

CITY OF OREM  
CITY COUNCIL MEETING  
56 North State Street Orem, Utah  
August 27, 2019

**3:00 P.M. WORK SESSION – CITY COUNCIL CONFERENCE ROOM**

CONDUCTING Mayor Richard F. Brunst

ELECTED OFFICIALS Debby Lauret, Sam Lentz, Tom Macdonald, David Spencer, and Brent Sumner

APPOINTED STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Scott Gurney, Fire Chief; Gary Giles, Police Chief; Charlene Crozier, Library Director; Chris Tschirki, Public Works Director; Brandon Nelson, Finance Division Manager; Ryan Clark, Development Services Director; and JoD’Ann Bates, City Recorder

EXCUSED Mark Seastrand

PRESENTATION – Utah Valley University College of Health and Public Service

Mr. Demary of Utah Valley University (UVU) thanked the council for allowing them to present information about their College of Health and Public Service. He asked their staff to introduce themselves. Tom Sturtevant, Associate Dean; Gary Noll, Chair of Emergency Services, Bobbi Kassel, Chair of Criminal Justice; Buckey Walters, Director of Law Enforcement Academy; Brian Barthel, Professor of Public & Community Health; Matt Flint, Director of Master of Public Services.

Mr. Sturtevant reviewed some of the programs they provide to include:

- Dental Hygiene and Respiratory Therapy
- Aviation
- Criminal Justice
- Emergency Services
- Nursing
- Academy History (Police Academy)
- Paramedic program
- Utah Fire and Rescue Academy
- Public and Community Health
- Master of Public Service

Mr. Davidson stated they appreciate the association the city has had and continues to have with UVU. The city has hired interns to work with the City Manager’s office but have not had the opportunity to spent time with the public service students due to the program being a relatively

new. One of the things they have learned from their experience is there is much to be learned through practical experiences. He was interested to know how they help their students learn and understand the administrative side of organizations. Often times the city is looking for employees that are prepared to jump across disciplines in order to understand various aspects of the organization. He also commented that other challenge they face is not only hiring law enforcement officers but getting them trained. The training opportunities and getting them credentialed may take months to get them into the academy. They have talked about how they might better accelerate moving through post, getting credentialed and getting those officers on the street sooner than later. Mr. Walters responded they have found that by allowing a candidate to process through the Special Firearms Officer (SFO), and once they have completed the class recruit them, then have them go through the Field Training Officer program through the police department at the same time they continue with the Law Enforcement Officer (LFO) Academy doing each 4 hours a day, those that go through that process seem to have more interest in continuing to become a police officer.

Discussion continued regarding the best way to help get them in and out of the programs with certifications on a quicker timeframe while maintaining the high quality of education. Discussion continued regarding better ways to screen students to know if what they want to do is the right career fit for them.

Mayor Brunst thanked UVU for their participation and voiced his appreciation for their involvement with the City of Orem.

#### PRESENTATION - Emergency Management Update

Mr. Davidson stated several months ago several council members attended a Utah League of Cities and Towns conference where the former director of FEMA spoke. After which he has several council members inquire if the city was doing what was needed in order to be prepared in the case of an emergency. He thought it was appropriate to have Mr. Stevenson review the education plan that had been discussed with executive staff with the council and that will then be passed on to all city employees.

Mr. Stevenson of the Orem Fire Department reviewed what Orem City is doing with Police, Fire and Staff in regards to emergency management preparedness. The presentation and discussion consisted of the following:

The 4 Pillars to build a resilient city consists of:

- Prepared Citizens
- Prepared Businesses
- Prepared Schools
- Prepared City

Mr. Stevenson continued to explain how they communicate and prepare for a city emergency.

