

CITY OF OREM  
CITY COUNCIL MEETING  
56 North State Street Orem, Utah  
April 15, 2014

**3:00 P.M. WORK SESSION – PUBLIC SAFETY TRAINING ROOM**

CONDUCTING Mayor Richard F. Brunst, Jr.

ELECTED OFFICIALS Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Richard Manning, Administrative Services Director, Greg Stephens, City Attorney; Karl Hirst, recreation director; Bill Bell, Development Services Director; Jason Bench, Planning Division Manager; Chris Tschirki, Public Works Director; Scott Gurney, Interim Public Safety Director; Charlene Crozier, Library Director; Steve Earl, Deputy City Attorney; Heather Schriever, Assistant City Attorney; Steven Downs, Assistant to the City Manager; and Taraleigh Gray, Deputy City Recorder

**PRESENTATION – CARE Grant – Facilities and Major Applicants**

Steven Downs, Assistant to the City Manager, introduced the organizations seeking major grant funds from CARE. Each applicant provided the City Council with a presentation giving an overview of their individual program and what they were seeking CARE grants for.

*Utah Valley Symphony*

Lance Jensen, General Manager of the Utah Valley Symphony and Bryce Ritting, Conductor of the Symphony presented to Council and gave the following information:

- The Symphony was in its 55<sup>th</sup> season.
- Two concerts were planned to be held at the Covey Center in Provo. The symphony did not have a venue to perform in Orem.
- Attendance at the symphony concerts ranged from 150-200 patrons.
- Requested \$8,500 in grant funds for the 2014-2015 CARE year.
- Planned to provide school outreach concerts, one called a “Musical Instrument Petting Zoo” to get kids interested in playing instruments.

Mr. Seastrand asked how many symphony members were Orem residents. Mr. Ritting said about a third were residents of Orem, a third were from Provo, and the last third was a mix of people ranging from Alpine to Payson. Mr. Ritting added that the symphony was not seeking funding from other cities.

Mr. Seastrand asked if the Utah Valley Symphony would be able to provide its programs if no

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CARE funds were granted. Mr. Ritting said they would be less likely to carry out the programs they had planned in Orem due to lack of resources.

Mr. Sumner asked about performances at the SCERA Shell. Mr. Ritting said there were no plans in place for an open air summer concert, but they were still in the process of scheduling for the 2014-2015 concert year.

## Hale Center Theater Orem

Jim Murphy, Director of HCT Foundation, said the mission of the Hale Center Theater Orem (HTCO) was to provide a high quality, intimate theatrical experience while maintaining affordable ticket prices, furnish an excellent venue for artists to express their talents and gain valuable experience, and invest in people by providing a positive place for children and adults to learn and perform.

Linda Hale provided an overview of the educational programs the HTCO provided:

- Voice Lessons
- Stage Right (Beginning Theater Technique)
- Stage Left (Advanced Theater Technique)
- Youth Productions
  - The Adventures of Tom Sawyer
  - Willy Wonka
  - Disney's Cinderella
  - High School Musical 2
  - A Christmas Carol – Youth Edition
- Summer Youth Camps
  - Shakespeare
  - Stage Combat
  - Mini-Musical Week
  - Improvisation
  - Youth Acting 101
  - Acting in Musical Theater
  - Advanced Musical Theater
- H.O.S.T Program
- Theater Education Programs/Tours
- Student Matinees
- Study Guides

Ann Swenson and Cody Swenson gave an overview of the benefits the HTCO provided to Orem City:

- 350 performances per year
- Semi-professional theater
- Equity contracts (2 per show brought in)
- Regional premiers, find new and old work to share
- 100,000 people attended a performance at the Hale Center Theater
  - 1 in 4 was an Orem resident
  - Bring customers to Orem businesses
    - 75,000 people came from outside Orem

- Dinner, Desserts, and shopping were some of the activities people participated in because they went to the Hale Center Theater.
- Top-quality productions that received State, Regional and National exposure
- Established Orem as an Arts destination

Mr. Murphy said the HCTO and the Hale Center Theater Foundation had grown due to CARE funds. If funds were not maintained, the level of performance would not be the same. Mr. Murphy said the HCTO would continue but would not be as great as it could be. Over 30,000 children were being touched by the programs the HCTO provided, and more than half were children who resided in Orem.

