

CITY OF OREM  
CITY COUNCIL MEETING  
56 North State Street Orem, Utah  
April 28, 2015

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

CONDUCTING	Mayor Richard F. Brunst
ELECTED OFFICIALS	Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, and David Spencer
APPOINTED STAFF	Karl Hirst, Recreation Director; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder
EXCUSED	Brent Sumner

**BUDGET DISCUSSION/PREVIEW – CARE**

Mayor Brunst welcomed the CARE Advisory Commission and Recreation Advisory Commission members and invited them to introduce themselves. CARE Advisory Commission members in attendance were Jeff Lambson, Anette Harkness, Patricia Olson, LaNae Millett, and Blake Tierney. Recreation Advisory Commission (RAC) members in attendance were Gary Schinnell, Bill Hoops, Paul Crossett, and Stacy Noel. Also in attendance were presenters and board members from the SCERA, Hale Center Theater Orem (HTCO), and Utah Regional Ballet (URB) organizations.

Mr. Downs said the CARE Advisory Commission had heard minor grant presentations from various organizations in the community. They would now be hearing major grant presentations from SCERA, HTCO, URB, and the RAC. Mr. Downs turned the time over to Adam Robertson, president and CEO of SCERA.

**SCERA**

Mr. Robertson presented information on the SCERA Center, SCERA Shell, and SCERA programming for the community. He said many groups did service projects in the courtyard at the SCERA Center, which had recently been given a City of Orem Beautification Award. The courtyard was used during Orem's food truck underground on Mondays and Fridays. He highlighted the following SCERA programs:

- SCERA Shell Outdoor Theater 2015 Season schedule
- Scera Park Elementary Arts Education collaboration
- Theater for Young Audiences
  - 2 shows a year
  - Over 10,000 students each show
- Gallery 101 (with new shows every month)
- SCERA Puppetry
- Volunteering
  - SCERA's longest running program

- Over 10 million hours served in 81 years of service
- SCERA Special Events (all year long)
  - Community parades
  - Special workshops
  - Veteran's Day program
  - Senior Fair
  - LDS Film Festival
  - Food truck underground
- The Orem Heritage Museum
  - Ramp installed for greater access
- SCERA Shop
- Acting Up!
- Arts education for youth, teens, and adults (all year long)
- SCERA Art Studios
- Home School Program
- New Programs – Theatre for Seniors 55+ & CAMP for Seniors 55+
- Arts and Autism
- Indoor Season – SCERA Center for the Arts

\*In 2014 SCERA hosted more than 400+ non-SCERA public events or meetings.

Mr. Macdonald asked if the food truck underground was a fundraiser for SCERA, or if SCERA saw any profit from it.

Mr. Robertson said any proceeds they collected were minimal, and it was more a service to the community.

Mrs. Black asked if the food truck events had increased the activity level at the SCERA and the Orem Heritage Museum.

Mr. Robertson said it had increased awareness more than anything and gave patrons opportunities to see the facilities. Most places the food truck events were held in spaces without picnic tables or restroom facilities. The Orem Heritage Museum kept later hours during food truck events on Mondays and Fridays to allow for visitors. He said the SCERA had always been a community center but had been seeing a kind of revival currently.

Mayor Brunst asked if Treeo residents participated in the senior theater programs.

Mr. Robertson said the senior theater programs were new and would start in the summer, but each Treeo resident had season tickets to SCERA senior events and many participated in those.

Mayor Brunst asked if Mr. Robertson felt the money coming in from CARE was being used for the community.

Mr. Robertson said CARE had allowed the SCERA to thrive, not just survive. The CARE money accounted for approximately 25 percent of SCERA's budget, and their goal was to use CARE money to do more for more people. He said SCERA employees were a loyal, wonderful family of people with similar goals who wanted to serve and improve the community. They felt they

had been able to do that over the past ten years. The SCERA Shell and the indoor theater had seen increased attendance by 47 percent and 56 percent respectively. SCERA arts education programs had increased by 82 percent. SCERA facilities had developed and improved significantly. The volunteer program provided job skills and training for youth in the community. In a recent Daily Herald “Best Of” article, SCERA was named #1 in a number of categories including acting studio, date place, family entertainment venue, live music venue, Utah Valley charity, and had been recognized by other publications for providing quality cultural arts experiences for the public. Every year they gave away more than 10,000 free tickets to low-income families and to schools. They collaborated regularly with the City and other groups. Mr. Robertson said he was amazed at the growth SCERA had seen with CARE support, and he could not wait to explore the possibilities as they continued to grow and invest in the community.