- Plan
  - Comprehensive Emergency Management Plan
  - Communication Plan
  - Summerfest Incident Action Plan
  - City Center Evacuation Plan

- Point of Distribution Plan
- Work with Partners
  - Debris Removal Plan
  - Utah County Emergency Plan
  - State Division of Emergency Management Plan
- Prepare
  - Emergency Operation Center (EOC) Training
  - Policy Group Training
  - Mass Communication/Everbridge System
  - NIMS Compliance within the City Employees
  - Attend Training, courses, Conferences and Academy's to stay up to date on the most current information, policies procedures
- Train
  - City Employees
    - Emergency Operations Center
    - Shakeout/Earthquake
    - Evacuation
  - Residents
    - Community Response Teams (CERT)
    - City of Orem Drill
    - HAM Radio Quarterly Classes
    - Utah Valley Amateur Radio Club (UVARC)
    - Everbridge/Mass Notification Center
- Teach
  - Classes
  - Fairs
  - Presentations
  - Booths
  - Church Meetings
  - Scouts
  - CERT
  - HAM
  - Stop the Bleed
  - Emergency Preparedness
  - Orem City Drill
- Exercises
  - City wide
  - Countywide
  - Statewide
  - CERT
  - Schools
- Promote
  - Emergency Preparedness Fairs
  - Preparedness Booths
  - Emergency Management Website
  - City of Orem Drill Website
  - Social Media

- Phone/Email Contact Information
- Mitigate - Lessen the effect of any incident through:
  - Drills
  - Trainings
  - Projects
  - Plans
  - Hazmat tracking through Utah County
  - Coordination
- Grants
  - Emergency Management Preparedness Grant (EMPG) - Annual
  - Pre-Disaster Mitigation Grant - When FEMA has money available
  - EMPG Special Projects - When FEMA has money available
  - Mountainland Agreement
- Coordination/Networking
  - Fire Department
  - Police Department
  - Public Works
  - City Management/Exec Staff
  - Summerfest Committee
  - Surrounding Jurisdictions
  - City/Neighborhood Coordination
  - Utah County Emergency Management
  - Utah County Health Department
  - Region 2 Emergency Management
  - State Division of Emergency Management
- Committees and Meetings
  - He sits and participates on over 4 committees
  - He attends and participates in over 10 meetings.

Mr. Stevenson reminded the Council that every year on the first Thursday after September 11<sup>th</sup> they hold an Orem City Drill and have had great success with the residents.

Mr. Davidson stated in an emergency the departments would continue to manage the operations and the incidents but there will be on occasion, to have the elected officials engage in the emergency situation which could include appropriations of fund that are outside the approved budget and other decisions made by way of ordinances. There may be other instances where the elected officials would be involved that would involve communication with county, state and federal officials.

Mr. Stevenson concluded that the best thing elected officials can do is to let the public know they are confident in the City employees, that we have the right people in the right positions and they are doing the right things to get the city back to normal as soon as possible.

General discussion continued regarding neighborhood action plans and that they are prepared and ready.

### PRESENTATION – TRT and Restaurant Tax Analysis

Mr. Davidson stated he would like to give a brief introduction as to the issue that manifested a concern and the city asking Ms. Lewis company to dive into it further to see if in fact there are valid concerns. They have found some things they can do and should be doing to improve the Transient Room Tax (TRT) and Restaurant Tax allocation process and how we as a city can serve to some degree as a catalyst with this effort in relation to Utah County. He indicated they have had conversations with other cities throughout the county and the level of concern regarding this issue is universal. The city commissioned with Lewis Young Robertson and Birmingham to help the city understand the situation relative to the tax and they are here to present their findings. These findings will also be shared and available to all the cities in the county after this meeting.

Ms. Lewis stated they looked at six of the largest cities in the county which cover 90% of the tax amount of TRT and Rest tax that is generated for each city and then looked at County funds to see how it is spent. Most cities feel the area where the money is generated isn't where it is being spent and when it gets too lopsided it then becomes a concern. She turned the time over to Mr. Hill of her office for further discussion.