Mr. Macdonald suggested these groups and organizations not ask for more money than could possibly be given.

Mrs. Black said applicants understood fully that they were not going to get the amount of money they requested. There was only so much to go around. The actual awarded amounts were typically much lower than applicant requests.

Mr. Swenson reported the HCTO applied for what the organization qualified for. Mr. Macdonald said he was not a fan of that approach for budgeting.

Mr. Sumner asked about the Clear Horizons Academy, and the money which was given two years ago. He said he had received feedback that the HCTO did not hold up its end of that bargain.

Mr. Murphy replied the HCTO had provided an individual to oversee the Horizons program which successfully transitioned to Clear Horizons. That individual encouraged and offered help to the program.

Mr. Sumner asked what the dollar amount was for the money given to that program. Mr. Murphy said the HCTO was no longer involved with Clear Horizon but previous involvement was based off a one-year grant.

Utah Lyric Opera

Christopher Holmes, General and Artistic Director, and Brian Tanner, Business manager and development coordinator, presented to the City Council an overview of programs carried out over the previous year:

- Carmen for Children
  - October 2013
  - Guest Artist: Carla Rae Cook, Dramatic mezzo-soprano
- Evenings of Art Songs
  - November 2013
  - Guest Artists: Michelle Broadbent and Hyrum Weibell
- Vocal Workshop
  - January 2014
  - Guest Artist: Jennifer Welch-Babidge, internationally credited participant of the Metropolitan Opera

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- Easter Messiah Sing-Along
  - April 2014
  - Featured nationally recognized soloists
  - Chamber orchestra
  - Narrated by author Tim Slover

Mr. Tanner provided information on extra programming planned for Orem City:

- April: “Opera’s Greatest Hits”
  - With Utah Valley Symphony at Timpanogos High School
- June: Summerfest Concert
  - Performances from local professional singers
- July: “Death By Aria”
  - Summer Opera Workshop at the OPL
- August: Stage at City Center Park Concert
  - Operatic selections featuring emerging professionals

Mr. Tanner reviewed previous programs and detailed proposed expanded programs for the 2014-2015 CARE year:

- Touring opera program for schools in Orem
  - “What’s Opera, Doc?”
    - Interactive Program presenting the basics of opera
    - Touring efforts during the 2013-2014 CARE year included visits to twelve schools in Utah Valley, including three schools in Orem
    - Tour Operations for 2013-2014
      - 2-3 Opera Singers and pianist
      - Narrator/Education Specialist
      - No costumes or props
    - Tour Limitations for 2013-2014
      - Inflexibility of singer’s schedules
      - Lack of variety for schools
    - Proposed Tour operations for 2014-2015
      - Pool of 6-10 singers and one pianist
      - Narrator/Education Specialist
      - Costumes and props
    - Proposed Advantages for 2014-2015
      - Added scheduling flexibility
      - Added variety for return visits to schools
- Preview Performance - Main-stage Opera
  - Free ticket vouchers for main-stage opera performances for every student and family members for all 40 Orem schools
- Orem Public Library Concert Series
  - 2013-2014 Season: 5 concerts held
  - 2014-2015 Season: 8 concerts proposed
- Proposed Orem Public Library Events
  - September: “What’s Opera, Doc?”
  - November: One-Act Opera

- January: Operatic Guest Artist
- January: Vocal Workshop
- April: *Messiah* Sing-Along

Mr. Tanner said Orem residents deserved high quality opera. The CARE grant would assist with funding those events and would give Orem audiences easier access to internationally and nationally recognized artists. Utah Lyric Opera would go beyond normal operation by involving artists of an ever higher caliber and allow creative interaction between them and Orem residents. CARE funds would be spent covering artist fees and expenses. Matches from the State of Utah and other corporate sponsors would help cover administrative costs.

