

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
March 23, 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 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; 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 – Citygate Associates, LLC.

Mr. Elliott of Citygate proceeded to give some background and a mention of thanks to all those that helped in gathering the information. He continued to review the Police Department Operations assessment as follows:

- City Crime Data:
 - Violent Crimes
 - Property Crimes
- Organizational Review:
 - Agency Data
 - Agency Turnover Analysis
 - Key Finding and Recommendations
- Demands for Service:
 - CAD Incident Analysis
 - Temporal Analysis – Public Generated Calls for Service 2017-2020
 - 2019 Staffing Analysis – All calls, Minimum Staffing
 - Summary

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General discussion ensued regarding the types of calls during various times.

Mr. Elliott continued to review:

- Patrol Response Times:
 - Methodology
 - Data (Elements of Response Time)
 - Priority Total Response Time 90th Percentile

Mr. Elliott continued with presenting patrol key findings and recommendations.

General discussion continued regarding the Police Department strategic plan in conjunction to the presented recommendations and how far they are into the implementations of that plan.

Mr. Elliott continued to review:

- General Investigations Key Findings
- Investigation Key Recommendations
- Support Serves Workload Analysis
 - Communications Statistics
 - Professional Standards
 - Use of Force
- Support Key Findings and Recommendations
 - Crime Analyst
- Support Services Key Findings and Recommendations

Mr. Elliot concluded by reviewing some of the suggested recommendations by priority.

Chief Adams stated they have started implementing some of the recommendations and will need to amend the strategic plan. He stated one of the biggest issues right now is with the younger officers and their experience and they will need to work with them. He stated they are happy with the outcome of the assessment received by Citygate and will look presently and in the future what they need to do to address long term strategies. General discussion continued regarding training of new staff and focus on curriculum that mirrors the pay structure and provide more mental health training.

Mr. Gary introduced the Fire/EMS Operations assessment and reviewed the following:

- Fire Service Delivery Policy Choices
- Setting Service Level Goals
- Risk Assessment
 - Overall risk rating by hazard
- Daily Minimum Staffing Plan
- Service Demand
 - Service Demand by Year and Incident Type,
 - Service Demand by Station,
 - Service Demand by Hour of the Day by Year
 - Simultaneous Incident Activity
 - Single Station Simultaneous Incidents by Station area.
 - Unit Utilization Per Hour – engines and ladders.
 - Unit Utilization Per Hour- ambulances.
- Response Performance

- Current Deployment Goals
- Response Performance – 90% Fire/EMS
- Travel Time by Minute
- Call to Arrival Total Response Time

- Deployment Maps

Mr. Gary continued to explain and discussion travel times, hot spot calls and station spacing as shown on a map of the city. He continued to review the following:

- Deployment Recommendations
- Headquarters Program Review
 - Headquarters Services Assessment Summary
 - Headquarters Key Findings and Recommendations
- Next Steps
 - Suggested Recommendation Priorities

Chief Sanderson stated he thinks there have been a number of things they have recommended that they have just be scratching the surface on and with the recommendations he feels they will have more of a direction to go and looks forward to getting starting.

Mr. Davidson stated he appreciated working with Citygate and is encouraged since they have received the preliminary report that both Chief Adams and Chief Sanderson has adjusted their department to address staffing and data concerns. He wants to reassure the City Council that both departments have been actively making changes in the direction of the recommendations and the direction they want to take their prospective departments. He feels the city can incrementally grow and make changes to the programs to meet the expectations of the report.

General discussion continued regarding the location of some of the fire stations and the need to continue to make improvements and adjustments and the need to work with the location best they can due to the recommendations. Further discussion continued regarding the need for these reports and why they felt it was needed.

Mr. Gary concluded by stating some of the recommendations are within immediate reach and others are to be done over time with some more complex changes.

DISCUSSION – FY 2022 Budget – Revenues and Compensation

Mr. Nelson discussed the overview of the revenue and operations for the 2021 budget and the upcoming 2022 budget. He reviewed the following information:

- Fiscal Year 2021 Budget:
 - Major General Fund Revenues to date
 - 2021 Budget Major General Fund Revenues
 - Other Sale Tax Revenue information by category
 - Other Major Revenues to date
- Fiscal Year 2022 Revenue and Compensation:
 - Major General Fund Revenues
 - Other Major Revenues Budget

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General discussion ensued regarding B&C Road and Transportation revenues and the possible sustainability of the numbers and how the numbers have conservatively been reached.

