



MURRAY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

Meeting Minutes

Tuesday, September 7, 2021
Murray City Center

5025 South State Street, Conference Room #107, Murray, Utah 84107

Attendance: Council Members and others:

Diane Turner – Chair	District #4
Brett Hales – Vice Chair	District #5
Kat Martinez	District #1
Dale Cox	District #2
Rosalba Dominguez	District #3 (Excused until 5:20 pm)

Doug Hill	Mayor Pro Tem	Jennifer Kennedy	City Council Director
Robyn Colton	Human Resource Director	Pattie Johnson	Council Administration
Jennifer Heaps	Chief Communications Officer	Blaine Haacke	Power – General Manager
G.L. Critchfield	City Attorney	Danny Hansen	IT
Craig Burnett	Police Chief	Brooke Smith	City Recorder
Zack Smallwood	CED Associate Planner	Melinda Greenwood	CED Director
Brenda Moore	Finance Director	Residents	

Conducting: Ms. Turner called the meeting to order at 4:45 p.m.

Approval of Minutes: Committee of the Whole – July 6, 2021 and Committee of the Whole – July 20, 2021. Mr. Hales motioned approval on both sets of minutes, Mr. Cox seconded the motion. (All in favor 4-0)

Discussion items:

Power Department Quarterly Report: Mr. Haacke presenting.

- **UAMPS Summer Conference** – Important highlights:
 - There is value in having reserves. Details were shared about the major storm that hit Denton, Texas in February 2021. Subzero temperatures crippled residents statewide without power for days. Rolling blackouts were necessary due to frozen machinery, no natural gas supply, and no generation of power. Astronomical gas prices also incurred during the catastrophe when gas was \$3 per dekatherm heading into the storm and \$700 per dekatherm when it was over. As a result, a commercial paper line-of-credit was needed to address restoration when repair costs of \$150 million exceeded existing reserves of \$106 million; the shortfall was \$45 million.
 - Maintain Power Fund reserves. There is currently \$30 million in reserves to cover catastrophic damage, infrastructure repair and prolonged power outages. The City has five electrical substations worth \$6 million each that could be wiped out due to an earthquake or tornado.
 - Prolonged outages. The situation would create major financial losses for many of Murray's large power users. Customers are not particular about what resources are used to regain power and

most will pay any amount to regain it quickly to save inventory and lives.

- Climate change, environmental portfolios, and resources. Mr. Haacke said many states have taken a progressive approach to requiring renewable energy, but it was to Murray's benefit that Utah did not have a required portfolio percentage standard for renewable energy. Because the City has chosen to use alternative clean renewable energy resources on its own, we do not need State and federal regulations. Currently over 50% of Murray's energy already comes from renewable resources, like hydropower and the landfill.
- Diversity within UAMPS. The organization has changed demographically by adding more city members from surrounding states. Thirty years ago city members were limited to only Utah. It is likely with the expansion new members would support the small nuclear project proposed in Idaho. Mr. Haacke implied it was unknown whether other state's agendas would influence the direction of Utah's conservative UAMPS organization overall.
- **EV (Electric Vehicle) charger update:** Total revenue so far = \$750. Mr. Haacke reviewed that Murray was awarded \$157,000 in State funding for providing three EV chargers at the Park Center. Of that, \$141,000 was utilized and service began on May 12, 2021. Up to six cars can be charge at a time and the average use is about 3-4 cars per day. The number of visits per month were:
 - May - 54
 - June – 98
 - July - 120
 - August – 93
- **CRSP (Colorado River Storage Project), Western Area Power Administration hydro status:** Mr. Haacke recapped that Murray joined with the CRSP federal hydro resource in 1964 to receive electric power. To market power in the 60's, hydroelectric facilities were built beneath Glen Canyon dams constructed on the Colorado River. At that time the resource was more expensive than coal, which later became valuable as the least expensive resource to Murray. It is currently priced at \$30 per megawatt hour and is 30% of Murray's portfolio.