Return on Investment to Orem from CARE funds:

- \$50,000 of the budget for the coming year was for programs in Orem
- Utah Lyric Opera was asking for a CARE grant of \$17,500
- Return on investment would be 185 percent

Mrs. Black said that, hopefully, the Utah Lyric Opera staff understood the City Council might not fund as much as they were asking for.

#### Orem recreation Facilities

Karl Hirst, recreation director, gave a presentation to the City Council asking for CARE funds of \$123,000 of new CARE money to finish the pool remodel, and allocating \$100,000 to address parking at Lakeside Park, for a total of \$223,000 of the new CARE money. In granting the request, the City would be able to start fresh with new CARE money to be allocated to the arts and recreation as deemed fit, as the old projects would be completed and out of the way.

#### Center for Story – Orem Public Library

Charlene Crozier, Library Director, presented to Council a facility grant application for the Center for Story, a proposed facility to be built adjacent to the Orem Public Library. This facility would include an auditorium space with 290 seats on the floor, 95 in balcony, a recording space for personal and family stories, a gift shop to help sell merchandise, an administrative office space, a catering kitchen, and a multifunctional lobby.

The City had been actively fundraising the money needed to build the facility. To this point the City was less than \$350,000 short of original \$4.4 million dollar goal. Mrs. Crozier said continued fundraising would need to take place, and the City was seeking donations through private donors. The Center for Story was ranked number one in priority as it was a needed facility.

Library program attendance continued to be very strong. Providing programming in the existing library had proven difficult due to tight spaces to accommodate the number of attendees. The proposed Center for Story would serve a wide variety of uses, including dance, theater, storytelling, and other purposes.

Mrs. Black asked for numbers on programs and attendees from last year. Mrs. Crozier said over 58,000 people came to the library to participate in library programs. The number did not include attendance at the Timpanogos Storytelling Festival. The library provided free programs rotating

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through a wide variety of topics and catered to a wide age range. Mrs. Crozier emphasized the educational and cultural component to everything the library did.

## Utah Regional Ballet

Michelle Moon, past president of Utah Regional Ballet, Ellen Christensen, current president, Danielle Adams, director of grants, and Jill Moulten, hospitality director each shared in presenting a CARE grant application to the City Council.

The following information on the Utah Regional Ballet (URB) was presented:

- URB provided world class ballet to the community.
- Uses students from all around the valley and most are able to perform with the professional companies.
  - *Peter Pan* was a free performance done for families affected by autism.
- Signature piece is *Legend of Timpanogos*.
  - Tells the story of Utah Valley.
  - URB had performed this all over the U.S. and the world.
  - Choreographed and conceived by Utah Regional Ballet's arts director.
  - During the years that Legend is performed, some of the dancers go around to present to fourth graders.
- Grants provided were used to drastically reduce admission costs to the URB performances.
- URB holds a choreography design competition.
- Children performing arts series was tentatively scheduled for May 2015.

Mrs. Adams indicated CARE grants awarded to the URB would serve the community in the following ways:

- Matinees provided through CARE grant funds would fill a theater of 1,400 students brought in from Orem schools.
- Secondary student preview performances would be made possible.
- Free performance would be provided to benefit families affected by Autism.

Mrs. Black asked what the URB would be able to do if it was not fully funded. Mrs. Adams said that school events would have to be cut back. Further funding would allow matinees to become free. Mrs. Adams said they intended to use funds to allow an Orem elementary school in a lower income area to attend a performance for free.

