



MURRAY
CITY COUNCIL

Council Meeting March 21, 2023



Murray City Municipal Council

Notice of Meeting

March 21, 2023

Murray City Center

5025 South State Street, Murray, Utah 84107

Meeting Agenda

4:15 p.m. **Committee of the Whole** – Conference Room #107
Garry Hrechkosy conducting

Approval of Minutes

City Council Initiatives Workshop – February 15, 2023
Committee of the Whole – February 21, 2023

Discussion Items

1. Discussion on an ordinance amending the City's Fiscal Year 2022-2023 budget. Brenda Moore presenting. (10 minutes)
2. Discussion on code related to storm water and solid waste transfers. Brenda Moore presenting. (10 minutes)
3. Discussion on an ordinance updating power rates. Blaine Haacke presenting. (30 minutes)

Adjournment

Break for Redevelopment Agency Meeting (Separate Agenda)

The public may view the Council Meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>. Those wishing to have their comments read into the record may send an email by 5:00 p.m. the day prior to the meeting date to city.council@murray.utah.gov. Comments are limited to less than three minutes (approximately 300 words for emails) and must include your name and address.

6:30 p.m. **Council Meeting** – Council Chambers
Diane Turner conducting.

Opening Ceremonies

Call to Order
Pledge of Allegiance

Approval of Minutes

Council Meeting – March 7, 2023

Special Recognition

1. Employee of the Month – Wendy Saunders. Diane Turner and Mayor Hales presenting.
2. Consideration of a Joint Resolution for Child Abuse Prevention. Mayor Hales and Sheri Van Bibber presenting.

Citizen Comments

Comments will be limited to three minutes, step to the microphone, state your name and city of residence, and fill out the required form.

Consent Agenda

None Scheduled.

Public Hearing

Staff, sponsor presentations and public comment will be given prior to Council action on the following matter.

1. Consider a resolution approving the donation of city services and/or nonmonetary assistance to the Navajo Tribal Utility Authority's "Light Up Navajo" initiative project. Blaine Haacke presenting.

Business Items

1. Consider a resolution authorizing the execution of an interlocal cooperation agreement between the City and the Board of Education of the Murray City School District regarding the conveyance by the City of real property of which the City will continue to own, operate, and maintain the Murray City Library. G.L. Critchfield presenting.
2. Consider a resolution authorizing the execution of an interlocal cooperation agreement between the City and the Board of Education of the Murray City School District to provide for a ground lease of property owned by the board of education of the Murray City School District Located at 166 East 5300 South Street. G.L. Critchfield presenting.

Mayor's Report and Questions

Adjournment

NOTICE

Supporting materials are available for inspection on the Murray City website at www.murray.utah.gov.

Special accommodations for the hearing or visually impaired will be made upon a request to the office of the Murray City Recorder (801-264-2663). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speaker phone. The speaker phone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.

On Friday, March 17, 2023, at 9:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website www.murray.utah.gov and the state noticing website at <http://pmn.utah.gov>.



Jennifer Kennedy
Council Executive Director
Murray City Municipal Council



MURRAY
CITY COUNCIL

Committee of the Whole



MURRAY
CITY COUNCIL

Committee of the Whole Minutes

MURRAY MUNICIPAL COUNCIL

City Council Initiatives Workshop

Meeting Minutes

Wednesday February 15, 2023

Murray City Center - 5025 South State Street, Council Chambers, Murray, Utah 84107

Attendance:

Council Members and others:

Garry Hrechkosy – Chair	District #5
Phil Markham – Vice Chair	District #1
Pam Cotter	District #2
Rosalba Dominguez	District #3
Diane Turner	District #4

Brett Hales	Mayor	Jennifer Kennedy	City Council Executive Director
Doug Hill	Chief Administrative Officer	Pattie Johnson	Council Administration
Tammy Kikuchi	Chief Communications Officer	Blaine Haacke	Power Department Manager
G.L. Critchfield	City Attorney	Brenda Moore	Finance Director

Welcome/Introductions – Council Chair Hrechkosy began the workshop at 12:01 p.m.

Initiative Items:

- **City donations to private and civic groups** – Mr. Markham wanted to ensure that all Council Members were in agreement with how the City would give financial donations. Because an official process for making donations was currently non-existent, he proposed that all contributions begin with a request by application, with the exception of in-kind donations. He felt accountability was vital, applicants should be better organized in asking, budgetary plans for spending should be provided and an explanation about how donations benefit the City overall should be required. To be more transparent, follow up reporting should occur more often to show that the intention was actually met.

Mr. Hrechkosy agreed the process should be reviewed. Mr. Critchfield confirmed the City had not discussed the matter at great length if ever. State law allows the City to waive fees for non-profit organizations, but cash donations required a public hearing process that involves having criteria from the applicant.

He said the ordinance was designed more for incentivizing than it was for giving to non-profit agencies. The conversation nationwide has always been that cash donations should not be given to non-profits, which was why the Council would need to find a public purpose for a donation. He stressed that they would need to identify the specific authority that allowed a city to give cash, which he has never found nationwide. One proper way the City contributed by donation was to NeighborWorks because statutory authority was given to address homelessness and housing provisions. He clarified that once public purpose was confirmed for donating and the authority given was established the Council could then request budget information from an applicant prior to a final donation. Mr. Critchfield would provide a memo at the February 21, 2023 Committee of the Whole meeting to explain parameters for appropriating donations to private entities within Utah Code.

- **Changes to the M CCD (Murray City Center District) Code** – Ms. Cotter wanted to confirm that decisions made by the Council from the M CCD Zone Workshop held August 10, 2022 were

recognized in the coming zone changes. Mr. Hrechkosy said specific direction was given that day to CED (Community and Economic Development) Director, Mr. Hall who was finalizing the requested changes and will be presenting them soon.

- **Council Travel Policy** – Ms. Cotter said she studied the City Council Travel Policy in order to discuss what meetings and conferences Council Members could attend and to confirm how often travel was allowed. Her hope was to find out how others felt about the current policy. She noted that according to the travel policy, not all Council Members should attend all conferences within the same fiscal year. Ms. Kennedy confirmed. Ms. Cotter compared conferences related to energy legislation and national legislative issues and clarified going to both power meetings was not an option according to policy and they must choose between the two. Ms. Kennedy agreed.

Ms. Turner thought the policy should be changed regarding power related conferences. Ms. Cotter agreed that Council Members should be in compliance with the travel policy and compared travel expenditures allocated from the power department budget with those in the council budget. She felt all Council Members should have the option to attend all meetings if future budgets allowed. Ms. Dominguez agreed learning was valuable to all of them whether it be a local, federal, or power related conference. Ms. Kennedy explained that historically travel to power related conferences did not include the entire City Council and initially the Council Chair and Vice-Chair were the only two invited by the power department.

There was a discussion about how travel budgets were changed prior to and during the pandemic and how both power department and City Council budgets could be readjusted if more travel was necessary. Ms. Turner said as the City's Power Board, Council Members had responsibility for understanding national energy legislation. Mr. Hrechkosy suggested Council Members report back all that was learned from any conference to the others who did not attend a meeting. There was consensus to revise the policy to reflect that all Council Members have the option to attend all conferences if they chose to.

- **Loans to Businesses** – Ms. Dominguez hoped to move a proposed loan program forward that was devised by CED staff. Loans would help incentivize existing Murray businesses and entice new businesses to move to downtown Murray. The pilot program would be organized for the downtown and Cherry Street areas only and act in conjunction with the Murray RDA (Redevelopment Agency). Ms. Moore clarified the City cannot give out business loans, but proposed loan funding could possibly come through the RDA.

