

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
April 30, 2019

3:00 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; Ryan Clark, Development Services Director; Scott Gurney, Fire Chief; Gary Giles, Police Chief; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; Kena Jo Mathews, Community Services Manager; and JoD'Ann Bates, City Recorder

PRESENTATION – Survey Results

Ms. Gibb with Y2 Analytics indicated they conducted a survey with a panel of approximately 3,000 Orem residents, and had a response rate of approximately 1,500. She reviewed the survey methodology and continued to review 4 important findings which are:

- The overall quality of the life in Orem has increased compared to March 2018.
- More than half the residents support the potential tax increase regardless of the dollar amount proposed.
- Residents tend to support the proposal because they place a high priority on public safety and supporting the Orem Police Department.
- The most compelling messages address the current demands on each officer.

Ms. Gibb continued to review the questions and responses that were conducted. The tax increase question was drafted with three tax amounts and the corresponding officers that could be added to the Orem Police Department, with more than half of those surveyed would supporting a tax increase. Even with a 3% error rate they still have a majority approval. The dollar per household impact is the way residents understand the increase and it was still approved. She reviewed some volunteered responses stating there was a broad recognition of the need for more officers. She continued to review the following questions and responses:

- Arguments in favor
- Cost per officer & monthly household impact
- Arguments in favor increase support

She concluded that after Y2 Analytics evaluated the questions they found support increased significantly, with the majority of the comments being focused on the most currently number of

calls per number of officers and the volume of work they do on a daily basis. Being informed that tax rates had not been raised in over 40 years was not a compelling enough reason to raise taxes.

Mr. Davidson indicated the budget will be proposed by keeping the mill rate at the current amount which will fund 2 police officers and associated resources. If the Council was to choose to do anything different he would appreciate their direction. If the Council chooses to fund a tax increase, they would need to hold a truth and taxation hearing.

General discussion continued regarding the costs and options they have with and without a tax increase. Discussion continued regarding looking at doing a fee instead of a property tax increase. It was stated that the city is funding approximately 50% of the Police Department with 100% of the current Property tax. Property tax is a stable tax and brings stability in adding members to the Police force. Even with adding more Orem Police Department is still below the national average amount per population.

It was a general consensus the city move in the direction of a property tax increase to afford 4 new police officers.

DISCUSSION – Review of the Orem City Parking Study

Ms. Guffin, City Long Term Planner introduced those presenting the Parking Study which had been completed over the past year. This study was done due to the following concerns; 1) the current code consisted of over 60 parking standards, and 2) spill over parking issues for multi-family structures onto the street. She turned the time over to Mr. David Profit of the Metropolitan Research Center to review the study.

Mr. Profit reviewed the study purpose which included the large amount of current Orem parking standards that Orem has in its code and street spill over parking for multi-family units. He reviewed the process where they visited 10 sights in one day over 16 plus hours. They had 61 students stand at the entrances with a clip board and count vehicles as they entered and exited multi-family locations. They counted the number of people in cars, on bikes and on foot. Another group counted the number of parking stalls and then later counted stalls available throughout the day. Various questions were asked as to where they parked, why they parked on the street, etc. He continued to show various graphs showing parking demand to supply:

- 24 of the 529 people surveyed parked on the street
- Drivers at 5 of the 10 properties reported 100% on-site parking
- Reasons for parking on the street:
 - 10 pass (13 of 24)
 - Lot full (6 of 24)
 - Proximity (5 of 24)

He continued to state trip counts show the counts to be fairly high meaning there are a lot of individuals going in and out of the locations. He stated there is a lot of extra parking in Orem. The current standard has required parking that is not being used. They did a final count at approximately 11:00 pm and feel they received an accurate account of the parking situation. He

concluded by reviewing possible parking standards that could be considered by Orem to minimize the overall amount of standards in their code.

Discussion continued regarding the standards with bedrooms versus the units. The higher standard recommends extra for visitors, but is suggested to not have specified visitor parking just have extra. The numbers would provide for both residents and visitors allowing for more proficient use.