## SCERA

Adam Robertson presented the SCERA's CARE grant presentation to the Council. The SCERA Provide facilities and programs for families in an affordable way. Mr. Robertson provided the Council with a statistical report for the 2013-2014 fiscal year. Mr. Robertson detailed some of the programs the SCERA offered, which included the following:

- SCERA Park Elementary Arts Education
  - Children go to the SCERA once a month for an arts experience throughout the course of the school year.
- Gallery 101 place for exhibits.
- SCERA puppetry program.
- Theater productions are on a volunteer basis.

- The SCERA is a community center. Last year 360 groups used the SCERA to hold meetings, luncheons, and other events.
- Senior fairs were held at the SCERA.
- Senior oil painting class held every Friday.
- The SCERA hoped to add a Senior Theater program.
- Seasonal Cinema Classics
  - Admission fee of \$2 includes popcorn.
  - Different cinema classics selection for each season of the year.
- Worked with LDS film festival in showing films.
- SCERA hosted the Orem Heritage Museum.
- Scenery Building at the SCERA shops.
- Homeschool program grew 1200%.
- Summer Camps
- Indoor Season
- Freedom Festival
- SCERA belongs to the American Association of Theaters.

Mr. Robertson estimated that the SCERA provided 60 percent of all the cultural arts opportunities in the City of Orem.

Mr. Andersen asked if the SCERA could provide space for programming envisioned for the Center for Story Mr. Robertson said the SCERA’s main purpose was to hold events which required some type of admission fee. The library’s main focus was to offer free events and programs. Because of that, it would be difficult for the SCERA to provide a venue for library programming.

Mr. Seastrand asked about the movie industry changing to digital projection only and how was the SCERA going address the change. Mr. Robertson said there was an estimated cost of \$4.4 million to finish the grand theater. Fundraising would not be easy. This figure also did not include funds to update the film to digital. The SCERA was actively fundraising to raise money for a digital projector, and the cost for a used project was \$75,000.

After Mr. Robertson concluded his presentation, Mrs. Black asked Mrs. Crozier to address how much seed money is budgeted for library programming and how many programs came from the seed money. Mrs. Crozier said with the \$2,500 in seed money, the library was able to arrange approximately 1,000 programs. The seed money was grown through grants and community outreach.

**5:00 P.M. STUDY SESSION**

CONDUCTING

Mayor Richard F. Brunst, Jr.

ELECTED OFFICIALS

Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner

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## APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Richard Manning, Administrative Services Director, Greg Stephens, City Attorney; Karl Hirst, recreation director; Bill Bell, Development Services Director; Jason Bench, Planning Division Manager; Chris Tschirki, Public Works Director; Scott Gurney, Interim Public Safety Director; Charlene Crozier, Library Director; Heather Schriever, Assistant City Attorney; Steven Downs, Assistant to the City Manager; and Taraleigh Gray, Deputy City Recorder

### DISCUSSION – Open Meetings Training / Ethics Commission

Due to lack of time, this discussion was postponed indefinitely.

### DISCUSSION – Citizen Commissions and Committees

This item was postponed to be visited in the regular scheduled meeting.

### Preview of Upcoming Agenda Items

Staff presented a preview of upcoming agenda items to the Council.

### Review Agenda Items

The Council and staff reviewed the agenda items.

### City Council New Business

There was no new City Council new business.

The Council adjourned at 5:58 p.m. to the City Council Chambers for the regular meeting.

## **6:00 P.M. REGULAR SESSION**

### CONDUCTING

Mayor Richard F. Brunst, Jr.

### ELECTED OFFICIALS

Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner

### APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Richard Manning, Administrative Services Director, Greg Stephens, City Attorney; Karl Hirst, recreation director; Chris Tschirki, Public Works Director; Bill Bell, Development Services Director; Scott Gurney, Public Safety Director; Charlene Crozier, Interim Library Director; Steven Downs, Assistant to the City Manager; and Taraleigh Gray, Deputy City Recorder

### **INVOCATION / INSPIRATIONAL THOUGHT**

Kathleen Gunderson

**PLEDGE OF ALLEGIANCE**      Matt Emley

**APPROVAL OF MINUTES**

Brent Sumner **moved** to approve the minutes from the March 25, 2014, City Council Meeting. Mr. Seastrand **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed**, -0.

**MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL**

Upcoming Events

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

Appointments to Boards and Commissions

There were no new appointments.

Recognition of New Neighborhoods in Action Officers

No new Neighborhood in Action officers were recognized.

Proclamation – Arbor Day 2014

Mayor Brunst read a proclamation recognizing the 2014 Arbor Day. Mrs. Black **moved** to approve the proclamation. Mr. Sumner **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed**, 7-0.

Recognition – UVU Men's Basketball, Regular Season WAC Champions

Mayor Brunst invited the members of the UVU Men's Basketball team forward to be recognized for their accomplishment in being the WAC regular season champions.

**CITY MANAGER APPOINTMENTS**

There were no City Manager appointments.

**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 three minutes or less.

Karl Moore expressed concerns about what was going on with Orem youth Soccer. He asked that the City not consolidate power to one entity.

Rebecca Daley quoted a talk given by LDS Church President Thomas S. Monson regarding debt-free living. She suggested Orem was the doing the opposite and said Orem was failing to live within its means.

## CONSENT ITEMS

There were no consent times.

## SCHEDULED ITEMS

### Ordinance – Enacting Article 13-5 of the Orem City Code

Heather Schriever, Assistant City Attorney, and Bren Bybee, Assistant City Manager, presented to Council a request to grant the recreation director the authority to establish a framework that would fairly, equitably, and objectively allocate the City's recreation areas for the public use.

In recent years there had been an increased demand for the use of the City's recreation areas. New program providers and new sporting organizations have approached staff asking how to gain access to the City's recreation areas in order to provide programs to the Orem residents. Orem did not have sufficient recreation areas to accommodate all of the groups. As a result, the City needed to develop a framework to deal with those organizations.

Before bringing forth this proposed ordinance, the recreation director had complete and total discretion to determine who was using the City's recreation areas. To this point, there was nothing in the Orem City Code that provided the recreation director with any guidelines on how to resolve problems that occurred when more than one group wanted to use the City's limited recreational resources.

As drafted, the proposed ordinance instructed the recreation director on how to establish a system based on specific criteria outlined in the ordinance. This system would give equal access to all the different recreation programs operating in Orem.

If the City Council were to approve the request, Article 13-5, as proposed, gave instruction to the recreation director to do seven things:

1. Create a fair, equitable, competitive and customer-friendly usage and reservation system for the City's recreation areas.
2. Establish a priority system that ensures that recreational, community-based programming needs are satisfied first (recreation Programs).
3. Establish additional priority classifications giving greater recreation area access to entities that demonstrate the following traits:
  - a. Nonprofit financial structure and financial viability.
  - b. Provision of quality programming.
  - c. Provision of services primarily to the residents of Orem.
  - d. Demonstrated service to residents of Orem.
4. Create the recreation Area Allocation Committee (RAAC).
5. Propose fees for use of the City's recreation area.
6. Create policies and procedures to implement the purposes set forth in the ordinance.
7. Enter into recreation area usage agreements with entities requesting access.

The RAAC would be the board reviewing applications and determining what priority best fit applicant requests. The RAAC would then recommend the applicants to the recreation director. As proposed, there would be four members of the recreation Advisory Commission as well as two City employees serving on the RAAC.

Mrs. Schriever said passing the ordinance would allow the recreation director to draft, implement, and administer a policy that would provide all potential recreational users a fair and equitable opportunity to gain access to those public areas. Previous to this request, there was nothing in place that would permit this process.

The City Council and many of the recreation organizations, which were using the City's recreation facilities, were given the opportunity to review a draft policy proposed by the recreation director. That draft policy would not be approved or addressed at the meeting. The recreation director was only seeking approval from the City Council to begin creating a system that would allow athletic organizations the opportunity to apply for access to use City recreational resources, namely fields, baseball diamonds, and swimming pools.

