

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
March 26, 2019

3:30 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; Todd Mallinson, Police Captain; Karl Hirst, Recreation Department Director; Richard Manning, Administrative Services Director; Brandon Nelson, Finance Division Manager, Ryan Clark, Development Services Director; Scott Gurney, Fire Chief; Charlene Crozier, Library Director; Chris Tschirki, Public Works Director; Reed Price, Maintenance Division Manager; Jason Bench, Planning Division Manager; Kena Mathews, Community Services Manager; Kathi Beckett, Economic Development Program Analyst; Sam Kelly, City Engineer; and JoD'Ann Bates, City Recorder.

ANNUAL UPDATE - Service Line Warranties of America

Ms. Hohn of Service Line Warranties of American presented background as to their company and the contract they have with the City of Orem. She presented the current numbers of Orem residents with Warranty Service, the number of claims filed, the amount saved and spent on claims as of March 24, 2019:

Customers:

- External Sewer Lines 2,446
- External water line 2,984

Claims:

- External Sewer Lines 212
- External Water Lines 101

Total Customer savings:

- External sewer \$179,963
- External water \$160,671

Average amount spent on claims:

- Sewer \$849
- Water \$1,591

Discussion ensued regarding the average amount paid in premiums

Ms. Hohn described an additional opportunity to the home owner with “in home plumbing” that will be available in the near future if the city feels this would be beneficial for its residents. They continue to promote the program and work with the city to provide content for social media.

General discussion continued.

UPDATE – Mayor’s Centennial Ball

Mrs. Beckett presented a video from the Centennial Kick-off celebration.

Ms. Mathews stated the theme for the upcoming Mayors Ball is “100 years of Orem” and will be held in the Utah Valley University Grand Ballroom on June 1, 2019. Dress will be black tie with a reception at 5:30 pm in the lobby and at 6:30 pm there will be a dinner, speakers and dancing to conclude the evening. Kena continued to present what would be served as the appetizers, dinner, speakers, MC, entertainment and gifts provided by local companies. Formal invites will be sent out the beginning of May.

DISCUSSION – BUDGET – Capital Improvement Projects

Sam Kelly, City Engineer reviewed the summary information as to the proposed fiscal year 2019-2020 capital improvement projects.

Mr. Davidson indicated the \$4.6 million dollars listed on the summary, includes money that has been unspent in the last fiscal year as well as funds available above and beyond the 15% of the fund balance in the general fund. Historically, they have set aside the 15% of the fund balance making those funds available for capital projects. Approximately, \$2 million of that has been set aside for projects and the remainder is in the fund balance.

Mr. Kelly continued to review the projects their needs, corresponding department and proposed cost. He indicated as they review the projects to keep in mind, there are projects that are part of a *multi-year budgeting process and will not necessarily be done in the 2019-2020 fiscal year.

Administrative Services:

- Finger printing equipment - \$31,043
- CAFR reporting & creation software - \$10,000

Development Services:

- Online plan submission software - \$15,000
- Aerial imagery & linework - \$40,000
- Update data controller for TSC7 - \$7,500
- Trimble handheld GPS units - \$26,000
- Paint for the Senior Center - \$30,000
- Paint for all buildings - \$25,000

- Roof replacement for Senior Center - \$50,000*
- Roof replacement for City Center - \$92,642*
- Roof replacement for Fire Station #3 - \$20,000*
- Shower stalls Fire Station #3 - \$20,000
- Door lock replacement for all buildings - \$50,000*
- Security cameras – All buildings - \$50,000*
- Boiler at Public Safety - \$20,000
- Chiller for Public Safety - \$23,000
- Chiller for the Library - \$55,000
- Bathroom renovations for City Center - \$50,000*
- Custodial equipment – New Library - \$25,000

Fire Department:

- Cardiac Monitors - \$100,000*

Police Department:

- Digital Radio Replacement - \$60,452

Library Department:

- RFID upgrade - \$20,000

Public Works Department:

- Plotter and printer - \$16,000
- Fountain floor resurfacing – Nielsen’s Grove - \$25,000
- Sand volleyball court at SCERA Park north - \$20,000
- Aerator and blower - \$24,000
- Playground replacement and perimeter fence – Westmore - \$35,000

Parks Division:

- Cremation niche at the cemetery - \$125,000

Streets Division:

- Parking lot projects - \$50,000*
- 400 west 1200 south roundabout project with MAG match - \$190,000*
- Misc. low OCI (Overall Condition Index) street projects - \$300,000*
- Brine system - \$225,000
- Traffic section equipment – Fiber tester - BMS signs – Sign roller table - \$82,350
- Annual roadway maintenance projects - \$2,080,000

Water Division:

- Misc. equipment - \$124,660
- Automated Metering Infrastructure (AMI) - \$2,340,000*
- 10 MG storage tank - \$3,310,000*
- PRV replacement project - \$205,000
- City Center water conservation projects - \$50,000

Water Reclamation Division:

- Misc. equipment - \$94,640
- Treatment plant maintenance and upgrades as per Master Plan - \$2,065,000*
- System upgrades and maintenance per Master Plan - \$2,175,000*

Storm Water Division:

- Various storm water projects connected to West Union Canal abandonment - \$568,000*
- Various storm water projects as per Maser Plan - \$747,000*
- Misc. projects - \$753,102

Street Lighting Division:

- Lower cemetery street lighting - \$75,000

Recreation:

- Lap pool re-plaster as the SCERA pool - \$125,000*
- Water slide – SCERA pool - \$150,000*

General discussion ensued throughout the presentation regarding questions, concerns and understanding of the projects.

Mr. Davidson stated that Mr. Kelly and his team are really good at looking at a tentative budget for the projects and then determine if they can wait for a more favorable bid environment or other ways to accommodate the bid or get funds from other projects making for a very dynamic process with every bid. They have partitioned the budget to allow for immediate and future projects based on the five-year capital plan. The five-year plan is a fluid document that can change and they have to try to be flexible. The city currently is in a healthy situation with the capital projects account and is able to set aside funds in reserve for future projects with the possibility of minimizing financing of future projects.

DISCUSSION – Capital Facilities Fundraising

Ms. Crozier stated they have been working with Dave Driggs of Mighty Penguin Consulting since late 2017. In that time, he has helped to identify strategies to reach out to donors through “connectors”, prominent citizens and friends of the City who might make introductions or facilitate meetings for us to share our need for funding to enhance both the Library Hall and the New Fitness Centers. Some successes have been a \$100,000 donation from doTerra to name the south lobby for Library Hall, and a \$100,000 donation from the Sorensen Legacy Foundation. They continue to meet with potential donors, both corporations and family foundations. The next level of the campaign, will be finalizing the information for donor walls in both facilities.

Discussion ensued regarding naming opportunities based on donations, special recognition donors, the ranges for those donations and possible sponsorship.

Agenda Review

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

Preview Upcoming Agenda Items

The City Council briefly reviewed items that would be coming before the Council in future meetings. Mr. Bench shared information related to upcoming zoning items.

City Council Reports (Boards and Commissions, New Business, Etc.)

Mr. Davidson stated with the legislative session ending he wanted to review some of the key bills that effect municipalities:

- HB119 which is the Referendum bill was signed by governor yesterday;
- SB129 is the Public Safety Tier 2 Retirement which passed both the House and Senate; and
- SB268 is a Transportation Bill that allocated money for 1600 North also passed the House and Senate. There were amendments made in the final hours of the session and Orem City ended up receiving less than expected but still allowed the city to receive \$4 million for the expansion of 1600 North. He voiced his appreciation to Senator Hemmert who championed Orem getting those funds.

He continued to review the following items of interest:

- They are in the process of recruiting for new URRMA Executive Director; and
- A Press Release came out recently regarding a fine Orem City received by the Department of Labor. They knew this was an ongoing investigation; they had been informed of the fair labor laws relative to the hiring and scheduling of 15 year old lifeguards. They were under the understanding this issue was resolved last fall and was not aware of the fact that they were going to issue a press release. These were instances where they were in compliance with State Law but not aware Federal Law was different. He stated that Recreation Director Karl Hirst did a great job regarding this issue in immediately modifying the operations protecting them from this happening again.

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, Deputy City Manager; Greg Stephens, City Attorney; Steve Earl, Deputy City Attorney; Ryan Clark, Development Services Director; Charlene

Crozier, Library Director; Richard Manning, Administrative Services Director; Brandon Nelson, Finance Division Manager; Jason Bench, Planning Division Manager; Pete Wolfley, Communications Specialist and JoD'Ann Bates, City Recorder.

INVOCATION /

INSPIRATIONAL THOUGHT

PLEDGE OF ALLEGIANCE

Austin Sherman of Scout Troop 463

Alex Nielson of Scout Troop 463

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

UPCOMING EVENTS

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

REPORT - Natural Resources Stewardship Committee - Sarah Bateman

Ms. Bateman introduced her committee which consists of Erin Lyons, Vice Chair; Darren Hawkins, Gwenna Terry, Quinn Mecham, (present) Brandon Hoffman (present) and Jenna Albers, City Long Range Planner (present). She reviewed the mission, committee members, relevant affiliations of committee members and the advisory rolls. She continued to review some of the aspects they were involved with through the past year:

Engaging with the public:

- Summerfest
- Cyclefest
- Feast Utah
- Sustainability Day

Committee Initiatives:

- Garbage Audit at Orem Fitness Center
 - City has added recycle bins at the Fitness Center
- Youth Earth Day Meme Contest
 - Winner - Lara Delgado, Orem Jr. High
- Idling Behavior Research in partnership with Geneva Elementary School
 - Now part of 6th grade curriculum
 - Featured on KLS TV by Jed Bool
 - March 2019 they will present at David R. Keller, Environmental Ethics Symposium at UVU

Committee Retreat for 2019 Mission: To promote the sustainable use of natural resources in Orem and identified five areas:

- Energy
- Food
- Land Use
- Waste
- Water

Identified roles in the committee

- Sustainability leaders
- Events /service
- Best practices
- Social Media
- Outreach

She continued to state the committee is committed to research emerging trends like HB411 which is the “Community Renewable Energy Act” which has passed House and Senate and is awaiting the Governor’s signature. They will continue to collaborate with internal city departments, local schools, Utah Valley University and other municipalities. She concluded by stating they look forward in serving the community and they feel a need for connection with nature and with each other.

Mr. Lentz voiced his thanks to the committee and the way they inspire those around them. This committee is wanting to inspire the whole community and he appreciates their passion and commitment.

Mr. Seastrand indicated this committee is a good overlap with them working with both UVU and Orem City.

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

- Approval of March 12, 2019 City Council Meeting Minutes
- Appointment of Denee Tyler to the CARE Advisory Commission
- Approval of a Resolution Amending the Community Development Block Grant Use of Funds for Fiscal Year 2018-2019

Mr. Lentz moved to approve the Consent Agenda as listed. **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

PUBLIC HEARNG

ORDINANCE – Amending Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone on approximately 0.2 acres of property located generally at 246 West 1400 South from the R8 zone to the PD-5 zone

Mr. Bench stated the City recently acquired the subject property and is requesting the property be rezoned to the PD-5 zone. The existing home on the property will be removed and the land converted to parking area as outlined on the proposed concept plan. A masonry wall will be constructed along the southern boundary of the property adjacent to 1400 South together with a landscaping buffer along 1400 South. These improvements will be required at the time of site plan approval.

Mayor Brunst opened the public hearing at 6:23 p.m.

Hearing no comments Mayor Brunst closed the public hearing and brought the discussion back to the Council.

Mrs. Lauret stated there had been a concern with the wall to the south and inquired if the city could ensure during site plan this issue is addressed. Mr. Bench responded that will be part of the Golden Corral site plan and will be addressed at that time. The site plan will label what they will have to do and then they will have to bond appropriately. On the Ken Garff wall they are assuming they will take the existing wall type and extend it to the east.

Discussion continued as to when to address the wall and what kind the city would prefer to see in that area and who owns and is responsible to maintain the upkeep the parking strip to the south.

Mr. Sumner moved, by ordinance, to amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone on approximately 0.2 acres of property located generally at 246 West 1400 South from the R8 zone to the PD-5 zone **Mrs. Lauret seconded the motion.**

PUBLIC HEARING

ORDINANCE – Amending Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning on approximately 5.12 acres of property located generally at 764 North Timpanogos Parkway from the PD-6 (Timpanogos Research & Development Park) zone to the C-1 (Commercial) zone

Mr. Macdonald stated he would need to recuse himself due to a conflict of interest. He then left the Council Chambers.

Mr. Bench stated the applicant desires to separate from the current research and technology park and maintain property independently. The applicant and Canyon Park agree with the proposed rezone. The C1 zone is established to promote nonretail commercial uses such as offices and financial institutions and to encourage development that is compatible with adjacent residential uses.

Mayor Brunst opened the Public Hearing at 6:29 p.m.

Hearing no comments Mayor Brunst closed the public hearing and brought the discussion back to the City Council.

Mr. Seastrand moved to approve by Ordinance Amending Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning on approximately 5.12 acres of property located generally at 764 North Timpanogos Parkway from the PD-6 (Timpanogos Research & Development Park) zone to the C-1 (Commercial) zone. **Mr. Spencer seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam Lentz, Mark Seastrand, David Spencer, and Brent Sumner. Tom Macdonald abstained. The motion **passed**.

