

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
January 08, 2019

3:00 P.M. TOUR – GENEVA PARK

Those in attendance were: elected officials Mayor Richard Brunst and Councilmembers Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner; Orem staff Jamie Davidson, Brenn Bybee, Steven Downs, Greg Stephens, Karl Hirst, Charlene Crozier, Richard Manning, Bill Bell, Jason Bench, Kena Mathews, and Jackie Lambert.

Mr. Downs and Ms. Mathews had invited the City Council to visit Geneva Park, one of the city's neighborhood parks located between Geneva Elementary and Suncrest Elementary schools. Ms. Mathews, Community Services Manager, said there was an opportunity to make some improvements and upgrades to the park using Community Development Block Grant (CDBG) funds and partnerships with the Real Salt Lake (RSL) Foundation, Intermountain Health Care, and others. Specifically, RSL would sponsor the repurposing of the tennis courts into Futsal courts; they had done this with great success at parks in Salt Lake County and felt this park was uniquely suited for it. Mr. Downs explained that Futsal was a variation of soccer played on a smaller, hard court rather than a standard field.

General discussion on proposed upgrades continued, including relocating and upgrading the playground structure, improving and expanding parking, land partnerships with Alpine School District and Intermountain Health Care, and the installation and lighting of the Futsal courts. The City Council was generally in favor of the proposed upgrades to Geneva Park.

4:00 P.M. WORK SESSION – CITY COUNCIL CONFERENCE ROOM

CONDUCTING

Mayor Richard F. Brunst

ELECTED OFFICIALS

Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Greg Stephens, City Attorney; Karl Hirst, Recreation Department Director; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Scott Gurney, Fire Chief; Gary Giles, Police Chief; Ryan Clark, Economic Development Division Manager; Jason Bench, Planning Division Manager; Kirby Snideman, Long Range Planner; Kena Mathews, Community Services Manager; and Jackie Lambert, Deputy City Recorder

UPDATE – Regarding fallen Provo Police Officer Joseph Shinnners

At Mayor Brunst's request, Chief Giles shared information regarding the circumstances surrounding the tragic death of Provo Officer Joseph Shinnners. The incident occurred in Orem on January 5, 2019, while officers were attempting to arrest a wanted fugitive that evening. During the arrest the man opened fire, fatally wounding Officer Shinnners; the subject was also wounded in the shootout and was in custody. Chief Giles said that was a heartbreaking situation not only for the Provo Police department and many others, it particularly affected Orem officers and dispatchers. The incident had occurred in Orem and was fielded by Orem Dispatch; there were six Orem officers present during the attempted arrest and subsequent shootings. Officer Shinnners had been a personal friend and fellow officer in POST and other training operations with many Orem officers. Chief Giles said the funeral was set for 11:00 a.m. on Saturday, January 12, 2019, at the UVU UCCU Event Center.

PRESENTATION – MAG TransPlan 2050

Shawn Seager presented the Mountainland Association of Governments (MAG) TransPlan 2050. By way of introduction, Mr. Seager explained that MAG was a Metropolitan Planning Organization (MPO) that worked with many mayors and the county commissioners, as well as city staffs and community organizations and reinvestment funds. He worked regularly with Orem staff and appreciated their input and expertise. The Utah Unified Transportation Plan had been created in coordination with three other MPOs in Utah. There were approximately \$80 billion in transportation needs leading to 2040. Mr. Seager said the Utah County portion of the plan accomplished three things: 1) produced a long range transportation plan out the required 20 years, 2) it brought people together to collaborate on transportation needs, and 3) programmed the costs of proposed projects. He said \$1 billion identified in previous plans was in place today.

Mr. Seager continued his presentation, showing maps and other visuals of the long range plan that featured proposed needs, not necessarily existing planned projects. There was continued discussion on the costs of projects and the organizations funding would come from, the ¼ cent sales tax apportioned for transportation needs, population trends and projections in Utah County and statewide, and transit needs. Mr. Seager explained that Salt Lake County had grown out and around the focal point of Salt Lake City, resulting in a countywide grid system. Utah County, on the other hand, had started as a number of smaller city settlements that grew and eventually joined up; there was not the same contiguous grid. The TransPlan had suggested transportation solutions to create a more connected grid system that matched up with Salt Lake County. He showed the "ideal arterial grid". In response to Mr. Lentz's question, Mr. Seager said Orem currently had an excellent grid system, so the suggested improvements would be minimal.