Mr. Hill reviewed the following:

- What are TRT and Restaurant Taxes?
  - Mr. Hill reviewed what the State Code defines TRT and Restaurant taxes.
- How much does Utah County collect?
  - Mr. Hill reviewed the history of what had been collected by Utah County.
  - Utah County TRT Revenues Main Contributors (six largest cities in the county).
  - Utah County Restaurant Tax Revenues Main Contributors (six largest cities in the county)
  - Utah County TRT Expenses
  - Utah County TRCC Expenses
- How and where have the revenues been used?
  - Measuring Distribution of Benefits
    - Utah County TRT Benefits
    - Utah County TRCC Benefits
    - Yearly Benefit v. Contribution

General discussion ensued regarding funds that have been given to items that were not generally discussed and even projects that no longer require those funds.

Mr. Hill concluded that they feel there are three main observations.

- 1) There is a disconnect between where TRT and Restaurant Tax revenues are generated and where the benefits are enjoyed.
- 2) The process by which TRT and restaurant Tax revenue funds are prioritized, programed and expended is deficient.
- 3) The County, and the Advisory Board need policies in place to improve the equitable distribution of benefits from the expenditure of TRT and Restaurant Tax revenues.

Mr. Davidson stated the purpose and intent is not to say we are not getting as much as another city. Their suggestion is not what is appropriate or inappropriate. The concern right now is, it needs to be an open and transparent process. There needs to be a way where everybody can

collectively participate in the decision making process. In addition to that, some of the monies are being used for operational purposes, so they are maintaining county facilities and parks using funds that the City or Orem use general fund dollars for in regards to maintenance. The County is in fact supplementing their ongoing operational expenses with these funds.

General discussion ensued regarding the need for policies, procedures, being more open and transparent in the way funds are dispersed and involving those cities that contribute to the funds and where they feel they should be used.

Mr. Davidson stated they believe it will require a louder group of voices than one city to engage some sort of change. They believe the City Council voices in cooperation with the voices of other City Councils in the valley can lead to that change. They hope the Mayor and Council would be willing to engage with other elected official's county wide, in saying we need to change this process. There is a specific structure and distribution of these funds for a first class county, if there is an unwillingness to change they could pursue to become a first class county or amend the state code.

Mayor Brunst offered to have Ms. Lewis present this information to the Government of Mayors at their next meeting.

Ms. Lewis suggested that when they approach the county in that collective voice they present to them what they collectively think a solution is and give them a time frame they are expecting a response.

#### DISCUSSION - Career Ladder Funding

Mr. Davidson indicated that several email chains had been circulating regarding funding the Career Ladder Program, and they are anxious to get something implemented. He stated there is an initial first year cost of about \$350 thousand dollars, with subsequent years being about \$150-\$200 thousand dollars per year. One of the areas of focus he has been concentrating on is trying to take the feedback from the police and appropriately align compensation dollars commensurate with where we believe based on employee feedback they want the money to go. In recent months the conversation has centered on base wage and the career ladder program does just that, it places more base wage dollars in the pockets of our police officers and fire fighters. Understanding the limited resources they have in the city, and recognizing they have a balanced budget this last fiscal year he strived to look for ways to accommodate getting those base wages up front. He continued that the three specific areas he has focused on is 1) Taking the money that is currently set aside for contributions in to 401k accounts for police officers and fire fighters overtime worked. That is equal to 17.95% of whatever an employee earns in overtime. Rather than placing it in a 401k account, those funds go to fund a portion of the career ladder program.

General discussion continued regarding Orem being the only city that participates in the 401k overtime program, how the officers and fire fighters feel about this proposal and understanding they are not just moving funds around but are adding to it as well.