Mr. Nelson turned the discussion over to Mrs. Rugg to present and discuss the 2022 fiscal year compensation and benefits.

Mrs. Rugg stated some of the changes include the following:

- A third-party market competitiveness study
- The public safety hybrid step program for police and fire departments
- Merit based/pay for performance for all employees who are not a part of the public safety hybrid step program

She continued to review the following employee information:

- Employee turnover – all full-time benefited employees
 - Orem turnover rate vs. Utah Unemployment Rate
 - Turnover by reason
 - Turnover by department
 - Turnover rates: Key Departments
 - Police, Fire, Public Works and all other Departments
- FY22 Compensation and Benefits:
 - Total compensation (pay, benefits and retirement)
- Other items of consideration.

Mayor Brunst thanked Mr. Nelson and Mrs. Rugg for their work and information.

DISCUSSION – State Legislative Update/Orem Specific Outcomes

Mrs. Schriever stated she has put together a video regarding all the changes and will provide that to the Council. She will try and hit the high points that will affect the City of Orem at this time which included:

- HB433: Amendments related to infrastructure funding -- Land Use & Transportation
- HB128: Local accumulated funds balance amendment – General Governance
- HB162: Peace officer training amendments – Public Safety

Mrs. Schriever continued to review some of the bills that did not pass and voiced her thanks for the help received from the council in regard to some of the hotter topic bills.

Mr. Davidson stated that Mrs. Schriever's role up at the legislature has been invaluable to not only us as a community but even broader with the Utah League of Cities and Towns. She had spent almost every day engaged in some legislative matter and feels she is worthy of recognition and appreciation. He also voiced his appreciation for Mr. Bybee and his efforts as related to the legislature. This was a difficult session and they did a fantastic job and is appreciative of their work.

Mayor Brunst expressed his appreciation to those involved with the recent legislative session which would also include Senator Bramble and Representative Val Peterson who were champions of the road projects.

Agenda Review & Preview of Upcoming Agenda Items

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

City Council Reports & City Manager Information Items

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

- The barricades around the north side of the Public Safety Building is due to a fuel line disconnection that leaked diesel fuel into the ground. The ground will be pulled out and taken to a place for contaminated ground. There are some lines that will need further review and inspection. There may be some additional work after testing is done.
- We have seen growth in our sales tax but there is some flexibility in those numbers due to the unknown. Most recent numbers are actually down 2% from last year.
- Community Park and the Water Tank Project has been continuing, they are still exploring locations with several proposals that are being evaluated and some of the original proposals being revisited. Mr. Farley has represented there may be some negotiation in the purchase price if the city sees to move in that direction. Whatever they do there could be a substantial cost with any of the options and will continue to evaluate what is best for the neighborhood and the costs perspectives.
- In addition to the tank discussion there is also a well and pump station associated with the project. They are becoming increasingly confident that it will not be necessary for the city to purchase the home they currently have earnest money down on to assist with the construction of the pump house and the well project. This will come back to the council for further review in the future.
- They are also putting together preliminary steps to construct well #11. This is a well that is considered necessary to help offset some of the demand that comes from the northeast section of the city and one of the properties or the primary property that they are looking at right now is a property that is just due east of the Wiggy Wash along 1600 north that the city purchased a number of years ago. He felt it could be a good use of the property for various reasons.
- Governor Cox allowed Utah County to move toward the moderate index of the Covid pandemic. That then puts the city in a situation where they can relax on some of the requirements related to activities. For example, the SCERA and Hale Center Theatre, providing people wear masks can now fill their seats. This also comes back to when the council would feel comfortable in transitioning back to convening in person.

Discussion ensued regarding mask recommendations or mandates and the ability the city has to mandate mask requirements within the city if the State removes the mandate.

Mr. Davidson concluded by extending his thanks and appreciation to the Recreation Staff and City Staff for their wiliness to help over the last week and weekend in showing and getting the Fitness Center open and welcoming for the residents of Orem. He feels they really need to give a lot of thanks to Method Studio and Big D Construction, the Library Hall and Fitness Center are two beautiful buildings. He appreciates everyone's support in celebrating the new Fitness Center and Library Hall.