Mr. Critchfield stated he was not aware that RDA funds could be utilized this way. He said RDA money could be used for infrastructure and housing elements but not for incentive loans, or forgivable loans as indicated by CED staff. He advised the Council, as the Trustees of the City's money, they had no authority to provide loans through the RDA since that money was collected from other entities to begin with. He stressed the difference between planning and economic development, was about who is initiating it. The issue with the proposed loan program was that the City would essentially be providing income to businesses, which was not the same thing as giving a donation. He clarified one RDA area may loan funds to another RDA area but there was no statute about giving loans to businesses through the RDA as a stimulant for growth. He explained two requirements where first there must be statutory authority, which is what allows a city to give

financial donations, and second a determined corporate public purpose for the money, before any donation occurs to individuals or an individual entity. He said the City simply cannot give money if these two requirements are not met; when both requirements are met, a donation can move forward. He would continue to research the matter.

- **City Council Calendar** – Ms. Cotter said the issue was resolved.
- **Two-year appointments for Chairs, Vice-Chairs and Committees** – Ms. Cotter proposed that all council, committee, and board representative positions be changed to a solid two-year commitment from the existing one-year amount of time. She felt one year within the four-year term was not enough time for understanding functions, learning responsibilities, and knowing the procedures of those positions and entities. She suggested the new two-year limit start next year. Mr. Hrechkosy agreed it was best to make that change in January of 2024. Ms. Turner said in the past, council members could hold a position or represent an entity as long as desired, then it changed to the one-year policy which included a two-year limit. Discussion ensued about whether to change the policy or leave it as it was. Mr. Markham agreed a two-year commitment for representation made sense. Ms. Dominguez disagreed and said the current policy worked effectively and favored the changing of responsibilities each year. Mr. Hrechkosy said more discussion was needed to make the best decision. A final determination was not made.
- **MYCC (Murray Youth City Council)** – Ms. Cotter said this item should be moved to a Committee of the Whole meeting for better discussion. She said hearing from Ms. Van Bibber would be important because she spent years organizing the existing MYCC, and Ms. Van Bibber had a vision for the MYCC different from a proposed City run program. More input and information could be shared between all to determine who should oversee the MYCC in a work session. All agreed to hear from Ms. Van Bibber.

Mr. Hill confirmed the MYCC began in 1990 and was overseen by the mayor's office, it moved to the Murray Parks and Recreation department for many years, then Ms. Van Bibber took control in 2008 when she began making annual financial requests to support her program. Since then the City has donated \$2,500 each year to help run it. He reported Mayor Hales met with Ms. Cotter and Ms. Van Bibber to discuss moving the program back to the care of the City which would be proposed at the next fiscal year tentative budget meeting. This was the direction they were moving so Council Members would learn more when the new budget was presented to them. It would include a new line item in the Murray Parks and Rec budget to hire part-time staff and show associated costs to run the MYCC under the City.

Ms. Dominguez noted a Salt Lake City program involving a smaller number of students that was focused on learning functions of governmental municipalities and the MYCC only does service projects. Ms. Cotter said the MYCC involves 67 students. Mayor Hales said if Ms. Van Bibber wanted to continue running the program herself, the City would continue to support her with an annual \$2,500 donation, but if it returned to city control the City would have a new way of running it. Ms. Dominguez felt the City could still devise its own youth city council program regardless. Ms. Turner said there was no accountability with the current program which would be more apparent under the City. Mr. Hrechkosy tabled the item until the last part of the meeting and moved to the next item.

- **MCCD Guidelines** – Ms. Dominguez wanted to ensure that changes to the MCCD were implemented, particularly for the current City Hall property. Mr. Hill confirmed next steps would be presented at the March 7, 2023 council meeting by Mr. Hall who would review all the recommendations of the Murray City Planning Commission and City staff related to updating the MCCD Zone. Changes related to the current City hall site are for height, open space, and parking.

Then Mr. Hall would discuss areas north of Vine Street on both east and west sides of State Street where he wants to hire a consultant to help with historic downtown planning. He also hoped to organize a citizen committee to help design downtown and develop architectural standards like building materials and features for the City. Based on recommendations from that committee, a draft ordinance would be presented to the City Council in the future. If approved, plans to re-market Block One would start all over again according to the new ordinance.

Mr. Markham stated it was maddening that the City must start from square-one all over again. He felt that year after year, for many years, plans for developing downtown Murray would stall and become nothing. He said although he understood the process of development, it was frustrating that a decision could not be made by now, by past council members. Ms. Dominguez agreed the City was now moving in the right direction.

- **Adding additional charging stations to public areas and new developments** – Ms. Turner proposed a requirement that EVCs (electric vehicle charging stations) be part of any new building construction in the City. Mr. Haacke said Mr. Hall must be included in that process as part of building inspections and the power department should be involved due to the heavy load of energy required by EVCs. He explained that if 24 Tesla EVCs were all operating at once, the energy requirement of 500 to 600 kilowatts would immediately be added to the system, which was equal to enough energy to power Costco. Mr. Haacke confirmed last year Murray Power had to increase their energy needs when two EVCs were installed in Murray Park, a new transformer station was constructed just for six chargers. This was why the power department must be involved in the formulation of any new policy.

Ms. Moore reported the total cost was \$143,000 for three high-speed EVCs or six chargers in Murray Park that included construction of a new transformer station. In one year, so far six chargers collected \$3,000. At the new city hall site, two level-two EVCs were installed where units would charge a car for 4 hours and utilize the new building's transformer system. Based on what the city would charge for using those EVCs, it would take 50 years to pay back that cost which was \$24,000.

Ms. Turner said not everything the City did was to make money. Ms. Cotter noted taxpayers and developers would fund much of those costs. Mr. Haacke agreed the power department pays for upgrades to the system for EVCs. He explained that if five cars in a cul-de-sac used high-speed EVCs all at once, a shared transformer would melt.

Mr. Markham said developers should specify planning information to the power department ahead of time to see if energy requirements could be met or not. Ms. Turner thought a ten-dollar fee could be charged to homeowners who already have them. Ms. Moore thought that would help track EVCs throughout the City. Mr. Haacke shared recently that in Fillmore, 20 EVCs along

Interstate 15 were all being used at once, that required energy was equivalent to the amount needed to power the whole town of Fillmore. The initiative would need more review.

- **Further Discussion - Council Travel Policy** – Ms. Cotter reviewed policy again pertaining to the power department paying for two council members to attend one power conference and the council budget would cover three members to attend the other power conference. She noted council members may not attend both conferences in the same year. Ms. Turner felt that was wrong. Ms. Kennedy clarified the City's travel policy was different from the City Council's travel policy.

Mr. Hill said there was always question about who would pay for the Council to travel to legislative power conferences. He confirmed that different mayors in the past have handled the situation differently and thought moving forward the Council should travel according to their own travel allowance and not rely on the power department any more. Ms. Cotter suggested the Council travel budget be reanalyzed. Mayor Hales supported either decision but communication with the power department should continue if power funds would be utilized for council travel to power related travel.

Mr. Hrechkosy expressed concern about transparency and thought the City Council Travel Policy should be accurate and reflect exactly what travel was occurring. Ms. Kennedy asked for direction in updating the policy. After further discussion, Council Members favored the option of being able to travel to whatever conferences they wanted to without limit. It was agreed to let the power department handle power related travel details and Ms. Kennedy would increase travel cost estimates in the next proposed council budget.

Council Compensation – Ms. Turner initiated again that Council Members needed a raise. She said good pay was how people knew they were valued, the Council was not paid well, and never would be, and as a five-member city council, the increase was overdue. She stated that the proposed increase was not intended for her, but for future council members who may need childcare, or pay for campaigning costs and to make a living wage. Ms. Turner suggested the base pay be increased to \$20,000 and said if there was no support, she would drop the matter again. She asked each member for a verbal vote.