Mrs. Schriever said there were a number of recreation organizations that had been granted almost unfettered access to the City's recreational resources. That had led to competing programs wanting equal access to Orem's recreational facilities. Mrs. Schriever stressed that the City needed to have a mechanism in place which fairly and equitably determined who was given priority to use the City's resources in these circumstances.

Mr. Bybee said the ordinance was intended for all athletic uses, to make an equal and level playing field for all the interested sports groups in Orem seeking to use the City's recreational areas.

Mayor Brunst invited questions from the City Council.

Mr. Sumner asked those presenting to address the usage of Alpine School District field areas and how that had tightened up the use of recreation facilities in Orem.

Mrs. Schriever said that many neighboring cities had established policies and procedures which determined who had access to recreational resources. Determining who would use the resources was a statewide problem, and each city had chosen its own way to address it.

Mr. Davidson added that a number of communities had opted to provide access on a first-come, first-served basis. This mechanism was met with some opposition. Other organizations had priorities based on recreational use, similar to what Orem was proposing at this meeting. The Alpine School District was dealing with similar requests from outside. The district had adjusted its fees quite significantly to address the increased use of its resources. Mr. Davidson said Orem was not the first to bring such a proposal forward to establish a framework to address recreational area usage requests.

Mr. Seastrand asked for clarification on the Alpine School District policy with regard to fees. Mr. Davidson said there were stringent guidelines which had to be followed in order to gain access to facilities. Priority was given to school programs before outside use was permitted of Alpine School District facilities.

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Mr. Macdonald said he had received many emails on the subject. It was his understanding that some people asked for all-day field use on Saturdays. That was difficult to accommodate. Mr. Macdonald said he understood the proposed ordinance would assign citizens and employees to work with the recreation director to establish the policy. Without the change, the recreation director could act on his own. Mr. Macdonald said the emails he had received assumed the opposite: that the ordinance would allow the recreation director to act solely on his own. The ordinance would not empower the recreation director but, rather, would empower the recreation director, with the assistance of the conceptualized RAAC committee, to determine a priority system.

Mrs. Schriever said the proposed ordinance would give the recreation director the opportunity to draft and propose a policy that would define when the certain groups could use City recreation resources. The Council would entrust the recreation director to start putting together a policy that would help the City fairly and equitably allocate the recreational use areas. The policy would involve both the recreation director and the RAAC. Essentially, the proposed ordinance would take the recreation director's discretion away.

Mr. Spencer asked if there was a list of the individuals asking for use of the fields. Mrs. Schriever said she did not have a current list but that the recreation director had been receiving calls asking for information on how organizations could gain access to the City's recreation resources.

Mr. Hirst indicated there were two groups requesting use of the swimming pool. The pool was the City's most limited resource. Last year, a football organization asked for access to the City fields and was turned away because there was no way for Orem to accommodate the request. He noted that competitive groups bridged city boundaries with participants from many different communities. There were often requests from these competitive groups to use Orem's resources. Some of those include Lacross, Ultimate Frisbee, and Rugby groups.

Mr. Andersen asked if the public had been notified about the proposed ordinance, how many games would disappear, and what fields would disappear with the approval of the proposed ordinance.

Mrs. Schriever drew another distinction between the proposed ordinance and the draft policy that had been circulated. She said discussions to establish a framework had been taking place over the course of several months. Mrs. Schriever indicated Mr. Hirst had had conversations with every organization using the City recreation resources. The public's concern had originated from the draft policy under negotiation between the City of Orem and those recreation groups.

Mr. Anderson suggested the vote not take place until more input could be received from the public.

Mr. Hirst said the advance discussions had begun to aid in establishing a policy for the Council to review if the ordinance was adopted.

Mr. Davidson reminded the Council that the purpose of the proposed ordinance was to create an objective process regarding the recreational usage of the City's resources by these athletic groups.