Mr. Lentz inquired of a Transit-Oriented Development (TOD) standard. Dr. Ewing indicated the ones they have studied are right next to the station. Orem only has one that is similar but based on the distance would not be affected.

Mayor Brunst indicated he feels the study shows Orem is doing a good job for what they need. He stated although this study did not include student housing, one of his concerns are the homes around UVU and the non-stickered cars that should not be there. He inquired if there were any comments from those in attendance.

Sorn Halliday of PEG Development applauds the city's efforts for multi-family developments. He feels the concern of developers is the significant cost of parking and understands it is an impact. He feels the city is doing a great job of thinking through this process and having the study done to better fit both the developer and the residents.

David Halliday, an Orem resident indicated he lived in Provo for a number of years and asked that Orem doesn't do what Provo does with their parking.

Jim Seaburg of Ivory multi-family developments appreciates getting analytics behind the study. He indicated they like to make sure their residents are happy and they take what they do very serious. Currently they use a calculation for parking of 1 space per bedroom which includes visitors. They have done many surveys regarding onsite parking requirements and feel they the need for parking is going down due to the lifestyle of renters.

Chris Longson stated it seems there is a surplus to all the areas the survey included. He feels the current ordinance for new developments with the 2.25 per unit makes it very excessive. He feels the way the consultants have proposed parking calculations correlates with what the needs really are.

DISCUSSION – CARE Major Grant & Facility Presentations

Mr. Downs indicated they would be reviewing reports sent to the CARE commission based on the last year's full report. He reviewed the applicants and their requested amounts along with some of their achievements.

- Hale Center is requesting \$1,142,282
 - Mr. Swenson expressed appreciation for the city being supportive of the arts and stated they couldn't do what they do without the city and the Care Tax. He continued to discuss some of their upcoming shows and handed out a playbill that included the 2020 season schedule. He stated the education department is growing and they have new instructors with degrees in teaching. The announcement of

building a new theater at University Place has been positive. The feedback they are getting is fantastic and they are ready to move. The CARE tax is a necessary thing and they depend on the help received by the city and voiced his appreciation. General discussion continued regarding the amount of youth participating in the programs.

- SCERA is requesting \$703,362
 - Mr. Robertson stated they are having some great productions this year, are teaming up with the City to help celebrate its 100th birthday and will start their 86th season. They continue to see an increase with the youth, adult and senior programs. The CARE Tax allows them to strive, just not survive and it is greatly appreciated. It adds to the quality of life they enjoy in Orem. Discussion continued regarding the various programs offered.
- Utah Metropolitan Ballet is requesting \$75,000
 - Mr. Carter of the UMB stated they have found their autism productions to be extremely welcomed and appreciated. The performers typically don't interact with the audience except with the autism shows. They have contracted with Vivant and they will be supporting the autism show this year which will be Cinderella at the SCERA in May. They also will be having two productions of the Nutcracker one at the Covey Center and one at UVU. General discussion continued regarding participation and the updated performances, backdrops and costumes.

Facilities Request:

- Orem Library Auditorium build - \$200,000
 - General discussion continued regarding current fund raising for the Library rebuild, clarification of some of the line items, and status of auditorium seating.

Mr. Downs indicated they will have more time to deliberate the requests when they come back to the council in a future meeting.

DISCUSSION – Capital Projects - Fitness Center Rebuild

Mr. Clark introduced the contractors working on the Fitness Center re-build. They have come across some issues they need to discuss with the Council along with costs associated with those issues and possibilities.

Mr. Smith of Method Studios stated they will show 4 different possibilities regarding the gym and the pool and how long they stay open versus having them being closed during the construction due to shared mechanical, electrical and other infrastructure issues. He reviewed and further discussion continued regarding the 4 possible options.

- Option #1 would allow the pools to be open during construction with a brief shut down for mechanical transfers but would require temporary trailers for locker rooms and restrooms lasting approximately 15 months.

