

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
May 12, 2020

*This meeting was held electronically
to allow Councilmembers and Staff to participate.*

4:00 P.M. WORK SESSION – CITY COUNCIL CONFERENCE ROOM

CONDUCTING	Mayor Richard F. Brunst
ELECTED OFFICIALS	Jeff Lambson, Debby Lauret, Tom Macdonald, Spencer, and Brent Sumner
EXCUSED	Terry Peterson
APPOINTED STAFF	Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Greg Stephens, City Attorney; Jason Earl, Deputy Fire Chief; Gary Giles, Police Chief; Karl Hirst, Recreation Department Manager; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Chris Tschirki, Public Works Department Manager; Brandon Nelson, Finance Department Manager; Nicole Lareau, Budget Officer; Jason Bench, Planning Division Manager; Ernesto Lazalde, IT Division Manager; Stephen Cannon, Assistant IT Division Manager; Pete Wolfley, Communication Specialist; and JoD’Ann Bates, City Recorder.

NOTE: The referenced report and presentation documents for each discussion may be viewed at orem.org/meetings under “City Council Presentations”

PRESENTATION – Fitness Center and Library Hall Project Updates

Mr. Clark stated they would be reviewing the Family Fitness Center and the Library Hall projects. He indicated he would start with the overall review of the Library Hall and Family Fitness Center then Ms. Sarvela would discuss the exercise equipment and Ms. Crozier would update them on donations. Mr. Clark reviewed pictures of the current Library Hall project and the current status of the construction.

Discussion continued regarding the sound system and the seating status of the Library Hall and the substantial finish being proposed for on October 5th with full completion by November.

Mr. Clark continue to review the Family Fitness Center Project and the upgrades and additions they have included. He reviewed pictures of some of the original and current upgraded construction of the pool area and discussed the current status. He continued to discuss the branding of the fitness center and proposed drawings.

Discussion ensued regarding they type of glass that will be on the building along with LED lighting that will keep things bright. Delays due to Covid 19 and other issues that have them looking at not having the pools ready to be opened until the first week of August and change orders to improve various aspects of the project.

Ms. Sarvela reviewed and explained the type of equipment they have proposed to have in each area and the proposed layout with the equipment by Precor Commercial fitness. She concluded that all the equipment is American made and will not have any delays due to the Covid-19 situation.

Ms. Crozier stated they have received a \$50, 000. matching grant from an Orem connected family foundation having \$25,000 go to each project. The matching grant will be used to kike-off the small donation campaign which will provide for a resident \$20 donation to turn into a \$40 donation. They are in the process of planning various media campaigns to get the word out and allowing residents various ways in which they can donate to the projects and have their donations matched by the grant.

Mr. Clark wanted to thank the team of Method Studios, Big D Construction, Keir Construction, City Staff and the Public Works crews that are making and keeping the deadlines that allows the project to move forward. He indicated that they are on schedule for a soft opening of the fitness Center the first of September.

DISCUSSION – Facility/Street Naming Policy

Mr. Bench stated this is to establish a formal and uniform policy regarding naming of a City facilities or street. He reviewed the proposed code, criteria and definitions for naming city facilities and streets.

Discussion ensued regarding the definition of substantial contribution and the approval given by City Council.

DISCUSSION – Canyon Crossing District Accessory Structure Amendment

Mr. Bench reviewed the exception to the building height requirement. There has been someone in the Canyon Crossing District that has applied for and exception to the building height requirement and would have to comply with the building material as directed by the code.

Mayor Brunst asked if structure in question met all the guidelines. Mr. Bench stated that have not officially submitted but feels they do meet the intent.

Agenda Review & Preview of Upcoming Agenda Items

The City Council reviewed the evening's agenda.

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

Chief Giles indicated there would be a press conference tomorrow at noon that will include a video of the incident regarding the recent officer involved shooting. All the officers are doing well and they were fortunate to only have one officer injured.

Mr. Davidson stated they have been concerned about the economic climate in the city specifically regarding sales tax. The city received their first report and as they look specifically at the general sale tax they had a 5.5% decline which they felt was encouraging and not as bad as first thought. He indicated the 5.5% decline represents only the general sale tax there are other several taxes that are not included. They are preparing themselves for the report from April that will show the full shut down results.

He continued to state that they are proceeding with the interviews for Fire Chief position and they are now at a point to bring in and provide face to face interviews with 3 specific candidates.