Mrs. Black said the recreation director's ongoing duty was to allocate use of the fields that were under the stewardship of the City. The ordinance was to create a system of prioritization that included citizen and employee assistance in helping the recreation director in determining these priorities. The ordinance would create a framework. The policy could be decided within the framework, and the policy discussions could continue. The adoption of the ordinance could take place without adopting the policy as it was drafted.

Mr. Sumner said he had been assigned to the recreation commission last year, and discussions were already taking place due to the limited number of fields within Orem. The concern was not a new one.

Mr. Spencer said he would like to sit down with the groups before deciding on the ordinance. He believed the Council was moving too quickly.

Mrs. Schriever said putting off the discussion for a few months was problematic. Enacting the ordinance would not preclude the Council from participating in discussions revolving around the policy.

Mr. Spencer repeated his belief that the ordinance was moving too fast.

Mr. Davidson reiterated that the purpose was discussion about creation of a policy to suggest how decisions would be made in the future when multiple groups came seeking access to the City recreational areas. As it related to the actual policy, additional opportunities would arise for the Council to discuss the policy whereby the priority was determined.

Mayor Brunst suggested that the (1) RAAC be an odd-numbered committee, (2) members be chosen by the City Council, and (3) City Council should oversee the committee.

Mrs. Schriever said the ordinance, as drafted, permitted the recreation director to create and supervise the RAAC. The ordinance did not address who would compose the RAAC. Mrs. Schriever said changes could be made to the draft ordinance to accommodate Mayor Brunst's suggestions.

Mrs. Black said the recreation director should be dealing with the committee and that the entire City Council should have a role in approving the members chosen to serve on the RAAC. The Council should not be involved in every detail within Orem, and it would be best to let the recreation director to oversee the RAAC. Mrs. Black reminded Mayor Brunst that those serving on the current Recreation Advisory Commission were citizens and should be acknowledged as such.

Mr. Sumner agreed with Mrs. Black's comments and said he trusted the recreation director to make the appropriate decisions with regard to the RAAC.

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Mr. Macdonald asked Mr. Spencer about his concern that the momentum for proposed ordinance was too fast. Mr. Spencer said he believed the process was happening too fast and that the Council should slow down to better address the issue. He suggested the reenactment of City of Orem Self-Determining Group Cooperative Policy Agreement, which expired in October, 2013, and to ensure that the Council address the issue only one time and to get it right.

Mayor Brunst invited comments from the audience.

Bob Wright, resident, expressed concern about the recreation director being given authority to establish a policy.

Chris Garner, resident, said he was concerned that due-diligence had not been done. There had been little discussion on how the impacted cost. There needed to be structure to make the discussion successful so that children could experience soccer.

Steve Bowler, resident and current president of Orem Youth Soccer, said he was afraid of the draft policies that had been circulating. He said the going rate to paint a field was \$115 to mark one field, and the \$25 fee they were charging was considerably lower. Mr. Bowler expressed concern about the power given to the recreation director to create a policy.

Tara McKay George, resident, voiced concern that the policy would limit her options to service on the parent boards for soccer.

Nicole Michaels, resident, agreed with Mr. Spencer in that the ordinance was moving too quickly.

Amy Yokota, resident, voiced concern about the fees that could make it cost prohibitive for her to involve her children in the soccer organization. She compared the organization to a parent/teacher organization. She asked the Council for time to consider the ordinance.

Linae Millet, resident, said she was concerned that the City was giving sole discretion to one person.

Shane Roy, resident, shared a personal experience in coaching soccer in Orem and in other places.

Rodney Carter, resident, suggested eliminating the need for a RAAC. He expressed concern about when frameworks would be removed and when taxes would be reduced.

Kyle Bowler, resident, said James Madison wrote that ambition must be made to counteract ambition. He voiced concern about the recreation director being able to create policy. Mr. Bowler said he did not feel that enough public input had been given. He was concerned that, once the ordinance was passed, the citizens would be steamrolled.