- Option #2 would close the pools and the locker rooms and mechanical room would be reconstructed lasting 15 months.
- Option #3 would shut down the entire facility for 15 months for a total rebuild of both the locker room and the gym. This option has the lowest risk factor.
- Option #4 would involve taking down the gym but keeping the locker room operational then once the gym is done they would move onto a rebuild of the locker room area, again needing to bring in some temporary locker rooms and restrooms. A portion of the pool would be shut down for approximately 8 months. Which would extend the overall duration of the construction by 2 months

Construction schedules and costs for the options were reviewed and discussed. Further discussion continued regarding options for pool access for residents and the high school swim team at other locations, the current condition of the Fitness Center boilers, and concerns of layoffs to employees and the ability to get those employees to return.

Mr. Davidson stated from a staff prospective they are embracing the idea of rebuilding the gym and felt with that change they felt it really required the councils input and feedback.

Mayor Brunst stated he would like to have the best product at the end of the day and felt option #3 was the best direction to go. Mr. Macdonald stated he doesn't think the bond would have passed if the residents knew they were tearing it down. They didn't say the pool would be shut down so he feels option #4 works best. Mr. Spencer stated he was in favor of option #3. Mr. Seastrand stated he was in favor of option #4. Mrs. Lauret stated if they were able to secure facilities somewhere else for the residents while the pool was shut down she would go with option #3, but if not she would have to go with option #4. Mr. Sumner stated he would be in favor of option #3 but had a concern as to where the patrons would go during that time.

General discussion continued regarding the options and how it would work for the high school swim team and the residents' ability to use the facilities or other facilities during the down time.

Mr. Hirst indicated they are working on options for the high school swim team to utilize a pool elsewhere but has not been successful so far. They do not have any pool options for the general patrons during any complete shutdown.

Mr. Davidson stated his sense is the council is not concerned about the high school but for the everyday Orem patron. He feels the relationship the city has with the day to day Orem patrons supersedes the responsibility and obligation they should feel for the school district.

Mr. Smith proposed a type of hybrid of option#3 and option #4. They would proceed as in option #3 but front loading the construction with the rebuild of the locker room and mechanical area first, allowing the shutdown of the pool to be shortened than proposed in option #3 then move forward with the rebuild of the gym.

After further discussion regarding the new proposal, it was a general consensus they go in the direction of taking down the gym and having the contractors come back with further information of the possibility of taking option #3 and merging it with option #4.

Agenda Review

No review was done.

Preview Upcoming Agenda Items

No Preview was discussed.

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

No report was given.

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

CONDUCTING

Mayor Richard F. Brunst

ELECTED OFFICIALS

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

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; Ryan Clark, Development Services Director; Scott Gurney, Fire Chief; Gary Giles, Police Chief; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; Pete Wolfley, Communications Specialist; and JoD'Ann Bates, City Recorder

INVOCATION /

INSPIRATIONAL THOUGHT

Allen Arnoldson

PLEDGE OF ALLEGIANCE

Vance Arnoldson & Orem Police Color Guard

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

UPCOMING EVENTS

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

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.

Dan Howlett a retired Orem Police Office requested the council keep the gun range at the Fitness center. He indicated they have approximately 2,500 people per year using the range with the majority being youth that can't afford a commercial range. He stated outside ranges are not safe and are an uncontrolled environment. To rebuild the range would be costly due to the amount of lead that currently exists and asked they keep the range open for at least 22's and air guns. They have received a number of awards from the community and that is a place where the youth can take hunter safety in a safe environment with professional instructors. He requested the council allow the pistol range to stay open for public use.

Paul Stoddard stated his concern regarding the gun range is a liberty issue. He feels that by getting rid of the gun range is another erosion of the freedoms we have to bear arms. Another issue he feels is important is mass shootings. He stated that if you get rid of guns in a safe and controlled area there is a higher chance of having a mass shooting.

David Pollei stated he would like to see the racquetball courts stay in place. He feels that after the work session it seemed it was a done deal to demolish the area of the racquetball courts. He was questioning if there had been a cost study done with demolishing and not demolishing the entire area. In his profession he learned listening to public input was found to be advantageous. He feels the council needs to listen to those that run the Fitness center and its staff. He feels there is not a clear recommendation as to the amount of courts they feel they need.

Kurt Walker stated he has been attending the Orem Fitness Center since it opened and has also played in various other racquetball courts. There is a group that attends continuously and he feels the cost of not having that time with the other players is what he will lose. This is to be for the community and feels the loss of communication with others is a huge cost.