Mr. Davidson continued 2) another area of adjustments started back when police officers and fire fighters where under the umbrella of a Public Safety Department. Twenty-five years ago there

was a concern that police officers and fire fighters were classified the same and was paid the same monthly amount. However when they worked overtime, the contribution for overtime was different because it was based on a certain hours per year calculation. At that time a decision was made that the fire fighters would be compensated for every overtime hour worked would be calculated at 1.4 multiplied by their hourly rate of pay multiplied by the rate of 1.5. They no longer have a Public Safety Department, and no longer have the need to be equal due to separation of the police and fire. The suggestion is they revert back to paying fire firefighters for overtime at 1.5 for every hour, which would give them an additional \$90 thousand dollars in saving to put towards the new program. 3) another area is related to both the fire and police employees. They currently have a system in place where employees are paid overtime at 1.5 hours per hour worked regardless of whether or not they have worked their full shift. Fair Labor Act states as employers we are required to pay our employees at time and a half for every hour that is worked above and beyond a normal pay period. No other department within the city is paid with those overtime calculations. This change would allow them about \$100 thousand dollars to go towards the new program. He concluded by stating the plan that he has proposed, required modifications to and existing benefits of overtime into a 401k fund, and how overtime hours are calculated for the police and fire employees. Any difference, other funds needed would come from cuts made in the general fund and he would hope to find ways to absorb those in the future.

Discussion ensued regarding ways to help employees understand the benefits they currently have and will continue to receive, funds and programs to keep existing officers and fire fighters through the ladder program and the amount of funds that will be needed not just in the first 3 years of the program but how to sustain the increases in future budgets.

Mayor Brunst indicated he is not in agreement with what has been proposed and feels Councilmember Seastrand should be present and would like to have a follow-up meeting to discuss this issue further when all councilmember are in attendance.

Mr. Davidson indicated he feels this is not a sustainable solution and is concerned about the future and how they are going to fund this program. He continued to indicate there are other issues they are facing in the future which include merit increases for the city employees, rising health and retirement costs and he is not sure they can afford what they are talking about.

General consensus was made to move forward with the entire council being present in a follow-up work session on September 3, 2019 at 6:00 pm with only this issue being the only item on the agenda.

Due to time restraints there were no further review or discussion regarding the upcoming agenda or City Council Reports.

## **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	Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Greg Stephens, City Attorney; Karl Hirst, Recreation Director; Gary Giles, Police Chief; Bret Larsen, Fire Marshall; Richard Manning, Administrative Services Director; Charlene Crozier, Library Director; Chris Tschirki, Public Works Director; Ryan Clark, Development Services Director; Pete Wolfley, Communications Specialist; and Jackie Lambert, Deputy City Recorder
EXCUSED	Mark Seastrand
<b>INVOCATION / INSPIRATIONAL THOUGHT PLEDGE OF ALLEGIANCE</b>	Jeff Lambson Darla Lambson

### **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.

Zach Adams an Orem resident disclosed that he is a police officer but does not work for Orem. Upon graduation, Orem was the premier place to be and he would have given anything to come to Orem but due to the fact his brother was a police officer for Orem it was not possible. He feels Orem has become the training ground for other agencies and that should not happen. The quality and experience of the employees that are leaving are priceless and it is affecting the safety of the residents. Public safety is one of the most important services provided to the city and the employees are their greatest assets. He concluded by stating it’s time to stop talking about a fix and make it happen, actions speak louder than words. As a resident he would support a tax increase to make it happen.

Thad Adams a resident of Orem, indicated he has an appreciation for the community and the changes that have occurred over the years and recognize the challenges of the Council to see the needs of the community, it is a big task and he fully appreciates it. He feels many of the public safety employees are leaving this agency and many others due to a lack of being able to be competitive to the standard of living. He feels personally that public safety needs to be a high priority. He appreciates all other departments that provide services in the community but if they don't feel safe these other things become secondary in the quality of life. He hopes they will consider what is feasible and doable in terms of retaining experienced officer, fire fighter and dispatchers.

Miriam Murphy commented on an issue that was brought up in the meeting held for Truth and Taxation purposes a week previously regarding on duty fire and police employees ability or inability to attend public meetings during their shift. She continued to state the Orem City dispatchers are facing many of the same issues fire and police officers are facing. In her mind the dispatchers are the lifeline between Orem City residents and the first responders. Without the dispatchers and their experience there would be no connection to the first responders. She read a letter from a current dispatcher.