Holly Robbins, resident, said her main fear was that the recreation director would put his hands in the management of Orem Youth Soccer.

Jill Bowler, resident, said policymakers should not be policy administrators.

Travis Alkire, resident, said he was concerned with the same things as Mr. Andersen and Mr. Spencer. The action was being taken too hastily.

Mayor Brunst brought the discussion back to the Council and said he was still in favor of the ordinance but would like to see the RAAC to be made up of three Orem citizens, three recreation advisory committee members, and one employee, to keep the RAAC an odd number.

Mrs. Black reaffirmed that the ordinance was different than the policy—the ordinance had to be adopted in order to create a policy. She said she was willing to go along with suggestions but thought that putting the decision off would be a disservice.

Mr. Sumner said the proposed ordinance gave the recreation director less power and less discretion. He agreed with Mrs. Black that the Council needed to move forward with the ordinance.

Mr. Andersen said he wanted to wait until the Council could get more information on the issue before voting.

Mr. Seastrand asked Mr. Davidson to clarify what created City policy.

Mr. Davidson said the Council set general policy direction, and the policy and procedures typically are then developed by City administrators as that was their function. Because there was no ordinance on recreational usage in the City code, the ordinance was brought to the Council to establish a framework whereby a priority system could be developed.

Mr. Seastrand said he believed an ordinance was needed, and that a policy should be established. He acknowledged that it was difficult to separate the two discussions because they were connected to a large degree. He suspected a lot of inaccurate information had been circulating through the public on this issue.

Mr. Spencer said he wanted to sit down with the groups and get the groups to address how they were running their businesses.

Mayor Brunst **moved** to continue the discussion to April 29, 2014, to allow time to schedule three different meetings with groups and various members of the Council to get more information on the issue. Mr. Andersen **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer. Those voting nay: Councilmember Brent Sumner. The motion **passed**, 6-1.

## COMMUNICATION ITEMS

Mr. Davidson allowed time for Mr. Bybee to inform the Council on the citizen committee and commission appointment process. Applications would be provided to the Council which would allow time for consideration before carrying out any appointments to City boards and commissions.

# DRAFT

Mr. Macdonald recited a quote which said the world was dependent on a steady stream of volunteers, who had no idea what they are getting into. Mrs. Black expressed appreciation for the development of the streamlined process.

Bill Bell informed the Council of some upcoming agenda items. The southwest annexation had run into some road blocks, and the applicant was looking at other ways to approach annexing the area into Orem. Mr. Bell distributed a quick-reference guide to zoning ordinances in the city.

Mr. Sumner expressed concern in having to go to St. George to learn about UTOPIA and UIA. He said he felt he, as a Councilmember, was being left out of the loop on general information that he should know.

Mayor Brunst indicated that he had noted Mr. Sumner's comments and said it was important the entire Council work together.

Mr. Seastrand suggested Mr. Davidson attend the UIA and UTOPIA meetings. Mayor Brunst said closed-session information was protected and was not allowed to be divulged by decree.

Mr. Davidson said the challenges that the Council had run into in recent times was that there are quorum issues. If a quorum was present at any nonsocial gathering, then the gathering was considered a "City Council meeting" and held to certain noticing requirements under State law. Mr. Davidson said he was trying to give pertinent and relevant updates to the Council and asked the Council to provide him with information in return. It was an effort to keep all parties informed on what is going on in Orem.

Mr. Macdonald addressed a previous comment made by a citizen regarding the passing of an employee pay increase in secret meeting. Mr. Macdonald clarified that the action had been approved by the City Council in a public meeting, and the information regarding the increase had not withheld from the public in any manner.

## **CITY MANAGER INFORMATION ITEMS**

There were no City Manager information items.

## **ADJOURNMENT**

Mr. Macdonald **moved** to adjourn the meeting. Mr. Andersen **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

The meeting adjourned at 8:42 p.m.

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Donna R. Weaver, City Recorder

Approved: April 29, 2014