Holly Robbins stated it is a joy to have the spontaneous community comradery with others. She feels it is important to at least maintain 8 courts in order to keep the competitions at the Fitness center. She indicated what she feels while playing racquetball with the group that is there is more than she can express.

Bill Burgi stated he recently moved 2 blocks away from the Fitness center mainly to be close due to the fact he plays 4 to 5 times a week on the racquetball courts. To cut the courts down from 14 to 4 will not allow them to have tournaments. He encourages them to consider at least 8 courts.

Kat Luttmmer stated she has been an Orem Fitness Center racquetball junkie for about 15 years and has won many tournaments at the Fitness center. She feels if the courts are cut out they will lose the players and the revenue. She has played at various other locations and she stated they are horrible so she feels it is important to listen to actual racquetball players not just to statistics.

Mike Harrison stated that since they moved to Orem approximately 15 years ago he has been a regular user of the cities racquetball courts. He feels if there is one thing that sets them apart from other fitness centers in the county, it is the racquetball courts. One major benefit of living in Orem is the racquetball courts. He hopes the city will consider all the data and facts and make a decision that will best accommodate everyone.

CONSENT ITEMS

- Approval of April 9, 2019 City Council Meeting Minutes
- ORDINANCE - Amending Chapter 7 of the Orem City Code Pertaining to Building, Plumbing, Mechanical, Electrical, Fire and Abatement Codes
- RESOLUTION - A Resolution of the City Council of Orem City, Utah Authorizing the Chief Administrative Officer to enter into an Interlocal Cooperative Agreement between Utah County and Orem City for the administration of the 2019 Municipal Elections.

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, and David Spencer. The motion **passed**.

SCHEDULED ITEMS

PUBLIC HEARNG

ORDINANCE – Amending a portion of Appendix A of the Orem City Code pertaining to Standard Land Use Codes 6371 Climate Controlled Storage Units, 6372 Personal Storage Units, and 6377 Vault Security Storage Units by changing the uses from “permitted” to “not permitted” in the M1 zone

Mr. Bench stated the Department t of Development Services are requesting the removal of three permitted uses in the M1 zone. The three uses that are requested to be removed are Climate Controlled Storage Units, Personal Storage Units, and Vault Security Storage.

Currently, SLU Code 6371 Climate Controlled Storage Units are permitted in the M1, M2, and CM zones. A total of two (2) Climate Controlled Storage Units are permitted in the C2 zone. SLU Code 6372 Personal Storage Units are permitted in the M1 and M2 zones. SLU Code 6377 Vault Security Storage is permitted in the M1, M2, and CM zones.

The City currently has a total of nineteen (19) storage facilities. Of these nineteen, none is located within the M1 zone. The total area of these storage facilities is 1.5 million square feet. With an estimated population of 100,171 in the City, this breaks down to 14.97 square feet of storage space per person. This number is considerably higher than the national average of 5.40 square feet per person. These two facts present a strong argument for eliminating storage units from the M1 zone.

Mayor Brunst opened the Public Hearing at 6:34 p.m.

Hearing no comments Mayor Brunst closed Public Hearing and brought the discussion back to the council.

Mayor Brunst moved, by ordinance, to approve amending a portion of Appendix A of the Orem City Code pertaining to Standard Land Use Codes 6371 Climate Controlled Storage Units, 6372 Personal Storage Units, and 6377 Vault Security Storage Units by changing the uses from “permitted” to “not permitted” in the M1 zone. **Mrs. Lauret seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer. The motion **passed**.

COMMUNICATION ITEMS

The Monthly Financial Summaries March 2019 were included in the packets distributed to the Council.

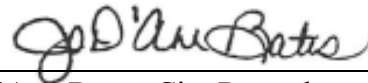
CITY MANAGER INFORMATION ITEMS

Mr. Davidson had no additional items to share.

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, and David Spencer. The motion **passed**.

The meeting adjourned at 6:37 p.m.



JoD'Ann Bates, City Recorder

Approved: May 14, 2019