Phil Murphey a retired police officer and resident indicated it was refreshing to hear some of the comments that were made at the last meeting held for the Truth and Taxation Hearing. This is a statewide problem, not just an Orem problem but he feels they need to be competitive with the market and other cities. He feels that unless you are involved with the work, you do not know what it is really like to be involved with the kind of work they do. Every first responder and dispatcher lives with the sights, smells and voices that come with their career. It is time for the city to step up and stop paying average salaries. He concluded, if they ask for the best, pay for the best, they will get the best.

Dave Young stated he does not doubt there is a issue with police and first responders, and feels they need to separate the emption from the numbers. He feels taxes have gone up over the years and those four extra police officers are not enough. He feels the decision should not be made on the number of calls but the increase in crime. He concluded the funds should be taken from Administration, Library, and from non-essential officers.

Val Gibson stated he feels the problem in Orem is there are a lot of things being said that are untrue. He also feels wages are too high, he stated the Director of Recreation makes 25-30% more than the Governor of the State of Utah. Police officers are starving but others are doing well and felt the city should run the city like our homes and stay in budget. The valuation of property in the City of Orem increased by 14% which means you received a 14% increase in taxes. He commented on the City Council budget and was confused as to the increase it showed and stated he felt things are not being checked closer.

David Halliday Orem resident stated he is still in favor the property tax increase for four new officers. As he attended the pre meeting, in the discussion of the issue of more funding for police and fire he felt it was moving forward, then there seemed to be a break in the communication. He would like the council and staff look internally to make sure the communication is not as heated as it seemed.

Emily Vance stated she knows this issue has been discussed over the last several months and she appreciates the effort that is being made. She felt the communication they have had is positive and she is in support of the step program and hopes it can be implemented sooner than later. She feels the longer it takes to move forward the more employees leave. They are hopeful the city will move forward and get things in place.

## CONSENT ITEMS

- Approval of August 6, 2019 City Council Meeting Minutes
- Approval of August 20, 2019 City Council Truth and Taxation Hearing Meeting Minutes
- Appointment of David Halliday to the Heritage Advisory Committee
- Acceptance and Certification of the 2019 City of Orem Municipal Primary Election
- RESOLUTION – Site Plan approval of Golden Corral located generally at 2258 West University Parkway in the PD-5 zone

**Mayor Brunst moved** to approve the Consent Agenda as listed. **Dave 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**.

## SCHEDULES ITEMS

### PUBLIC HEARING

Consider public input on the proposed transfer of funds from the enterprise funds to cover general fund utility costs over and above administrative and overhead costs

Mr. Nelson stated on May 28, 2019 the City Council adopted the Tentative Budget for the Fiscal Year 2019-2020. This budget contains a proposed transfer of funds from the utilities to cover non-administrative or overhead costs to cover the City's own use of City owned utilities. The State Auditor requires that cities pay the retail rate for their own usage of city owned utilities. The City of Orem uses water, sewer, Storm water and street lighting to supply its own properties. These properties are primarily parks but also include cemetery, City Hall, the Police Station, fire stations and other city properties. The City has long built the cost of supplying these properties into the utility rates. The reasoning behind this decision is that the tax payers and the utility rate payers are almost always the same people. Therefore, the simplest way to cover these costs is to include them in the respective utility rates. Now that the City is required to pay the utilities for these services, the options available to the City are: 1) Increase property taxes to cover the cost of these utilities 2) Cut services enough to free up the cash to pay for the utilities 3) Transfer the funds back to the General Fund. The first two options involve either paying more for the same services or paying the same for lower service. By making the transfer the City can provide the same level of service for the same fees. The amounts proposed to be transferred are: Water \$900,000 Sewer \$16,000 Storm Water \$141,000 Street Lighting \$15,000 for a total transfer of \$.

