINANCE AMENDMENTS

- Enacting Section 22-11-53, PD-40 zone, Appendix II, and
- Amending Section 22-5-3(A) and the zoning map of the Orem City Code by changing the zone from the C2 zone to PD-40 zone for property at 464 South State Street

REQUEST: The applicant requests the City enact Section 22-11-53, PD-40 zone, Appendix II and amend Section 22-5-3 (A) and the zoning map of the Orem City Code by changing the zone on 3.66 acres at 464 South State Street from C2 to PD-40.

Brent Sumner recused himself from the discussion and vote. He left the discussion at 6:30 p.m.

Mr. Bench explained the applicant's request that the City create the PD-40 zone and apply such zone to property located at 464 South State Street in order to allow for the construction of 84 residential units and four commercial/retail units. The existing C2 zone permits commercial/retail but does not permit the residential component. A PD zone is required for this type of development. Mr. Bench reviewed images of the proposed elevations for the proposed PD zone.

Under the applicant's proposal, a mixed use building (upper floor residential and main floor commercial) would be located along State Street and three residential buildings would be located along Orem Boulevard. The 84 residential units would be a mix of 4 studio units, 28 one-bedroom units, and 52 two-bedroom units. The one-bedroom units have an overall size of 664 square feet, and the two-bedroom units contain between 807-835 square feet. The mixed-use building adjacent to State Street would contain a total of 12 residential units (4 studio, 4 one bedroom, and 4 two bedroom) and 4 commercial units.

Mr. Bench reported the applicant will dedicate property for a future right turn lane from Orem

Boulevard to 400 South and will landscape the property in the interim. This future turn lane has been shown on the concept plan.

The purpose of Planned Development (PD) zones, as outlined in Section 22-11-1, is to provide flexibility in the City's zoning scheme in order to allow for unique, innovative and well-planned developments that would not be possible under one of the City's existing zoning classifications. PD zones are not intended for use in situations where a proposed development is reasonably feasible under one of the City's existing zoning classifications or in situations where the primary purpose is to obtain a relaxation of standards applicable to similar types of development in other zones. The development proposed for the PD-40 zone is significantly different from and would not be allowed under any of the City's standard residential or commercial zones; therefore, the PD option is the only alternative for this request.

Orem City Code Section 22-11-2(2) also states that mixed-use projects are appropriate along State Street and University Parkway. The mixed-use building along State Street complies with this provision. Section 22-11-2(4)(b) requires that residential development must be significantly different in design, layout or characteristics from the type of residential development allowed under existing zoning classifications. As noted above, the type of development being proposed for the PD-40 zone would not be possible in any of the City's standard residential or commercial zones and the only option for this type of project is through the creation of a PD zone.

A neighborhood meeting was held on November 4, 2103, with seven citizens and the applicant in attendance. There was no opposition to the proposed zone. A copy of the minutes is included with this report.

The PD-40 zone standards include:

- A maximum density of 24 units per acre. The project, as shown on the concept plan, has a density of 23.3 units per acre.
- A maximum building height of 50 feet and a maximum of four stories.
- In Area A (residential along Orem Boulevard) buildings must be set back at least 20 feet from property not part of the PD-40 zone and any public street. Storage units may have a zero setback as shown on the concept plan. In Area B (mixed-use along State Street) buildings must be set back at least 20 feet from public streets and ten feet from adjacent property not in the PD-40 zone. Carports in either area must be set back at least five feet from adjacent property lines.
- At least 55% of the exterior finish materials must consist of brick, stone, stucco, glass, fiber cement board or any combination thereof. Up to 45% of the exterior finish materials may consist of metal, both vertical and horizontal rib. Elevations of the proposed buildings are included as part of Appendix II.
- At least 2.25 parking stalls will be provided for each residential dwelling unit, at least one of which must be covered. Parking for commercial uses must be provided at the rates required in Article 22-15.
- The perimeter of the development, excluding street frontages, must be enclosed with a fence of uniform construction at least six feet in height but no greater than seven feet high. Wood and chain link fencing is prohibited.

- At least 25% of the gross acreage of the development must be landscaped including a minimum of 56 trees and 280 evergreen shrubs. The frontages along State Street and Orem Boulevard are required to have at least 20 feet of landscaping between the street and the buildings.
- A buffered sidewalk (with an 8' landscaped planter strip between the street and sidewalk) will be provided along State Street and Orem Boulevard.

Advantages

- The PD-40 zone will improve an underdeveloped property into one that has more economic benefits to the City.
- Provides additional housing options including a potential for live-work commercial opportunities
- Provides improvements along State Street and Orem Boulevard including landscaping and sidewalks.
- The developer will dedicate property to the City along Orem Boulevard at 400 South for a future right turn lane.

