

CITY OF OREM
SPECIAL CITY COUNCIL MEETING
56 North State Street Orem, Utah
August 20, 2019

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

CONDUCTING Mayor Richard F. Brunst

ELECTED OFFICIALS Debby Lauret, Sam Lentz,
Mark Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Greg Stephens, City Attorney; Scott Gurney, Fire Chief; Gary Giles, Police Chief; Charlene Crozier, Library Director; Chris Tschirki, Public Works Director; Brandon Nelson, Finance Division Manager; Karl Hirst, Recreation Director Ryan Clark, Development Services Director; Richard Manning, Administrative Services Director; Pete Wolfley, Communications Specialist and JoD'Ann Bates, City Recorder

EXCUSED Tom Macdonald

CALL TO ORDER

INVOCATION /
INSPIRATIONAL THOUGHT Debby Lauret
PLEDGE OF ALLEGIANCE Ryan Clark

SCHEDULED ITEMS

PUBLIC HEARNG
Truth and Taxation

Mr. Nelson stated when the City Council adopted the Fiscal Year 2019-2020 Tentative budget the Council expressed the desire to consider a property tax increase for the sole purpose of hiring four additional police officers. When a municipality considers a property tax increase a process known as "Truth in Taxation" is followed. The County sets a time and date for a public hearing that will not conflict with a property tax public hearing for any other entity. Mr. Nelson reviewed past and present property taxes and rates related to property taxes. He continued to review the history of the number of officers and total calls for service.

Mr. Monson of Y2 Analytics stated a survey was conducted with a panel of Orem City residents and they received just fewer than 4,000 responses to this survey. The question was written to be as impartial as possible regarding a tax increase. He reviewed the questions on the survey regarding the increase of property taxes and stated there was an overall response of support to all options that were proposed. He continued to review the responses both for and against and comments that were made. He concluded by stating the survey showed Orem residents were happy with the proposal and supported the increase even more when knowing the funds would be applied specifically to the police department.

Mr. Nelson continued to explain how the property tax increase compares to other cities and the overall impact on the average home in Orem. He concluded to state the City will hold a final budget hearing and approval on August 27, 2019.

Mr. Lentz asked for clarification on the number of increased calls of service in 2018. Chief Giles responded he does not know the exact reason for the jump in calls. He suggested that in 2017 the department was trying to be more pro-active in trying to cut down on crime so there was a dip in calls. In 2018 there were several factors that went into play, one being they did not have a full Neighborhood Preservation Unit (NPU). They have since gained a full NPU and changed the way they have started calls.

Mr. Sumner inquired as to when the 311 line became effective. Mr. Davidson stated it was in place in August of 2018. Chief Giles indicated the police had in the past dealt with the calls that is now being rerouted through the City 311 line but feels it didn't take away from the calls the police were responding to, he feels they are still responding to the same amount of calls. Mr. Davidson indicated there are about 70 thousand calls received by the 311 system since inception.

Mayor Brunst opened the public hearing at 6:25 p.m.

Judith Williamson stated she has lived in the community for 55 years and is a retired nurse. She is aware of the need for experienced staff. She lives in the community and has been made aware of the fact that many of the Orem fire fighters have gone or are considering going to other communities and they city now has staff coming in with no experience. The city needs experienced staff.

Guy Gastman stated he retired from the Orem City Police Department 4 years ago after 37 years of service and is in favor of the tax increase. He has seen the departments both police and fire on a downward spiral. When he was hired he was 1 of 200 applicants for his position and now you can't get applicants to come to Orem. It took him 9 years to test for Sargent and now it only takes about 11/2 years for advancement. Not only are officers leaving, they are losing experience. Orem is getting less experienced employees both in police and fire services.

Spencer Rands resident of Orem stated he is against the property tax but in favor of giving more funds to fire and police. He feels there has been some mis-prioritization of funds over the years. Overall Police and Fire rank 5th and 6th in receiving funds from the 2019/2020 budget. He continued to review language from the budget regarding the 4 proposed officers and stated he feels they need to reprioritize the city funds and not do a tax increase. (Spencer provided a handout to the Council)

Melissa Wilson moved to Orem 18 years ago from Chicago and has 6 young children. She stated she was in favor of the tax increase but is interested to see what else can be done with the budget. She loves the safety Orem provides but she fears this is all about to change. The city has already seen a mass exodus of first responders and she sees this as detrimental. The departments are understaffed and the first responders are overworked. They are the ones working hardest to keep the residents safe and unless the pay raises are matched the new hires will also leave Orem and the cycle will start over again. First responders are heavily involved with the community and their commitment to our city should be, in turn, returned with higher wages, better hours and continued benefits. Keeping the city safe isn't just about first responders; it's about having excellent first responders.