He said severe drought this year will affect the resource that could eventually reduce Murray's power production. Right now the lake is only 35 feet above a critical point where water is received through the hydro intake. If water levels drop another 10 feet, the resource will not be usable for even farmers. The cost for power is expected to increase 20-25% between October 1, 2021 and December 1, 2021 due to the water level crisis. Murray's options moving forward include:

- Buy additional energy from the market.
- Have UAMPS negotiate for missing kilowatt hours that were established in 1964.
- Look to UAMPS members like Idaho Falls that have surplus in energy.
- Run the City's natural gas turbines more frequently.
- Call back energy from the Intermountain Power Plant in Delta, Utah – the more expensive cost is \$60 per megawatt hour.
- Do nothing. Should the drought continue for 2-3 more years, the City may need to consider other emergency options if reserves are not adequate for purchasing power.

Ms. Turner asked if solar energy would help to address the shortage. Mr. Haacke said our solar energy contract would provide 5 megawatts of power in 2022, which will only cover 1/5 of the 25

megawatts lost in hydro production. He thought utilizing gas turbines would be more useful. Mr. Hales inquired about drought statistics. Mr. Haacke said water levels are the lowest since 1962.

- **2021 Summer Load:** The City's 35-year-old hydroelectric resource has not produced well this year due to lack of water. Engineering firm, Bowen Collins is conducting a study to determine if the City should invest in updating machinery. With record heat this summer the City saved around \$1 million by running all three gas turbines. Typically not used until August, they were needed on June 15 and all units function properly.
- **UAMPS:**
 - **Large Scale Solar:** Red Mesa Project – Navajo Tribal Authority. Groundbreaking is expected soon, and production will be up and running by Spring of 2022. The resource will produce 66 megawatts and Murray will receive 5 megawatts of that generation. The anticipated cost is \$23 per megawatt but will increase to \$30 per megawatt in 20 years when the contract expires.
 - **Enchant Project:** Enchant Energy Corp. will take over the San Juan coal fire plant that will close this spring due to environmental legislation. Murray will lose 1.6 megawatts in energy; however, if the plant can be repurposed into a massive carbon capture facility, the City is interested in attaining 4-5 megawatts. Details will come about in the future.
- **General department and employee status:**
 - Public Power Day – The event was moved to October 14, 2021, at pavilion #5 in Murray Park.
 - Light Up Navajo – Murray Power will participate again by sending four power employees to the reservation the first week of May 2022.
 - Job Force - One position for a Journey Lineman was filled. They are short two positions in GIS.
 - July 22, 2021 Outage - A significant microburst created havoc in one particular area of the City with many trees and power lines down. At peak, 2500 people lost power for up to 8 hours. Power was restored by the next day and clean up continued for days.
 - Seven people are going through apprenticeship school: three lineman, two sub-techs and two-meter readers. The training process is typically about four years.

Text amendment for Section 17.48.120, Temporary Signs: Ms. Greenwood and Mr. Smallwood presenting. The proposal is meant to simplify, clarify, and clean up regulations regarding temporary signs. The issue came about this year from an inquiry related to political signs and whether permits were required. Ms. Greenwood said a full sign code revision was adopted in 2019, however the temporary sign issue was overlooked regarding how and if signs are tracked. Temporary placement is considered 90 days or less.

Mr. Smallwood shared information about conflicting language, duplicated items, and items not practical to enforce in our current sign code. The text amendment was reviewed which confirmed that the City would not require permits for temporary signs; there would be no tracking of signs by stickers and signs are not allowed in the public right of way. The Murray Planning Commission recommended approval of the text amendment with a 6-0 vote. Staff also recommends the proposal go forward. There was a short discussion about how signs should be removed after 90 days, and then can be placed again in the same or new location for another 90 days.

Text amendment for Section 17.78, ADUs (Accessory Dwelling Units): Mr. Smallwood presenting. An

updated version of City Code regarding ADUs was proposed to comply with a Utah State mandate and simplify Code regulations. Legislation goes into effect on October 1, 2021, where all Utah cities must allow attached ADUs as a permitted use. The amendment prohibits limiting ADUs in size, so anyone may build any size of ADU they like. It also prohibits requiring more than one parking space.