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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; 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 April 26, 2021, the Orem City Council meeting on March 23, 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

Brent Sumner

PLEDGE OF ALLEGIANCE

Brenn Bybee

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

PRESENTATION: Natural Resources Stewardship Committee

Mr. Hawkins introduced those residents that are on the Natural Resources Stewardship Committee (NRSC) with Jeff Lambson as their Council representative. He continued to by reviewing the NRSC projects which included the following:

- 2020 - A year of learning:
 - Smart water meters
 - Farmland preservation
 - Provo River Delta
 - Bike path
 - Brownfields plan
 - Meeting with Council members individually
- A year of Community Building:
 - Orem City Green Team
 - Earth Day Youth Art Context
 - Social Media Outreach
 - Orem Outside
- A year of Progress and Discussion:
 - Progress was highlighted by the Mayor in the December Newsletter to include:
 - 30% reduction in water use per person
 - 64% reduction in air pollution emissions
 - More mass transit
 - Tier 3 Gas
- 2021 Priorities:
 - Recognizing community business leader is stewardship
 - Agricultural land preservation
 - Promoting wise water use on social media
 - Bike plan
 - Brownfields
 - Library Education Station
 - Outdoor recreation opportunities: Timp playground, Hillcrest Park
 - Fall Farm Festival
 - Orem City Green Team.

Mayor Brunst shared some information for the committee regarding looking into specific grants and funding for some of their projects.

Mrs. Lauret and Mr. Lambson thanked them for their hard work and stated how much they enjoyed being involved with their committee.

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.

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Public comments were made by the following:

- Lachelle Thompson
- Barbara Pulley
- Jim Condie

Written public comments submitted were read into the record. Written comments that were submitted are attached to the end of the minutes in their entirety.

CONSENT ITEMS

- APPROVAL OF MEETING MINUTES
 - Minutes of City Council Meeting – March 9, 2021
- RESOLUTION – Interlocal Cooperation Agreement between Utah County and Orem City for the Administration of the 2021 Municipal Elections

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

SCHEDULES ITEMS

PUBLIC HEARING / RESOLUTION

The City will receive Public Comment on the and consider approval of a resolution for a substantial amendment to the 2019-2020 Annual Action Plan.

Mr. Ransom stated that due 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 second 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 like to allocate funds from the previously allocated \$258,049.16 in CDBG-CV funding for public service projects to the following projects: \$24,000 to City of Orem Victim Services to pay a portion of the salary of one advocate to better help address increasing domestic violence rates, \$5,000 to City of Orem Police Department's Mental Health Response Team to help provide small resources to homeless and low to moderate mental health residents to better address growing homeless and mental health issues in the community, \$1,650 to Sharon Park Elementary to pay for a bi-level water bottle filling station to help them prevent COVID and mitigate its impacts, \$3,300 to Orem Junior High School to pay for two bi-level water bottle filling stations to help them prevent COVID and mitigate its impacts, and \$30,000 (\$27,000 in direct assistance, \$3,000 for program operation costs) to Community Action Services and Food Bank for mortgage assistance for low to moderate homeowners living in the City of Orem struggling to help make mortgage payments due to the direct impact of COVID-19.

Mayor Brunst opened the public hearing at 6:28 p.m. Hearing not comments he closed the public hearing and brought the item back to the Council for further discussion.

Mayor Brunst moved, to approve by Resolution for a substantial amendment to the 2019-2020 Annual Action Plan for the Community Development Block Grant (CDBG) Projected Use of Funds for CARES ACT CDBG-CV funding. **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**.

RESOLUTION/FENCE MODIFICATION

Applicant requests approval for a six foot SimTek fence between their commercial property and two residential properties to the east of Sun River Gardens located at 312 West 1200 North in the C2 zone

Mr. Bench stated that the Sun River Gardens recently received site plan approval to build a new storage building on the property at 312 West 1200 North. One of the requirements of this approval was that a seven foot high masonry wall be built to separate their commercial property from the residential properties that are adjacent to their property. The resident at 298 West 1200 North, which is directly to the east of Sun River Gardens, recently installed a SimTek fence between their property and Sun River Gardens. This SimTek fence is six feet high. It matches the fence on the other side of their property and they do not want to have it replaced. The other property owner who borders Sun River Gardens on the northeast part of the lot, currently has a chain link fence which separates their property from Sun River Gardens. They are in favor of Sun River Gardens matching the six foot high SimTek fencing that currently exists along the southern property line. Both of the neighbors who border Sun River Gardens prefer the current six foot SimTek fence to be the divider between the commercial property and their residential properties. They do not want a seven foot masonry fence. The applicant requests the fence requirement be modified to leave the six foot SimTek fence in place and extend it to the north. 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.