Mr. Seager shared a video ("Utah Valley – Connecting Communities" available on YouTube at <https://www.youtube.com/watch?v=ZlVfbsfj4Ys>) Mayor Brunst mentioned that freeway bridges over the lake would go a long way to relieving some of the commuter traffic issues higher population would cause. Mr. Seager said for the first time in his 31-year career at MAG there was a funded project for lake crossing.

Mr. Seager said transit was an important part of planning for the future. The UVX bus rapid transit (BRT) line through Orem and Provo was an excellent example of a successful transit

project that cities statewide and beyond looked to. With the federal grant in place that made the fare free for the next three years, ridership of the bus lines had gone from 2,000 to 10,000 a day. As populations grew, transit systems like BRT, light rail, and commuter rail would be vital. Mr. Davidson added that there had already been discussions in surrounding communities about extending the BRT lines north, now that the UVX line had rolled out to great success. Mr. Seager said it was ideal to put higher density housing and commercial/businesses along or near transit lines.

Preview Upcoming Agenda Items

The City Council briefly reviewed items that would be coming before the Council in future meetings.

Agenda Review

The City Council and staff reviewed the items on the evening's agenda. Mayor Brunst reviewed the upcoming events as listed in the agenda packet.

City Council New Business

Mr. Davidson said that the City Council had the opportunity to use the Consent Agenda portion of the meeting to a greater extent. He explained that administrative items and the like could be placed on the Consent Agenda. Items like the approval of minutes, rescheduling of meetings, resolutions authorizing the Mayor's signature on agreement or contracts, etc. could all be handled together under Consent, with one motion accepting those items rather than voted on individually. The purpose of the Consent Agenda was to help run the meetings in an efficient way and remove some of the more cumbersome aspects of procedure.

Mr. Downs specified that any item that required a public hearing would not be allowed on the Consent Agenda, and the Council had the option to request that an item be moved from Consent to Scheduled Items with a motion, a second, and a majority vote. Residents who had come to the meeting regarding any items on the Consent Agenda had the opportunity to make a public statement during Personal Appearances. Based on those public statements, Council members who felt the issue warranted further discussion could then request to move the item to Scheduled Items.

Mr. Stephens added that items like resolutions and ordinances required a roll call vote, rather than a voice vote, so it would make sense as a standard practice to accept all items on the Consent Agenda with a roll call vote.

Some members of the Council voiced support for better utilization of the Consent Agenda portion of the meeting moving forward. The City Council then adjourned at 5:55 p.m. to the City Council Chambers for their regular meeting.

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

CONDUCTING

Mayor Richard F. Brunst

ELECTED OFFICIALS

Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Assistant City Manager; Greg Stephens, City Attorney; Karl Hirst, Recreation Department Director; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Scott Gurney, Fire Chief; Gary Giles, Police Chief; Charlene Crozier, Library Department Director; Chris Tschirki, Public Works Director; Steve Earl, Deputy City Attorney; Jason Bench, Planning Division Manager; Ryan Clark, Economic Development Division Manager; Kena Mathews, Community Services Manager; Pete Wolfley, Communications Specialist; and Jackie Lambert, Deputy City Recorder

INVOCATION / INSPIRATIONAL THOUGHT PLEDGE OF ALLEGIANCE

Pete Wolfley
Steven Downs

APPROVAL OF MINUTES

Mr. Macdonald moved to approve the following sets of meeting minutes:

- December 11, 2018, City Council meeting
- December 13, 2018 Special City Council meeting.

Mr. Spencer seconded the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

UPCOMING EVENTS

Mayor Brunst reviewed the upcoming events, as listed in the agenda packet.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor Brunst moved to reappoint Kenneth Bonney and Suzanne Stratton to the Library Advisory Commission. **Mr. Macdonald seconded** the motion. Those voting aye: Richard F.

Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, 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 scheduled as public hearings on the agenda. Those wishing to speak should have signed in prior to the meeting, and comments were limited to three minutes or less.

There were none who signed up to speak.