Mr. Smallwood recapped that Murray adopted an ADU ordinance on September 11, 2009 allowing ADUs in single family residential zones, subject to obtaining a conditional use permit. Since then the City approved 67 ADUs. He clarified differences between Attached and Detached ADUs and reviewed the requirements of each. (Attachment #1) A major change for Detached ADUs is that the conditional use permit requirement be removed; City staff will approve ADUs. He confirmed property owners must sign an affidavit stating that no short-term renting of ADUs will occur and that ADUs are owner occupied. Property owners will be subject to various penalties if found operating an ADU as a short-term rental.

Ms. Dominguez requested clarification between ADUs and short-term rentals. Mr. Smallwood explained short-term rentals and Airbnb's are when portions of a home are rented out. An ADU is to help with the housing crisis, which is intended for long-term dwelling of more than 30 days at a time. He reviewed staff findings and confirmed the Murray Planning Commission voted 5-0 on July 1, 2021 to forward a positive recommendation to the City Council. City staff also recommended approval. Ms. Martinez noted ADUs must share the same address and asked if units could be labeled A and B. Mr. Smallwood said labeling units was not a requirement as to not confuse the ADU with a duplex. Mr. Hales asked if the State mandate would override the Homeowner's Association requirement that an ADU must be occupied by family members. Mr. Smallwood replied he would research that.

Police salaries. Mr. Cox and Ms. Colton presenting. Mr. Cox said after the need to increase Murray police compensation due to competitive salaries, he thought those officers not included should receive a raise as well. He met previously with Mayor Camp and the administration to propose that the budget opening should include wage increases for redline pay police officers also.

Ms. Colton confirmed top paid officers could be included in the wage increase, as low range officer pay would move up the pay scale considerably quicker. She explained how the step system was adjusted for those police officers who receive top pay. (Attachment #2) The additional increase would add another \$185,000 to the \$412,000 increase proposed two weeks ago. The new proposal puts Murray police officer pay at 1.87% above the average salary and is in line with other police agencies; it places the City at #4 for competitive pay. Mr. Cox was hopeful the solution would help prevent the City from losing more officers because they are greatly appreciated. The Council would consider the proposal in the council meeting.

Announcements: None.

Adjournment: 5:53 p.m.

**Pattie Johnson
Council Office Administrator III**

ATTACHMENT #1

Chapter 17.78, Accessory Dwelling Units

Land Use Ordinance Text Amendment

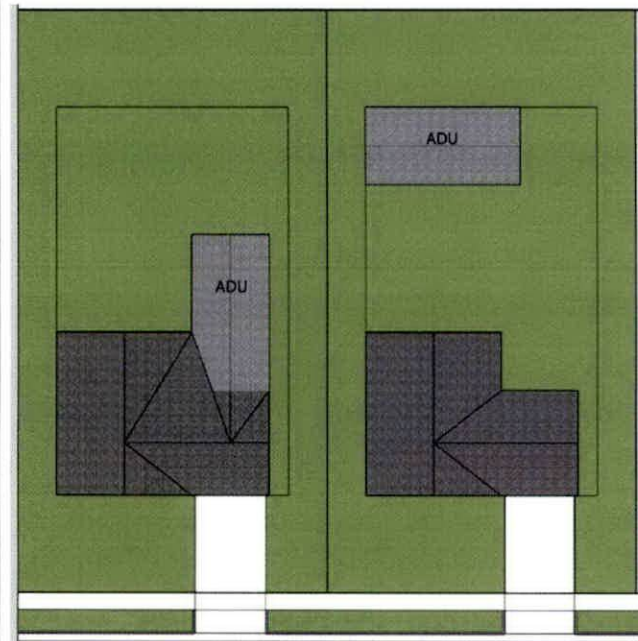


Why Are We Here?