PUBLIC HEARING

ORDINANCE – Amending Sections 22-24-1(D) and 22-24-1(F) of the Orem City Code pertaining to design standards within the City Center District

Mr. Bench stated the Development Services Department requests that the City Council adopt several amendments to Section 22-24-1 pertaining to the City Center District zones. The first proposed amendment would amend Section 22-24-1(D) to specify that in case of any conflict between a provision contained in Section 22-24-1 and another section of the City Code, the provision contained in Section 22-24-1 would control. The second proposed amendment would amend Section 22-24-1(F) pertaining to setback requirements in the CCD (Civ) zone (City Center District Civic zone). The proposed amendment provides that where an addition to an existing building is made, only forty-five percent of a building façade must comply with the maximum setback requirements. It also provides that where a building addition is on a lot that has frontage on both State Street and a State Street Connector Street (any public street that intersects with State Street), the building addition only has to comply with the maximum setback requirement from either State Street or the State Street Connector Street. The final amendment would amend Section 22-24-1(F)(6)(b) pertaining to entrances for buildings on a corner lot. This proposed amendment would clarify that an addition to an existing building would not be required to have a building entrance at the corner of the lot where the elements of subsection 22-24-1(F)(2)(d)(vi) are met (the second amendment proposed above). The design of the new Library Hall with the curved façade along State Street required the amendments described above. The proposed amendments would allow this unique and attractive type of building façade while still meeting the intent of bringing new buildings up close to the back of sidewalk.

Discussion ensued regarding possible exceptions to other properties in this zone in the future.

Mr. Spencer inquired as to what the area to the south of the library would be. Mr. Bench responded this will be open air space obtainable through the library only.

Mayor Brunst opened the public hearing at 6:34 p.m.

Hearing no comments Mayor Brunst closed the public hearing and brought the discussion back to the City Council

Mrs. Lauret moved to approve by Ordinance Amending Sections 22-24-1(D) and 22-24-1(F) of the Orem City Code pertaining to design standards within the City Center District. **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**.

CONTINUED ITEM

PUBLIC HEARING/ORDINANCE - FY 2018-2019 Budget Amendment of the Street Lighting Fees

Mr. Manning stated this is a continuation of amending the street lighting fee as they transition from building and paying for a system to now operating a mature system. Effective April 1, 2019, two neighborhoods will start to come off the current rate. July 1, 2019 all business will pay their annual fee with their business license renewal at the time of renewal, based on the new fee. Institutional accounts (schools, churches, Non-profits, etc.) and apartments will also begin the new fee on July 1, 2019 based on a per door. Neighborhoods will continue to come off as they went onto the system concluding on July 1, 2022. The order for which the neighborhood were put in place was done based on crime statistics with the safest neighborhood coming off last.

Mrs. Lauret inquired as to how the city notified the residents. Mr. Davidson stated approximately twenty-five thousand mailers were sent out to the residents of Orem notifying them of this process, inviting them to participate in the open houses, social media notifications and information was placed in the city newsletter.

Discussion ensued regarding how all businesses pay the same, the per door fee, the revenue it will make, the ongoing operations of the street lighting maintenance and the personnel that will be involved in working with the residents and the replacement of the lighting fixtures.

Mayor Brunst moved to approve by Ordinance FY 2018-2019 Budget Amendment of the Street Lighting Fees. **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**.

Mayor Brunst indicated Councilmember Lentz had voiced his wishes to discuss Rank Choice Voting. Mr. Lentz stated that due to recent legislation he would like to have another discussion regarding Rank Choice Voting at the next City Council work session.

CITY MANAGER INFORMATION ITEMS

Mr. Davidson stated he would like to pass on the following information:

- A pre-bid meeting had been held for the construction of new Library Hall. They had 7 contractors interested and final bids are due April 11th.
- Utility work is underway out on 100 North. They will be laying a new sewer line to the site as well as other utility work. They are also taking down some trees in the area and construction fencing has gone up surrounding the construction area mainly to the west of the City Center. When they hire a contractor for the Library Hall project, they propose they stage in the south parking lot of the City Center. He voiced his collective thank you to all those involved with the project.
- They are moving forward with hearing presentations tomorrow for the Recreation Fitness Center Project. They have 3 companies that will be presenting and from there they can move forward with that process.

- Sgt. Scott Spieth who is receiving this week at the Utah Chiefs of Police the award of Officer of the Year for large jurisdictions.
- The County Attorney has released their report relative to a shooting that took place last fall; an officer involved shooting that resolved in the death of an individual. The County Attorney noted in his report that the City of Orem police officers was legally justified in exercising the force that they did.
- Recognized Council Member Mark Seastrand a Happy Birthday

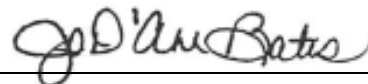
Mayor Brunst indicated the legislature will call a special session and asked that Mr. Davidson keep the Council updated as to the status of those bills discussed. Mr. Davidson indicated HB441 which is a tax reform bill, will be worked on between the sessions and he will keep the Council updated.

ADJOURN

Mayor Brunst moved to adjourn the 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**.

The meeting adjourned at 6:52 p.m.



JoD'Ann Bates, City Recorder

Approved: April 9, 2019