Mayor Brunst opened the public hearing at 6:40 pm. Hearing no comments Mayor Brunst closed the public hearing and brought the item back to the City Council for further discussion.

No further discussion was held.

PUBLIC HEARING

RESOLUTION - Adopting the Certified Tax Rate

ORDINANCE - Adopting Budget for Fiscal Year 2019-2020

Mr. Nelson stated staff is not planning on making a full presentation on the Tentative Budget that had already been adopted.

Mayor Brunst stated the budget is about \$126 million for a city of approximately 100 thousand residents, and feels the city is ran very well. He feels the city is a great place to live and in regards to the property tax increase, he indicated seven years ago there was a proposed increase that he did not feel was necessary and it did not move forward. He feels this current increase is needed in order to have additional police officers and at the same time recognize there is a cost to have a safe and peaceful city.

Mr. Lentz stated that out of the \$126 million dollar budget, \$19 million dollars are due to internal transfers which are required by state law. He responded to some of the public comments regarding the tax rate. Mr. Nelson reviewed how property taxes are assessed and calculated by the County and what is received by the city.

Mr. Spencer reiterated his feeling stated previously, that if they are going to raise property taxes for the first time in over 40 years they need to get it right. He feels they are missing the mark and they are just putting a bandage on the problem. The tax increase needs to be utilized for police, fire and those that know how to keep those employees. He inquired if there had ever been a survey done to indicate the number of officers they need per resident. Mr. Davidson responded in stating there are standards that are considered part of the law enforcement community. Some of those standards are based on the number of calls of service, some are based on officers per thousand, but the city has never done a survey. They have looked at doing a survey for both police and fire when funds are available this year.

Mayor Brunst opened the public hearing at 6:51 p.m.

Leonard Lee a resident of Orem stated he appreciated some improvements done in their neighborhood since meeting with the city. He feels the priorities are not right with the budget and public safety should be at the top of the budget. He feels the city should back into some of the projects that are being done in the city. The real bone of contention with property taxes is with the Alpine School District taxes and feels the City of Orem should drop thier frivolous current law suit, saving funds to help.

Dave Young stated property taxes are not calculated as Mr. Lentz indicated, they are wrong. He reviewed city revenues and he doesn't think taxes should be raised now and the city should live within their means.

Thomas Cook a resident and a police officer of Orem stated although there is concern of getting more officers the large concern is losing senior officers. If they continue to lose those officers they are going to be in trouble. He has only been with the police department for 2 ½ years and

he has been advanced and is currently training new officers with that short amount of time on the force. If they don't ensure the experienced officers are kept, they are putting their future officers in a predicament by being trained by less experienced officers.

LaNae Millet stated she agreed with Mr. Spencer in that they need to get things right the first time. She stated nobody wants to pay more taxes, but she feels everyone wants to live in a city that is safe and she is in favor of that if that's what it takes. She feels they need to be competitive and keep the experienced officers they have. She understands there aren't many people that want to do this job, but it is those that want to serve and want to help others that get in to this line of work. She concluded stating that when decisions are made they need to be the right ones.

Melissa Wilson stated she appreciated the time and effort the Council showed in reaching out and answering her questions. She shared why keeping experienced officers are important to her due to health issues she is currently experiencing. She feels finding funds for this issue should be prioritized and safety should be the top priority. She asked that safety of the residents of Orem be the number one priority.

James Vance an Orem Police officer agreed and supported the comments made by Thomas Cook. He explained the amount of calls that were happening during this meeting and the amount of officers that were needed to answer those calls. They need bodies and they need to keep the bodies they have. He has had opportunities to leave but he loves Orem and chooses to stay. Residents have learned to expect greatness from the city and currently they are not getting that type of service.

Hearing no further comments Mayor Brunst closed the public hearing at 7:07 pm. and brought the item back to the City Council for further discussion.