State Mandate

- House Bill 82
 - Legislature attempting to help with the housing issues in the state
 - Goes into effect October 1, 2021





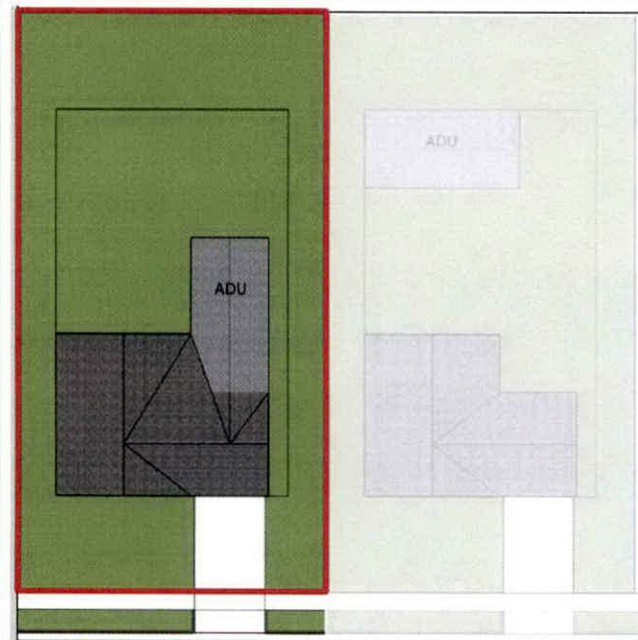
ADUs Defined

Attached (left)

- A part of the main dwelling; basement, addition, etc.

Detached (right)

- Wholly separated from the existing dwelling



Attached ADUs

- Removed size limitation
- Removed allowed number of bedrooms
- Reduced parking required to one additional space





Detached ADUs

- All requirements stay the same
 - 12,000 sq ft lot required
 - 1,000 sq ft or 40% of main dwelling
 - No more than 2 bedrooms
 - Two additional off-street parking spaces
- Changed from Conditional Use Permit to ADU Permit



ADUs & Short-Term Rentals

- Property owner must sign an affidavit that no short-term renting of ADUs will occur
- If found operating, will occur penalties that are outlined in the Short-Term Rental Ordinance (coming soon)
 - 1st Occurrence = \$500
 - 2nd Occurrence = \$750
 - 3rd Occurrence = \$750 (unable to obtain license)
 - Any additional occurrence = class B misdemeanor and \$1,000 fine



Project # _____

**ACCESSORY DWELLING UNIT
PERMIT APPLICATION**

Type of Accessory Dwelling Unit (choose one):
☐ Attached ADU ☐ Detached ADU

Subject Property Address: _____

Parcel Identification (Subject):
 Number: _____

Parcel Area: _____ Current Use: _____

Floor Area: _____ Zoning Classification: _____ LUR: _____

Applicant Name: _____

Mailing Address: _____

City, State, Zip: _____

Daytime Phone #: _____ Fax #: _____

Email Address: _____

Business or Project Name: _____

Property Owner's Name (if different): _____

Property Owner's Mailing Address: _____

City, State, Zip: _____

Daytime Phone #: _____ Fax #: _____

Email address: _____

Describe your request in detail (use additional page if necessary): _____

Accessory Dwelling Unit Permit

- Application Form
 - Type of ADU
 - Owner information
- Site plans
- Floorplans
- Affidavits
 - Acknowledging the owner will live on property
 - Acknowledging the prohibition of short-term rentals
- This would be a staff level administrative permit that does not require Planning Commission approval