Ms. Kennedy reported that the last time the Council approved their own wage increase was in a public hearing in 1995; and each council member also received the annual COLA (Cost-of-Living Adjustment) increase when implemented. She confirmed, including last year's COLA, the current base salary was now \$17,079. She conducted a survey to compare salaries with other city councils and noted that Bountiful City comparative in size was paid less than the Murray City Council.

Mr. Hrechkosy pointed out that their total compensation should be considered. The Council receives an allowance piece that is separate from their base pay, so really their total monthly wage was \$24,000. Ms. Kennedy confirmed that was correct. He noted that Council Members also receive an iPad and maybe instead of that, a stipend be given to future members which would increase income if they chose not to spend it. He strongly felt that since council members are elected officials and not city employees, the COLA given to them should be considered a raise.

Ms. Turner said a COLA is not always given each year. Mr. Hrechkosy said council members are not hired city employees who preform daily services in keeping the city in operation. Council Members were responsible to citizens and not to the Mayor's directors or staff for meeting city needs like providing power, repairing streets or any other function of running the city. Ms. Turner disagreed and asked for support. Mr. Hrechkosy tabled the item until later in the meeting.

- Mr. Markham said he would not support the increase.
 - Ms. Cotter did not favor the increase and noted benefits the council received like retirement, health insurance, and money for travel expenses that she considered an increase.
 - Ms. Dominguez favored the raise. She thought the increase would help motivate others to run for office, that normally would not.
- **Single use plastic bags** – Ms. Turner discussed her proposal to ban plastic bags in Murray that she first initiated in 2019 when the draft ordinance was created. She said the initiative died when the pandemic occurred, because plastic bags were the only preferred option in stores for safety reasons.

Mr. Markham suggested the item be discussed in a work session to learn the details. Ms. Turner shared that a public open house was held on May 14, 2019 to bring awareness about the plastic bag ban she proposed. Ms. Kennedy shared about what States successfully banned plastic bags, and what States could not ban them due to legislation. Mr. Hrechkosy noted Logan, Moab, and Park City as three Utah cities that banned plastic bags by ordinance; however, Logan has rescinded their ordinance. Ms. Turner confirmed Utah State Legislation does not allow a charge for using plastic bags, so this proposal would be a complete ban in opposition to Utah legislation and the City would be required to present the proposal in a public hearing.

Mr. Hrechkosy suggested another open house be held since four new current Council Members were not familiar with past details. Ms. Dominguez and Ms. Cotter agreed. Ms. Kennedy would provide the minutes from the May 14, 2019 open house. Ms. Turner said the plastic bag ban was important to residents in her district, but she did not know how others felt about it. Mr. Hrechkosy suggested Ms. Turner bring the proposal forward at her next Association of Municipal Councils board meeting to lead the way for other cities to join the effort.

Ms. Cotter would not support the proposal and shared about a Utah organization called Stitching Hearts that makes mattresses for the homeless from plastic bags collected from stores that recycle them. She said the City Council should not be telling citizens what they can and cannot do and the item should be handled at the State level. There was consensus to discuss it in a work session to ensure new council members understood the proposal.

- **Alternative Fuel Vehicles for the City** – Ms. Turner discussed a savings account she initiated in the General Fund to save for purchasing EV (electric vehicles) and electric machinery. Ms. Moore confirmed the City contributes \$30,000 each budget cycle, which was now \$85,000 after some purchases were made. Ms. Turner hoped the savings contribution would continue to support future purchases. Mr. Hrechkosy suggested an inventory be taken of what city vehicles and machinery could be transitioned to electric or hybrid in the future, since it was determined that electric options were not conducive to all city production. All council members were in favor of continuing the savings plan.

- **Water Ordinance** – Mr. Hrechkosy proposed measures continue for conserving water. He had concern that citizens might assume the long drought was over and increased consumption would occur due to the record snowfall this year. He proposed what could be done to keep drought awareness in the forefront.

Mr. Markham said the City took a good step to implement the tiered water rate system which caused many to monitor water waste more carefully and watch water bills closely. Mr. Hrechkosy wondered if the tier-rate was steep enough to make a difference. Ms. Turner said the current ordinance was effective that restricts watering to two or three times per week during certain hours of the day. Mr. Hales shared how the education piece was most effective in getting citizens to understand on their own the importance of reducing water use. Ms. Dominguez agreed but felt some Murray businesses do not comply well.

Mr. Hill said citizens can report water wasters to the City and agreed the five-tiered rate system was most effective in getting the attention of residents to improve water conservation. He said a great deal of information was shared on the City's website, in their monthly newsletter, in mass email, on all social media, and in the Murray Journal in order to reach all citizens about issues including water conservation. There was consensus to continue with the current ordinance that would become standard practice of all Murray citizens regardless of snowfall.

- **Residential turf requirements** – Mr. Hrechkosy discussed City landscape requirements for parking strips and the City's Flip Your Strip program to remove grass from parking strips. He said regulations were not followed properly like having separate sprinkler systems or drip systems and the requirement to have 60% live plant material. If the idea was to save water, he suggested City Code be revised because many parking strips contain crushed rock or cement.

Mr. Hill discussed why no resolution had ever come about regarding what citizens do with parking strips; he confirmed the ordinance required live plant material and trees in parking strips. He said Murray prides itself on being Tree City USA for the last 40 years, promoted by Murray's Shade Tree Commission who require that street trees be required in parking strips of all new construction. The question still remains whether the City should enforce the Code or not because the biggest problem is that citizens replaced turf with concrete or boulders which is not in compliance. With so many citizens in violation it would be overwhelming for the City's legal team to handle all violation cases, so the order has become an unenforceable ordinance. Mayor Hales agreed the same situation occurred with the City's Idle Free ordinance, which was never enforced, and never would be, but signage provides a clear message that the City cares about air quality.

Mr. Hrechkosy favored concrete and boulders in parking strips and said many xeriscapes areas are not well maintain and have become weed beds. His initiative is to get rid of the live plant requirement to promote better water conservation. Ms. Cotter said utility easements exist in many parking strips so those areas should not be covered in concrete. Ms. Dominguez agreed other utility lines for water and gas also run beneath parking strips that are often replace or repaired. Mr. Hill agreed the City would need to know when residents plan to use cement in parking strip areas and suggested Mr. Hrechkosy communicate with the Shade Tree Commission who handled this issue.

- **Splashpad/ice rink restoration** – Mr. Hrechkosy proposed that the old outdoor ice-skating rink in

Murray Park become a splash pad area in summer and restored to an outdoor ice-skating rink in winter. He felt it was a great way to provide an open area to bring people together, increase walkability and create a new community feel. He knew the City discussed plans for a splashpad in the past, however it was not in combination with an ice-rink. He suggested refreshing the bid and begin new research to accomplish the potential project.

Mr. Markham thought input from the Parks and Recreation Advisory board was needed first and the Council should review the City's Parks and Recreation Master Plan, because facilities are programed in specific priority. He said this was a wonderful idea, but the outdoor pool leak was greater and should be resolved first. With two new parks just adopted by the City significant improvements and ongoing maintenance needed to be addressed also. Mr. Hrechkosy agreed.

- **Unnecessary ordinances/regulations assessment** – Mr. Hrechkosy proposed that outdated ordinances be researched to find out how many are unenforceable. He thought if the City was not going to enforce an ordinance, laws should be removed from Code even if messaging was effective. He asked if more enforcement officers and legal staff were needed to uphold these enforcements or should old ordinances or relics not applicable to the City be completely removed.

Mr. Markham noted approximately 340 pages of zoning codes alone, which would be a larger task to review all of Murray Code. Mr. Hrechkosy said the task would be ongoing. Mr. Markham suggested each department examine ordinances that apply to them, to find outdated items. Mr. Hrechkosy favored the idea. Ms. Dominguez said police officers and code enforcement officers would know best what ordinances are not commonly applicable. Mr. Hrechkosy agreed.

