

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
September 28, 2021

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

CONDUCTING	Mayor Richard F. Brunst
ELECTED OFFICIALS	Debby Lauret, Tom Macdonald, Terry Peterson, and David Spencer.
ELECTRONIC PARTICIPATION	Brent Sumner
EXCUSED	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 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”

Mr. Spencer stated Mayor Brunst would be joining the meeting later and asked that he start the work session in his absence.

PRESENTATION – Farley Property Water Tank

Mr. Larsen of Bowen Collins & Assoc. stated after the last City Council meeting and the feedback they received they had come back to show the Council some new renderings with the proposed tank being completely underground. He continued to show elevations, sections and 3-D renderings of the proposed area and location of the tank. He indicated there are a few things still to work out but they have provided a good base as to what it will look like.

General discussion ensued regarding a cost for a concrete fence around the 3 sides of the site instead of the chain link fence. Discussion continued regarding a preference of fences around the tank for security for both the tank and the residents.

Mr. Larsen continued to state that nothing is set in stone and changes can continue to be made. He presented proposals of the booster pump station.

General consensus of the council was they were in approval of the presented information and Mr. Larsen was good to proceed presenting it to the public.

Mr. Peterson joined the meeting at 4:23 pm

UPDATE – Utah Valley University

Mr. Whyte, Associate V.P. of University Relations made a presentation as to an update of the Utah Valley University which included the following information:

- Celebrating UVU's 80th anniversary
 - UVU Serves a Diverse Population
 - Student Successes
 - Program Successes
 - Athletic Successes
 - Academic Successes
 - Community Involvement Success
 - Recognitions Received
 - Covid-19 information on campus
 - Parking Issues Update
 - Campus Facilities Update

Mr. Whyte concluded by thanking the City of Orem and others that have helped in contributing to the continued success of Utah Valley University and its students.

Mrs. Laruet inquired as to the parking with the newer apartments and if the online programs will continue to be consistent. Mr. Val Peterson indicated with the covid pandemic, they feel the traffic has been reduced and they would like to do a traffic study to get a true count. He feels the online participation will continue due to the ease of availability.

REPORT – Annual Human Resource Report

Mrs. Rugg, Human Resource Director introduced Jennica Jones and Scott Swift and indicated they would be helping with the presentation. She indicated this is an annual presentation in order to keep the Council up to date with staff and policies. She continued to discuss the following:

- Employee Demographic
- Adoption of the Equal Employment Opportunity plan
- Diversity Efforts
- FY22 Personnel Expenditures

Mrs. Jones presented employee benefits to include the following:

- Health Insurance
- Annual Employee Turnover
 - Specific Sworn Police and Fire Employees

Mr. Swift presented employee recruitment information to include the following:

- New hires in 2021
- Current Open Positions available
- Hardest to fill positions
- Department Directors hired in 2021
- Public Safety Recruitment & Retention
- Compensation

Mrs. Rugg continued with a discussion of Employee Training and Development which included the following:

- Leadership and Management Monthly Sessions for supervisors
- Building a Better Orem quarterly sessions for all employees

She concluded by presenting safety measures the city is working on in order to help in the reduction of the covid-19 numbers.

General comments were made regarding how important the benefits the city provides are for the employees and the positive effect that has been shared regarding the women's scholarship program.

Mayor Brunst joined the meeting at 5:30 p.m.

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 (BOARDS & COMMISSIONS, NEW BUSINESS, ETC)

Mr. Davidson reviewed some upcoming events and information as follows:

- Utah League of Cities and Towns conference begins on Wednesday the 29th.
- Per the majority of the Council the October 12th City Council meeting will be cancelled due to the lack of scheduled items.
- Annual Touch-a-Truck event will be held on Oct 9th at the University Orchard Park from 10 am to 2 pm.
- Restrooms in the City Center are complete and open to the public.
- Updates as to parking concerns in various area along Geneva Road. They have had some productive communications with the apartments and they are working on providing additional parking.