Mr. Spencer asked about ticket sales for the summer season.

Mr. Robertson said brochures had been sent and were expected to hit mailboxes the next day or two. He said at the SCERA Shell seating Sections A and B were sold out for the season, and he hoped more sections would fill up.

As Mr. Robertson’s time had expired, Mr. Macdonald asked if Mr. Robertson would be available to answer questions by phone or email.

Mr. Robertson said he was available by phone or email to answer questions the Council or CARE Advisory Commission members may have.

Mayor Brunst said he loved SCERA programs and appreciated what they did for the community.

### **Hale Center Theater Orem**

Jim Murphy and Cody Swenson presented on behalf of the Hale Center Theater Orem (HCTO). Mr. Murphy said HCTO was grateful for what CARE had done for their organization and for the partnership with the City. CARE had given their programming and services an amazing boost for the past ten years, and they were grateful to do so much service in the community. Mr. Swenson shared the HCTO mission statement and program details.

- Mission
  - “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.”
- CARE Through the Years – How have services improved with CARE funds?
  - Utah County’s Premiere Semi-Professional Theater
  - With support from CARE, HCTO has added programming and raised the quality of its nationally recognized production values
- Before CARE & With CARE
  - Production Quality Has Skyrocketed
    - Before CARE – Good Actors and Directors
    - With CARE – The Best Actors & Directors in the intermountain west
      - Care allows us to attract them with increased pay

- Before CARE – No Professional Equity Contracts
- With CARE – Several Equity Contracts each season
- Before CARE – Very Nice Costumes
- With CARE – Now rivaled professional theaters for the Best Costumes in the state
- Before CARE – No Set Designer
- With CARE – A set designer was hired
  - Creates remarkably innovative sets to work in our intimate space.
- Before CARE – No Scene Shop
  - Sets were built in a hallway or outside
- With CARE - Scene shop acquired
- Before CARE – Basic Technical Elements
- With CARE – State of the art equipment
  - Upgraded lights, speakers, & microphones
  - Backstage communications system
  - Assistance system for hearing impaired
  - New multi-projector projection system
- Before CARE – A very good Patron Experience
- With CARE – An exceptional Patron Experience
  - Draw patrons from across the entire state and beyond.
- Feedback From Critics
  - "With the constant stream of productions in the state since the performance rights were made available, you'd be hard-pressed to find a local theatre fan who hasn't recently seen it live. So why see the current production at Hale Center Theater Orem? Because it is, quite frankly, better than any professional or semi-professional production that has been mounted along the Wasatch Front." – Tyler Hinton (BroadwayWorld.com)
- Feedback from Patrons
  - "It's always a guess when you see local productions especially far from home, but HCTO came highly praised and rightfully so! I've seen the touring production and this easily rivals that in a theater 1/8th the size! The voices and acting are top notch and the prices are low! Highly recommended!! Bravo on a show stopping Les Mis!" – Joshua Clites (Facebook)
- The Patron Experience Has Improved
  - Before CARE – Very Basic Website
  - With CARE – Upgraded Interactive Website
  - Before CARE – No Online Ticketing
  - With CARE – Online Sales
    - Individual Tickets
    - Season Tickets
    - Classes
    - Special Events
  - Before CARE – No Newsletter
  - With CARE – Twice monthly online newsletter sent to more than 35,000 households.

- Before CARE – Simple folded one-color program.
- With CARE – 32 to 36 page, full color playbill.
  - Cast information
  - Educational section on the show
  - Donor recognition
- Educational Programming by Instructors with College Degrees
  - Before CARE – No Voice Lessons
  - With CARE – High Caliber Vocal Studio Created
    - Upwards of 3,500 voice lessons taught annually.
    - 50 Master Classes
    - 9 Vocal Recitals
    - Adjudications
      - Other studios asking to participate
  - Before CARE – No Acting Classes
  - With Care – An abundance of diverse classes.
    - Stage Right (Beginning Theater Technique)
    - Stage Left (Advanced Theater Technique)
    - Acting 101
    - Death Scenes
    - Acting in Musical Theater
    - Advanced Acting – Musical Theater
    - Comic Creators Boot Camp
    - Improvisation
    - Mini-Musical Review
    - Youth Shakespeare
    - Stage Combat
  - Before CARE – No Youth Productions
  - With CARE – Five Show Season of Youth Theater
    - Annie Jr.
    - Dr. Dolittle Jr.
    - Disney’s Little Mermaid Jr.
    - Disney’s Beauty and the Beast Jr.
    - A Christmas Carol – Youth Edition
- Educational Outreach
  - Before CARE – No Outreach to area schools
  - With CARE – Outreach Program developed
    - “Experience Theater” tour for area schools
    - Educational matinees for area schools
      - Title 1 schools attend at no cost
    - Reflections partnership with area schools
    - Performances through the Orem Arts Council
  - Feedback From Parents
    - “I’m telling all of the mommies in my new neighborhood about how great these workshops are! Some of my kids very best summer memories, and best money I ever spent on them!” – Bonnie James (Facebook)