The adjoining residential property owners have indicated in writing that they support the proposed modification and their letters are included with this agenda summary. He conclude that staff has reviewed the proposed fence modification and believes the request meets all of the requirements listed above.

Discussion ensued regarding a concern of setting a precedence in future requests, and how it is built into the ordinance that allows an application to be made and the need to appear before the council for each approval.

Mayor Brunst moved, to approve by Resolution for a six foot SimTek fence between their commercial property and two residential properties to the east of Sun River Gardens located at 312 West 1200 North in the C2 zone. **Mr. Macdonald 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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COMMUNICATION ITEMS

There were no additional communication items

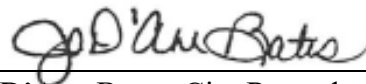
CITY MANAGER INFORMATION ITEMS

The City Manager had no additional Information Items to share.

ADJOURNMENT TO A MEETING OF THE OREM REDEVELOPMENT AGENCY (RDA)

Mayor Brunst moved to adjourn to a meeting of the Orem Redevelopment Agency (RDA). **Mr. Spenser 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**.

The meeting adjourned at 6:27 p.m.



JoD'Ann Bates, City Recorder

Approved: April 13, 2021



PUBLIC COMMENTS – March 23, 2021

7. PERSONAL APPEARANCES

Lachelle Thompson

I have some concerns about the large developments proposed on 1600 W. and 400 N. 1. 1600 N is already very narrow and crowded as you go East to access 1-15. I'm concerned that we are adding more residents to an area that isn't equipped to handle the current traffic needs. I request that the 1600 N access to I-15 be widen with more lanes before we add more residents. 2. I'm concerned about the increase of traffic in residential neighborhoods. I request parking lot access to these developments be off State Street or where 1600 N is business zoned, not in residential neighborhoods like 400 N or west 1600 N. 3. I'm concerned about the proposed 6 story height of these developments so close to residential neighborhoods and by businesses that are single or two story structures. I request setbacks of 75 feet from residential homes and structure height lower as it approaches existing homes.

Barbara Pulley

We moved to Orem in 1969. To put that into perspective we moved here before they had a traffic signal light at the intersection of 1600 North and State Street. We have lived on 1600 North this entire time. We have watched a quiet country road turn into an extremely busy city street. We built our home on property that my Grandfather owned and farmed until his death, so it is meaningful to me, and is the main reason why we have stayed in Orem. When we wanted to build our home we were only able to do so, if we put in the sidewalk, curb and gutter along our property, and it had to be done at our expense. Later on the City put in the sidewalk, curb and gutter all along 1600 North at the Cities expense (our taxes) for all those who didn't have it. Then the street became so busy that the City had to come in on our frontage to widen the road, and they tore up my sidewalk without any consideration. That's not the end of the story! A second time they widened the road and again came in on our frontage. This time we were left without a pull over in front of our house. Our newspaper delivery person told us it was too dangerous for him to deliver the paper to us, and we would need to move our paper box. So after 50 years we stopped taking the newspaper. And now we have the City figuring to allow a development that will further frustrate the people who live in our area with even busier streets! There are certain times of the day when we can't get out of our driveway as it is! Sadly this is only one of the problematic issues we will be dealing with. Orem City, we have put up with a lot over the years since we have been here, but this one is just asking too much!

Jim Condie

I want to thank the city planning folks for making this recommendation. I am happy that the council passed the 75' setback. The residential rezone adds an additional setback to the height that will help preserve our privacy and somewhat of a neighborhood feel. The developer has rights to develop his property, and he purchased bottlenecked property with no real access to State street. Development should be pushed toward state street. He needs realistic plans for the property he purchased. Thank You!

DRAFT

9.1 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 resolution for a substantial amendment to the 2019-2020 Annual Action Plan.

[None](#)