

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
January 12, 2021

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

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

CONDUCTING Mayor Pro Tem Jeff Lambson and
Mayor Richard F. Brunst

ELECTED OFFICIALS Jeff Lambson, Debby Lauret, Tom Macdonald, Terry
Peterson, David Spencer, and Brent Sumner.

APPOINTED STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant City
Manager; Steven Downs, Deputy City Manager; Heather
Schriever, City Attorney; Marc Sanderson, Fire Chief;
Joshua Adams, Police Chief; Ryan Clark, Development
Services Director; Charlene Crozier, Library Director; Chris
Tschirki, Public Works Department Manager; Brandon
Nelson, Finance Department Manager; Karl Hirst,
Recreation Department Manager; Jason Bench, Planning
Division Manager; Pete Wolfley, Communications
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”**

Mayor Pro-Temp Mr. Lambson indicated Mayor Brunst had asked him to conduct the work session
until he could join the meeting at a later time.

DISCUSSION – Utility Master Plan Update

Mr. Tschirki stated the Public Works Department is working closely with Bowen, Collins, and
Associates to finalize the 2021 Water, Sewer, and Storm Water Master Plans. The finished product
will include updated capital facility plans which will assist in the development of impact fee
facility plans and impact fees. Orem's Financial Advisor, Lewis, Young, Robertson, and
Burningham, will develop financial models, funding options, and utility rate solutions that support
the implementation of the approved master plans. These financial models include a revenue bond
to accelerate construction, eliminate inflationary construction forces, and save millions of dollars.

Mr. Tschirki made a presentation on the progress of the 10MG water storage facility. He indicated
in the last few months they have been working on a master plan, a design and location of the 10

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1 MG water tank. He continued to give history of water supply within the City of Orem and why
2 they feel the need to construct a water storage in the center of Orem. The previous discussion of
3 joining with Vineyard for a joint water tank has since changed and Vineyard has decided to
4 construct their own water tank so Orem will be moving forward in constructing their own. After
5 looking at various locations they feel the best option is the location at the Community Park
6 property. This property currently has a conservation easement on it which would require them to
7 construct the area back to or better than it currently sits after the construction of the tank. The
8 Public Works Advisory Committee has met and approve with the location of the proposed project.

9
10 General discussion continued regarding an overall cost which would include a tank and a well and
11 would be targeted by bonding, costs also include the replacement of any park amenity currently
12 on the property which includes a pavilion.

13
14 Mr. Tschirki stated this was part of a Master Plan in 2015 with Orem showing a deficiency with
15 the water needs in the Orem area and feel this will help with the growth in the central and southwest
16 area. This is more for the current need and in about 25 years they will probably need another tank
17 for future growth.

18
19 Ms. Laura Lewis presented information on the bond parameters resolution regarding the Utility
20 Master Plan. They continue to review and update the utility rates and will come before the Council
21 in a future meeting. They are currently in the process of getting the city the best interest rate
22 possible. She reviewed some of the projects the funds of the bond will be going towards. The
23 City will use about \$17 million of the cash balance in order to reduce the bond rates. She continued
24 to review the comparison of pay as you go versus the bond process. She continued to discuss the
25 bond interest rate possibilities and the process of the parameters resolution. She indicated there is
26 a state loan that they would need to work out due to this being a sewer project bond. She concluded
27 by reviewing possible dates for which certain actions could take place moving forward with the
28 bond process.

29
30 General discussion ensued regarding the process of the bond and what types they have available
31 to them, the use of underwriters and the terms of the bonds. Discussion continued regarding the
32 current tiered rates and how they would be affected.

33
34 Mayor Brunst joined the meeting and thanked Mr. Lambson for conducting the meeting in his
35 absence.

36
37 Mr. Davidson concluded that the information for the council to consider is the location of the tank
38 needed for a deficiency of water and the process of the bond for the project.

39
40 General consensus of the City Council Members was in favor of proceeding with the proposed
41 location and the bond process.