- Success
  - Because of CARE – Growth Comes With CARE
    - Before CARE – 293 performances a year
    - With CARE – In excess of 400 performances this year (with no Sunday performances)
    - Before CARE – 77,704 patrons attended
    - With CARE – We are on track to have over 100,000 patrons see a show this year.
    - Before CARE – 5,530 Season Tickets
    - With CARE – 7,500 Season Tickets
  - Establish Orem As An Arts Destination
    - Expand Educational Programming
    - Enhance Production Quality
    - Implement Senior Citizen Outreach Program (H.O.S.T.)
    - Increase relationships with Orem businesses
    - Build a State-of-the-Art Facility in Orem

Mr. Swenson said he wanted to thank the City for the CARE program and the blessing it had been to the people of Orem and the surrounding communities. He said with CARE the HCTO was busy and had seen success; people loved the shows and coming to the theater, and the other programming available.

Mr. Murphy said the fill rate for the past year was approximately 92 percent but the current year was on track to be closer to 98 percent. He said the quality of the productions and acting was excellent, with a number of HCTO actors going on to appear in Broadway touring companies.

He said HCTO would continue to work to establish Orem as an arts destination by expanding the education programs, enhancing production quality even more, strengthening HCTO's relationship with Orem businesses and implementing a Senior citizen outreach program (H.O.S.T.) allowing for small groups of actors to bring productions to those who could not go to the theater.

Mayor Brunst asked how they proposed to find those seniors who would benefit from that service. He suggested contacting Gena Bertelsen, director at the Orem Senior Friendship Center, and the Meals on Wheels program.

Mr. Murphy said they were contacting care centers in the area, and he would look into those other options. He continued, noting that HCTO had constant efforts going to building a state-of-the-art theater facility in Orem. They had meetings with contractors and economic developers, and anticipated making an announcement at some point in the not-too-distant future.

Mr. Tierney asked for a ballpark figure for seating capacity in the new facility.

Mr. Swenson said they wanted to keep the experience intimate, but seating could go up to the 500-550 range. They would essentially expand one more row to add seating but maintain that intimate feel.

Ms. Millett asked if the new facility would be comparable to the Hale Theater in West Valley.

Mr. Murphy advised that HCTO was a separate organization from the Hale Theater in West Valley. He said they would provide a much more intimate setting.

Mr. Macdonald asked what percentage of revenue came from CARE tax versus other sources of revenue like ticket sales and donations.

Mr. Murphy said about 16 percent of their annual budget came from CARE. About 5 percent came from donations. They had annual sponsors and advertisers, but the majority of their revenue came from ticket sales.

Mrs. Black asked about comparable ticket prices in other areas.

Mr. Swenson said \$55-\$65 dollars was average for other theaters with the same quality of production. The HCTO's highest ticket price was \$22, and season tickets were \$119. People in other theater communities were shocked at the low season ticket prices. He said there were also preview season tickets where lower income families could see a show for as little as \$7 per show, and approximately 5,000-7,000 tickets were given away annually.

Mayor Brunst said they appreciated having the HCTO as part of the community.

### **Utah Regional Ballet**

Danielle Adams and Jill Moulton presented on behalf of the Utah Regional Ballet (URB).

- Utah Regional Ballet
  - Bringing World Class Ballet to our community for over thirty-five years
  - How CARE funds benefit Orem citizens:
    - Utah Regional Ballet has served our community for over 35 years and will continue to be an integral part of the excellent quality of artistic life in Orem
    - Enjoying cultural events, such as ballet, is often not available to members of every economic status. URB is proud to provide special opportunities to the Orem community.
  - URB Orem City Season 2015-2016
    - Grant funds will be used to provide deeply discounted admission to special matinees for Orem students
    - Grant funds will be used for production costs for “Choreography Design Competition”
    - Grant funds will be used for our “Choreography Design Competition” special FREE performance for Orem Secondary Students
    - Grant funds will be used for production costs for our Children’s Performing Arts Series “Once Upon A Time” – Orem families will receive deeply discounted tickets to this production
    - Grant funds will be used for our “Families Affected by Autism” FREE performance
  - A Look Back at URB Orem City Season 2014-2015