- **Continued discussion: MYCC** – Council members recapped about whether the City should operate the MYCC with less students, or if Ms. Van Bibber should continue overseeing the MYCC. There was discussion about combining the MYCC between the administration and the City Council because there was value to learning both sides of government. Mr. Critchfield advised the decision to be made after Mr. Sorenson devised a potential budget for operating MYCC under the Murray Parks and Recreation department. All were in agreement that Ms. Van Bibber would also need to decide how she would like to move forward. Mr. Hill said Mr. Sorensen and staff would continue planning their proposed vision and speak to Ms. Van Bibber. The administration would present to the Council in a Committee of the Whole with Ms. Van Bibber to brain storm and share ideas. This would happen after the new fiscal year, after the new budget was approved, after the city program was developed, and after staff understands the direction of the MYCC. All agreed.
- **Continued discussion - Council Compensation:** Mr. Hrechkosy learned from Ms. Moore that the reason Council Members did not always receive the COLA was that the City did not even implement a COLA to the City employees in those years. Ms. Moore confirmed. He went on to suggest that because the Council serves on other boards with other responsibilities perhaps a wage appropriation could come from the RDA or the MBA budgets.

Ms. Turner said that was too complicated and thought it was important to pay qualified citizens well. She stated if there was no support for the raise, she would drop the matter again. She reiterated that the salary increase was not for her but for future individuals to make a living wage and noted that Council Members could opt out from taking the increase if they did not want it. Mr.

Markham wanted to be completely transparent about how Council Members were paid and thought the matter should be continued in a Committee of the Whole. He did not favor people running for Council just to get good pay.

Mr. Hrechkosy asked why the \$375 council allowance was not considered part of the Council salary. Ms. Moore said it was meant to supplement the cost of purchasing City supplies without taxation. Ms. Kennedy explained initially it was intended for a car allowance. Ms. Turner said it helped to pay various expenses. Ms. Cotter said the allowance came automatically without having to turn in receipts, so she considered it part of the salary. Mr. Hrechkosy agreed. He said with a proposed increase of \$3,000, not including the insurance provision, the salary would become \$27,000 which would put them third highest from top paid council members in the valley.

There was consensus that the allowance was part of their compensation and should be recognized that way. More discussion occurred about health insurance benefits in comparison to other cities with strong mayor forms of government. Ms. Turner reiterated that Council Members did not have to take the raise if they did not want it. There was no final decision about moving the initiative forward.

Ms. Turner requested reinstating the council initiative worksheet that was used in the past to move items forward immediately if an item was found to have the support of two other council members. Ms. Kennedy would locate the worksheet for the future.

Adjournment: Mr. Hrechkosy closed the workshop at 3:02 p.m.

Pattie Johnson
Council Office Administrator III

**MURRAY MUNICIPAL COUNCIL
COMMITTEE OF THE WHOLE**

Meeting Minutes

Tuesday, February 21, 2023

Murray City Center - 5025 South State Street, Conference Room, Murray, Utah 84107

Attendance:

Council Members and others:

Phil Markham – Vice Chair	District #1
Diane Turner	District #4
Pam Cotter	District #2
Rosalba Dominguez	District #3
Garry Hrechkosy – Chair	District #5

Brett Hales	Mayor	Jennifer Kennedy	City Council Executive Director
Doug Hill	Chief Administrative Officer	Pattie Johnson	Council Administration
Brenda Moore	Finance Director	Steve Roberson	Fire Department
Tammy Kikuchi	Chief Communications Officer	Brooke Smith	City Recorder
G.L. Critchfield	City Attorney	Craig Burnett	Police Chief
Cole Harding	Fire Department	Michael Todd	Murray Business Owner
Scott White	Fire Department	Jeff Puls	Fire Department
Kim Sorensen	Parks and Recreation Director		

Conducting: Council Member Hrechkosy called the meeting to order at 4:15 pm.

Approval of Minutes: Committee of the Whole – January 17, 2023

Council Member Turner moved to approve, and Council Member Markham seconded the motion.
All in favor 5-0.

Discussion Items:

- **Resolution approving an agreement between Murray City Corporation and LIV (Life Safety Inspection Vault) LLC for the collection, organization, and storage of fire and life safety inspection reports.** – Chief Mittelman explained the agreement to finalize a proposed contract with the company LIV that provided a software program for storing and collecting data related to fire safety inspections. He explained how and when safety inspections occur for fire sprinklers and alarm systems and noted that tagging equipment was not always kept current. If the resolution was approved LIV would assist Murray Fire with the task to improve the process especially for commercial properties and multi-family complexes, where inspections were challenging to monitor and tag for proper compliance.

LIV would provide inspectors and technicians to perform inspections, upload documentation and report to Murray Fire any information about repairs, maintenance, installations, deficiencies, and defects throughout the City. The contract requires that LIV charge a \$15 fee from fire sprinkler and alarm companies for every item uploaded to the storage system. The Chief clarified that uploading information accessible to Murray Fire was without cost to the City. LIV software would also notify business owners when Murray Fire officials were notified about a noncompliant system.

The draft resolution and master service agreement were viewed. Council Members discussed whether the City fire department could inventory all 4,000 businesses in the City efficiently on their own, and if the \$15 fee was reasonable. There was consensus that the service was needed. Chief Mittelman said the City Council would consider the fee structure and contract in an upcoming council meeting.

- **Resolution approving an Interlocal Cooperation Agreement between the City, the Utah Community Action Head Start Program and MCSD (Murray City School District) to lease City property.** – Mr. Hill discussed that the City would like to extend a lease for use of city-owned buildings at 73 West 6100 South. For years the City leased two buildings to MCSD where currently the Murray Early Childhood Education Center offered Head Start programs. Photos of the facility and surrounding area were viewed. Mr. Hill said before a renewal was considered, City departments were asked if they had need of the buildings. The City Library expressed interest, so more time was given to let them evaluate and study the site as a future location for a new library. After 3 months and no firm decision it was decided to extend the lease with the MCSD for one year that would automatically renew on a yearly basis unless terminated according to the agreement. MCSD had no issue with an annual lease agreement because they hope to eventually relocate that program
- **Resolution approving an Interlocal Cooperation Agreement between the City and Murray City School District for the license and access to a city communication tower.** – Mr. Hill explained that the MCSD requested use of a communication tower located at the City's animal shelter located at 5624 South 300 West. The reason was to provide students with better access to the MCSD-owned network. If approved, the agreement would allow MCSD to place equipment on the city-owned tower and pay for all associated costs. The Council reviewed the draft resolution and agreement. There was consensus to favor the request.
- **Donations for non-profit entities.** – As a follow-up, Mr. Critchfield reported that the appropriation of cash donations should be for corporate purposes only. He reviewed an example budget addendum related to the matter and pointed out not only was it important to show a corporate purpose in giving, but that the City must receive a net value exchange for a donation, value for value. When money was given, a benefit to the City and the residents must be made clear.

He said donations were not intended for non-profits, they were intended for for-profits and for development benefits to the City. Benefits could be tangible, but the key to the right process was to establish a process. He suggested a new process include a specific study conducted by a third party and the City to show the actual benefit of return from a donation. Justifying a donation was easy if statutory authority was proven, however it was a more difficult challenge, even nationwide, to prove a public purpose without concrete reason. This was why a study requirement was important. He explained three Council Members together could define a public purpose. There was further discussion about how the Council would define public purpose, understand proper criteria, and implement a study to determine that requests had public purpose.

Mr. Critchfield explained the difference between waiving particular fees as a donation and giving cash donations. Clarity was given about donations to private entities, about nonmonetary donations to nonprofit entities only, and when monetary donations are prohibited. Mayor Hales commented that some cities do not give cash donations due to the responsibility of ensuring the process was followed correctly. Mr. Critchfield agreed there was no provision in Utah Law that says a city can give money to non-profits without receiving anything in return. Fee Waivers need no justification because the law does not require that.

