

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
December 14, 2021

5:00 P.M. WORK SESSION - CITY COUNCIL CONFERENCE ROOM

CONDUCTING	Mayor Richard F. Brunst
ELECTED OFFICIALS	David Spencer, Debby Lauret, Tom Macdonald, Terry Peterson, Brent Sumner, and Jeff Lambson.
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; Jason Bench, Planning Division Manager; and Nathan Nelson, Deputy City Recorder
ELECTRONIC PARTICIPATION	Jeff Lambson

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

UPDATE – Watt Smart Commission

Mr. Prescott introduced the Watt Smart Commission and gave background on their “Communities Energy Action Plan.” He stated this topic was first introduced to the council around a year ago and they are now ready to present a final report. Mr. Prescott gave a history of the commission and their purpose, which is mainly to educate both residential and non-residential entities on how to be more energy efficient, thus saving money. Mr. Prescott continued with the report breakdown showing energy savings between residential and non-residential entities. Mr. Prescott stated they are looking into better education programs for residential areas so they can get more involved in energy efficiency.

Mr. Prescott introduced new strategies and goals the Watt Smart Commission will be tackling which include:

- Residential outreach and education
- New construction outreach and education
- Explore energy efficiency financing programs for small businesses
- Find ways to incentivize energy action in new construction
- Increase energy efficiency projects in City facilities
- Explore ways to implement renewable energy in City Facilities

Finally, Mr. Prescott presented the next steps for the program. Which include:

- Education and outreach
- Flyers for new construction
- Research new methods for energy efficiency

Mr. Peterson stated he got a call from a concerned citizen stating some of the new LED streetlights were out on 400 East, 400 West and State Street. Mr. Davidson responded those are lights that need to be serviced, but replacement parts are currently difficult to get because of supply chain issues. Mr. Davidson went on to say he was aware of the 4th East and 4th West issue but had not heard anything about streetlight issues on State Street.

Mr. Spencer asked if this topic had anything to do with HB411, and stated if it was, he was not interested in supporting it. Mr. Prescott stated this did not have anything to do with HB411. Mrs. Schriever stated the city had an opportunity to be a part of that program but choose not to participate.

General discussion regarding HB411, and other energy savings incentives and options. Mr. Davidson stated the city is more focused on leveraging the resources and opportunities that rocky mountain power has for their customers. General discussion continued regarding cost saving measures, education, and project buildout.

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.

Mr. Davidson stated the State Legislative Session starts on January 18th and stated they're preparing for continuing discussion regarding housing / housing affordability, the use of detailed incentives as a means to entice big-box retailers into the city.

General discussion ensued regarding the upcoming Legislative Session and how to make sure the City is represented in this session, retail incentives, and possible upcoming changes to the Public Safety retirement program.

CITY COUNCIL REPORTS (BOARDS & COMMISSIONS, NEW BUSINESS, ETC)

Mr. Peterson stated he had a meeting recently with people from UVU and explained some of the ways they are trying to remedy parking issues.

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

CONDUCTING Mayor Richard F. Brunst

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

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 Director; Brandon Nelson, Finance Director; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Pete Wolfley, Communication Specialist and Nathan Nelson, Deputy City Recorder

ELECTRONIC PARTICIPATION Jeff Lambson

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT – David Shallenberger

PLEDGE OF ALLEGIANCE – Kate Shallenberger

MAYOR’S REPORT/ITEMS REFERRED BY COUNCIL

RECOGNITIONS – Staff Recognitions

Mr. Baker of the Independent Commission for Redistricting recognized Mr. Dunn for volunteering with the commission and helping with GIS system. He thanked him for being a great help in his volunteering work and a great employee to the city. Mr. Baker finished by presenting Mr. Dunn with an award recognizing this service.

Owen Jackson of the Utah City and County Management Association called Mr. Bybee and Mr. Downs to the stand to recognize them for receiving their International City/County Management Association (ICMA) Certified Manager designation.

Ms. Thomas expressed her thanks to Mayor Brunst for accepting the idea of Kindness Week and turning it into a reality. She recognized him by presenting him with a kindness ambassador award.

PERSONAL APPEARANCES

Murray Low expressed his thanks to Mayor Brunst and Mr. Sumner for their service to the city and stated they will be missed.