- Student Matinees
  - We were able to offer student matinees to Orem Elementary students with a question and answer period. These performances were hugely successful and our feedback from the schools were overwhelmingly positive. Performances were sold out and we received many inquiries about these same schools and other schools participating in the future.
  - One teacher (Scera Park Elem.) wrote, “We had two grades from our school attend the ballet. They really enjoyed it! This experience was so beneficial, to expose children to the arts who otherwise wouldn’t have the opportunity. Our students enjoyed this experience very much!”
- “Choreography Design Competition”
  - Our official Orem season began with the Sixth Annual Choreography Design Competition, Feb. 6th and 7th, 2015 at the Ragan Theater at Utah Valley University. URB performed 2 public performances, with the awards held for the choreography winners at the second performance. The following is some of the feedback we received.
  - “Beautiful choreography! I enjoyed it so much! Everything was fascinating to watch. I couldn’t believe the talent!”
  - “So gorgeous! There was so much power and control! Beautifully done. Such skill presented. It left me yearning for more. Thank you!”
  - Secondary Student Preview Performance
    - We had students come to this performance from all 3 of Orem’s High Schools. We received wonderful feedback from the students.
    - *“I love how for every piece, they do what I am learning in my dance classes. I learned so much by watching them. I couldn’t pick a favorite because they were all so incredibly good. It was totally worth coming! I want to thank you all so much! I loved it!”*
    - *“My High School dance teacher recommended that we attend this and I am so glad I came! I loved hearing from the Choreographers and the dancers were fantastic! I want to come next year too! I learned so much!”*
- “Once Upon a Time, Hansel and Gretel”
  - URB’s Children’s Performing Arts Series, “Once Upon A Time, Hansel and Gretel” was performed April 2-4, 2015 at the Scera Center for the Arts. URB presented 4 performances of this children’s story, including our annual Families Affected by Autism FREE performance, and a special ladies night out, that included free dessert. The following are some of the comments we received.
  - “So very nice. Good for the community!”
  - “Wonderful to have such a professional program right here. Thank you!”

- “Beautiful technique and poise of dancers. Professional performance in every way. So happy I came!”
    - Families Affected by Autism Free Performance
- Utah Regional Ballet is grateful for our long-standing relationship with Orem City. Thank you for all you do for the arts in our Community!

Ms. Moulton said they appreciated Orem’s commitment to the arts. Jacqueline College founded the Utah Regional Ballet, a nonprofit organization, thirty-five years ago and made it her life’s work to bring world-class ballet to the community. URB was a professional ballet company with contract dancers from all over the world and also local dancers. URB sought to provide a level of artistic excellence for the community by creating a balanced season that appealed to families, children, and adults alike.

Mayor Brunst asked how many performances URB had a year.

Ms. Moulton said there were typically five performances a year, three of which were done in Orem and two were usually done in Provo for use of a larger stage. She said the arts were often the first thing to go in times of economic downturn, but CARE money had allowed URB to continue to provide artistic learning opportunities for the community. The arts provided a level of brain development that helped children in all areas of learning. She said the spring performance was normally a storybook ballet as part of their “Once Upon A Time Series” that would appeal to families and younger children, and the ticket prices for those performances were deeply discounted at about half the price of a regular performance.

Mr. Macdonald asked what ticket costs were for regular performances.

Ms. Moulton said regular performance tickets ranged from \$16-30 dollars, whereas the storybook ballet tickets ranged from \$8-12 dollars. URB traditionally provided a performance of their storybook ballet for Families Affected by Autism, which exclusively catered to those families.

Ms. Adams said attendance for that performance grew every year. She said it was beneficial to expose children to cultural arts experiences they might not otherwise have seen. They received many comments from parents who were grateful to share these experiences with their children.

Ms. Moulton said the URB was so appreciative of their long-standing relationship with Orem City to be able focus on the arts and improve the quality and recognition of URB. She said productions were expensive to put on, and less than 30 percent of URB funding came from ticket sales. Orem was the only city in the county that supported URB with grant money.

Mayor Brunst asked about where scenery/sets were stored, and where the dancers trained and held practices.

Ms. Moulton said there was a storage facility where the scenery/sets were kept, and occasionally they rented scenery they did not already have. Part of the expense of putting on a production was renting the facilities, sometimes up to three or four days before performances began to set up the

stage. Training and practices for student dancers were held at Jacqueline's School of Ballet in Lindon. She said URB was the resident ballet company of Utah Valley University (UVU).