CONSENT ITEMS

MOTION – Reschedule the March 19, 2019 City Council Meeting to March 12, 2019

Mr. Seastrand moved to reschedule the March 19, 2019 City Council meeting to March 12, 2019. **Mr. Lentz seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

At this time, Mr. Davidson reminded the City Council about the discussion they had during the earlier Work Session regarding the handling of the Consent Agenda. The motion that had just been made by Mr. Seastrand could have served to approve both the rescheduling item and the following resolution regarding the Section 108 Loan Assistance Program. Mr. Stephens added that because the second item was a resolution, it required a roll call vote. Mr. Davidson said the Council could conduct the vote once more, but as a roll call vote.

After some discussion, Mayor Brunst required that the resolution be done with a separate vote.

RESOLUTION – Authorizing the City of Orem to participate in the HUD public offering as part of the Section 108 Loan Guarantee Assistance Program to refinance the existing note or other obligation in the original principal amount of \$1,320,000, for the purpose of economic development. The current balance is \$616,000

Ms. Mathews, Community Services Manager, recommended that the City Council, by Resolution, authorize the Mayor to execute the necessary documents as required by HUD to refinance the existing guaranteed Section 108 Note, and to execute such other documents, contracts, amendments and agreements with HUD, and to authorize payment of any required fees, as may be necessary to effectuate this refinancing transaction. Mr. Downs clarified that this was the first time this opportunity had been made available.

Mr. Macdonald moved, by resolution, to authorize the City of Orem to participate in the HUD public offering as part of the Section 108 Loan Guarantee Assistance Program to refinance the existing note or other obligation in the original principal amount of \$1,320,000, for the purpose of economic development. **Mr. Seastrand seconded** the motion. Those voting aye: Richard F.

Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

SCHEDULED ITEMS

RESOLUTION – Approving and executing the signature page to the Multi-Jurisdictional Automatic Aid, Mutual Aid, Fire Training, Emergency Medical, and Other Services Agreement (an inter-local agreement) which outlines the rights and responsibilities for mutual aid and other related services between the Orem City Fire Department and other fire and emergency medical service providers throughout the state of Utah

Chief Gurney and Deputy Chief Earl presented a recommendation that the Orem City Council and the Mayor approve and execute the signature page to the Multi-Jurisdictional Automatic Aid, Mutual Aid, Fire Training, Emergency Medical, and Other Services Agreement (an inter-local agreement) which outlined the rights and responsibilities for mutual aid and other related services between the Orem City Fire Department and other fire and emergency medical service providers throughout the state of Utah. Chief Gurney reminded the Council that the agreement was non-binding if the City was understaffed or certain equipment was not available to respond, so the City could get out of the agreement if they deemed necessary.

Chief Earl briefly reviewed the details of the agreement, previously discussed at the December 11, 2018 Work Session. Mrs. Lauret asked how many Orem firefighters were on duty at a given time. Chief Earl said a minimum of 17 with a full staff of 21 including the fire station in Lindon. He stated that the agreement would only ask that additional firefighters be called in for escalated incidents and not day to day calls.

Mayor Brunst asked if there was a mass casualty event that required response beyond the capacity of Utah County firefighters to answer. Chief Gurney said this agreement included cities and fire districts and authorities in Salt Lake County as well, and they would be in the position to offer aid. He continued that more agencies than were even currently included in the agreement would be joining through the coming weeks or months.

Mayor Brunst asked about the possibility of a “needy municipality” that could use a lot of resources without paying for them. Chief Earl reminded him that only specific incident types could trigger the request for aid.

Mayor Brunst moved, by resolution, to approve and execute the signature page to the Multi-Jurisdictional Automatic Aid, Mutual Aid, Fire Training, Emergency Medical, and Other Services Agreement (an inter-local agreement) which outlined the rights and responsibilities for mutual aid and other related services between the Orem City Fire Department and other fire and emergency medical service providers throughout the state of Utah. **Mrs. Lauret seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

RESOLUTION – Establishing the parameters for authorizing the issuance and sale by the City of Orem of not more than \$24,500,000 aggregate principal amount of its General

Obligation Bonds, Series 2019, to pay all or a portion of the costs of (i) acquiring, constructing, furnishing, and equipping renovations, additions and improvements to the City's family fitness center, a community library hall at the City Center Campus, and to pay expenses reasonably incurred in connection with the authorization and issuance of the Bonds

Mr. Manning presented the City Manager's recommendation that the City Council, by resolution, adopt a parameters resolution authorizing the issuance and sale of the City of Orem General Obligation Bonds, Series 2019, of not more than \$24,500,000 aggregate principal amount and delegate certain officers the authority to select the underwriter; approve the principal amounts, interest rates, terms, maturities, etc., and execute the final terms.