He updated the council regarding the CARES Act and the Covid-19 pandemic. The State of Utah received approximately \$1.2 billion dollars in funds to go to specifically Utah Covid Response. Jurisdictions with more than 500 thousand residents received direct allocation but in Utah, the State, Salt Lake County and Utah County received allocations for Covid-19 response. The intent of those funds is for it to be distributed so that all jurisdictions within the state can use those funds to cover expenses due to Covid-19. The challenge in recent weeks is the State of Utah has been willing to distribute all of the money on a population basis throughout the state. However, Salt Lake County and Utah County have both expressed reservation about doing that and at this point has not committed to that process. This is continuing to be discussed and they hope that they will come to a consensus soon. He continued to discuss the proposed process as to how the funds are to be distributed and how Utah County is wanting to keep the funds and approach the reimbursement in a different direction. He feels it is just a matter of leaning on the County and help them understand the way to allocate the funds should be consistent with the States recommendations.

Mayor Brunst stated the County Commission has indicated they are willing to commit to reimbursement to expenses used during the Covid time period. They just have to wait to see what the federal government will do based on new legislation introduced just last week.

Discussion ensued regarding the current situation of the federal funding.

Mrs. Lauret briefly updated the Council on her committee assignments that include Utopia, Summerfest and Arts Council. She stated that Utopia has 4,259 Orem subscribers which is about a 36.4% take rate with an additional 1,133 commercial accounts giving them an overall take rate of 27.3%. Utopia continues to be put in place throughout the city and the city will have full buildout in the third quarter of 2022. Utopia has the Purple Air Project and the Edwin Projects currently underway. Arts Council has been working on a major project with the utility boxes in wrapping them with artwork. They have done a prototype at the public works and will continue to work on that project in conjunction with Utopia boxes. Summerfest will be called "Summerfest Light" this year and they are looking at August 13-15, with holding the fireworks on the 15th. They are looking a pool party and a car show in conjunction with the Geezer Fest.

General discussion ensued regarding city celebrations and coordinating with other cities.

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

CONDUCTING

Mayor Richard F. Brunst

ELECTED OFFICIALS

Jeff Lambson, Debby Lauret, Tom Macdonald, David Spencer and Brent Sumner

EXCUSED

Terry Peterson

APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Greg Stephens, City Attorney; Jason Earl, Deputy Fire Chief; Gary Giles, Police Chief; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Brandon Nelson, Finance Department Manager; Karl Hirst, Recreation Department Manager; Chris Tschirki, Public Works Department Manager; Jason Bench, Planning Division Manager; Stephen Cannon, Assistant IT Division Manager; Steve Earl, Deputy City Attorney; Pete Wolfley, Communications Specialist; and JoD'Ann Bates, City Recorder

CALL TO ORDER

INVOCATION /

INSPIRATIONAL THOUGHT

Jeff Lambson

PLEDGE OF ALLEGIANCE

Chris Tschirki

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

REPORT – Heritage Advisory Commission

Mr. Kirkpatrick of the Heritage Committee extended a personal invitation to view the Memorial Day program that will be prerecorded and will include the featured speaker of Jenny Taylor. Her husband is Brent Taylor of the Utah National Guard, who lost his life serving this country November 2018. Miss Orem, Gloria Thomas will sing the Nation Anthem. The American Legion, Post 72 from Orem of which he is a member will do the flag exchange. They will do the Three-Volley rifle salute and Taps will be played on the bugle. He invites all that can hear and see him at this time to view the program on Zoom, which will continue to be played throughout the weekend. Due to the current pandemic situation they are proceeding in this direction. This will be a short program and will not include various regular participants. He feels this will be

memorable for all those that participate and view the program. He concluded by voicing his appreciation to the Mayor and Council for all they do for the City of Orem.

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 make a comment provided staff with written comments.

***There were no personal appearances submitted.

CONSENT ITEMS

- Approval of the April 14, 2020 City Council Meeting Minutes
- Approval of April 28, 2020 City Council Meeting Minutes
- Appointment – Tim Crandall to the Metropolitan Water District

Mayor Brunst moved to approve the Consent Agenda as listed. **Mrs. Lauret seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

SCHEDULES ITEMS

RESOLUTION - Smrtchar Ventures, LC requests the City approve a fence modification at Sunrise Square located at 240 North State Street in the C2 zone.

Mr. Bench stated that as part of the Sunrise Square site plan that was approved by the Planning Commission in February 2018, the applicant was required to install a seven foot high masonry wall to replace the existing wood fence adjacent to the residential property on the north property line. City ordinances require a seven foot masonry fence for any commercial development that is located next to a residential zone.