Ms. Adams said the professional company dancers rehearsed at UVU in the mornings. The Lindon studio was where large group practices were held with the high school students for the larger productions like The Nutcracker.

Mr. Macdonald asked about the total budget, and what percentage of revenue they generated through fundraising and what percentage came from CARE.

Ms. Moulton said the budget was approximately \$300,000. Historically, CARE represented just over 10 percent of that budget. They were working hard to find corporate sponsors.

Mr. Spencer asked if most of the \$75,000 URB was requesting would go to salaries.

Ms. Moulton said most would go to dancer contracts and shoes. Point shoes were expensive and the professional company dancers would go through a pair a week or faster.

Mayor Brunst thanked the presenters and said he appreciated what URB brought to the community.

### **REC Advisory Commission (RAC)**

Mr. Hirst said he appreciated the time RAC members gave in their duties. They had attended meetings, taken tours, and seen many presentations for CARE requests. He said there were more requests than the CARE money could cover. He turned the presentation over to RAC Chairman Bill Hoops.

Mr. Hoops said the RAC had met monthly for nearly a year to study the issues and consider their recommendation. They did outreach on Facebook and conducted surveys to create their CARE 2015 Allocation Plan. He said no one agenda was catered to in this recommendation plan, and he felt it well represented the ideas of the commission and citizens. They put together a project list combined with parks and recreation. Some of the projects suggested for parks were walking paths, pavilions, playgrounds, repairs and maintenance, flowers and trees, trailhead upgrades, a dog park, all-ability playground, etc. Some projects suggested for recreation were additional property for sports fields, multisport indoor facility, field lighting, Orem Fitness Center (OFC) upgrades, competitive pool realigning, refiberglass outdoor pool slides, outdoor circuit training equipment, etc. Some projects suggested for transportation were bike lanes and trails, and independent requests were made for sand volleyball courts, Frisbee golf, and a nature boardwalk. The CARE budget for 2015 was \$930,000, and the RAC recommendation was as follows:

- Splash Pad – \$500,000
  - Recommended location at Palisade Park
    - Health code stated that splash pads were required to be within 150 feet of bathroom facilities
    - Allotted amount would need location where bathroom facilities and parking were already in place
    - Pavilion and concession area in place
- All-ability Playground – \$150,000

- Recommended location at City Center Park
- All-accessible: Ramps, adapted playground equipment, surface improvements, etc.
- Tennis Court Refurbishment – \$125,000
  - Recommended location at Cherry Hill Park
- Master Plan Study – up to \$75,000
  - Determine best use of CARE money for the remaining years
- Unallocated – \$80,000
  - Reserve funds
  - Fund other prioritized projects

Mrs. Black asked what would be the next project on the priority list.

Mr. Hoops said it could be anything from soccer field lighting at Lakeside Park to small upgrades to OFC. The commission would need to meet to finalize the priority of other identified projects, which would depend on what funding was available.

Mr. Hirst said there was high demand for a dog park, which would be in competition for funding.

Mr. Macdonald asked how many acres a dog park would be.

Mr. Hirst said some dog parks were 3-4 acres, some were 0.5 acres, and some as big as 8 acres. It would depend on the location and funding.

Mayor Brunst asked about the \$30,000 that was allocated for a dog park in the past. He thought it was something that should be considered in this budget.

Mr. Hirst said the past project was sent out for bid, but the contractor backed out before the project saw any forward movement. The funds were then transferred to the OFC project. Another challenge was locating a suitable site for the dog park that would be an appropriate size and could sustain long-term growth.

Alysha Milligan, resident, said she wanted to advocate for a dog park where dogs could play healthily and safely.

Mayor Brunst asked Ms. Milligan to consider locations for a dog park and provide those suggestions to the City Council for consideration. Mayor Brunst then asked about the possibility of tennis court refurbishments at other locations.

Mr. Hirst said he had been asking to refurbish tennis courts for several years. The bids for refurbishment of double courts were coming in around \$150,000. That would replace the court surface, replace some of the fencing and poles, replace or improve lighting, paint for both tennis and pickle ball, and remove problem trees.

Mrs. Black asked for clarification, as the Cherry Hill tennis court had previously been identified as a CIP project from Public Works.

Mr. Hirst said he had spoken with Public Works about the matter, and it made more sense for CARE money to be allocated to refurbish the tennis court and free up the Public Works funding to go toward making accessibility and storage improvements at the bathrooms at the City Center Park. If the all-ability playground equipment was going in at that location, they would also need all-accessible bathroom facilities.

Ms. Millett asked if bike lanes were separate from road striping.