The results of the special bond election on November 6, 2018 passed in favor of the City to move forward with issuing General Obligation Bonds, in order to pay for the costs of renovating, adding to, and improving the City's Family Fitness Center, (including family-friendly changing rooms, family-oriented facilities, a suspended track, etc.); acquire, construct, furnish and equip a community Library Hall at the City Center Campus, (including all related improvements); and to pay expenses connected with the issuance of the bonds.

A parameters resolution sets the outside limits within which the bonds can be issued. The maximum amount of the bonds cannot exceed \$24,500,000, the term of the bonds will not exceed a term of thirty (30) years from the date of issuance, and the interest rate cannot exceed 5.5% per year. However, the combination of the retirement of two existing General Obligation Bonds and the issuance of these new 2019 Series Bonds, will not result in a higher level of debt service than the current level of debt service.

Mr. Manning introduced Marc Edminster of Lewis Young Robertson & Burningham (LYRB) and Brad Patterson of Gilmore & Bell. Mr. Manning used the visual of a baseball diamond to explain the parameters of the bond. Once details have been worked out and interest rates agreed upon, the deal needed to be sealed fairly quickly to ensure the parameters were in place. He explained that either the Mayor (or Mayor Pro Tem), City Manager, or Administrative Services Director were authorized to determine that the parameters of the resolution were met and would be sufficient to complete the project. In response to Mayor Brunst's question, Mr. Manning said the term of the bond could be shorter than the 30 year maximum, but could not be longer.

In response to Mr. Lentz's question, Mr. Edminster said the "coupon" interest rates would likely range from 3% to a maximum of 5% with the final yield on the bonds determined at the bond sale. They were projecting a rate of 3.5% or so. Mr. Patterson said there was a strong demand for General Obligation (GO) bonds currently, which were the "gold standard" of the industry.

Mr. Lentz asked about options in the future for refinancing the loans if interest rates improved. Mr. Patterson said one of the features of this particular bond was the option to call the bond at approximately 10 years. The Tax Reform Act adopted in 2017 took away one of the tools of public finance professionals to have advanced refunding on a tax-exempt basis.

Mr. Macdonald moved, by resolution, to establish the parameters for authorizing the issuance and sale by the City of Orem of not more than \$24,500,000 aggregate principal amount of its

General Obligation Bonds, Series 2019, to pay all or a portion of the costs of (i) acquiring, constructing, furnishing, and equipping renovations, additions and improvements to the City's family fitness center, a community library hall at the City Center Campus, and to pay expenses reasonably incurred in connection with the authorization and issuance of the Bonds. **Mr. Seastrand seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

COMMUNICATION ITEMS

The Monthly Financial Summary for November 2018 was included in the packets distributed to the Council.

CITY MANAGER INFORMATION ITEMS

Mr. Davidson had no information items to share.

ADJOURN TO CLOSED-DOOR MEETING – Pursuant to Section 52-4-205(1)(c), Pending or Reasonably Imminent Litigation

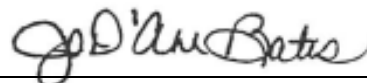
Mayor Brunst moved to adjourn to City Center room #107 into a closed meeting for a strategy session to discuss pending or reasonably imminent litigation, pursuant to Utah Code Section 52-4-205(1)(c). **Mr. Macdonald seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

The meeting adjourned at 6:31 p.m.

CLOSED-DOOR SESSION

A closed-door session was held at 6:35 p.m. in City Center room #107 to discuss pending or reasonably imminent litigation, pursuant to Utah Code Section 52-4-205(1)(c). Those in attendance were: Mayor Richard F. Brunst, Councilmembers Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner; staff members Jamie Davidson, Brenn Bybee, Greg Stephens, and Jackie Lambert.

The closed-door session adjourned at 7:18 p.m.



JoD'Ann Bates, City Recorder

Approved: January 22, 2019

