

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
September 19, 2023

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

https://www.youtube.com/watch?v=IcF1lv_jmsM&t=0s

CONDUCTING Mayor David A. Young

ELECTED OFFICIALS David Young, Jeff Lambson, David Spencer, Tom Macdonald, Terry Peterson, LaNae Millett and Debby Lauret

APPOINTED STAFF Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager/Development Services Director; D. Jacob Summers, Deputy City Attorney; Chris Tschirki, Public Works Director; Keri Rugg, Management Services Director; Bryce Merrill, Library and Recreation Director; Marc Sanderson, Fire Chief; Peter Wolfley, Communications Manager, PIO; Jesse Riddle, Director of Legislative Counsel; Jason Bench, Asst Development Services Director; Trevor Bell, Budget Division Manager; Sam Kelly, City Engineer, Heather Cox, Grant Specialist; Kena Mathews, Community Services Manager; Derek Spencer, Division Fire Chief; Brandon Valley, Deputy Fire Marshall; Carson Hardy, Management Analyst; Teresa McKitrick, City Recorder

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

https://www.youtube.com/watch?v=IcF1lv_jmsM&t=72s

Waste Management Can Audit and Pilot Program: *Presenter: Blake Leonelli, Waste Management*

Mr. Leonelli from Waste Management (WM) explained that they have conducted a much needed garbage can audit. They had noticed over the last few years that the cans being picked up by their drivers did not match the Orem records. The audit has shown that 4500 cans that are not being billed for. In the next few months these cans will be correctly billed.

Mr. Leonelli moved on to discuss the pilot film program. Orem is the pilot city and the program has been going for just over a month. The press for this program has been very positive. The numbers are good but the program is still very new.

https://www.youtube.com/watch?v=IcF1lv_jmsM&t=1038s

Healthy Utah Community Designation: *Presenter: Heather Cox, Grant Specialist and Carson Hardy, Management Analyst*

Ms. Cox explained that Get Healthy Utah is an initiative that was created by Lieutenant Governor Greg Bill and the Utah League of Cities and Towns (ULCT). This effort is to help cities across the state to improve the health of their citizens. There is a designation called “The Healthy Utah Community.” The process to gain the Get Healthy Utah is four parts: sign a letter of commitment, identify healthy strategies, establish a healthy coalition, and develop a community health plan.

The current highlighted strategies for a Healthy Orem is active living, access to healthy food, and mental health. Active Living strategy includes free or low cost community programs, addressing active transportation connectivity gaps, and adopting an ordinance to require new subdivisions to provide sidewalks. The strategy for Access to Healthy Food is to establish a farmers market, promote enrollment in SNAP, WIC, school meal programs and other food access programs, and implement one new worksite wellness strategy around healthy food among city employees. The Mental Health Strategies are to train first responders on mental health crises, host recurring community events that promote social connection, and implement a program, recurring event or establish an area of the community that promotes connection.

Ms. Cox and Mr. Hardy continued to speak about establishing a community health plan. This plan will highlight the need to access and promote Healthcare Services for healthy eating, obesity and diabetes. Another highlight will be social health and community connectedness. Ms. Cox and Mr. Hardy gave recommendations for the community plan which include partnering with Hospitals to implement mobile screenings, expansion of recreational amenities and trails, establish community gardens, start a seed library program, partner with Utah State University’s Community Wellbeing project to conduct a survey of resident’s health, and build new and add to existing trails.

https://www.youtube.com/watch?v=IcF1lv_jmsM&t=2214s

Community Development Block Grant CARES ACT (CDBG-CV) program update: *Presenter: Ken Ransom, CDBG Commission Chairperson and Kena Mathews, Community Services Manager*

Ms. Mathews and Mr. Ransom are reporting on the COVID Funding received. The City of Orem received \$699,923 in CDBG funding for COVID-related projects and activities. This funding was in addition to the annual grant received from the US Department of Housing and

Urban Development (HUD). These funds benefitted many Orem residents and organizations. The Orem City CDBG commission reviewed, vetted and brought COVID related projects to the council. The commission consists of Ken Ransom, Ashley Gil, Eileen Black, Giovana Alisa, Janet Alvarez, Steven Heaps, Tanya Harmon and Council representative LaNae Millet.

These funds provide funding that was not available from other sources, it made it possible for organizations to keep doors open, kept the smaller public service organizations open, and it helped many public service organizations. It also made it possible for students to more safely attend school, it provided internet access and tables to students and adults to continue to work and learn online, and it helped Orem seniors facing food insecurity and isolation by providing meals and online friendship opportunities. The Orem Senior Friendship Center used \$89,154.82 funding to continue meals, provide online activities, upgrade facilities, buy equipment and upgrade entry accessible doors.