Mr. Hirst said transportation requested CARE money to speed up the process of getting bike lanes throughout the city, but there was only so much funding to go around. He reemphasized the vast number of requests the RAC had received and considered.

Mr. Hoops said this was just a small glimpse into what people were requesting and lobbying for. The RAC discussed and researched each request at length, and he felt the recommendations they were bringing forward were what they felt they could do first.

Mayor Brunst asked if the splash pad would be free for patrons, and how much room a splash pad would take.

Mr. Hoops said it would be free, and they had discussed at length an appropriate location so as to meet health code requirements, stay within the proposed budget, and hopefully have a lesser effect on the City's outdoor pool.

Mr. Hirst said the size would depend on the location and style of splash pad. He said he felt the recommended location of Palisade Park would be optimal because the bathroom facilities and parking were already in place, and there was a concession stand that would generate some revenue to help maintain the splash pad. He said the recommendation was to put the splash pad at Palisade Park, but they could review other site possibilities.

Mr. Seastrand said he would like to see a strategic plan done for parks, to establish the features and designation of the focus of each park.

Mr. Hirst said that was the goal of the Master Plan study, to examine the facilities, amenities, features, and compatible uses at each of the parks.

Mr. Crossett said splash pads were difficult amenities because they were free to patrons but were costly to run for the City. By having City-run concessions at Palisade Park, they could generate revenue that would help maintain the splash pad on a yearly basis.

Genelle Pugmire, resident, expressed concern about the disc golf course at the Scera Park. She said discs were flying into neighboring yards, as well as causing safety concerns for children playing in the park. She said there was concern that the crowd using the disc golf course was giving no consideration to the fact that Scera Park was often used by families with small children, and she had seen many close calls of children narrowly missed by wild disc tosses.

Mr. Hirst said the nine-hole course had been in place for about a year and a half, and he had not heard any of those concerns. They had designed the course so it would not cross walking paths or go too near neighboring yards, so he supposed those near-misses were the result of bad throws

and not anything intentional on the part of disc golf players. He said the timing of hearing about this issue was fortunate, as the course was still temporary, and he would look into the matter.

Sam Lentz, resident, suggested posting signs with disc golf guidelines to try to resolve some of the problems.

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

CONDUCTING Mayor Pro Tem Tom Macdonald

ELECTED OFFICIALS Councilmembers Hans Andersen, Margaret Black, Mark E. Seastrand, and David Spencer

APPOINTED STAFF Greg Stephens, City Attorney; Karl Hirst, Recreation Director; Scott Gurney, Fire Department Director; Gary Giles, Police Department Director; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Jason Bench, Planning Division Manager; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder

EXCUSED Brent Sumner

#### **DISCUSSION – Annual Open and Public Meetings Training**

Mr. Stephens conducted the mandatory annual Open and Public Meetings training for the City Council and staff.

- Open and Public Meetings Act
  - State law required annual training – U.C.A. §52-4-104
  - Public Policy Behind Open and Public Meetings Act
    - Cities exist “to aid in the conduct of the people’s business”
    - Cities must take their actions openly
    - Cities must conduct their deliberations openly
  - What is a Meeting?
    - “Meeting’ means the convening of a public body with a quorum present, ... for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the public body has jurisdiction or advisory power.” – U.C.A. §52-4-103(5)
    - “Meeting” includes:
      - Workshops
      - Executive Sessions
      - Site Visits
      - Traveling Tours
    - “Meeting” does not include:
      - Chance gatherings
      - Social gatherings
    - General Rule – Meetings are Open

- Meetings are open to the public unless closed in accordance with the Act – U.C.A. §52-4-201
- Closed Meeting
  - When Allowed
    - A quorum is present in an open meeting
    - 2/3 of the Council members present vote to approve closing the meeting
    - The following information is publicly announced and entered into the minutes:
      - The reason or reasons for holding the closed meeting;
      - The location of the closed meeting; and
      - The vote by name of each Council member for or against the motion
  - When Not Allowed
    - To discuss any matter that is not the proper subject of a closed meeting
    - To approve an ordinance, resolution, rule, regulation, contract or appointment
    - To interview a person applying to fill an elected position
    - To discuss filling a midterm vacancy
    - To discuss the character, professional competence, or physical or mental health of a person applying to fill a midterm vacancy
  - A closed meeting may only be held for:
    - Discussion of the character, professional competence, or physical or mental health of individual;
    - Strategy sessions to discuss:
      - Collective bargaining
      - Pending or reasonably imminent litigation
      - Purchase, exchange or lease of real property
      - Sale of real property
      - Discussion regarding deployment of security personnel, devices, or systems; and
      - Investigative proceedings regarding allegations of criminal misconduct
- Non-Agenda Items
  - A topic raised by the public may be discussed during an open meeting, but the City Council may not take final action on the topic at the meeting, unless it is an emergency meeting.
- Electronic Messages
  - O.K. for Council members to send electronic messages to other Council members when City Council not in session – U.C.A. §52-4-210
    - However...
      - Council members should not send electronic messages to each other during a meeting
      - Council members should remember that electronic messages sent to other Council members will probably be

public records under a GRAMA request. (Don't delete electronic messages involving City business.)