CONSENT ITEMS

- **APPROVAL OF MEETING MINUTES**
 - Minutes of City Council Meeting – November 23, 2021
- **APPROVAL – 2022 City Council Meeting Schedule / Proposed Meeting Dates For 2022**
- **RESOLUTION – Authorizing the City of Orem to Participate in Settlements With Distributors and Janssen to Abate the Opioid Pandemic**
- **RESOLUTION – Adopting the existing Voter Participation Areas as previously adopted by Resolution 2019-0025**

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

SCHEDULED ITEMS

RESOLUTION – Fiscal Year 2020-2021 Audit Report The City Manager recommends the City Council, by Resolution, accept the Fiscal Year 2020-2021 Audit as presented

Mr. Nelson stated the budget for fiscal year 2020-2021 had to be nearly completely redone because of the pandemic, and stated he is glad the year was more financially positive than expected. He then turned the time over to Mr. Stewart. Mr. Stewart stated there are four main areas of interest they check over while auditing the city;

- Financial statements
- Internal controls and if they are implemented correctly
- In compliance with state law
- In compliance with uniform guidance

Mr. Stewart went into detail on each of these areas and gave brief insights on the processes of each step. Mr. Stewart expressed there was one finding to do with the third topic, being the state requires you can only have so much fund balance in the general fund, and the city exceeded that amount. He expressed this is something the city will need to look into. Mr. Stewart finished by stating the city is in good standing, and the controls of the city are effective and are being well managed.

Mayor Brunst moved to by resolution to accept the Fiscal Year 2020-2021 Audit as presented. **Mr. Macdonald seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, Jeff Lambson, and Brent Sumner. The motion **passed**.

PUBLIC HEARING / RESOLUTION – The City will receive Public Comments 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

Mr. Ransom went over past allocations and introduced the new recommendations. First of which is providing funds to Westmore Elementary to help install water bottle filling stations at the school. Mr. Ransom also suggested they allocated 25,000 dollars to the Community Actions Food Bank to help establish a food bank within the Orem Senior Center. He then finished by going over the amount of funds left to allocate. Mr. Macdonald asked when this money needed to be allocated by. Ms. Matthews stated this money would need to be allocated by the end of 2023.

Mayor Brunst opened the public hearing at 6:28 pm.

Tom Hogan from Community Actions Services and Food Bank stated the food bank currently operates out of Provo Mr. Hogan stated the Orem Senior Center has presented them with the opportunity to use a large closet area in their facility as a food bank. He feels that with a little modification it could be used to hold meat, dairy, and other temperature sensitive goods. Mr.

Hogan also said that during the pandemic there has been an unfulfilled need for home cleaning and sanitation products, and expressed this location could provide those as well as food and he is excited to give Orem residents a food bank they can access within city limits.

Mr. Macdonald asked if they would be accepting donations at this location. Mr. Hogan stated they don't currently have a donation drop off location at the Orem Senior Center, but would add one when the services and food bank is open for operation.

Mrs. Lauret asked Mr. Hogan if the discussed \$25,000 dollars would be enough money to start, run, and staff this bank. Mr. Hogan responded it would be enough to get them started, and they would look to staff the bank largely with volunteers. Mrs. Lauret stated the services and food bank should look into receiving another CDBG-CV grant in the future.

Hearing no further comments, Mayor Brunst closed the public hearing at 6:33 pm and brought the item back to the Council for further discussion.

Mayor Brunst moved by Resolution to accept the projected use of funds for the CARES Act CDBG-CV funding and consider the approval of a substantial amendment to the 2019-2020 annual action plan. **Mrs. Lauret seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, Jeff Lambson, and Brent Sumner. The motion **passed**.

PUBLIC HEARING / RESOLUTION – Creating a Residential Parking Permit Area on designated streets in the Orem High School neighborhood

Mrs. Schriever stated the Chief of Police is recommending the council enact an expansion of the Orem High residential parking permit area. She stated a traffic study was held, and they feel this change would be helpful.

Mayor Brunst opened the Public hearing at 6:37pm

Mrs. Visnaw stated she lives near Timpanogos High School and feels students may think they are allowed to park in permitted areas because they have a high school parking permit. She stated this misunderstanding could be solved by changing wording to make clearer signage.

Hearing no further comments, Mr. Brunst closed the public hearing at 6:38 pm and brought the item back to the Council for further discussion.

Mayor Brunst moved by Resolution to create a residential parking permit area on designated streets in the Orem High School neighborhood. **Mr. Spencer seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, Jeff Lambson, and Brent Sumner. The motion **passed**.

PUBLIC HEARING / MOTION – Ratifying Resolution 2021-0019 creating a Residential Parking Permit Area on designated streets in the Sunset Heights neighborhood

Mrs. Schriever indicated his item had previously been approved by the Council. Due to a miscommunication, a public hearing was not held at that time. By holding the public hearing this will meet the requirement of the law and fully ratify the earlier motion and ordinance.