The applicant has now completed the project, but the masonry wall was not built. The adjoining residential property owner states in a letter (attached) that they are opposed to replacing their current wood fence with a masonry wall. They like the aesthetics of the existing wood fence that encloses their back yard and feel it would detract from the beauty of their yard to have a masonry wall replace the wood fence. They are happy with the buffer between their residential property and the commercial property of Sunrise Square.

The applicant requests that the masonry fence requirement be waived entirely as the residential property to the north prefers to leave the wood fence in place.

Pursuant to Section 22-14-19(F) of the City Code, the City Council may modify the fence requirement if it finds that:

1. The proposed fence provides an adequate buffer for the adjoining residential zone.
2. The appearance of the fence will not detract from uses in the residential zone.
3. The proposed fence will shield the residential use from noise, storage, traffic or any other characteristic of commercial or professional office uses that are incompatible with residential uses.

Staff has reviewed the proposed fence modification and believes the request meets all of the requirements listed above.

Mr. Lambson inquired as to what would happen in the future when the wood fence would need to be replaced or repair. Mr. Bench responded that in the future it would have to be a negotiation between the two parties. By granting this exception it is not a requirement the applicant be fully responsible for any upkeep in the future and to his knowledge the resident is aware of that stipulation.

Mayor Brunst moved by Resolution approving Smrtchar Ventures, LC requests for a fence modification at Sunrise Square located at 240 North State Street in the C2 zone. **Mr. Sumner seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

PUBLIC HEARING - RESOLUTION - FY 2020-2021 Tentative Budget Adoption

Mr. Nelson stated prior to being presented the FY 2020-2021 Tentative Budget, the City Council and staff have met in a series of public meetings to discuss elements of this budget, reviewed the General Fund and Enterprise Funds, and some of the recommended adjustments to the City's fees and charges. This budget does not contain any request to increase the property tax rate. Mr. Nelson reviewed the budget calendar and the budget information that was discussed at the beginning of the year and some of the highlights of the current tentative budget which include:

- Modified expenditures and projected revenues due to Covid-19 pandemic;
- Health insurance increase for all employees;
- New internals service fund for Facilities Maintenance, which is a newly created fund;
- Fleet Replacement and
- Capital Projects.

Mr. Nelson continued to review the various Revenue Funds, Sale Tax graph, Property Tax graph, and a Franchise Tax graph.

General discussion ensued regarding the possible reason for franchise fees being more level and what causes the changes.

Mr. Nelson continued to review Building and Business Services Charges, various Expenditure Funds and General Fund additions for 2021. He continued to review various funds which included the following:

- Fleet Replacement: This has been drastically reduced from last year due to the purchase of a fire truck last year.
- Street Capital Projects: They now have 2 sources to work with B&C funds and transportation funds.
- Internal Service Fund: This has an additional Facilities Maintenance fund which has been taken out of the General Fund and is now part of the Internal Service Fund.
- Debt Service Fund: There are 3 remaining bonds.
- Water Fund Summary: There are no proposed water base rate or tier usage increases for FY21. This includes the new AMI system.
- Water Reclamation Summary: There are no proposed sewer base rate or tier usage increases for FY21.
- Storm Water Summary: There will be 3.4% increase to the base rate which is in line with what the master plan recommended. This is an increase to the ESU from \$7.35 to \$7.60 per month. Comparison with other cities were reviewed.
- Recreation Fund Summary: The Fitness Center is scheduled to have a soft opening of February 1, 2021.
- Solid Waste Fund: There is a proposed increase for combined first can and recycling rate to \$15.75. Comparison with other cities were reviewed.

Mayor Brunst opened the public hearing at 6:58 pm. Hearing no comments Mayor Brunst closed the public hearing and brought the discussion back to the City Council.

Mrs. Lauret moved by Resolution approving the FY 2020-2021 Tentative Budget and set a public hearing for June 16, 2020, at 6:00 p.m. to adopt the Final Budget. **Mr. Macdonald seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, David Spencer, and Brent Sumner. The motion **passed**.

CITY MANAGER INFORMATION ITEMS

Mr. Davidson had no additional information items to share.

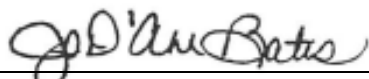
ADJOURN TO A MEETING OF THE REDEVELOPMENT AGENCY

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

The meeting adjourned at 7:00 p.m.

Approved: May 26, 2020




JoD'Ann Bates, City Recorder