DISCUSSION – Creation of Public Safety Advisory Commission and Amendments to Article 2-22 Employee Appeals Board

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47 Mrs. Schriever stated they are asking the council to create a Public Safety Advisory Commission.
48 Due to the civil unrest they have recently seen they feel the need for there to be important and

1 impactful communication between the residents of Orem and the Public Safety Departments.
2 There have been a lot of proposed legislation dealing with public safety and police issues. In an
3 attempt to demonstrate that we are aware of those issues, to be transparent and to maintain as much
4 local control over the concerns as much as possible they would like to create this a Public Safety
5 Advisory Commission. She continued to review the points as to what this commission would do
6 which include:

- 7 • Act as an advisory board to the OPD and OFD.
- 8 • Provide support, encourage and input regarding community needs as they relate to public
9 safety.
- 10 • Study advise and give input on the development t of a genera philosophy related to Public
11 Safety.
- 12 • Analyze and evaluate community expectations of police, fire and emergency services
13 delivery.

14
15 She then reviewed the requirements, duties and obligations that are being recommended for this
16 committee. She wanted to be clear as to what this commission is not. They are not a civilian use
17 of force review board and will not act as a civilian disciplinary review board. The city has internal
18 and external mechanisms in place for both of those issues. This proposal will before the Council
19 at the next City Council meeting for approval.
20

21 22 INTRODUCTION – Senator Michael Kennedy

23
24 Senator Michael Kennedy stated the legislation starts their meetings next week and look forward
25 to representing the residents of Orem and surrounding areas. He stated he was pleased to learn the
26 State has a onetime surplus that has been marked to be put back into the communities and he would
27 like to focus on infrastructure and development projects due to growth. He commented on the use
28 of bonds for infrastructures in communities and due to low rates, feels that use is appropriate.
29

30 Mayor Brunst indicated the city is in need of two road projects that he would like Mr. Kennedy to
31 be aware of, the first project is along Geneva Road due to the new LDS Temple being constructed,
32 which is currently #25 on UDOT's priority list which would put their construction project a few
33 years down the road. Due to the current construction of the Church Temple they would like the
34 improvements to be done at the same time saving them from having to remove it later to do the
35 UDOT project He feels if they could get the funding in place this year and have these
36 improvements done once they could save funds They would like to ask for his active support in
37 getting the funding through legislation at this time.
38

39 He continued to state the second project is the road along 1600 North coming from I-15 heading
40 east to State Street. Upon exiting the freeway, it is a 2-lane road in each direction but then goes
41 down to one lane in each direction. As few years back MAG indicated they had funds for
42 preservation for roads and it was requested those funds be used for the purchase of homes for the
43 widening of this road. They were working with Senator Hemmert in getting funds to continue the
44 purchase of homes to continue the project. UDOT has since taken over the project to include the
45 previously acquired funds and home purchased. The City would like to see that move forward
46 but the information they are receiving is that is not in the scope for 8-10 years. They feel this is
47 an important issue and the city needs it to move quickly and could use his help in this process.

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1 Mr. Davidson stated they have already purchased 8 homes along 1600 north and the project and
2 according to MAG estimates the Orem Geneva Road Project is approximately a \$25 million dollar
3 project and the 1600 North project is approximately a \$40 million dollar project.

4
5 General discussion ensued regarding funding costs and timing needed in order to make it work,
6 what is needed and the approximate amount of traffic that use these roads on a daily basis.

7
8 Mrs. Lauret indicated they are always dealing with affordable housing and they have issues when
9 the state dictates what they should and shouldn't do in addressing the issues at hand.

10
11 Senator Kennedy stated he appreciated the information of that was provided to him and indicated
12 he would review the information and keep in touch with the city as the legislative session moves
13 forward and projects are discussed.

14 15 16 UPDATE – Hale Center Theater Orem Fundraising

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18 Mr. Clark indicated they have invited Jeff Fisher and Cody Swenson to give the Council a
19 presentation regarding the Theater project.

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21 Mr. Fisher stated it has been a challenging year with the theater being closed for a time of 3
22 months. They did what they could in order to keep things going and lost almost a million dollars
23 of revenue but was thankful they were able to get those funds back and feel blessed to make it
24 through 2020 continuing to provide their service. Even with all the challenges they received \$2.5
25 million dollars with a possibility of another \$1.5 million dollars of donations from 2 donors. They
26 need to secure another 6 million in order to reach their goal and feels the pandemic set them back
27 12-18 months but feel they will be able to pick this up over that time. Mr. Swenson indicated with
28 the bond rate coming down they feel they need to possibly discuss that as an option. Mr. Fisher
29 continued to review their company and their funding and how they impact the surrounding
30 community.

