

Please Note – These minutes have been prepared with a timestamp linking the agenda items to the video discussion. Electronic version of minutes will allow citizens to view discussion held during council meeting.



PROVO MUNICIPAL COUNCIL

Regular Meeting Agenda

5:30 PM, Tuesday, March 28, 2023

Council Chambers (Room 100)

Hybrid meeting: 445 W. Center Street, Provo, UT 84601 or

<https://www.youtube.com/provocitycouncil>

Roll Call

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Councilor Shannon Ellsworth

Councilor Bill Fillmore

Councilor George Handley

Councilor Travis Hoban

Councilor Katrice MacKay

Councilor David Shipley

Councilor Rachel Whipple

Mayor Michelle Kaufusi

City Attorney Brian Jones

Chief Administrative Officer Wayne Parker

Council Executive Director Justin Harrison

Conducting: Chair Katrice MacKay

Prayer – Becky Bogdin

Pledge of Allegiance – Councilor Shipley

Public Comment [\(10:10\)](#)

Chair MacKay read the public comment preamble and opened the public comment period.

David Faith-Farlow, of Provo, said he is opposed to and recommends against constructing a homeless shelter in Provo. He discussed the potential problems shelters pose, even those that are well-maintained. He believes a shelter will not help homeless people who are not willing to change their behavior. He stated a shelter would be bad for the city, bad for residents, and bad for the homeless.

With no other comments, Chair MacKay closed public comment.

Action Agenda

1. **A resolution consenting to the appointment of an individual to the Library Board. (23-005)**
[\(13:35\)](#)

Motion: An implied motion to approve Resolution 2023-12, as currently constituted, has been made by council rule.

Mayor Kaufusi presented. She recommended Shannon Ellsworth to fill the vacancy left by Councilor Shipley on the Library Board.

With no council discussion, Chair MacKay called for a vote.

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Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Hoban, Mackay, Shipley, and Whipple in favor.

2. A resolution authorizing the Mayor to approve an interlocal agreement with Utah County to conduct a vote-by-mail election for the Municipal Primary and General Elections to be held in Provo City in 2023. (23-038) [\(14:56\)](#)

Motion: An implied motion to approve Resolution 2023-13, as currently constituted, has been made by council rule.

Heidi Allman, City Recorder, presented. She said there are four open council seats that will be part of this year's election. The primary election will be held on August 15 and the general election will be on November 7. She discussed the duties that each party would be responsible for.

With no council discussion, Councilor MacKay called for a vote.

Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Hoban, Mackay, Shipley, and Whipple in favor.

3. An ordinance amending Provo City Code regarding citywide fireworks regulation. (23-024) [\(17:19\)](#)

Motion: An implied motion to approve Ordinance 2023-6, as currently constituted, has been made by council rule.

Lynn Schofield, Fire Battalion Chief, presented. He said the three proposed amendments include adding Spring Creek to the list of designated parks, opening designated parks for New Year's Eve, New Year's Day, and Chinese New Year holidays, and adding licensing requirements to obtain a permit for fireworks displays.

Chair MacKay opened public comment. With none, she closed public comment. With no council discussion, she called for a vote.

Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Hoban, Mackay, Shipley, and Whipple in favor.

After Chair MacKay realized there was not a public comment period for agenda item 2, she opened the item for public comment. With none, she continued to item 4.

4. An ordinance amending Provo City Code regarding fire plan review fee updates. Citywide application. (23-037) [\(21:35\)](#)

Motion: An implied motion to approve Ordinance 2023-7, as currently constituted, has been made by council rule.

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Chief Schofield presented. He explained that the third party planner review service that the Fire Department uses increased their rates. He said the proposed rates match the percentage change of the third party's rate increase. He provided data for the year 2022 and compared the numbers to what it would be with this increase.

Chair MacKay opened public comment. With none, she closed public comment. With no council discussion, she called for a vote.

Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Hoban, Mackay, Shipley, and Whipple in favor.

5. A resolution approving a substantial amendment to the program year 2021 Annual Action Plan incorporating funds for HOME-ARP and approve the HOME-ARP allocation. (23-027) [\(23:39\)](#)

Motion: An implied motion to approve Resolution 2023-14, as currently constituted, has been made by council rule.

Melissa McNalley, Community Grant Administrator, presented. She discussed where the funds came from and the process in determining how the funds would be used. She said that funds for supportive services and tenant based rental assistance would be the most beneficial.

Councilor Shipley asked if it would require the Council to hear this item again if funds were reallocated down the road. After a verbal yes from Ms. McNalley, he asked if there is a planned timeframe to review the allocations and adjust as needed.

Ms. McNalley said that there is no specified timeframe to evaluate. She determined that six to twelve months would be a realistic time to review. She said she would be presenting to council again once a third-party entity, who would be managing the use of funds, was decided.

Councilor Handley suggested aiming for one year to evaluate the success of the plan.

Chair MacKay opened the item for public comment. With none, she closed public comment.

Councilor Ellsworth thanked Melissa for all the work she has put into this plan.

With no other council discussion, Chair MacKay called for a vote.

Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Hoban, Mackay, Shipley, and Whipple in favor.

6. A discussion regarding micro mobility devices. (23-022) [\(33:02\)](#)

****Continued****

7. An ordinance amending the list of appendices included in the Provo City General Plan. Citywide Application. (Related to PLGPA20210364) [\(33:08\)](#)

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Motion: An implied motion to approve Ordinance 2023-8, as currently constituted, has been made by council rule.

Brandon Larsen, Planning Supervisor, presented. He shared this item is part of a code clean up effort. He said that when the General Plan was approved in January, an old list of appendices was added to the new plan, instead of the updated list.

Chair MacKay opened public comment. With none, she closed public comment. With no council discussion, she called for a vote.

Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Hoban, Mackay, Shipley, and Whipple in favor.

8. An ordinance requesting a street vacation for Edgewood drive from 5400 North to 5600 North. Riverbottoms Neighborhood. (PLSV20220006) [\(37:59\)](#)

Motion: An implied motion to approve Ordinance 2023-9, as currently constituted, has been made by council rule.

Aaron Ardmore, Planning Supervisor, presented. He said this would be the last legislative part of the River District Development. He said staff reviewed the proposal and felt comfortable that the change would still allow for emergency vehicles, utility vehicles, and traffic to flow through the parking lot.

Chair MacKay opened public comment. With none, she closed public comment. With no council discussion, she called for a vote.

Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Hoban, Mackay, Shipley, and Whipple in favor.

****CONTINUED** Ginny Smith requests annexation of approximately 9.1 acres located at approximately 5500 N Canyon Rd. The subject property lies adjacent to the North Timpview Neighborhood. (PLANEX20230020)**

****CONTINUED** An ordinance amending the Zone Map of approx. 5.7 acres, located at 4093 N 100 E, from Low Density Residential (LDR) to Medium Density Residential (MDR) and authorizing a related Development Agreement. Riverbottoms Nbhd. (PLRZ20220345)**

Adjournment

The meeting was adjourned by unanimous consent at approximately 6:05 p.m.