- At least one Council member shall be present at the anchor location (Council Chambers)
- Before opening the meeting, the Mayor shall ensure that those participating electronically are prepared to go forward
- Prior to taking a vote on any issue, the Mayor shall inquire of those participating electronically if they have been able to adequately monitor the discussion and shall allow them to make comments
- Notice Requirements
  - Public notice of annual meeting schedule
  - Not less than 24 hours public notice of each meeting
    - Notice includes agenda, date, time and place of meeting
    - Public notice satisfied by:
      - Posting at City offices
      - Posting on Utah Public Notice Website
      - Providing notice to at least one newspaper of general circulation or a local media correspondent
- Emergency Meetings
  - No emergency meeting unless:
    - An attempt has been made to notify all Council members
    - A majority of the Council members approve the emergency meeting
  - 24 hour public notice requirements may be disregarded if:
    - Unforeseen circumstances make it necessary to hold an emergency meeting to consider matters of an emergency or urgent nature
    - The best notice practicable is given of the time, place and topics to be considered
- New in 2015
  - S.B. 169 – effective 2014
    - The City Council “shall require an individual who, at an open meeting of the public body, publicly presents or provides electronic information, relating to an item on the public body’s meeting agenda, to provide the public body, at the time of the meeting, an electronic or hard copy of the electronic information for inclusion in the public record.”
  - H.B. 45 – effective 2015
    - The City Council may fine or expel a Council member from an open public meeting, following a 2/3 vote for:
      - Disorderly conduct at the open public meeting;
      - A member’s direct or indirect financial conflict of interest regarding an issue discussed or action proposed at the open public meeting; or
      - A commission of a crime during the open public meeting
- Roll Call Votes – When Required
  - Any ordinance
  - Any resolution

- Any action which creates a liability against the City
- Whenever requested by a Council Member – U.C.A. §10-3-506

Mr. Macdonald asked about saving emails because they may be subject to GRAMA requests. They had so many emails, their inboxes were often full.

Mr. Spencer asked if emails could be moved to an external hard drive.

Mr. Stephens said categorizing and sorting the emails into folders would lighten the load in the inbox, and emails could be moved to an external hard drive. Specific discussions regarding City business with citizens, staff, or other Council members, deliberations, and actions would all need to be saved. There were some emails that were not required to be saved.

Preview Upcoming Agenda Items

Staff presented a preview of upcoming agenda items.

Agenda Review

The City Council and staff reviewed the items on the agenda.

City Council New Business

There was no new City Council business.

The Council adjourned at 5:44 p.m. to the City Council Chambers for the regular meeting.

**6:00 P.M. REGULAR SESSION – COUNCIL CHAMBERS**

CONDUCTING	Mayor Pro Tem Tom Macdonald
ELECTED OFFICIALS	Councilmembers Hans Andersen, Margaret Black, Mark E. Seastrand, and David Spencer
APPOINTED STAFF	Greg Stephens, City Attorney; Karl Hirst, Recreation Director; Scott Gurney, Fire Department Director; Gary Giles, Police Department Director; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Steven Downs, Assistant to the City Manager; Peter Wolfley, Communications Specialist; and Jackie Lambert, Deputy City Recorder
EXCUSED	Brent Sumner
<b>INVOCATION / INSPIRATIONAL THOUGHT PLEDGE OF ALLEGIANCE</b>	Peter Wolfley Ethan Robbins

**APPROVAL OF MINUTES**

Mr. Andersen **moved** to approve the April 14, 2015, City Council meeting minutes with the noted correction. Mr. Seastrand **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer. The motion **passed** unanimously.

## **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 appointments to boards and commissions.

### Recognition of New Neighborhoods in Action Officers

There were no new neighborhood officers recognized.

### PROCLAMATION – Fair Housing Month

Mayor Pro Tem Macdonald read the proclamation designating the month of April as Fair Housing Month in the City of Orem. The City welcomed the opportunity to reaffirm its commitment to providing equal housing to all people and support the right of every citizen to live where they choose without fear of discrimination.