Dave Young an Orem resident is against the tax increase. Every tax increase is just a pathway that never ends because there is never enough money. He voiced his concern that there was not any notice for this meeting. He indicated his property tax has increased over the years and the mill rates shouldn't change. It is a management and budgeting issue and feels some employees are getting paid more than necessary. He reviewed some of the current budget items. He feels the city needs to work with the resources they have.

Phil Murphy stated he appreciated and respects the City Council and City Managements willingness to listen to resident's opinions. The city has grown dramatically since he started with the police department. Orem is known for being very service orientated and he is alarmed that they are only talking about 4 new officers. They are not talking about additional fire staff, and dispatchers, they need more in every one of those areas. He is glad to see the city is finally making a tax increase for the purpose of police officers. He feels the amount of officers has not changed, they have added resource officers and other positions but the number of responding officers is still the same. The core element of patrol officers has not changed and that is alarming. They need to also look at other budget opportunities because Orem Police Department needs a lot more.

David Busath indicated he is opposed to the tax increase but is in favor of more resources going to police and fire officers. He inquired if the tax increase can be tied exclusively for a purpose and restricted for that use, and if not it would be a ruse and that annoys him. He feels there is enough income from high rises apartment that have been built to provide the extra infrastructure needed, if not he feels there should be more impact fees paid by them since they are the main source of the need for more police officers.

Mark Tippets stated he is opposed to the tax increase, but not opposed to finding ways to help the police department. He would like to see this problem get addresses thoroughly and completely. He believes that 4 additional police officers are just a bandage for what Orem really needs. He has discovered that high density housing apartment complexes are assessed at the same rate as a regular residential home. That tax rate is controlled by the state and he feels as a city and as residents they need to get ahold of the state and tell them that high density housing needs to be assessed as a business tax. He feels that would double the amount normally received from those entities. He stated they need to come together as a city and find ways to assess this problem. The safety of the residents is the number one concern and when the city does its budget they need to find the funds to ensure that safety. He feels they are holding the police hostage for a tax increase.

Emily Vance is against the tax increase due to it is only being allocated for the Police Department when there are other departments that also need funds. Even with the additional 4 officers, they continue to be behind in the number of officers and firefighters compared to the amount of those that are leaving, there is nothing keeping them here. Her husband is a police officer for the City of Orem and there have been times when there are only 4-5 officers on patrol at one time to cover the entire city. She feels this is a liability to the city and the officers.

Lisa Wilkey stated her son worked for Orem for 11 years and is now going elsewhere. She stated the firefighters were told they could not come and voice their concerns while they are on duty. She feels they are being bullied.

Barbara Petty has lived in Orem for 25 years and has watched the quality of life go downhill because of improper representation. She stated she lives on a fixed income, have increasing medical bills which comes with age and she speaks for a lot of her friends in the same situation. She is Vice Chairman of her Legislative District and when she hears talk of a survey that indicates Orem residents are happy she feels it is a false survey. She stated the public was not notified of this meeting and it is the cities responsibility to notify its residents of a Truth and Taxation hearing. She feels this is a mismanagement of funds and she feels the City has let the Police and Fire Departments go underfunded, they are more important to the residents than the City Council. She concluded, the tax increase is a sloppy way of managing government, and they should be readjusting the way the city spends their money.

Martin Wright stated that sometimes you have to pay for what you get; everything in life is not free. Having great parks, good roads, fire and police is not free. He stated he feels they pay nothing for what they have in the City of Orem in comparison to other cities in and outside Utah. They are down more that the four they are working to get, and there is no way the city is able to replace all the positions at one time. He feels there are funds the city can use to try and keep the current employees and feels there is nothing wrong with a tax increase as long as it is used correctly. They need to look for a solution and not just blame others.

James Vance stated he came to Orem 14 years ago and it was the place to be for most officers, in all of Utah County it was the desired end location for their career. Now he has people all the time telling him he should leave but he is staying because he loves the city. It's time to fix the mess ups that have happened since the recession. The city needs to increase or reallocate the funds because they don't feel the cities support anymore. His crew consists of 2 officers with 14 years; everyone else has less than 3 years or less of experience.

David Halliday a resident is in favor of the tax increase. Over the past six months he has had the opportunity to talk with residents, both Chief Gurney and Chief Giles. They have overworked, understaffed employees and if it takes just \$12 a year for 4-5 new officers it is completely worth it. There are a lot of great ideas on how the budget can be adjusted and feels that some increases should be justified and would like to see reallocation to departments that are growing.

Miriam Murphy indicated that when she heard police and fire employees were told they could not attend the meeting she knew she needed to say something. She accused the City Council and City Manager of threatening those officers and fire fighters and those in uniform to not attend the meeting and show their support. They are here to protect the residents.