31 32 33 PRESENTATION – CIP 2020 Year in Review and 2021 CIP Preview

34
35 Mr. Bowen reviewed a summary of what has been done over the past year in regards to Capital
36 Improvement Projects for the City. They had approximately \$7.5 million in projects along with
37 helping with new Library Hall and City Center Projects. He continued to review road projects,
38 parks projects, sewer projects, waterline improvements and other accomplishments made
39 throughout the prior year.

40
41 Mr. Kelly reviewed a summary of projects that are being planned for the 2021 fiscal year which
42 include sewer rehab projects, asphalt overlays and reconstruct projects, utility projects, storm drain
43 projects, watermain projects, the street lighting project phase II, landscaping projects and the
44 10MG tank previously discussed. He indicated they are also working on an update with their
45 Transportation Master Plan.

46 47 48 PRESENTATION – FEMA Utah Strong Recovery Project

1 Ms. Cindy Wilmhurst of the Utah Department of Health Services state the Utah State Division of
2 Substance Abuse and Mental Health and FEMA have funded the Utah Strong Recovery Project
3 that is providing free and confidential counseling to anyone in Utah feeling the impacts of the
4 stressors of the Covid19 pandemic. She continued to review how the project works and who they
5 assist during this time.

6
7 Mayor Brunst thanked Ms. Wilmhurst for her time and information.
8
9

10 Agenda Review & Preview of Upcoming Agenda Items

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12 The City Council reviewed the evening's agenda. Discussion ensued regarding the scheduled items
13 that would be considered.
14
15

16 City Council Reports & City Manager Information Items

17
18 Mr. Lambson reported on the committees he represents which include the following:

- 19 • CARE Commission
 - 20 • Transportation Advisory Commission:
 - 21 ○ Working with a large project of the roundabout near UVU
 - 22 • Natural Resource Stewardship Committee:
 - 23 ○ They are working on recognizing some of the business in Orem that are going green
 - 24 and using renewable energy in their businesses.
 - 25 ○ They are also looking at the bike paths and trails in Orem and a Mayor bike ride if
 - 26 Covid allows.
 - 27 • Utah Lake Commission:
 - 28 ○ The main project right now is the Walkara Way trail and walking path.
 - 29 ○ They are working on a project that will provide boaters and lake goers the use of
 - 30 life jackets while on the lake if they do not personally have one.
 - 31 ○ They are also working on the June Sucker project.
- 32
33

34 Mr. Davidson reviewed some informational items for the Council which include the following:

- 35 • The City Council retreat for the 23rd which will be held virtually via zoom.
- 36 • The UVU pedestrian bridge is schedule for a ribbon cutting this Thursday.
- 37 • Joint meetings with Vineyard City have been cancelled until they can meet in person.
- 38 • Summerfest efforts and plans for 2021 are still in the maybe phase based on the state
- 39 of the progress of the pandemic and the vaccination. They are currently working with
- 40 some things in anticipation of having the parade and some of the activities. The
- 41 Summerfest Committee will continue to meet and discussion as to how to proceed with
- 42 the celebration and possible options. As of now programs are proceeding forward.
- 43 • Fitness and Library Hall projects continue to move forward and is quickly coming to
- 44 completion.
- 45 • They are drawing the close with both the Police and Fire operations. It has taken longer
- 46 than anticipated due to the pandemic and some data issues, but are looking forward to
- 47 sharing the information with the council in the near future.

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- University CDA will be brought to the council for their review in the near future.
- They are in the process of kicking off the 2021 Budget process and will bring that before the council starting with the Council retreat meeting on the 23rd.
- They are making progress with the landscape architects on the Hillcrest property and will be sharing specific details with the Council at the January 26th meeting.
- In the process of continuing the city-wide compensation study.
- Legislature will begin next week, and they are gearing up for those efforts.
- As an organization they are working through the Covid-19 situation and are looking forward to the vaccination stage starting with the Public Safety departments and working on getting availability to city staff. Discussion continued regarding strongly suggesting versus requiring employees to get the vaccine and how the city will address that issue.

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

CONDUCTING

Mayor Richard F. Brunst

ELECTED OFFICIALS

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

APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Heather Schriever, City Attorney; Marc Sanderson, Fire Chief; Joshua Adams, Police Chief; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Chris Tschirki, Public Works Department Manager; Brandon Nelson, Finance Department Manager; Karl Hirst, Recreation Department Manager; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Pete Wolfley, Communications Specialist; and JoD'Ann Bates, City Recorder.