Disadvantages

- The use of corrugated metal panels as a finish material suggests an industrial look which may not be an appropriate facade for a mixed-use/residential PD zone along State Street or Orem Boulevard.

Mayor Brunst asked Mr. Bench to address the requirements regarding the fence. Mr. Bench said the fence must be a minimum of six feet with a maximum of seven feet, and that it could not be wood or chain-link.

Mr. Bench indicated staff supports this project with reservations regarding the types of materials used in the façade. Mr. Bench indicated the recommendation was to include forty-five percent of the finished exterior be corrugated metal.

Mayor Brunst asked about the type of metal. Mr. Bench invited the architect, Michael Travis, to come forward and to address questions. Mr. Travis indicated these metal panels are a prefinished metal, with protective film that lasts up to fifty years. Deseret First Credit Union and Supersonic Car Wash are examples buildings using this type of material. Mayor Brunst asked if Mr. Travis knew the percentage of metal used on these other buildings. Mr. Travis said Supersonic Car Wash has about eighty-five percent metal and Deseret First Credit Union has about thirty-five percent metal.

Mrs. Black expressed concern about the use of this metal material and the color scheme of the project. Mr. Travis showed examples of the colors to be used, which he defined as a terracotta color. He indicated this type of architecture is a newer style, different from the typical conservative style found in Utah. This style is traveling through the country and the use of this style has been seen in Salt Lake Valley and is making its way to Utah County. Mr. Travis said the use of this metal material is indeed conducive to this type of residential setting.

Mayor Brunst asked about how much of the total material would be used along State Street. Mr. Travis said twenty-two percent. He said because the developer was asked to reduce the usage, he reported the project is planned for thirty-eight percent metal for the total project.

Mrs. Black asked for clarification as to where the metal is reflected on the elevation images provided in the agenda packet. Mr. Travis said the metal would be the gray areas. Mr. Bench also pointed out the two ends being corrugated metal as well. These areas appear tan in the elevation images. He reported the tan areas represent approximately thirteen percent of metal usage.

Mayor Brunst asked what the percentage of metal would be in the commercial side of the project. Mr. Travis indicated the usage reflected in the gray material on the elevation image would be twenty-two percent, and the tan material would be thirteen percent.

Mrs. Black asked what the overall percentage of the metal was on the entire project. Mr. Travis answered thirty-seven percent. Mr. Davidson asked what the percentage of metal was on just the residential piece of the project. Mr. Travis indicated 44%. Mrs. Black expressed concern that this proposed look is more industrial rather than commercial.

Mr. Bench provided insight on what types of materials certain zones can have. The commercial C2 zone does not limit the types of materials used; however, a PD zone does have limitations on materials because it is a unique zone.

Mayor Brunst expressed concern for not knowing what type of material Mr. Travis is proposing to use. He indicated he would feel more comfortable knowing more about the proposed materials and would like to actually see the material before approving this request.

Mr. Macdonald asked about what fencing material would be used in the project. Mr. Travis indicated this specification has not yet been determined.

Mayor Brunst opened the public hearing.

James Fawcette said he is in favor of the corrugated metal exterior material proposed for this project.

Alan Pearl said he felt that building styles do not have as much play on the vision of State Street as the actual types of businesses that line the State Street corridor have. He said he believed the type of businesses can depreciate the value of Orem more than a particular style of building does. His opinion was that diversity in the building styles can bring aesthetic to the City.

Mr. Davidson encouraged Mayor Brunst to allow the council to hear from the applicant. Mayor Brunst brought the discussion back to the applicant, Craig Peay, to address questions from the council.

Mr. Peay acknowledged the differing style and look of the proposed project. He said the looks will differ within the units themselves, giving almost a loft look and feel to these apartments. Under advice, the applicant reported that they updated their proposal regarding the usage of the corrugated metal. The applicant regretted he did not have an actual sample to show to Council. The applicant noted that they are very particular about landscaping and ensured the beauty and success of the landscape aspect of the project.

Mr. Macdonald said he would like to have a better understanding of the materials that the applicant is proposing to use.

Mayor Brunst indicated there were many unknowns that the council would like to consider. Mayor Brunst then re-opened the public hearing.

Leslie Neilson expressed concern about this project turning into an HV/AC problem with the extensive use of metal on the exterior. She requested the applicant propose features that are more economical in terms of heating and air conditioning.

Bob Wright said he was concerned about the amount of residential construction being proposed throughout the city.

Mayor Brunst closed the public hearing and asked for input from the city council.

Mrs. Black suggested reducing the amount of metal used in the project. She suggested the applicant remove the metal part from the State Street side of the project.