Mrs. Lauret stated the Council realizes they are losing officers and with this new tax increase it will add four new officers and they continue to work on the career ladder program to help retain current officers. She voiced her appreciation to everyone that came out and the comments they made.

Mr. McDonald stated a number of months ago the main concern brought to the Councils attention was the need for more officers. Since that time, it has been brought to their attention of the need for wage increases. The property tax will aid in getting four new officers and they will be allocating budget resources to change compensation. He asked Mr. Davidson to relate some information to the public. Mr. Davidson stated some of the conversation centers on what the city does with its property taxes on an annual basis. The city has a general fund budget of about \$48.2 million dollars, those are monies collected to fund all the general operations of the city. That \$48 million includes all general operations, police, fire and emergency management. If they look at just the cost for police and fire services in the city, as currently constituted, the cost is \$21.6 million dollars or 45% of the entire general fund budget. The city as a whole collects \$6.9 million dollars in property taxes. There are not enough funds received in property taxes to cover the police or the fire budget so that is bridged by using other funds. It has been asked what is done with the remaining 55% of the budget, it covers planning, building inspections, facilities, finance, recreation, neighborhoods in action, public works, senior citizens, justice court, traffic transportation, urban forestry, the library, engineering, streets, parks, city treasury, city recorder, human resources, legal services, cemetery, economic development, and activities within the city

manager's office. He feels they get a real bang for their dollars regarding the amount of property taxes collected. That doesn't suggest they have a need to improve. He feels it is obvious, based on comments they have heard, they have a need to improve and they are working on that. He also feels it is disingenuous to suggest that this council is not focused on public safety and the needs of the community and ensuring it remains clean and safe, and making sure that those that need medical assistance, receive that, because right now they are receiving 45% of all the funds collected within the general fund.

Mr. Lentz stated it was also worth noting that within the last 5 years as they have been recovering from the recession, they have been adding public officers every year, and feels this tax increase will help to accelerate those numbers faster. He felt all council was on board with using the tax increase for adding police officers.

Discussion continued regarding the use of funds received by the property tax increase.

**Mayor Brunst moved**, by Resolution, adopt the Certified Tax Rate and by Ordinance adopt Budget for Fiscal Year 2019-2020. **Mr. Lentz seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, and Brent Sumner. Those voting naye: David Spencer. The motion **passed**.

#### PUBLIC HEARING

#### ORDINANCE - Enacting Article 2-37 of the Orem City Code pertaining to the creation of an Orem Arts District Review Board.

Mr. Bench stated in 2018, the Arts District Zone was established, which requires public art as part of the design standards for the zone. The board will include 5 members with a member of the City Council as a liaison to the board, with board members appointed by the City Manager. Pursuant to Section 22-24-4(F)(12), the board will review the submissions for and determine if applications meet requirements for public art in the Arts District zone, including description of the art, the artist, location, size, colors and estimate of the cost of the art.

Mr. Sumner indicated he fully supports the districts but had a concern of the number of commissioners and suggested that of the five board member there be a minimum of two property owners in that neighborhood on the commission. He feels it would be a better commission with home owner participation.

Mr. Macdonald and Mayor Brunst agreed with Mr. Sumner's suggestion.

Mayor Brunst opened the public hearing at 7:21 pm.

Ms. Schoenfeld inquired if this was a budgeted committee. Mayor Brunst indicated it was on a volunteer basis.

Hearing no further comments Mayor Brunst closed the public hearing at 7:22 p.m. and brought the item back to the City Council for further discussion.

**Mr. Sumner moved**, by Ordinance, to Enact Article 2-37 of the Orem City Code pertaining to the creation of an Orem Arts District Review Board, which includes a minimum of two property owners within the Arts District of the five on the commission. **Mr. Macdonald seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

PUBLIC HEARING

ORDINANCE - Amending Sections 22-8-8(B)(7) & 22-14-20(C)(3)(b) of the Orem City Code pertaining to minor site plan amendments along State Street.