Murray Low stated he is against the tax increase and feels the problem is both funds and moral and has not seen a long term plan to address those two issues. He asked the Council to create a plan to allocate more funds for police and fire and not the administration, and a plan to address the moral issue.

Carley Skougard stated she is in favor of the tax increase. She has worked with law enforcement throughout Utah County as a child protection worker and out of all the agencies in Utah County there was only one she wanted her husband to work for, and that was the Orem Police Department. He was able to make a lateral move from Ogden and is employed by the Orem Police Department. As a resident and mother she wants officers with experience when she needs them. The city needs to change, and they need to keep their officers that are tenured, and bring on lateral transfers.

John Zumbrennon has lived in Orem for 28 years. He feels a change in the mill levy is not an appropriate way to solve this problem. He feels if they can't make a budget work with 12-13% increases, there is a real problem. He feels there needs to be a sharpening of the pencil in some areas, and apply funds in areas that are needed. He opposes the mill levy change and feels prior budgets have worked in the past and should be able to continue to work with better allocation.

Hugh Black stated he is neutral on the tax increase. He feels if they can pay the maximum rate for officers with the increase then he is in favor. If they cannot solve the issues with the increased budget it is not worth the tax increase. He also feels by increasing the pay, it will improve the moral and officers will stay.

Hearing no further comments, Mayor Brunst closed the public hearing at 7:15 p.m. and brought the item back to the City Council for further discussion.

Mrs. Lauret stated she appreciated the comments that were made and assured the residents the Council and Administration was working on the issues and felt that the new officers will help. They are always willing to look at other options that will help. She appreciates the great employees the city has and wants them to always feel free to come and voice their opinions without repercussions.

Mr. Seastrand thanked those in attendance and stated he appreciated their comments. He indicated he wanted the residents to know that just because this meeting is for the tax increase for new officers this is not the only thing that is being done in order to solve these issues. The City Council and Administration have been working on wage increases for police and fire and they have been re-prioritizing and rearrange the budget to enable them to address many issues. There were a number of past years when there were no raises for any employee and they have been working on making up for those years of no increases. As a Council they have to look at all the revenue sources and all the needs of the city and find a balance. The purpose of this tax increase is to add four more officers which will help to increase moral and reduce workload. The process they looked at was to maximize what they could with existing funds, to increase the wages, take care of the benefits, to get equipment that the employees need to effectively operate in a safe and controlled manner and to do this to the best of their ability with the budget. The City is also looking forward knowing they need an additional fire station and they continue to discuss how they will afford the station and the fire crew to fill that new station. He continued that in that process they can't ignore other areas of the city. The overall picture is what they

have been looking at which includes all areas of the city and the needs of those areas. He concluded he feels Orem has a great Fire Chief and Police Chief, they appreciate all the work they do and all the work that those do under them. The purpose of the property tax is to increase the number of officers, to help decrease the workload and he wants residents to be reassured the process will continue, and they will continue to address other issues.

Mr. Lentz stated there were a few things he would like to address. He agrees with needing a long term strategic plan as to where they are going and how they are to get there. This will take time and they need to know how that will be accomplished. He voiced his frustration at that people feel they need to point fingers and blame specific individuals instead of staying on track with solving the problem at hand. It is the responsibility of the City Council to set and approve the city budget and by blaming specific individual it detracts from solving the main issue. He suggested they stay focused on the issues of properly compensating public safety employees and find a way to hire and retain employees enough to stay proactive. The City Council needs to act proactively to provide a plan where they want to be in the next 3-4 years. He inquired as to the process of notification for the meeting. Mr. Davidson responded that the County Clerk is part of the tentative tax notice that goes to each resident. A property owner in July received a notice from the County Clerk with property tax information which included information of each community within Utah County, and when a Truth and Taxation hearing would be scheduled, with the date, location and time. That is one of two required notices; the second is a notice in the newspaper. We have also made the information available on the city website, the state public noticing website, several social media notification, and the recent city newsletter. They have been consistent with state law on noticing this meeting and feels the city has gone above those requirements for notification of the residents for this Truth and Taxation hearing.

Mr. Lentz continued to inquire as to funds left over at the end of the fiscal year. Mr. Nelson responded excess funds do not stay with the departments. At the end of the fiscal year excess funds are placed in the reserve fund which is regulated by state law as to the amount the city can retain in that fund. Any further excess is then placed in a capital improvement fund which is later used for capital projects.

Mr. Lentz voiced his concern regarding statements made of staff being asked not to attend the meeting. Mr. Davidson responded by stating he did have a conversation with Chief Gurney relative to the fire department. All the fire department employees are assigned to a specific geographic area in the city for response purposes. His direction, given to Chief Gurney earlier that day was consistent with whatever they do while they are on shift; they need to stay within their assigned shift area. If fire fighters are at the City Center and they have a response in southwest Orem, Lindon or Vineyard where they have responsibilities, it's important they stay within their geographic jurisdiction to meet the needs of our residents. For those that are on duty during this meeting his direction to Chief Gurney was those employees stay within their designated service areas. Employees that are interested in attending and are not on duty they were more than welcome to attend.