Mr. Spencer asked what effect this removal would have on the percentage calculations. Mr. Travis said they would have to do an actual calculation, that there was no efficient way to guess.

Mayor Brunst **moved** to continue the discussion of this agenda item to January 28, 2014. Mr. Spencer **seconded** the motion. Those voting aye: Councilmembers Margaret Black, Richard Brunst, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

6:30 P.M. PUBLIC HEARING

ZONE ORDINANCE AMENDMENT - Amending Article 22-5-3(A) and the zoning map of the Orem City Code by applying the agriculture overlay zone (AG) to property located at 31 South 800 East and 75 South 800 East

REQUEST: Dawna Owen and John Crandall request the City amend Article 22 5 3(A) and the zoning map of Orem City Code by applying the agriculture overlay zone to approximately 4.11 acres at 31 South 800 East and 75 South 800 East.

Mr. Bench presented an applicant request that the city apply an agriculture overlay zone to the property at 31 South 800 East and 75 South 800 East. Dawna Owen (75 South 800 East) and John Crandall (31 South 800 East) operate one of the few remaining orchards in the City. Their immediate plans are to keep the orchard in operation and they desire to protect the current use of the property by applying the agriculture overlay zone to these two parcels consisting of over four acres. The AG overlay zone would provide protection of agricultural uses from nearby residences or businesses which might file a nuisance complaint against the use. The agriculture overlay zone was previously applied to properties located immediately to the south and north across Center Street in January 2012.

The applicant held a neighborhood meeting on Wednesday, December 4, 2013. Those in attendance

voiced their support of the request.

The purposes of the agriculture overlay zone as stated in Section 22-12-6 are as follows:

1. To encourage the preservation of existing agricultural uses within the City in areas where residential and agricultural uses are compatible; and
2. To provide owners and prospective owners of property located near property in the agriculture overlay zone with notice of the potential positive and negative effects that may be associated with the agricultural use of the property.

If the agriculture overlay zone is applied to the property, all uses permitted in the underlying R8 zone would continue to be permitted. In addition, the following additional agricultural uses would also be:

- Forestry
- Orchards
- Gardening
- Plant Nursery

Mr. Bench indicated that the practice of the agricultural uses listed above may result in occasional excess light, noise, dust or smoke. Under the provisions of the AG overlay zone, such occasional excess light, noise, dust or smoke are deemed not to be a nuisance provided that such conditions are occasional and not continuous, are the result of normal and accepted agricultural practices, and do not pose a threat to the public health, safety or welfare.

If the AG overlay zone is approved, all plats approved in the future within 300 feet of the R8-AG overlay zone will be required to have a note stating:

This property is located in the vicinity of an agriculture overlay zone in which certain agricultural uses are permitted. There may be certain negative effects associated with the agricultural practices that may be conducted in the agriculture overlay zone such as excess light, noise, dust, smoke etc. The use and enjoyment of the property included within this subdivision is expressly conditioned on acceptance of any annoyance or inconvenience, which may result from such agricultural uses and activities.

Advantages:

- Provides protection of agricultural uses from nearby property owner complaints concerning agricultural operations.
- Property can still develop under the R8 zone.

Disadvantages:

- It is potentially more difficult for the City or another governmental entity to acquire property in an AG overlay zone by eminent domain if such property is needed for street or other public improvements.

Mayor Brunst asked how long the farm/orchard had been there. The applicant reported the farm has been there for over 100 years and that they grow cherries, peaches, pears, and apples.

Mayor Brunst opened the public hearing. When no one came forward, Mayor Brunst closed the public hearing.

Mr. Sumner **moved**, by ordinance, to amend article 22-5-3(A) and the zoning map of Orem City Code by applying the agriculture overlay zone (AG) to property located at 31 South 800 East and 75 South 800 East. Mayor Brunst **seconded** the motion. Those voting aye: Councilmembers Margaret Black, Richard Brunst, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

6:30 P.M. PUBLIC HEARING

ZONE ORDINANCE AMENDMENT - Amending Article 22-11-27(D) of the Orem City Code to allow additional uses in the PD-15 zone at 730 South Sleepy Ridge Drive

REQUEST: Golden Holt requests the City amend Section 22-11-27(D) of the Orem City Code to add eight (8) permitted uses in the PD-15 zone at 730 South Sleepy Ridge Drive.

Mr. Bench presented to Council and staff a proposal to amend Article 22-11-27(D) having to do with permitted uses in the PD-15 zone at 730 South Sleepy Ridge Drive. The PD-15 zone was originally conceived as a master planned residential community with a golf course and both attached and detached dwelling units. When approved in 1997, there was no consideration for minimal commercial and office uses. In 2007, the applicant requested and the City approved an amendment to add several office-type uses inside the golf course clubhouse.