CALL TO ORDER

Mayor Brunst read the following to begin the meeting:

“Pursuant to Mayor Richard F. Brunst’s Proclamation dated January 5, 2021, the Orem City Council meeting on January 12, 2021 will be an all-electronic meeting. There will be no anchor location for the meeting. The City cannot ensure the recommended minimum of six feet of social distancing for meeting participants at the usual anchor location in the Orem City Council Chambers. Therefore, holding the meeting at the City Council Chambers would present a substantial risk to the health and safety of those who may be present at the meeting and may contribute to the spread of COVID-19. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically.

To view the meeting: please go to orem.org/meetings.

To make a comment: Please submit your comment through: orem.org/comments

Written comments will be accepted before and during the meeting. All written comments received will be entered into the record and forwarded to each City Council member for review. Written comments will also be read aloud during the live meeting when required by law or when time permits. As technology permits, the City Council may also accept oral comments. Once an item has been voted on, that item will be closed to additional comments. Thank you for your cooperation during these challenging times.”

INVOCATION /

INSPIRATIONAL THOUGHT Tom Macdonald

PLEDGE OF ALLEGIANCE Brenn Bybee

MAYOR’S REPORT/ITEMS REFERRED BY COUNCIL

There were no Mayor’s Items on the agenda.

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 public comments.

CONSENT ITEMS

- **APPROVAL OF MEETING MINUTES**
 - Minutes of City Council Meeting – January 12, 2021
- **APPOINTMENT TO BOARDS AND COMMISSIONS**
 - Summerfest Committee:
 - Bill Bleyl
 - Recreation Advisory Commission - Reappointments:
 - Danny Miller
 - Ember Harris
 - Skip McWhorter
 - Russ Bird
- **RESOLUTION – Approval of certain sections of the City or Orem City Manager’s Department Retention Schedule**

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

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SCHEDULES ITEMS

PUBLIC HEARING

RESOLUTION – The City will receive Public Comment on the Community Development Block Grant (CDBG) Projected Use of Funds for CARES ACT CDBG-CV funding and consider approval of a substantial amendment to the 2019-2020 Annual Action Plan.

In response to the Coronavirus Pandemic (COVID-19), the U.S. Department of Housing and Urban Development Community Development Block Grant provided the City of Orem with a first round of CDBG allocation of \$411,983 to be used to prevent, prepare for, and respond to COVID-19. Based on the recommendations from the CDBG Advisory Commission, the City of Orem would like to allocate \$60,000 of the previously allocated \$108,332.66 CDBG-CV funding for public service projects to the Boys and Girls Club for Afterschool Support (PPE & Technology) project, \$5,000 to Project Read for the new Transition to Virtual & Job-Readiness Instruction program, \$7,776.00 to House of Hope for a COVID Relief project, \$6,000 to the Orem City Senior Friendship Center for senior holiday meals, and \$29,556.66 to Centro Hispano for new Digital Inclusion program. The U.S. Department of Housing and Urban Development Community Development Block Grant also recently provided the City of Orem with a second round CDBG allocation of \$287,940 to be used to prevent, prepare for, and respond to COVID-19. Based on the recommendations from the CDBG Advisory Commission, the City of Orem would also like to allocate \$258,049.16 to public service projects and \$29,890.84 to Centro Hispano for the new Digital Inclusion program.

General discussion ensued regarding the amounts that were requested and if it will fulfill the needs in the area. Discussion of a concern to ensure they are audited and are used for valid eligible expenses.

Mayor Brunst opened the public hearing at 6:16 p.m.

Written public comments submitted were read into the record. Written comments that were submitted for this public hearing are attached to the end of the minutes in their entirety. Written comments submitted by Jocelyn White and Shauna Brown.

Hearing no further comments, the Mayor closed the public hearing at 6:18 pm and brought the item back to the City Council for further discussion.

Mayor Brunst moved, by Resolution, to approve the Community Development Block Grant (CDBG) Projected Use of Funds for CARES ACT CDBG-CV funding and a substantial amendment to the 2019-2020 Annual Action Plan. **Mrs. Lauret seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner. The motion **passed**.

