

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
October 29, 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; Scott Gurney, Fire Chief; Gary Giles, Police Chief; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Reed Price, Public Works Maintenance Division Manager; Brandon Nelson, Finance Department Manager; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Sam Kelly, City Engineer; and Jackie Lambert, Deputy City Recorder

NEW EMPLOYEE INTRODUCTIONS

This was an opportunity for department heads and division managers to introduce new employees to the Mayor and Council. Mr. Nelson introduced Nicole Lareau who was hired as the City's Budget Officer. Ms. Lareau provided some background information and answered questions from the Mayor and Council.

DISCUSSION – Voter Participation Area Maps

Mrs. Bates said House Bill 119, passed during the 2019 State Legislative Session, made certain changes to the processes of local referenda and initiatives. A new part of the process was the establishing eight Voter Participation Areas (VPAs) within the city that followed existing precinct lines and were of equal population size as practicably as possible. The VPAs were used to determine if a petition for a referendum or initiative had sufficient signatures according to the signature percentage requirement.

Discussion ensued regarding the process by which the map was created, the two options presented, and how that correlated with voter registration throughout the City. The general consensus was to move forward with VPA Map Option #2.

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DISCUSSION – University Place Update

Mr. Clark said it had been five years since the Council had approved the Community Development Area (CDA) plan for University Place, and he reviewed some of the changes in the development area over that time. He outlined his presentation and reminded them of the increment financing structure of the CDA. Benchmark 1 had been met, and progress was being made in Benchmark 2. Mr. Clark detailed some of the events as well as changes and improvements at University Place. Mr. Davidson said the current Marriot hotel in Provo on Bulldog Boulevard was being converted to a Best Western, and the hotel to be built at University Place was going to be a Marriot.

Mr. Clark said the homes purchased by the Hale Center Theater organization had been demolished and the land was gravel ready to move forward; currently the land was used for staging other projects. He said Hale was in the fundraising stage for their new theater location, and donors were needing to see support from the City for this project. A proposed show of support was a Memorandum of Understanding (MOU) between the City and Hale, which Mr. Clark said would likely come before the Council for consideration before the end of the year. The MOU would not bind the City but would give momentum to the fundraising process. More specific support would be determined in the future.

Jeff Fisher, Director of Hale Center Theater Orem, said potential donors like the Ashtons and the Barbara Barrington Jones Family Foundation had voiced interest in donating and wanted to know the City was supportive of the project.

Discussion continued regarding how donations were made, what would happen if the project did or did not come forward, and the impact of the project in the city. Mr. Davidson indicated that this discussion was to reinforce the decisions made five years ago to invest in University Place. The outcomes of the CDA were exactly what was anticipated, and it was good for the economic development efforts in the city.

General discussion continued as to the impact and increase in economic development that Orem had seen throughout the community. Past and future tenants of University Place and Orem in general were discussed, and it was discussed how those acted as a catalyst for others looking to relocate. Further discussion on financing and possible ways the City could assist ensued.

UPDATE – UVU Area Transportation Study

Eric Rasband with UDOT gave background on the process of meeting with surrounding cities and entities like UTA and MAG to develop the UVU Area Plan. He shared maps and reviewed the information from the study. He identified some of the issues they had uncovered, including underutilized hawk signals for pedestrian crossings and jaywalking, as well as congestion at major intersections like Sandhill Road and from I-15 on and off ramps at University Parkway and Center Street.

Mr. Rasband shared statistical information regarding population growth in Utah County and enrollment growth at UVU. He spoke of the increased ridership of UVX for students and for commuters. One important issue was finding alternative access to Provo between University

Avenue and Provo Center Street; another was addressing the issue of parking for students. He reviewed some of the solutions they were exploring. Mr. Rasband said this study had not been incorporated in MAG's long-range plan. The goal was to get all the groups involved to sit down and set priorities.

General discussion ensued regarding the study. Mr. Davidson added that the City's next step was to work with UTA and UDOT to identify priorities and get them on the MAG Plan. The State Transportation Commission made funding decisions on projects based on that plan, and funding was limited so priorities needed to be clear.

DISCUSSION – HB-411 with Natural Resources Stewardship Committee

Sarah Bateman, Chair of the City's Natural Resources Stewardship Committee, invited Michael Lang with Rocky Mountain Power to present information regarding House Bill 411. Mr. Lang provided the background information of the origins of HB411. He said it was the Community Renewable Energy Act that allowed Utah municipalities served by Rocky Mountain Power (RMP) to develop of Community Renewable Energy Program to achieve a net-100% renewable resource energy goal for all customers within the community by 2030. Mr. Lang said "renewable resource" was defined as wind, solar, hydroelectric, or other technology now becoming viable. He reviewed the key provisions of HB411 and the step-by-step process of the program for a municipality, and provided more details regarding available RMP programs available to cities.

Discussion continued regarding sustainability opportunities in Orem. Ms. Bateman reviewed a survey the Natural Resources Stewardship Committee had conducted regarding renewable energy, as well as next steps for the city in implementing programs to work toward the goal of net-100% renewable energy. Mr. Lang described the legislative steps the City Council could take to achieve that goal, and addressed further Council questions.