Council Members agreed it could take up to one year to establish a new application process. Mr. Critchfield suggested a new policy so that applicants know the Council would only look at donations

once a year. Ms. Dominguez thought the study requirement was beneficial and the right direction. Mr. Hrechkosy noted several entities on the current donation list that do not benefit Murray alone. He expressed concern with pushing gifts through this year knowing Murray tax dollars were going to other cities. Mr. Markham agreed the matter deserved due diligence to complete and ensure the application process was thorough and decisions were based on criteria collected from entities. Ms. Cotter agreed all donations expected this coming budget cycle should be delayed until a new process was completely understood.

Mr. Critchfield and Ms. Kennedy would return to a future Committee of the Whole meeting with draft applications for Council review, one for waiving fees for non-profits and one for cash donations. Once finalized, applications would be available on the City's website for easy access. Ms. Kennedy would inform entities about coming changes for donation requests. Ms. Dominguez said it was unfortunate recipients grew to expect money each year without accountability. Mr. Markham agreed and said moving forward the Council had a responsibility to respond properly to financial requests. Mr. Critchfield confirmed appropriations must be authorized by State Law, supported by a public process and the City must maintain control through the agreement. The process to donate money would occur in a public hearing because the City Council has an obligation to act in the best interest of the public when cash donations were considered.

- **OPMA (Open and Public Meetings Act) and Anti-Harassment Training** – Mr. Critchfield provided training for OPMA and said the required State policy was a good way to ensure that the City was open with all deliberations. He spoke about public observation and public notices as part of public meeting requirements and noted that as elected officials, Council Members must invite the public to come watch their meetings.

Mr. Critchfield conducted harassment training that included a review of the City's Anti-Harassment Policy, a review of Article Nine of the Council Rules of the Murray City Municipal Council and the Federal Government's Equal Employment Opportunity Commission, where harassment was defined as illegal and did not have to be sexual in nature. He reviewed how someone should report discrimination or harassment and explained confidential investigations, corrective action, and the no retaliation policy.

- **Legislative Update** – Ms. Cotter shared about various bills the ULCT (Utah League of Cities and Towns) had analyzed the past week. She highlighted House Bill 499, Homeless Amendments, and explained the bill would not solve homelessness. However, Code Blue a standard emergency practice throughout the year, was a proposed amendment that would ensure the homeless had access to shelter during life threatening winters.

Mr. Critchfield clarified the proposal would increase contributions made by cities that do not have homeless shelters but pay into a fund for homelessness. If the bill passed Murray's contribution of \$10,000 per month would increase because cities with homeless shelters are running in the deficit to handle significant overflow. He noted contribution increases would be capped at \$250,000 per year.

Adjournment: 5:35 p.m.

Pattie Johnson
Council Office Administrator III



Discussion Items



Discussion Item #1



MURRAY


Department/Agency Finance & Administration

FY 2022-2023 Budget Amendment

Council Action Request

Committee of the Whole

Meeting Date: March 21, 2023

Department Director Brenda Moore Phone # 801-264-2513 Presenters Brenda Moore	Purpose of Proposal Amend the FY 2022-2023 budget Action Requested Discussion Attachments Budget Impact Budget Amendment Ordinance Description of this Item The following items have been included in the requested budget amendment: <ol style="list-style-type: none">1. In the Capital Projects Fund receive and allocate \$758,273 TRCC funding for the Murray Mansion renovation to a museum.2. In the Capital Projects Fund receive and allocate \$100,000 TRCC funding for a toddler destination playground west of the old concession area. With this allocation the total budget for the project is \$370,000.
Required Time for Presentation 15 Minutes Is This Time Sensitive Yes Mayor's Approval  Date March 7, 2023	

Continued from Page 1:

3. In the Capital Projects Fund receive and allocate \$350,000 State Arts and History grant for the Murray Theater. This was the grant program which was set up by the state legislature in 2022, instead of giving out direct payments. We lobbied in 2022 to get \$1,000,000 toward the project. We received the maximum the legislation allowed.

4. In the General Fund receive and allocate \$9,288 state liquor allocation. This is restricted to use for specific police equipment. The total amount received was \$89,288. \$80,000 was included in the original FY2023 budget.

5. In the General Fund reduce ZAP grant revenue by \$90,000 from reserves, to correct the previous ZAP grant receipt included in the January budget amendment. The total grant received was \$100,000. The original FY2023 budget had included \$90,000 of ZAP grant revenue.

6. In the General Fund receive \$365,000 of interest revenue and allocate to the following:

A. \$60,000 for maintenance projects at Riverview and Woodstock parks.

B. \$75,000 for streets snowplow blades, and equipment maintenance for plows

C. \$35,000 for Police on boarding expenses and \$5,000 for Police uniform expense. With the retirements and hires of new officers, most of which need to attend POST, they need uniforms and equipment.

D. \$190,000 to cover the increased cost of natural gas to heat the indoor pools. Over the last 4 months the bill for natural gas alone was \$118,913 higher than last year. The other utilities are also higher. The original FY2023 budget also decreased the utility account \$15,000.

The General fund has earned interest through January of \$428,788 budget was \$35,000.

7. This budget opening will also include language which will give me council authorization to increase the General Fund transfer to the CIP budget, and Increase the CIP Fund transfer received from the General Fund budget. This will allow me to transfer reserve amounts which are more than 25% of revenue.

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 4th day of April 2023, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing to receive public comment concerning amending the City's fiscal year 2022–2023 budget. A copy of the proposed budget amendments may be reviewed by interested persons by contacting the Murray City Department of Finance and Administration, Room 115, Murray City Center, Murray, Utah, (801) 264-2660 during normal business hours beginning March 24, 2023.

DATED this 7th day of March 2023.



MURRAY CITY CORPORATION

A handwritten signature in blue ink, appearing to read "B. Smith", written over a horizontal line.

Brooke Smith
City Recorder

DATE OF PUBLICATION: March 24, 2023
PH23-06

1. in three public places within the city;
2. on the Utah Public Notice Website;
3. on the home page of the Murray City website.

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY'S FISCAL YEAR 2022-2023 BUDGET

On August 9, 2022, the Murray City Municipal Council adopted the City's budget for Fiscal Year 2022-2023. It has been proposed that the Fiscal Year 2022-2023 budget be amended as follows:

1. In the General Fund receive \$365,000 of interest revenue and allocate the following items:
 - a. \$60,000 for maintenance projects at Riverview and Woodstock parks, and;
 - b. \$75,000 for equipment maintenance for snowplow blades, and;
 - c. \$40,000 for police onboarding and uniform expense, and;
 - d. \$190,000 for Park Center Utilities expense.
2. In the General Fund receive and appropriate \$9,288 Utah state liquor allocation for police equipment.
3. In the General Fund reduce \$90,000 from zoo arts and parts grant and remove from reserves.
4. In the Capital Improvement Projects fund receive and appropriate \$758,2733 Salt Lake County TRCC grant funds for the construction of the Murray Mansion Museum.
5. In the Capital Improvement Projects fund receive and appropriate \$100,000 Salt Lake County TRCC grant funds for the construction of a playground in Murray Park.
6. In the Capital Improvement Projects fund receive and appropriate \$350,000 State of Utah Arts and History grant funds for the renovation of the Murray Theater.
7. Authorize the Director of Finance and Administration to transfer any amount the transportation sales tax revenue is above budget to the Capital Projects fund at the close of the fiscal year 2021-2022 and adjust the budget accordingly.
8. Authorize the Director of Finance and Administration to transfer any amount from the General Fund to the Capital Projects fund at the close of fiscal year 2021-2022 which exceeds a 25% fund balance as determined by Utah Code Ann section 10-6-116 and adjust the budget accordingly.