Staff Findings

1. The proposed text amendment furthers objective 9 of the Land Use and Urban Design Element of the General Plan to “provide a mix of housing options and residential zones to meet a diverse range of needs related to lifestyle and demographics, including age, household size, and income” by making the process to construct and operate an ADU easier.
2. The proposed changes are in harmony with objective 11 of the Land Use and Urban Design Element to “stimulate reinvestment in deteriorating areas of the city to support growth and enhance the image of the community” by reducing the requirements needed to operate an ADU.
3. Staff finds that objective 3 of the Neighborhoods & Housing Element that states “encourage housing options for a variety of age, family size and financial levels” supports the proposed changes. This allows residents that own a home that may be struggling to pay their mortgage or have a family member or friend that needs affordable housing to reside on the property within an ADU.
4. Objective 1 of the Moderate Income Housing Element states “ensure housing affordability targets are achievable using a range of strategies”. One of the strategies in this objective states to continue to support ADUs in all residential zones. Staff finds that the proposed changes further this objective by making it easier to construct and operate an ADU.
5. The Planning Commission voted 5-0 to forward a recommendation of approval.

Staff Recommendation

Based on the background, staff review, and the Planning Commission recommendation, staff recommends **APPROVAL** of the proposed text amendment for Section 17.78, Accessory Dwelling Units.

ATTACHMENT #2

		STEP 0	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11	STEP 12
OLD	POLICE OFFICER	\$23.82	\$25.02	\$26.27	\$27.58	\$28.95	\$30.40	\$31.16	\$31.95	\$32.75	\$33.56	\$34.40	\$35.26	\$36.13
	MASTER OFFICER	\$25.83	\$27.12	\$28.48	\$29.90	\$31.40	\$32.96	\$33.79	\$34.63	\$35.50	\$36.39	\$37.30	\$38.23	\$39.18
NEW	POLICE OFFICER	\$27.58	\$28.96	\$30.41	\$31.93	\$32.73	\$33.54	\$34.38	\$35.24	\$36.12	\$37.03	\$37.95		
	MASTER OFFICER	\$29.90	\$31.40	\$32.96	\$34.61	\$35.48	\$36.37	\$37.27	\$38.21	\$39.16	\$40.14	\$41.14		

POLICE OFFICER PAY		
	Minimum	Maximum
So. Salt Lake	\$28.34	\$43.64
Sandy (Proposed)	\$28.36	\$42.01
West Valley	\$27.15	\$41.90
South Jordan	\$27.04	\$39.72
Salt Lake City	\$26.93	\$39.29
West Jordan	\$27.00	\$39.00
Taylorsville	\$27.40	\$37.06
Average	\$27.46	\$40.37
Murray	\$23.82	\$39.18
Difference	-15.28%	-3.05%

PROPOSAL		
Average	\$27.46	\$40.37
Murray (New Steps)	\$27.58	\$41.14
Difference	0.44%	1.87%
Total Annual Cost		\$597,362.24
Old Proposal		\$412,067.07
Difference		\$185,295.17

SERGEANT PAY		
	Minimum	Maximum
So. Salt Lake	\$45.69	\$49.42
West Valley	\$44.41	\$47.57
Riverton	\$32.27	\$48.41
South Jordan	\$43.21	\$47.22
Salt Lake City	\$43.24	\$46.00
West Jordan	\$41.64	\$44.85
Draper	\$36.67	\$41.27
Cottonwood Heights	\$39.56	\$45.31
Herriman	\$39.34	\$45.05
Taylorsville	\$42.36	\$45.20
Sandy	\$44.53	\$48.66
UPD	\$36.70	\$43.18
Average	\$40.80	\$46.01
Murray	\$38.96	\$46.31
Difference	-4.73%	0.64%

LIEUTENANT PAY		
	Minimum	Maximum
So. Salt Lake	\$52.48	\$56.76
West Valley	\$51.85	\$55.01
South Jordan	\$43.78	\$62.17
Salt Lake City	\$50.92	\$54.16
West Jordan	\$49.77	\$54.94
Draper	\$43.34	\$47.36
Cottonwood Heights	\$48.82	\$52.57
Herriman	\$43.32	\$52.15
Taylorsville	\$52.41	\$52.41
Sandy	\$51.57	\$56.36
UPD	\$45.95	\$51.22
Average	\$48.56	\$54.10
Murray	\$46.40	\$55.14
Difference	-4.66%	1.88%