## **CITY MANAGER'S APPOINTMENTS**

### Appointments to Boards and Commissions

There were no appointments to boards and commissions.

## **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.

Jim Fawcett, resident, said he wanted to speak about the utility rate increases. He was concerned that a lot of money was going to the proposed annexation area, but he thought the developers were supposed to pay for infrastructure. He had done some analysis and sent his findings via email to the City Council, which he asked them to review. Mr. Fawcett expressed concern about the life expectancy of pipes and said he thought that needed to be examined before moving forward with pipe replacements.

## **CONSENT ITEMS**

There were no Consent Items.

## **SCHEDULED ITEMS**

6:00 P.M. PUBLIC HEARING – CDBG  
RESOLUTION – Adopt Community Development Block Grant (CDBG) Final Statement  
of Projected Uses of Funds – 2015-2016

Steven Downs, the Assistant to the City Manager, recommended that the City Council, by resolution, adopt the updated Final Statement of Projected Uses of Funds for Orem's 2015-2016 Community Development Block Grant.

During the past few months, the CDBG Citizen Advisory Commission heard funding proposals from various applicants who wished to receive CDBG funding. The Commission presented its recommendations to the City Council in the first of two public hearings on March 24, 2015. Tonight's public hearing was the final opportunity for public comment on the recommendations before the City Council officially adopted the Final Statement of Projected Uses of Funds for Orem's 2016-2015 Community Development Block Grant.

Mr. Downs said Orem was considered an entitlement community from HUD, and was available to receive funding every year. The funding amount for this year was about \$608,000, 15 percent of which was available to go to public services. He thanked the CDBG Commission members for all of their time and effort in serving their community, and he thought their allocation recommendation was well thought out. He turned the time to Sheralyn Bennett, CDBG Commission chair, to speak to the recommendation. Please see the allocation recommendations below:

Public Services – limited by HUD to 15% of new entitlement funding

Family Support & Treatment - \$10,000  
Project Read - \$2,000  
PERC - \$2,000  
Center for Women & Children in Crisis - \$7,500  
Community Actions Services - \$14,500  
Mountainland Community Health - \$4,000  
House of Hope- \$5,000  
Big Brothers Big Sisters - \$1,000  
Literacy Resources - \$2,000  
RAH - \$7,000  
Friends of the Children's Justice Center - \$10,000  
Friends of the Food and Care Coalition - \$6,730  
Utah County 4-H - \$1,500  
Community Health Connect - \$4,000  
Kids on the Move - \$5,000  
People Helping People - \$4,000  
Centro Hispano - \$3,000  
Mountainland Association of Governments - \$2,000

Other

Habitat for Humanity - \$35,000  
Code Enforcement (Neighborhood Preservation) - \$120,000  
Infrastructure - \$151,960  
Administration - \$115,000

Section 108 Loan Repayment - \$105,000  
Housing Rehabilitation - \$20,000

Mr. Downs said there was a wide variety of community programming that would receive CDBG funding that were critical for the well-being of many Orem residents.

Mayor Pro Tem Macdonald opened the public hearing.

Dennis Hansen, Director of the Center for Women and Children in Crisis, said he appreciated all the hard work the committee did and for the City's support for these programs. He hoped those grants would continue to be awarded, and he thanked the City for their contributions. Mr. Hansen wanted to personally thank Mayor Brunst for his participation in the "Walk a Mile in Her Shoes" event.

Mayor Pro Tem Macdonald closed the public hearing.

Mr. Seastrand said he had witnessed the allocation process for a number of years, and it was a difficult process. He wished all residents could see of all the volunteer efforts commission members gave to serve in these programs to improve the lives of Orem residents and improve the community overall. He said he appreciated the recommendations from the commission and their thoughtfulness.

Mrs. Black **moved**, by resolution, to adopt the Community Development Block Grant (CDBG) Final Statement of Projected Uses of Funds – 2015-2016. Mr. Seastrand **seconded**. Those voting aye: Margaret Black, Tom Macdonald, Mark E. Seastrand, and David Spencer. Those voting nay: Hans Andersen. The motion **passed, 4-1**.

## **COMMUNICATION ITEMS**

### MONTHLY FINANCIAL SUMMARY – March 2015

The Monthly Financial Summary was included in the packets distributed to the City Council.

## **CITY MANAGER INFORMATION ITEMS**

There were no City Manager information items.

## **ADJOURNMENT**

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

The meeting adjourned at 6:19 p.m.

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Donna R. Weaver, City Recorder

Approved: May 26, 2015