The COVID funding projects included completed critical home repairs for low income homeowners, provided touchless drinking fountains, provided funds to create a food bank at Centro Hispano, helped Community Action, provided meals and programs through the Boys and Girls Club, as well as many other projects. The CDBG funding for COVID-related projects benefitted Orem residents and community organizations and made a big difference in our community during the challenging worldwide health crisis.

https://www.youtube.com/watch?v=IcF1lv_jmsM&t=4112s

Potential Campaign Financial Disclosure Requirements for Incumbents: *Presenter: D. Jacob Summers, Deputy City Attorney*

Mr. Summers is here to discuss if the City of Orem wants to adopt an extra financial disclosures for candidates. The goal would be to provide greater transparency to the residents of Orem City. The proposed ordinance would require elected officials to file an annual reporting of any funds received or expenditures since their last disclosure statement. This is the proposed ordinance language. "Any elected official, who holds office in the City of Orem, on September 26, 2023, shall file an annual campaign financial disclosure statement with the City Recorder on, or before, (TBA). This reconciliation filing must disclose all contributions received and expenditures since the elected official's last campaign financial disclosure statement filed with the City Recorder through (TBA), which have not been previously disclosed."

The City Council had discussions about this new ordinance and that the City of Orem will follow state code with the financial disclosure calendar with the addition of this one extra disclosure.

https://www.youtube.com/watch?v=IcF1lv_jmsM&t=4112s

Fire Presentation Program: *Presenter: Derek Spencer, Division Fire Chief; Brandon Valley, Deputy Fire Marshall and Marc Sanderson Fire Chief*

Chief Sanderson explained that the fire prevention part of the fire department needed to be updated. Deputy Fire Marshal Valley explained the new program they are presenting. The goal of the inspection program is to identify safety concerns, education and build relationships of trust. The fire inspectors check alarm panels, sprinkler systems, fire extinguishers, exit lighting and egress, and target hazards. The program is expected to be annual and requires physical inspections of every home based (impact) and commercial business. The challenges are subleased spaces, mobile business, scheduling, data entry, billing and credibility.

Some of the business concerns are: is this a scam, a money grab, why can't I pay Orem, how is the fee justified and this is too expensive. The fire department's solution has three main changes; change the way we bill our inspections, add a digital review component and modify our fee structure. The fee structure is based on the "boots on the ground" total compensation for our entry level, Inspector II @ \$46.80 per hour and the type of business. Home based business = 1 hour and Commercial businesses = 2 hours. These fees cover the following associated costs of community Risk Reduction, code review of the CRR report, and follow-up inspections, if needed.

Deputy Fire Marshall Valley continued to explain the benefits for the business owner which are: businesses have asked for this change, safety, comfortability, adds validity, and builds stronger relationships of trust. The benefits for fire prevention by giving more time for community outreach programs, public education, cadet programs and follow-up. The council had questions and discussions about the program.

https://www.youtube.com/watch?v=IcF1lv_jmsM&t=6661s

Transportation Master Plan Update: *Presenter: Sam Kelly, City Engineer*

Mr. Kelly presented the 2022 update from the 2015 Transportation Master Plan (TMP) which include updating existing data to current conditions, base traffic counts, roadway level of Service, road cross-sections, state street master plan elements removed, travel demand modeling update from 2040 to 2050, incorporated undated MAG Transplan50 recommendations and capital improvement plan (cost estimates). The recommendations from the Transportation Advisory Commission is that the City of Orem can not build out of congestion, balance the needs of all users, good planning and transportation encourages active transportation, and we must be fiscally and socially responsible. The planning commission recommended the following changes; (1) Remove the following projects: 800 East widening, 1600 North widening, 800 South overpass and 800 South widening, 1200 North overpass and 800 West widening; (2) modify language concerning connectivity; (3) future discussion items such as bike lanes, UVU connectivity and connectivity.

Mr. Kelly concluded with the staff recommendation, which is to remove the 800 East widening, remove the 1600 North widening, remove widening Center Street and staff is willing to provide advantages and disadvantages to recommendations from the planning commission.

The council discussed concerns about the plan including bike lanes, safety concerns, expansion of roads, and adding medians. Mr. Peterson confirmed that the planning commission took great time and concern over this TMP. He also was happy to see the staff listening to the concerns. Council members asked about the installation of over passes. Mr. Kelly is in favor of the overpass and is willing to create a report about the advantages and disadvantages of the installation. A request was made from the council for a timetable of planned projects and Mr. Kelly will put that together.

AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

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

Presenter: Debby Lauret

Ms. Lauret serves on the Natural Resources Commission and she reported that currently the commission will have a booth at the Fall Harvest Festival on Monday, a water wise landscaping parade on Oct 7th at 10:00 am, a community group hike on Oct 14th at 8:30 am, and next year at Oremfest they want to implement a bike valet. Some ongoing projects are the bike rec initiative, communication planning, energy and water consumer rebates and utility authority management plan. Some past activities include the Earth Day event booth and the rain barrel distribution event.

She serves on the Arts Council. The Wednesday night concerts, in conjunction with the farmers market, were a success and the commission would like to add 6 more concerts next year. They are also discussing adding winter concerts.

The final commission she serves on is the Oremfest Commission. Ms. Lauret thought that Oremfest this year was successful. Next year they plan to make two changes. They plan to buy some barriers for the parade/crowd control and the car show will continue on Monday night. Ms. Lauret would like to continue helping with the Oremfest commission after she leaves office.

Mayor gave a shout out to City Manager Bybee, Chief Sanderson and Development Services for their efforts to assist Wilkerson Farms in opening for the fall season.

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

CONDUCTING

Mayor David A. Young

ELECTED OFFICIALS

David Young, Jeff Lambson, David Spencer, Tom Macdonald, Terry Peterson, LaNae Millett and Debby Lauret

APPOINTED STAFF

Brenn Bybee, City Manager; Ryan Clark, Assistant City Manager/Development Services Director; D. Jacob Summers, Deputy City Attorney; Keri Rugg, Management Services Director; Chris Tschirki, Public Works Director; Bryce Merrill, Library and Recreation Director; Josh Adams, Police Chief; Marc Sanderson, Fire Chief; Jesse Riddle, Director of Legislative Counsel; Peter Wolfley, Communications Manager, PIO; Carson Hardy, Management Analyst; Teresa McKittrick, City Recorder

https://www.youtube.com/watch?v=IcF1lv_jmsM&t=10957s

CALL TO ORDER/CONVENE THE BOARD OF CANVASS

INVOCATION / INSPIRATIONAL THOUGHT – Chad Lewis

PLEDGE OF ALLEGIANCE – Kelly Kirkpatrick

MAYOR'S REPORT/ ITEMS REFERRED BY COUNCIL

Freedom Festival Essay Winner Bronson Bishop: *Presenter: Terry Peterson, City Councilmember*

Mr. Peterson introduced Bronson Bishop, this year's winner of the Freedom Festival Essay Winner. Mr Bishop gave his speech on the difference between having freedom and being free. Mr. Peterson concluded with comments about freedom and America.

Passing of Mayor Blaine Willis

Ms. Lauret took a moment to honor and remember former Mayor and City Council member Blaine Willes, who passed away last week. He served two terms as a city council member and 9.5 years as Mayor from 1986 To 1991. His service as Mayor was interrupted when Governor Bangertor asked Mr. Willis to serve on the State Tax Commission, where he eventually became the Director of the Property Tax division.

https://www.youtube.com/watch?v=IcF1lv_jmsM&t=12277s

PERSONAL APPEARANCES

Opened at 6:26 PM

John Barrick expressed his appreciation for Debby Lauret and Terry Peterson. He is here tonight because he is concerned about the Stronger Together PIC. He believes they have multiple violations that have been filed with the Lt. Governor's office. He referred to the State Code to identify the violations. He believes that three candidates have unfairly benefited from this PIC.

Karen Adamson is also here to speak about the Stronger Together PIC. She claims that the Lt. The Governor's office has issued a letter to dissolve the PIC. She wants to know what can be done concerning the PIC.

Heather Fry claims that the Stronger Together PIC has been involved in illegal activities against the Utah State code. She believes that Jeff Lambson, Chris Killpack and Jenn Gale were given unfair resources by the PIC. She is asking the City Attorney and City Council to implore the County Attorney to pursue this accusation.

Mike Carpenter is a candidate in the current election and believes he was adversely affected by the Stronger Together PIC. He believes the candidates supported by the PIC were given unfair advantages. He would like an investigation held to determine if current candidates should be allowed to continue in the election or hold office.

Greg Carlisle is concerned that the Orem only school district is the main issue in this primary election. He would like to see the Stronger Together PIC issues be addressed. He doesn't agree with the Stronger Together PIC's actions and is concerned about the direction of the current election.

Scott Iscombe learned about the complaints against the Stronger Together PIC through the Stronger Together Facebook page. He took the time to read the official letters and to research on his own. He believes that unfair support was given to three candidates through the PIC. He stated it is in everyone's best interest to ensure complete election integrity.