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

CONDUCTING Mayor Richard F. Brunst

ELECTED OFFICIALS Debby Lauret, Tom Macdonald, Terry Peterson, and David Spencer

ELECTRONIC PARTICIPATION Brent Sumner

EXCUSED 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; and JoD'Ann Bates, City Recorder

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT - Terri Smith

PLEDGE OF ALLEGIANCE - John Barrick

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

There were no items at this time.

PERSONAL APPEARANCES

Stephanie Visnaw thanked the City Council for continuing to make changes to the State Street Districts. She has heard from several residents that developers and commercial property owners have taken some liberties and are not being held accountable for all city ordinances. She feels larger developers are controlling the meetings and are given preferential treatment and communications with residents are not being heard. During the moratorium it is an opportunity for Orem City to hold discussions with residents and small business owners not just developers.

Debbie Lamb stated she lives in the Hillcrest area and has some concerns with the University Mall and the Woodbury properties. Woodbury continues to purchase property in their neighborhood that are zoned residential and use that area as a staging lot for construction with large trucks and equipment. She questioned why Woodbury does not have to abide by the laws of the city. The traffic in their neighborhood is due to individuals trying to get to the mall or Costco to avoid State Street, once they realize they cannot get to those locations they speed out of the neighborhood.

Ethan Harris stated he is a resident of the Hillcrest neighborhood. Their homes are under constant threat from all sides and feels it is from the Woodbury Corporation. Residential lots are being illegally fenced off and used for construction storage and for commercial purposes. Woodbury has ignored the city code and city zoning in these locations and is destroying the value of the homes. There are rumors of Woodbury opening roads through their neighborhood and Costco is talking about expanding which would illegally encroach into this area. If Orem wants to continue to be known as Family City USA help us and our homes against those that illegally encroach in to residential areas for commercial expansion.

Annette Olsen stated she has lived next to the University Mall for 45 years. They have a traffic problem in their neighborhood with cars looking for an easier way to get to the mall and Costco and additional high density housing will only make it worse. They have watched their neighborhood get crowded out by the commercial around them. She urges the elected officials to look at their stewardship and see if they are serving the developers or the residents who elected them. Please support Orem's residents and preserve our neighborhood.

John Barrick inquired as to the site plan application process, Development Services office and the Development Review Committee (DRC). Orem City Municipal Code 22-14-20 talks about

site plans. He continued to quote from the city code regarding the requirements for an application for site plan submittal, approval and neighborhood meetings. Through Grama requests made, he feels there have been submissions accepted and approved that did not meet the requirements as called for in the city code. Legal counsel for the Wright development filed an application without a neighborhood meeting due to information they received from city employee that the neighborhood meeting was not required for their project. Is Orem City going to be subject to lawsuit and damages due to the actions of the employees? He continued to state they need more transparency and not more back room deals and violations of Orem city codes.

CONSENT ITEMS

- APPROVAL OF MEETING MINUTES
 - Minutes of City Council Meeting – September 14, 2021
- APPOINTMENTS TO BOARDS AND COMMISSIONS
 - Heritage Advisory Commission:
 - Russ Sneddon, Appointment
- ORDINANCE – City Code Updates – **This item was pulled by Mr. Peterson**
- RESOLUTION – 2021 Utility Financial Plan

Mr. Peterson motioned to move the item approving an Ordinance regarding City Code Update to a scheduled item.

Mr. Macdonald moved to approve the Consent Agenda as listed without the Ordinance for the City Code Updates item. **Mrs. Lauret Seconded** the motion. Those voting aye: Richard F. Brunst, Tom Macdonald, Terry Peterson, Debby Lauret, David Spencer, and Brent Sumner. The motion **passed**.

SCHEDULED ITEMS

PUBLIC HEARING / RESOLUTION – Crandall Orchard Open Space Conservation Easement Resolution of Support

Mr. Taylor stated the proposal is related to four separate properties owned by Tim and Natalie Crandall and utilized as orchards. Together they are 12.76 acres in size and located at 66 N 800 East St., 825 E Center St., and 101 S 800 East St. Two other properties used as part of the same orchard operation are located at 31 and 75 S 800 East St and consistent of 4.09 acres. Although they are owned by separate parties at this time, they will also be considered as part of the easement proposal should the owner's consent to it in the future. Darren Hawkins has requested this action of the Council on behalf of Tim and Natalie Crandall (all Orem residents). In order to

complete the property owner's application to Utah State's LeRay McAllister Critical Lands Conservation Fund for partial funding of the proposed easement. The fund requires property owners to have a "letter of support from the local government where the project is located." A resolution seems to be the most practical way for the City Council to state that support.