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

Mayor Brunst moved to Ratify Resolution 2021-0019 creating a Residential Parking Permit Area on designated streets in the Sunset Heights neighborhood. **Mr. Spencer seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, Jeff Lambson, and Brent Sumner. The motion **passed**.

PUBLIC HEARING / RESOLUTION – Adopting the updated City of Orem Parks, Recreation, Trails and Open Space Master Plan and amending the Orem City General Plan to include the updated City of Orem Parks, Recreation, Trails and Open Space Master Plan in Appendix G.

Mr. Bybee introduced the topic and stated the city has been busy making improvements to parks and open space. He stated because of this, he feels it is necessary to update the Parks Master Plan in order to be prepared for the future. He then turned the time over to Ms. Benson of Landmark Designs.

Ms. Benson stated the new updated plan includes an additional arts and culture chapter. She continued to show an update to a past survey, which removes questions pertaining to the fitness center, which has been rebuilt since the last survey. She stated the survey showed the city could improve on trail allocation. She then presented a graph showing Orem's under 20 population is shrinking, and senior age groups are increasing in size. She stated Orem currently has 299.02 acres listed for parks. She then indicated citizens are also concerned with park "walkability," (Are parks within walking distance from their neighborhood?) She presented a map showing gaps in park walkability, and suggested where parks could be added to cater to more citizens.

Ms. Benson continued to state that citizens are generally happy with the provision of parks in Orem, and the city may even be able to lower the park acres per person ratio. She then went over options the City could do to meet future needs. She then showed services that citizens expressed they would like to see more of. These included more dog parks, pickleball courts, splashpads, and mountain bike trails. She expressed how arts & cultural events/facilities are an important part of the master plan and suggested the council continue to support the growth of them. Ms. Benson then presented a map showing all current and planned bike trails and lanes. She went into detail on these and explained how the city could be more bikeable. She concluded by presenting a table showing “amenities to meet population standards”, which shows that Orem is doing well, but should look into adding more basketball, pickleball, and volleyball courts.

Mr. Brunst stated he would like to see a survey of park usage to see which ones are getting under or overused.

Ms. Benson stated the city already meets the projected needs of parks space by 2030, but would need an additional 57.8 acres by 2050 to meet growing city needs and keep parks accessible. She then stated that throughout various surveys, common citizen feedback was wanting more and/or upgraded walking and biking paths.

Ms. Benson introduced three areas of focus for the updated parks master plan. These include:

- Expand Trail Network
- Upgrade existing parks
- Secure additional land for parks

Mr. Bybee stated this planning process took a bit longer than expected, but for good reason, especially considering the amount of public input included.

Mr. Brunst stated the CARE tax agreement where the city receives one million dollars a year for recreation is up for renewal in about two years and the city should keep their eye on that so they can continue to receive the money.

General discussion ensued regarding plan funding and flexibility.

Mr. Brunst opened the public hearing at 7:09 pm. Hearing no public comments, he closed the public hearing and turned the item back to the Council for further discussion.

Mr. Sumner moved to approve the Resolution adopting the updated City of Orem Parks, Recreation, Trails and Open Space Master Plan and amending the Orem City General Plan to include the updated City of Orem Parks, Recreation, Trails and Open Space Master Plan in Appendix G. **Mr. Spencer seconded** the motion. Those voting aye: Richard F. Brunst, Debby

Lauret, Tom Macdonald, Terry Peterson, David Spencer, Jeff Lambson, and Brent Sumner. The motion **passed**.

PUBLIC HEARING / ORDINANCE – Enacting Section 12-5-14 *Massage Establishments* of the Orem City Code.

Mr. Earl introduced the item and gave a brief summary of the ordinance, which has been presented to the council for review in the past. The main purpose of this Ordinance is to weed out “bad actor” massage establishments.

Mr. Peterson stated bad actor establishments are not welcome in Orem.

Mayor Brunst opened the public hearing at 7:14 pm. Hearing no comments Mayor Brunst closed the public hearing and brought the item back to the Council for discussion.

Mr. Peterson moved by Ordinance to enact section 12-5-14 Massage Establishments of the Orem City Code. **Mr. Spencer seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, Jeff Lambson, and Brent Sumner. The motion **passed**.

COMMUNICATION ITEMS

No communication items at this time.

CITY MANAGER INFORMATION ITEMS

Mr. Davidson expressed his thanks to Mr. Sumner and Mayor Brunst for their service to the City and invited the public to attend a farewell party that would be held later that week.

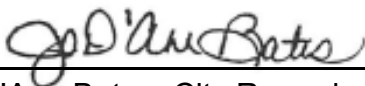
ADJOURNMENT

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

Meeting adjourned at 7:16 pm.

Approved: January 11, 2022




JoD'Ann Bates, City Recorder