PUBLIC HEARING

ORDINANCE – Amending Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone on approximately 1.96 acres from the R20 zone to the R12 zone at 925 South Carterville Road

1 Mr. Bench stated the subject property is approximately 85,231 square feet (1.96 acres). It
2 currently has two lots which are both owned by the applicant. The applicant would like to divide
3 the two lots into three lots to create two vacant lots along Carterville Road. The existing home
4 will remain on Lot 1 which will have 54,851 square feet (1.26 acres). Lot 2 will have 18,177
5 square feet and Lot 3 will have 16,853 square feet. The current R20 zone requires a minimum
6 lot size of 20,000 square feet. A rezone of the property from the R20 zone to the R12 zone is
7 therefore necessary to subdivide the property as described above. The proposed R12 zone would
8 allow for the proposed two lots up front on Carterville Road and their sizes would meet the
9 minimum size requirement of 12,000 square feet. The General Plan designation of Low Density
10 Residential (LDR) supports the rezone to R12. A neighborhood meeting was held and several
11 neighbors were in attendance. No objections were made to the proposed rezone.

12
13 Mayor Brunst opened the public hearing at 6:22 p.m.

14
15 Written public comments submitted were read into the record. Written comments that were
16 submitted for this public hearing are attached to the end of the minutes in their entirety. Written
17 comment submitted by Cole and Valerie Reese.

18
19 Hearing no further public comments, the Mayor closed the public hearing at 6:24 pm and brought
20 the item back to the City Council for further discussion.

21
22 **Mayor Brunst**, by ordinance, Amending Article 22-5-3(A) and the zoning map of the City of
23 Orem by changing the zone on approximately 1.96 acres from the R20 zone to the R12 zone at
24 925 South Carterville Road. **Mr. Peterson seconded** the motion. Those voting aye: Richard F.
25 Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and
26 Brent Sumner. The motion **passed**.

27 28 29 **COMMUNICATION ITEMS**

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31 The Monthly Financial Summary from November 2020 was included in the agenda for review.

32 33 34 **CITY MANAGER INFORMATION ITEMS**

35
36 The City Manager had no additional Information Items to share.

37 38 39 **ADJOURNMENT**

40
41 **Mr. Sumner moved** to adjourn. **Mr. Macdonald seconded** the motion. Those voting aye: Richard
42 F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and
43 Brent Sumner. The motion **passed**.

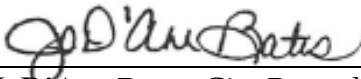
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46 The meeting adjourned at 6:26 p.m.

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Approved: January 28, 2020





JoD'Ann Bates, City Recorder

PUBLIC COMMENTS

7.1 Personal Appearances

No comments received.

9.1 PUBLIC HEARING/RESOLUTION – The City will receive public comments on the Community Development Block grant (CDBG) Projected Use of Funds for the CARES ACT CDBG-CV funding and consider approval of a substantial amendments to the 2019-2020 Annual Action Plan

Jocelyn White

I am commenting on behalf of House of Hope. We are honored to be under consideration for CDBG-CV funding to provide disease preventing upgrades to our residential facility in Utah County. This funding will be used to help protect some of Utah's most vulnerable residents during the pandemic by stopping disease spread. Thank you for your consideration--it is a delight listening in on behalf of such a wonderful organization. We appreciate all the work you do.

Shauna Brown

Shauna Brown from Project Read. I just want to personally thank the CDBG Committee and the Council for considering proposals for CDBG COVID funding and for recommending Project Read for funding to help us help adults with low literacy skills. We are specifically working to help adults gain the employment skills they will need to re-enter the workforce. Many of the layoffs as a result of COVID-19 impacted the population we serve, and we want to get them back into the workforce as quickly as possible. This funding will help us accomplish these goals, not only assisting these individuals but also the community at large. We appreciate all you do.

9.2 PUBLIC HEARING/ORDINANCE – Amending Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone on approximately 1.96 acres from the R20 zone to the R12 zone at 925 South Carterville Road

Valerie and Cole Reese

We live in the house immediately north of Gene and Karen Robison. We have discussed with the Robisons the plans for their property. Our preference would be to just have one home built on the lots, instead of two homes, but we understand the reasons the Robisons want to do it this way. Since our first preference doesn't seem possible, we don't object to the plans generally, but our hope is that the location and orientation of the new houses will be built in careful consideration of the neighbors and allow for us to continue having "country views" and the most space possible between the new home and our home. We bought our home on Carterville Road 6 years ago precisely because we liked the "country feel" and space between houses and views of nature rather than walls of houses, so we would love to see larger lots and nature and less houses in this neighborhood. Having said all of that, most of all we want to be kind and welcoming neighbors to anyone who will move here, and we pledge to not let new building plans, even plans that aren't our first preference, get in the way of being good neighbors.