Agenda Review & Preview of Upcoming Agenda Items

The City Council briefly reviewed items that would be coming before the Council in future meetings. The Council also discussed upcoming items at future meetings and related issues of concern.

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; Scott Gurney, Fire Chief; Gary

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Giles, Police Chief; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Public Works Director; Brandon Nelson, Finance Division Manager; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Stephen Cannon, Assistant IT Division Manager, and Jackie Lambert, Deputy City Recorder

INVOCATION /
INSPIRATIONAL THOUGHT **Jim Lauret**
PLEDGE OF ALLEGIANCE **Debby Lauret**

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

UPCOMING EVENTS

Mayor Brunst reviewed the upcoming events, as listed in the agenda packet. He reminded everyone to vote in the Municipal General Election.

RECOGNITION – Waste Management Think Green Grant Award

Blake Leonelli with Waste Management said with China no longer accepting American recycled materials, it was increasingly difficult but important to recycle properly. He worked closely with Orem staff to handle the City's recycling program, and said Orem was even in the running for national recognition as a recycler of the year. He presented a check for the Think Green Grant that would go toward those efforts going forward.

RECOGNITION – Orem Parade Float 2019 Awards

Miss Orem Glory Thomas said Orem participated in 10 parades this summer, and the Miss Orem program was grateful for the support from the City with the float. She said Modern Display designed a beautiful float for the City's Centennial, and the float won the following awards:

- Lindon Days – Royalty's Choice
- Strawberry Days – Mayor's Choice
- Orem Summerfest – Best of Parade

Mayor Brunst expressed appreciation to the Orem royalty for representing the City so well.

REPORT – Recreation Advisory Commission

Mr. Hirst said Orem had taken over youth sports programs in 1979 so they were celebrating 40 years of city recreation. He turned time over to Chelsea Jolley from the Recreation Advisory Commission (RAC). Ms. Jolley said after the bond was approved for the new Fitness Center, the RAC gathered additional input from the public. The Senior Center was working well as a temporary location for Fitness Center patrons, and the Scera outdoor pool had been able to stay open longer to accommodate swimmers. Ms. Jolley reviewed some of the highlights from the

past year including: new Futsal Courts at Geneva Park which were sponsored by Orem, Real Salt Lake, and IHC; park renovations at Geneva, Bonneville, and Windsor parks; and additional shade structures and field improvements. She said she had been a member of the RAC for nearly six years, and a major concern of the commission was parking and lights at Lakeside Park. She hoped this could be a priority once the Fitness Center was completed, if not sooner.

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.

Phil Murphy thanked the Mayor for the reminder to vote, as he felt voting in local elections was much more important than national elections because local leaders had a more direct impact in day to day life. He mentioned that he had been coming to Council meetings since May to address issues within the City. He spoke of an employee survey conducted by the City in 2016, and said he was disappointed to learn that the Council knew of the survey based on some specific employee comments. He shared several comments, and said the problems identified had not been addressed since 2016. Mr. Murphy said he felt this information needed to be available to the public.

Christian Clark said his concern was regarding housing in general, but specifically the cost of housing. It was too high for lower-income residents, and he had coworkers who had to move out of Orem because of the rising costs. He knew this was not a problem specific to Orem, but he felt the Council and the community needed to come together to address housing affordability in order to help the City thrive and survive. He did not want the feeling within Orem to be that it was “Family City USA... unless you were poor”.

Richard Hickman said he was a landlord in Orem and had concerns regarding the proposal to require that utilities be in the landlord’s name. He said there was a claim by the city that the majority of the utility bill was to pay for necessary infrastructure to service the property. In looking at an old bill, he found only 20% was for base cost and 80% was for usage. He suggested introducing an application fee that would cover the cost of a credit check for renters, which would help avoid renters that failed to pay utility bills. Mr. Hickman felt additional research needed to be done before moving forward with a new program, and because he was not an Orem resident he felt this was his only way to have his voice heard on the issue. He added that police officers he spoke to had never had issues contacting landlords for property issues, so he did not see that as a compelling reason to make a change.

Miriam Murphy said she was appalled that this city survey had been swept under the rug and not addressed since 2016. She had been coming to Council meetings with her husband for months to raise her concerns regarding first responders, and she had been publicly disrespected by the City for doing so. The most important commodity the City had was first responders, and the Council’s job to protect residents of Orem was being neglected; more needed to be done. She felt it was not right for the City Manager to live outside of Orem boundaries. Mrs. Murphy acknowledged that all first responders had to start somewhere, but the experience and mentorship was lacking in

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Orem and her biggest concern was what would happen during an emergency. She said she would gladly respond to any of the “half-truths” she was accused of stating.

Eric Wilkey said he was frustrated with the culture of the Orem Fire Department, and that nothing seemed to be changing. He spoke of a recent incident where Orem FD responded to help with a structure fire. The Provo FD Chief was there alongside his employees and showed interest in their actions, meanwhile there was no Orem FD chief onsite. Mr. Wilkey shared other stories of fire fighters, and he commended them on their professionalism. He said Orem had lost his son as a fire fighter, and it was because of leadership issues.