Mr. Bench stated the current requirements for minor site plan amendments do not allow for additions such as awnings, canopies, decks, patios and architectural features, which do not increase the Gross Floor Area of the building. This amendment would allow these minor changes to be added to existing site plans without complying with the current State Street standards. The proposed addition cannot exceed 5% of the replacement value of the building.

Mayor Brunst opened the public hearing at 7:25 p.m.

David Halliday inquired if this was an esthetic issue, if so he was fine with it. He inquired if there were any safety implications. Mr. Bench responded that it would have to meet the building code which would address any safety concerns.

Hearing no further comments Mayor Brunst closed the public hearing at 7:26 p.m. and brought the item back to the City Council for further discussion.

**Mr. Lentz moved**, by Ordinance, to amend Sections 22-8-8(B)(7) & 22-14-20(C)(3)(b) of the Orem City Code pertaining to minor site plan amendments along State Street. **Mrs. Lauret seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

PUBLIC HEARING

ORDINANCE – Zoning Text Amendment for 22-11-35(L)(12)(b), amending fence height in the PD-22 zone

Mr. Bench stated the applicant is seeking to change the fence height for public or private streets in the PD-22 zone from 4 feet to 6 feet. They are seeking to locate a daycare center on the site, and this would allow them to build a taller fence for the center's play and open areas. The fence will also need to meet clear vision requirements.

Brian Anderson, who is the son of the applicant reviewed what they are proposing on the property.

Mayor Brunst opened the public hearing at 7:30 p.m. Hearing no further comments Mayor Brunst closed the public hearing and brought the item back to the City Council for further discussion.

**Mr. Macdonald moved**, by Ordinance, Zoning Text Amendment for 22-11-35(L)(12)(b), amending fence height in the PD-22 zone. **Mrs. Lauret seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

#### PUBLIC HEARING

ORDINANCE - Amendment Sections 17-4-1; 17-5-1; 22-14-20(E)(1); and 22-1-5, Orem City Code pertaining to DRC Application expirations.

Mr. Bench stated this amendment would set an expiration timeline for DRC applications. Currently, there are no application expirations, and there are applications that have been open for more than 1 year. The expiration will only apply to Preliminary/Final Plat, Site Plan, and Rezone/Ordinance Amendment applications. The expiration will ensure that DRC applications will be able to meet current code and ordinances if changes are made.

Mr. Lentz inquired if the applicant would be notified that time frame was going to expire. Mr. Bench responded they could definitely include that as part of the process.

Mayor Brunst opened the public hearing at 7:34 p.m. Hearing no further comments Mayor Brunst closed the public hearing and brought the item back to the City Council for further discussion.

**Mr. Lentz moved**, by Ordinance, Amend Sections 17-4-1; 17-5-1; 22-14-20(E)(1); and 22-1-5, Orem City Code pertaining to DRC Application expirations to include staff notification to the applicant within a month of application expiration. **Mr. Macdonald seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

#### **CITY MANAGER INFORMATION ITEMS**

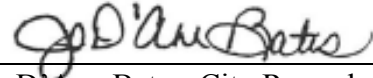
Mr. Lentz stated during the work session it was indicated Mr. Seastrand needed to be present to continue the discussion of the Career Ladder Program and he wanted to note there was indication made by Mr. Seastrand in an email that he was on board with what had been proposed. He feels there is some consensus on the council that they would like to proceed and asked if there are at least 4 council members that would like to proceed with the first option proposed by Mr. Davidson to get things started.

Mayor Brunst indicated the issue was not on the agenda and will need to wait until the next scheduled meeting of Tuesday, September 3, 2019.

#### **ADJOURN TO A MEETING OF THE REDEVELOPMENT AGENCY**

**Mayor Brunst moved** to adjourn the meeting to a meeting of the Redevelopment Agency. **Mr. Spencer seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

The meeting adjourned at 7:37 p.m.



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JoD Ann Bates, City Recorder

Approved: September 17, 2019