Section 10-6-128 of the Utah Code states that the budget for the City may be amended by the Murray City Municipal Council following a duly noticed public hearing. Pursuant to proper notice, the Murray City Municipal Council held a public hearing on April 4, 2023, to consider proposed amendments to the Fiscal Year 2022-2023 budget. After considering public comment, the Murray City Municipal Council wants to amend the Fiscal Year 2022-2023 budget.

1. In the General Fund receive \$365,000 of interest revenue and allocate the following items:
 - a. \$60,000 for maintenance projects at Riverview and Woodstock parks, and;
 - b. \$75,000 for equipment maintenance for snowplow blades, and;
 - c. \$40,000 for police onboarding and uniform expense, and;
 - d. \$190,000 for Park Center Utilities expense.
2. In the General Fund receive and appropriate \$9,288 Utah state liquor allocation for police equipment.
3. In the General Fund reduce \$90,000 from zoo arts and parts grant and remove from reserves.
4. In the Capital Improvement Projects fund receive and appropriate \$758,2733 Salt Lake County TRCC grant funds for the construction of the Murray Mansion Museum.
5. In the Capital Improvement Projects fund receive and appropriate \$100,000 Salt Lake County TRCC grant funds for the construction of a playground in Murray Park.
6. In the Capital Improvement Projects fund receive and appropriate \$350,000 State of Utah Arts and History grant funds for the renovation of the Murray Theater.
7. Authorize the Director of Finance and Administration to transfer any amount the transportation sales tax revenue is above budget to the Capital Projects fund at the close of the fiscal year 2021-2022 and adjust the budget accordingly.
8. Authorize the Director of Finance and Administration to transfer any amount from the General Fund to the Capital Projects fund at the close of fiscal year 2021-2022 which exceeds a 25% fund balance as determined by Utah Code Ann section 10-6-116 and adjust the budget accordingly.

Section 1. Enactment. The City's Fiscal Year 2022-2023 budget shall be amended as follows:

Section 2. Effective Date. This Ordinance shall take effect on first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this ____ day of _____, 2023.

MURRAY CITY MUNICIPAL COUNCIL

Garry Hrechkosy, Chair

ATTEST:

Brooke Smith, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2023.

Brett Hales, Mayor

ATTEST:

Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according to law on the ____ day of _____, 2023.

Brooke Smith, City Recorder



MURRAY
CITY COUNCIL

Discussion Item #2



MURRAY


Department/Agency Finance & Administration

Enterprise Funds Transfer Repeal for Solid Waste and Storm Water Funds

Council Action Request

Committee of the Whole

Meeting Date: March 21, 2023

Department Director Brenda Moore Phone # 801-264-2513 Presenters Brenda Moore	Purpose of Proposal Repeal Section B of ordinance 7.04.020, 13.48.060, and amend section 15.20.260 Action Requested Discussion Attachments Ordinance Budget Impact None Description of this Item <p>There are two purposes for this ordinance. The first is to repeal the section 7.04.020 and 13.48.060 which as written requires the City to do an operational transfer from the Solid Waste and Storm water funds to the General Fund. We stopped doing the transfer from the Storm water fund in FY2019, and from the Solid Waste Fund in FY2021. It recently came to my attention that the ordinance required the transfers, so I would like to change it.</p> <p>The amendment of section 15.20.260 adds language to allow the council to change the Power Fund transfer, and clean up some language about what is not included in the power fund transfer. This language makes the ordinance Water, Wastewater and Power ordinance consistent .</p>
Required Time for Presentation 10 Minutes Is This Time Sensitive No Mayor's Approval  Date March 7, 2023	

ORDINANCE NO. 23-__

AN ORDINANCE REPEALING PARAGRAPH (B) OF SECTIONS 7.04.020, 13.48.060 AND AMENDING SECTION 15.20.260 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO OPERATIONAL TRANSFERS OF THE SOLID WASTE AND RECYCLING FUND, THE STORMWATER FUND AND THE POWER FUND.

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this ordinance is to repeal paragraph (B) of sections 7.04.020 and 13.48.060 and amend section 15.20.260 of the Murray City Municipal Code relating to operational transfers of the solid waste and recycling fund, the stormwater fund and the power fund.

Section 2. Repeal Paragraph (B) of Sections 7.04.020. Paragraph (B) of Sections 7.04.020 and 13.48.060 of the Murray City Municipal Code shall be repealed as follows:

Chapter 7.04
SOLID WASTE AND RECYCLING MANAGEMENT

...

7.04.020: FUND:

...

~~B. Annual Transfer: Beginning fiscal year 2014, there shall be, each fiscal year, an operational transfer from the City's Solid Waste and Recycling Management Fund to the City's General Fund of eight percent (8.00%) of total operating revenue as used and defined in the Utah Uniform Fiscal Procedures Act. Such transfer shall not prohibit acts and other services being rendered to other departments of the City.~~

~~B.~~ **B.** Investments, Cash And Cash Equivalents Reserves (Reserve): The reserve level for the Solid Waste and Recycling Management Fund (the "fund") is twenty five percent (25%) of operating revenue ("reserve level"). This reserve level is to provide cash liquidity and operational stability in case of situations such as natural disasters, equipment failure, economic uncertainty, and weather variations. As a result of onetime expenses, the reserve level may fluctuate, provided however that the reserve level should not be drawn upon for ongoing operational expenses. If reserves are drawn below the reserve level, the fund will replenish reserves to the reserve level within five (5) years. (Ord. 16-01)

Chapter 13.48 STORM WATER UTILITY

...

13.48.060: STORMWATER FINANCIAL STANDARDS:

...

~~—B. Transfer For Administrative Services: Transfer for administrative services to the General Fund shall be in an amount not to exceed the value of the actual services rendered. Such amount shall be set not less than every five (5) years by the City Council after the performance of an independent audit to determine the value of the service performed.~~

B. Investments, Cash And Cash Equivalents Reserves (Reserve): The minimum reserve level for the Stormwater Utility Enterprise Fund (the "fund") is twenty five percent (25%) of operating revenue ("reserve level"). This level of reserves provides the minimum cash liquidity and operational stability in case of natural disasters, equipment failure, economic uncertainty and weather variations. As a result of onetime expenses, the reserve level may fluctuate, provided however that the reserve level should not be drawn upon for ongoing operational expenses. If reserves are drawn below the minimum reserve level, the fund will replenish reserves to the reserve level within five (5) years. (Ord. 17-40)

Section 3. Amendment of section 15.20.060 of the Murray City Municipal Code. Section 15.20.060 of the Murray City Municipal Code relating to the power fund financial standards shall be amended to read as follows:

Chapter 15.20 ELECTRICAL REGULATIONS

...

15.20.260POWER FUND FINANCIAL STANDARDS:

In order to maintain fiscal soundness of the Power Fund, the following financial standards are established:

A. Operational Transfers: There shall be, each fiscal year, an operational transfer from the City's Power Enterprise Fund to the City's General Fund of eight percent (8.00%) of total operating revenues (including wholesale power sales revenue), as used and defined in the Utah Uniform Fiscal Procedure Act~~,-~~. **The City Council may, at any time, modify the operational transfer. The following are excluding:ed from total operating revenues for purposes of operational transfers:**

1. Disbursements and/or refunds of overcollections and/or margins received from Utah Associated Municipal Power Systems (UAMPS) and/or the Intermountain Power Agency (IPA); and

2. Revenues collected in accordance with electric service schedule 30, supply cost adjustment (SCA): The in lieu of tax transfer approximates the equivalent ad valorem taxes which would be imposed on an investor-owned utility with the same or similar facilities. This transfer does not prohibit the Power Department from assisting or providing other services to other City departments.

....

Section 4. Effective date. This Ordinance shall take effect upon first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this ____ day of _____, 2023.