Mrs. Lauret inquired as to who retains the funds from the easement and how long does this stay and easement. Mr. Taylor indicated the funds would go to the property owner and it is meant to be in pertuity but there are ways to undo the easement but they do not see that happening in the near future.

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

Don Lysky stated he and his wife have been residents in the area for 34 years. He feels using the orchard for the open space is critical and feels they need to maintain the green visual. The Crandall farm is a treasure and tribute to the quality of life and feels once the open space is lost it is lost forever.

Quinn Mecham thanked his fellow residents regarding the Hillcrest neighborhood. He has had the opportunity to be the neighborhood historian and found that orchards are a fundamental part of the history of Orem. Orchards are a monument to the past and a quality of life. Orem is a place that is tied to the land and nature and thanks city staff for their time and energy. He concluded by urging the Council to support this effort.

Corey Ramich grew up down the street from this farm. He feels this is noble of the Crandall's to have this open space in perpetuity. Most other orchards are gone and the land has been turned into housing and feels this will give back to the heritage of Orem.

Jim Crandall stated this is something their family had been looking at doing for a long time. He has watched his family for generations struggle and even at one time loose this property, later having the ability to get it back and would now like to give back. He feels it is great opportunity and future and will only become more important.

Darren Hawkins wanted to thank the city staff in helping with this idea and the Council in their consideration.

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

Mr. Macdonald stated he fully supports this proposal and feels there are a few issues that will need to be addressed during this process in regards to possible future roads. Mr. Taylor indicated it is addressed in the resolution that the easement cannot stop the Orem Master Plan.

Mayor Brunst moved by Resolution to approve the Crandall Orchard Open Space Conservation Easement Resolution of Support. **Mrs. Lauret seconded** the motion. Those voting aye: Richard F. Brunst, Tom Macdonald, Terry Peterson, Debby Lauret, David Spencer, and Brent Sumner. The motion **passed**.

ORDINANCE – City Code Updates – Item pulled from Consent Items

Mr. Peterson stated it was his understanding this change is to clean up outdated information in the city code. His concern was a change to some of the GRAMA policies in relation to the Development Review Committee (DRC) information being availability through that request process.

Mrs. Schriever reviewed the changes to the city code being proposed and discussed the changes in 2-26-9 by stating in 2018 Senator Bramble proposed and these changes were approved that not just written and recorded information of a closed meeting are protected but also the transcript. These changes are to update and codify the city code with the state code that was not changed prior. A closed meeting is not to be discussed and is protected under GRAMA. Mr. Peterson inquired if the DRC fit under that language of a closed meeting. Mrs. Schriever stated the DRC is not a public body and would fall under the State code amendment of 2018.

Mr. Clark indicated the DRC meeting is not a meeting with the developer. It is a meeting of several staff members that review the proposal and ensure their plans meet code. Comments are made and issues and concerns are redlined then returned to the applicant.

Further discussion continued regarding the DRC and what is a public record and what constitutes protected records.

Mayor Brunst moved by Ordinance to approve the City Code Updates as presented. **Mrs. Lauret seconded** the motion. Those voting aye: Richard F. Brunst, Tom Macdonald, Terry Peterson, Debby Lauret, David Spencer, and Brent Sumner. The motion **passed**.

COMMUNICATION ITEMS

There were no communication items at this time

CITY MANAGER INFORMATION ITEMS

Mr. Davidson had no additional items at this time.

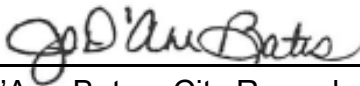
ADJOURNMENT

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

Meeting adjourned at 6:38 pm.

Approved: September 28, 2021




JoD'Ann Bates, City Recorder