CONSENT ITEMS

- Approval of October 8, 2019 City Council Meeting Minutes
- Appointment of Thomas Cook and Reappointment of Brad Prescott to the Heritage Advisory Commission.
- City Manager’s appointment of Michael Sroufe to Board of Building and Fire Code Appeals
- RESOLUTION – Approval of agreement to transfer Orem’s ownership of the 1600 North right-of-way to UDOT from I-15 to State Street

Mayor Brunst moved to approve the Consent Agenda as listed. **Mr. Seastrand seconded** the motion. Those voting aye: Richard Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

SCHEDULES ITEMS

CONTINUED ITEMS

ORDINANCE – Rezoning property located at 355 West University Parkway from the R8 zone to the PD-5 zone

Mr. Bench stated the Wright Development Group (applicant) requests that this item be continued to a 2020 City Council Meeting to be determined.

Mayor Brunst moved, the City Council continue the item to rezone the property located at 355 West University Parkway from the R8 zone to the PD-5 zone to a later date to be determined. **Mr. Lentz seconded** the motion. Those voting aye: Richard Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer and Brent Sumner. The motion **passed**.

PUBLIC HEARING

ORDINANCE – Amending current Fiscal Year 2019-2020 Budget

Mr. Nelson said the Fiscal Year 2019-2020 City of Orem budget had many adjustments that occurred throughout the fiscal year. These adjustments included grants received from Federal, State, and other governmental or private entities or organizations; funds being held for Utopia

operations being transferred to the Capital Projects Fund; interest earnings on unspent 2019 G.O. Bond funds; and adjusting the Community & Neighborhood Services Fund budget to the approved CDBG budget. Mr. Nelson reviewed the grants the City had been awarded. He specifically noted an adjustment within the Police Department eliminating one FTE dispatch position from the FY-2019-2020 budgeted positions.

Mrs. Lauret inquired as to why that position was being eliminated. It was her understanding that dispatch was overworked and needed more help. Mr. Davidson said they were in the process of hiring new dispatchers and had filled all but one position. As new dispatchers were trained, current dispatchers were picking up additional shifts and accruing overtime. That would not be the case once the new hires were in place, and in consultation with Chief Giles it was determined that the dollars for an additional position could instead be redistributed to address salary for existing employees. Mr. Davidson noted that it was not an across the board adjustment, but targeted adjustments were made to serve as an incentive to retain employees and to address concerns of compensation.

Mayor Brunst opened the public hearing. No one came forward to speak, so the Mayor closed the public hearing.

Mayor Brunst moved, by ordinance, to amend the current fiscal year 2019-2020 budget. **Mr. Macdonald seconded** the motion. Those voting aye: Richard Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, and Mark Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

In response to Mrs. Lauret's question, Mr. Davidson said the adjustments for dispatchers was anywhere from 4-6% in addition to the 4% adjustment they received July 1, 2019.

RESOLUTION – Request for the Utah Judicial Council to Recertify the Orem Justice Court and Commitment by the City Council to Continue Complying with the Operational Standard for Maintaining a Justice Court.

Mr. Stephens stated Orem had successfully operated a Justice Court since September 1, 2010. The Utah Judicial Council last recertified Orem's Justice Court in January 2016. State law required municipal justice courts to be recertified every four years. The Orem Justice Court's current certification expired in February 2020. To extend the Orem Justice Court's certification, the City must submit a recertification application to the Administrative Office of the Courts no later than November 8, 2019.

The City must submit the following three documents as part of the recertification request:

1. An opinion letter from the City Attorney to the City Council outlining the requirements for operating a justice court and giving an opinion regarding the feasibility of maintaining a justice court.
2. A Court Certification Affidavit from the Justice Court judge stating that the Orem Justice Court meets specified statutory and regulatory requirements.

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3. A Resolution from the City Council requesting recertification of the Justice Court and agreeing to continue complying with the justice court operational standards for the term of recertification (four years).

Documents 1 and 2 had been completed and submitted to the City Council for review. The proposed resolution satisfied the requirements for Document 3.

Mr. Seastrand thanked the Legal Services office and Judge Parkin and his staff for the work they did in the court. Mayor Brunst added his thanks as well.

Mayor Brunst moved, by resolution, to recertify the Orem Justice Court and commit to continue complying with the operational standard for maintaining a Justice Court. **Mr. Spencer seconded** the motion. Those voting aye: Richard Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

COMMUNICATION ITEMS

The Monthly Financial Summary for September 2019 was included as part of the agenda packet.

CITY MANAGER INFORMATION ITEMS

Mr. Davidson said had no additional information to share.

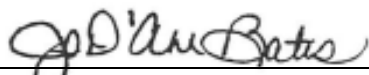
ADJOURNMENT

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

The meeting adjourned at 6:45 p.m.

Approved: November 19, 2019




JoAnn Bates, City Recorder