Mr. Bench indicated that the applicant is requesting that eight additional uses be permitted inside the clubhouse. The eight additional uses include florists, barber & beauty salons, massage therapy, catering services, wedding reception centers, medical & health services, chiropractic and osteopathic services, and family & behavioral counseling. The proposed additions to the permitted uses are compatible with the existing uses inside the golf course clubhouse. The proposed text is as follows:

- D. **Permitted Uses.** The uses listed below shall be permitted uses within the PD-15 Zone (the standard land uses 5XXX and 6XXX listed below shall only be permitted in the clubhouse)

Standard Land

Use Code

Category

1110	Single Family
1112	Condominiums (including town homes and twin homes, but only in Area C as depicted in Appendix G)
5948	Florists
6130	Insurance Agents, Brokers, and Related Services
6152	Title Abstracting
6154	Combination Real Estate, Insurance Loan, & Law
6231	Barber & Beauty Salons
6233	Massage Therapy
6291	Catering Services
6292	Wedding Reception Centers
6510	Medical, Dental, & Health Services
6514	Chiropractic and Osteopathic Services
6520	Legal Services
6530	Corporate or Personal Executive Office
6593	Accounting, Auditing, and Bookkeeping
6597	Family & Behavioral Counseling
6599	Interior Design (office only)
6610	Building Contractors (office only)

7411	Golf Courses and/or Country Clubs
7413	Tennis Courts
7423	Playing Fields & Athletic Fields
7610	Parks-General Recreation

Advantages

- The uses proposed are compatible with existing uses and the golf course development.
- Increases commercial opportunities for the clubhouse owner inside the clubhouse only.

Disadvantages

- None identified

Mayor Brunst asked if the applicant was present at the meeting. Gary Graham, the general manager of the golf course, said he was a representative for the applicant, Golden Holt, and stepped forward. Mayor Brunst asked for explanation as to why they were seeking this amendment. Mr. Graham said there was a tenant requesting to move into the Sleepy Ridge complex who wanted to help cater to the brides. This tenant wanted to assist those patrons who were already using the Sleepy Ridge wedding/reception center venue. This request got the ball rolling with making this request.

Mayor Brunst opened the public hearing.

Bob Wright said there were no signs directing the public on how to get to Sleepy Ridge. He said he suspected the previous sign was removed when Geneva Road was widened. He requested directional signs be implemented in this area.

Mayor Brunst closed the public hearing.

Mr. Sumner indicated he agreed with Mr. Wright regarding the lack of directional signs in the area. He then went on to say that he felt Orem should do as much as they can to help local businesses. Mr. Sumner felt the more resources available for the applicant, the better.

Mrs. Black **moved**, by ordinance, to amend Section 22-11-27(D) of the Orem City Code to add eight (8) permitted uses in the PD-15 zone at 730 South Sleepy Ridge Drive. Mr. Macdonald **seconded** the motion. Those voting aye: Councilmembers Margaret Black, Richard Brunst, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

PUBLIC APPEARANCES CONTINUED

Skyler Hamilton had a question on item number nineteen on the agenda regarding the disadvantage under an AG zone. He asked why it is potentially more difficult for the City or another governmental entity to acquire property in an AG overlay zone by eminent domain if such property is needed for street or other public improvements.

Mr. Stephens said there is a provision in the AG overlay zone that says it shall be the policy of the City of Orem not to exercise the power of eminent domain as the property located in the AG overlay zone, unless no other property may reasonably meet the purposes for which the power of eminent domain is exercised. It doesn't prohibit property acquisition, it just makes acquiring AG overlay

property more difficult.

COMMUNICATION ITEMS

Monthly Financial Summary – November 2013. Mr. Davidson referred the council to the information contained in the agenda packet regarding the monthly financial summary.

CITY MANAGER INFORMATION ITEMS

Mr. Davidson announced the planned City Council Retreat scheduled for next week, January 22-23, 2014. Mayor Brunst gave an overview of the planned retreat, which will take place at Aspen Grove and Canyon Park business center.

Mr. Davidson made mention of Mr. Andersen's several attempts to be part of this meeting electronically, which attempts were unsuccessful. He voiced appreciation for Mr. Andersen's effort to this end.

ADJOURNMENT

Mrs. Black **moved** to adjourn the meeting. Mr. Macdonald **seconded** the motion. Those voting aye: Councilmembers Margaret Black, Richard Brunst, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

The meeting adjourned at 7:23 p.m.

Donna R. Weaver, City Recorder

Approved: January 28, 2014