Mr. Lentz continued to state it is his understanding that the mill levy may change, but the tax will not change. Mr. Nelson stated Mr. Lentz was correct. The tax assessment is done by the county and they control that valuation.

Mr. Lentz asked Mr. Davidson to address some of the things they are working on to help solve some of the other issues. Mr. Davidson responded they have been having this conversation through the budget process and recognized their number one priority was to increase staffing and increase the number of police officers. At the same time beginning last year they initiated a career ladder program for the Fire and Police and Public Works Departments. Since that time

the market continues to be very competitive. The feedback received by the residents and employees to the Council was we need to add to the program. They have been working on the career program with Chief Giles and Chief Gurney, and in the last 4 weeks and they have developed a path they have agreed upon based on an employee achieving certain certifications, skill sets and years of service; allowing them to advance and receive every few years a bump above and beyond the standard merit increase. There is obviously a cost to this program which has been costed out what they believe, would cost the city which for the next 3 fiscal years to be approximately \$650 thousand dollars with approximately \$340 thousand dollars on the front end of the program. The city does not have that amount in this year's budget in ongoing available revenue, so they have been looking at what they can do within the existing budget to work that \$340 thousand into the operating budget for this fiscal year. The next two fiscal years the plan is to absorb that cost and hope they have growth in the operating budget in order to cover those costs. This program is something employees would be eligible for in 3 year increments, they believe they can get through the first of the bumps in the next 3 years. They have confidence they can address current employees, by providing them an increase in salary in the next 3 years. Mr. Lentz concluded he has had the opportunity to sit down with each department director and it helped him understand the people, programs and services behind the budgets that are proposed. The budget money does not come out of thin air and it requires some painful choices. Asking for a property tax comes due to a need for additional police officers. They also have a need for additional fire fighters and we have to understand, it comes with a cost.

Mr. Spencer stated his opinion is they need to get it right the first time. Right now he does not favor the property tax increase. He feels the funds should be for fire and police, allowing the chiefs to use the funds in a way they feel necessary. He questioned if it was better to have someone leave or use the funds to keep the ones they have? He likes the step program and feels they have done a great job in creating a solution. He inquired as to the average years of service in the Police Department. Chief Giles indicated he does not have the current average but the last 6 officers they have hired are new out of the academy. They have a one year probationary period due to the ongoing training needed. Most get through the probationary period and move onto succeed. Mr. Spencer thanked those that attended and shared their comments with the Council.

Mr. Sumner thanked those residents and employees that participated in the meeting and the comments that were shared. Several years ago they adopted the pay as you go type of budgeting due to the fall of the economy. He stated they have been discussing this issue and is an ongoing process. He feels very disappointed in those comments made that found fault but did not have any solutions and encouraged residents to talk to the City Council. He feels Orem is the best place to be employed and they are working on new pay structures and plans. He wanted to ensure them they have not been forgotten and to be assured the City Council is working on the issues. He asked Mr. Downs to explain the survey. Mr. Downs reviewed how the survey is produced and the process that continues throughout the city.

Mayor Brunst thanked everyone that attended, commented and participated in the meeting. He wanted to state that for any police officer and fire fighter that is not on duty he welcomes them to these meetings. He stated there are several cities in Utah County and Salt Lake County that is going through the same issues and possible tax increases. He has been working with the Administration and Council on these issues and he supports the increase. They cannot expect to have good things without having to pay for them. He is aware of those that live with a fixed income, and knows with the recent increase to the Alpine School District tax increase it is a

higher amount. He indicated the County does have a property tax abatement program for those that are over the age of 65 and have an income under the level of \$37 thousand dollars a year that can help with their property taxes. He sees several very qualified and experienced police and fire employees that are leaving and the less experienced employees coming in and acknowledges residents' concerns. One of the core responsibilities as a Mayor, City Council and city management is the protection of our residents through our police and fire. Municipalities are not the only ones in this situation, there are private companies that have to deal with the same issues. It is important and it is time to move forward, work hard and prioritize their funds and to get it done as soon as possible.

Mayor Brunst concluded by making the announcement that the 2019/2020 fiscal year budget and the proposed new tax rate will be on the agenda for approval at the City Council meeting, August 27, 2019.

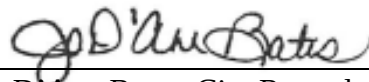
ADJOURN

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

The meeting adjourned at 8:01 p.m.

Approved: August 27, 2019




JoD Ann Bates, City Recorder