MURRAY CITY MUNICIPAL COUNCIL

Garry Hrechkosy, Chair

ATTEST:

Brooke Smith, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2023.

Brett A. Hales, Mayor

ATTEST:

Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance, or a summary hereof, was published according to law on the ____ day of _____, 2023.

Brooke Smith, City Recorder



Discussion Item #3



MURRAY

Power Department


Rate Adjustment Discussion

Council Action Request

Committee of the Whole



Meeting Date: March 21, 2023

Department Director Blaine Haacke	Purpose of Proposal Discussion of a proposed rate increase
Phone # 801-264-2730	Action Requested Discussion of rate increase in preparation for the April 4th Council meeting and the potential action in that meeting.
Presenters Blaine Haacke Matt Youngs	Attachments Power Point by Dave Berg
Dave Berg, consultant (via zoom)	Budget Impact A rate increase will impact the metered revenue enabling the Power Department to cover future resource costs as well as the high cost of energy this past winter.
Required Time for Presentation 45 Minutes	Description of this Item Due to energy market volatility, natural gas increases and restrictions on hydro and coal fired production, it has become apparent that rate adjustments will be necessary to keep the Power Department funds in a healthy, stable condition. The Power Department has contracted the assistance of Dave Berg Consulting to recommend rate modifications to our existing structure.
Is This Time Sensitive No	
Mayor's Approval 	Mr. Berg has previously done rate study work for the city and he is very familiar with our financial ledgers, customer demographics, rate design and community. His firm has been involved with Power Department Cost of Service Studies in the past.
Date March 7, 2023	

Continued from Page 1:

He will be available to present his findings and recommendations to the council in the March 21st COW meeting. Mr. Berg has performed an analysis of rate recommendations and his findings are summarized on the attached PowerPoint presentation.

In the March 21st COW, staff will make a short presentation reviewing the reasons for a rate adjustment and offer a comparison of Murray City rates to other municipal utilities. Mr. Berg will also review his study and detail his findings.

The April 4th Council Meeting is calendared as the date for City Council action. In accordance to City Code, the Attorney's Office will publish and distribute a public notice that is required for rate adjustment action to proceed. This will be done in the weeks preceeding the April 4th Council meeting.

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 4th day of April 2023, at the hour of 6:30 p.m., in the Council Chambers of the Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing to receive public comment regarding a proposed ordinance that would:

Increase customer charge rates and electric rate schedules 1, 3, 4, 5, 8, 9 and 15 pertaining to residential, small commercial, security outdoor lighting, all electric residential, government facilities, large commercial, and ultra large commercial, respectively.

DATED this 16th day of March 2023.



MURRAY CITY CORPORATION



Brooke Smith, City Recorder

DATES OF PUBLICATION: March 20, 2023
PH23-08

Posted to the City's website
Posted to the Utah Public Notice Website
Posted in 3 public locations within the City

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 15.20.150, 15.20.170, 15.20.180, 15.20.190, 15.20.200, 15.20.220, AND 15.20.230 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO ELECTRICAL SERVICE SCHEDULES.

PREAMBLE

Due to various factors including energy market volatility, natural gas price increases and transportation and storage issues, significant drought conditions, and restrictions to hydro and coal fired production, the City has experienced a dramatic rise in energy prices. Power generation, transmission, and distribution costs are some of the largest expenses for the City and are expected to continue to increase more than previously anticipated. As a result of this increase in costs associated with providing power to City residents and business, it has become necessary to adjust the City's power rates to cover the increased cost of generating and delivering power within the City. This rate increase is necessary to maintain the current level of service, and to help fund capital improvement projects needed to update aging infrastructure.

The City contracted with Dave Berg Consulting, Inc. ("Berg Consulting"), a third-party consulting firm, to review the current state of utility rates in the City and evaluate the City's needs going forward. Berg Consulting has previously done work for the City and is familiar with the City's demographics, rate structures, and needs. Based on its evaluation of the City's existing rates, budgets, power costs, and market volatility, Berg Consulting has made recommendations to the City for the following proposed rate changes.

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this ordinance is to amend Sections 15.20.150, 15.20.170, 15.20.180, 15.20.190, 15.20.200, 15.20.220, and 15.20.230 of the Murray City Municipal Code relating to Electrical Service Schedules.

Section 2. Amendments to the Electric Service Schedules of Sections 15.20.150, 15.20.170, 15.20.180, 15.20.190, 15.20.200, 15.20.220, and 15.20.230 of the Murray City Municipal Code. Sections 15.20.150, 15.20.170, 15.20.180, 15.20.190, 15.20.200, 15.20.220, and 15.20.230 of the Murray City Municipal Code shall be amended to read as follows:

**Chapter 15.20
ELECTRICAL REGULATIONS**

15.20.150: ELECTRIC SERVICE SCHEDULE 1; RESIDENTIAL SERVICE:

...

B. Rates. Monthly billings shall equal the sum of the following charges:

	Effective July 1, 2008	Effective October 1, 2008	Effective October 1, 2009	Effective October 1, 2010	Effective October 1, 2011
1. Customer Charge Per Meter, Per Billing Period	\$2.93	\$3.07	\$3.16	\$3.25	\$3.35
2. Energy Charge Peak Season (April to September, inclusive) First 600 kWh, per kWh: All extra kWh, per kWh: Off-Peak Season (October to March, inclusive) All kWh, per kWh:	\$0.0751 \$0.0842 \$0.0751	\$0.0787 \$0.0882 \$0.0787	\$0.0811 \$0.0908 \$0.0811	\$0.0835 \$0.0935 \$0.0835	\$0.0860 \$0.0963 \$0.0860

1. Customer Charge:	Per meter, per billing period:	\$8.00
2. Energy Charge:	Peak Season (April to September, inclusive)	
	First 600 kWh, Per kWh:	\$0.0860
	All Additional kWh, per kWh:	\$0.1011
	Off-Peak Season (October to March, inclusive)	
	All kWh, per kWh:	\$0.0860

...

15.20.170: ELECTRIC SERVICE SCHEDULE 3; GENERAL SERVICE SMALL:

...

B. Rates. Monthly billings shall equal the sum of the following charges:

	Effective July 1, 2008	Effective October 1, 2008	Effective October 1, 2009	Effective October 1, 2010	Effective October 1, 2011
1. Customer Charge Per Meter, Per Billing Period	\$7.33	\$7.68	\$7.91	\$8.15	\$8.39
2. Energy Charge First 1,500 kWh, per kWh: All extra kWh, per kWh:	\$0.0809 \$0.0408	\$0.0847 \$0.0428	\$0.0872 \$0.0441	\$0.0898 \$0.0454	\$0.0925 \$0.0468
3. Demand Charge Peak Season (April to September, inclusive) All kW above 5 kW, per kW: Off-Peak Season (October to March, inclusive) All kW above 5 kW, per kW:	\$10.92 \$9.61	\$11.44 \$10.07	\$11.78 \$10.37	\$12.13 \$10.68	\$12.49 \$11.00

1. Customer Charge:	Per meter, per billing period:	\$14.00
2. Energy Charge:	First 1500 kWh, Per kWh:	\$0.0962
	All Additional kWh, per kWh:	\$0.0498
3. Demand Charge:	Peak Season (April to September, inclusive)	
	All kWh above 5 kWh, per kWh	\$13.49
	Off-Peak Season (October to March, inclusive)	
	All kWh above 5 kWh, per kWh	\$12.00

...

15.20.180: ELECTRIC SERVICES SCHEDULE 4; SECURITY OUTDOOR LIGHTING:

...