CONSENT ITEMS

Approval of Meeting Minutes from August 22, 2023

Ms. Millett moved to approve the minutes from August 22, 2023. Mr. Spencer **seconded** the motion. Those voting yes: David Young, David Spencer, Debby Lauret, Terry Peterson, Tom Macdonald, LaNae Millett, and Jeff Lambson. The motion **passed**.

https://www.youtube.com/watch?v=IcF1lv_jmsM&t=13308s

SCHEDULED ITEMS

CANVASS-Acceptance and Certification of the 2023 City of Orem Primary Election

Presenter: Teresa McKittrick, City Recorder

Ms. McKittrick gave the following report: 45,366 eligible registered voters, 12,825 ballots counted, 206 ballots not counted (31 returned unsigned, 74 signature discrepancies, 102 returned past deadline, 1 empty envelope), 104 voted in person, 6 provisional ballots issued and 6 ballots counted. Councilmember Peterson expressed concern about approving the canvass given the comments and concerns raised regarding the Public Interest Committee (PIC) involvement in the primary, however, indicated that he would vote aye based on the advice of legislative counsel and the Deputy City Attorney

Mr. Macdonald motioned: The City Council, acting as the Board of Canvassers, moves to approve and certify the 2023 Primary Election results as presented and declare the six City Council candidates with the highest vote eligible to be nominated to the General Municipal Election on November 21, 2023 as follows: City Council Candidates: Jeffrey K Lambson, Jenn Gale, Chris Killpack, Crystal Muhlestein, Matt McKell and Spencer Rands. Ms. Lauet **seconded** the motion. Those voting yes: David Young, David Spencer, Debby Lauret, Terry Peterson, Tom Macdonald, LaNae Millett, and Jeff Lambson. The motion **passed**.

COMMUNICATION ITEMS - Monthly Financial Statement for June and July 2023

CITY MANAGER INFORMATION ITEMS

Mr. Bybee reported on the United Way Giving Campaign for the City of Orem. It was successful with the Orem employee donating over \$20,000.

https://www.youtube.com/watch?v=IcF1lv_jmsM&t=14376s

Mayor Young is concerned about some articles from the Daily Herald written by Ms. Pugmire about Orem City and about him personally. He gave examples of articles that he cited as being misleading: Orem City Council adopts the 2023-2024 budget: Fees to Rise, Orem City Council Looks at Changing the Form of Government, Library Accused of Censorship Over Removal of Displays, Utah Groups Lambast Orem For Handling of Library Materials, Group Warns Orem to Cease Library Censorship, Civil Liberties Group Feud Orem Public Library Policies, Utah Attorney General Investigating Complaints Against Officials and Utah Attorney General Continues Investigation into Orem Mayor. These examples were noted by the Mayor because there was another article published over the weekend that the Mayor said attacked him personally.

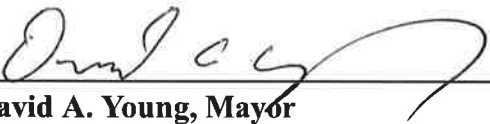
Mayor Young explained that there is a case, concerning \$140,000, that is between the mayor's son and his son's friend. Mayor denies having anything to do with this lawsuit and the suit is currently on appeal in Alabama. Mayor believes that these types of articles are promoting extreme decisiveness. His case is a civil disagreement that happened over a year ago. Mayor Young was contacted about the first article written nine months ago, in which he was able to comment. In the second article written, the reporter only made a slight attempt to contact the

mayor and he did not see the email in time to respond. He has many problems with the accuracy of the article and he is disappointed in those who promote contention and divide our community. He concluded that the City Council's mission is to create an environment where families can thrive.

ADJOURN MEETING AND THE BOARD OF CANVASS

Mrs. Millett moved to adjourn the meeting, **seconded** by Mr. Spencer. Those voting yes: David Young, David Spencer, Debby Lauret, Terry Peterson, Tom Macdonald, LaNae Millett, and Jeff Lambson. The motion **passed**.

PASSED and APPROVED this 10th day of October 2023.


David A. Young, Mayor

ATTEST:


Teresa McKittrick, City Recorder

<u>COUNCILMEMBER</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Mayor David A. Young	☒	☐	☐
Jeff Lambson	☐	☐	☐
Debby Lauret	☐	☐	☐
Tom Macdonald	☒	☐	☐
LaNae Millett	☒	☐	☐
Terry Peterson	☒	☐	☐
David Spencer	☒	☐	☐