B. Rates.

	Effective July 1, 2008	Effective October 1, 2008	Effective October 1, 2009	Effective October 1, 2010	Effective October 1, 2011
1. 150-Watt Luminaire Per Lamp, Per Billing Period	\$15.28	\$16.01	\$16.49	\$16.98	\$17.49
2. 400-Watt Luminaire Per Lamp, Per Billing Period	\$24.44	\$25.61	\$26.38	\$27.17	\$27.99

1. Per Lamp (150 Watt), per billing period:	\$19.06
2. Per Lamp (450 Watt), per billing period:	\$30.51

...

15.20.190: ELECTRICAL SERVICE SCHEDULE 5; RESIDENTIAL ALL ELECTRIC SERVICE:

...

B. Rates. Monthly billings shall equal the sum of the following charges:

	Effective July 1, 2008	Effective October 1, 2008	Effective October 1, 2009	Effective October 1, 2010	Effective October 1, 2011
1. Customer Charge Per Meter, Per Billing Period	\$2.93	\$3.07	\$3.16	\$3.25	\$3.35
2. Energy Charge Peak Season (April to September, inclusive) First 600 kWh, per kWh:	\$0.0700	\$0.0734	\$0.0756	\$0.0779	\$0.0802
All extra kWh, per kWh:	\$0.0784	\$0.0822	\$0.0847	\$0.0872	\$0.0898

Off-Peak Season (October to March, inclusive)	\$0.0656	\$0.0688	\$0.0709	\$0.0730	\$0.0752
First 400 kWh, per kWh:	\$0.0487	\$0.0510	\$0.0525	\$0.0541	\$0.0557
All extra kWh, per kWh:					

1. Customer Charge:	Per meter, per billing period:	\$8.00
2. Energy Charge:	Peak Season (April to September, inclusive)	
	First 600 kWh, Per kWh:	\$0.0802
	All Additional kWh, per kWh:	\$0.0946
	Off-Peak Season (October to March, inclusive)	
	First 400 kWh, per kWh:	\$0.0752
	All Additional kWh, per kWh:	\$0.0605

...

15.20.200 ELECTRIC SERVIC SCHEDULE 8; MURRAY CITY GOVERNMENTAL FACILITIES:

...

B. Rates. Monthly billings shall equal the sum of the following charges:

	Effective July 1, 2008	Effective October 1, 2008	Effective October 1, 2009	Effective October 1, 2010	Effective October 1, 2011
1. Customer Charge Per Meter, Per Billing Period	\$7.33	\$7.68	\$7.91	\$8.15	\$8.39
2. Energy Charge					
First 1,500 kWh, per kWh:	\$0.0608	\$0.0637	\$0.0656	\$0.0676	\$0.0696
All extra kWh, per kWh:	\$0.0309	\$0.0323	\$0.0333	\$0.0343	\$0.0353
3. Demand Charge					
Peak Season (April to September, inclusive)					
All kW above 5 kW, per kW:	\$5.46	\$5.72	\$5.89	\$6.07	\$6.25
Off-Peak Season (October to March, inclusive)					
All kW above 5 kW, per kW:	\$4.81	\$5.04	\$5.19	\$5.35	\$5.51

1. Customer Charge:	Per meter, per billing period:	\$14.00
2. Energy Charge:	Peak Season (April to September, inclusive)	
	First 1500 kWh, Per kWh:	\$0.0720
	All Additional kWh, per kWh:	\$0.0381

3. Demand Charge:	Peak Season (April to September, inclusive)	
	All kWh above 5 kWh, per kWh	\$6.75
	Off-Peak Season (October to March, inclusive)	
	All kWh above 5 kWh, per kWh	\$6.01

...

15.20.220 ELECTRIC SERVICE SCHEDULE 9; GENERAL SERVICE LARGE:

...

B. Rates. Monthly billings shall equal the sum of the following charges:

	Effective July 1, 2008	Effective October 1, 2008	Effective October 1, 2009	Effective October 1, 2010	Effective October 1, 2011
1. Energy Charge All kWh, per kWh:	\$0.0634	\$0.0664	\$0.0684	\$0.0704	\$0.0722

1. Customer Charge:	Per meter, per billing period:	\$28.00
2. Energy Charge:	All kWh, per kWh:	\$0.0477
3. Demand Charge:	Peak Season (April to September, inclusive)	
	All kWh, per kWh	\$14.16
	Off-Peak Season (October to March, inclusive)	
	All kWh, per kWh	\$12.58

...

15.20.230 ELECTRIC SERVICE SCHEDULE 15; GENERAL SERVICE ULTRA LARGE:

...

B. Rates. Monthly billings shall equal the sum of the following charges:

	Effective July 1, 2008	Effective October 1, 2008	Effective October 1, 2009	Effective October 1, 2010	Effective October 1, 2011
1. Customer Charge Per Meter, Per Billing Period	\$18.33	\$19.21	\$19.79	\$20.38	\$20.99
2. Energy Charge All kWh, per kWh:	\$0.0384	\$0.0399	\$0.0411	\$0.0423	\$0.0436

3. Demand Charge Peak Season (April to September, inclusive) All kW, per kW:	\$11.50	\$12.05	\$12.41	\$12.78	\$13.16
Off-Peak Season (October to March, inclusive) All kW, per kW:	\$10.11	\$10.59	\$10.91	\$11.24	\$11.58
4. Voltage Charge For customers who provide and maintain transformers and other necessary equipment at and beyond the point of service: All kW, per kW:	0.29	0.31	0.32	0.33	0.34

1. Customer Charge:	Per meter, per billing period:	\$120.00
2. Energy Charge:	All kWh, per kWh:	\$0.0420
3. Demand Charge:	Peak Season (April to September, inclusive) All kWh, per kWh	\$14.09
	Off-Peak Season (October to March, inclusive) All kWh, per kWh	\$12.58
4. Voltage Discount	For customers who provide and maintain transformers and other necessary equipment at and beyond the point of service. All kW, per kW:	\$0.34

...

Section 3. Effective date. This Ordinance shall take effect on April 4, 2023.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 4th day of April, 2023.

MURRAY CITY MUNICIPAL COUNCIL

Garry Hrechkosy, Chair

ATTEST:

Brooke Smith
City Recorder

Transmitted to the Office of the Mayor of Murray City on this ____ day of _____, 2023.

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2023

Brett A. Hales, Mayor

ATTEST:

Brooke Smith
City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according to law on the ____ day of _____, 2023.

Brooke Smith
City Recorder

Memorandum



TO: Mayor Brett Hales and the Murray City Council

FROM: Blaine Haacke, Power Department General Manager

DATE: March 15, 2023

SUBJECT: Explanation of updated rate structure in preparation for the March 21st COW discussion. Updated PowerPoint is also attached.

The Power Department wants to present you with the latest rate adjustment information. As this process proceeds, we have been working with our consultant to recommend a rate increase. The most important aspect to me is that the Mayor and Council understand the methodology as you consider the proposal.

The proposed rate is different than what you were given previously and can be found on the last slides of the PowerPoint which is included with this memo. These are the rate changes staff is recommending for the Council's consideration. I think it would be best to explain some of the variations.

The goal is to achieve an average 9% increase in revenue based on our projected needs for future power purchases as well as to consider past months' higher than expected costs. The attached rate gives us that need.

The city has seven rate classes. In our recommendation, each rate is being treated independently to achieve an average 9% increase in revenue. Residential will receive a 9% total revenue increase. Small Commercial will receive a 9% revenue increase, Large Commercial will receive.....and so on. Note that each rate has components within the rate that must be modified. As the components within the rate are modified, they will be increased or changed according to Mr. Berg's analysis. However, the result will be a 9% increase in revenue.

For example, in the case of the Residential class, the customer charge is one component of the whole rate. It is being increased by \$4.65 for EVERY RESIDENTIAL customer. The kwh charge rate however will not be changed in the Summer and Winter first tiers. The second summer tier, however, will be changed 5%. The result is a 9% revenue increase with the customer charge per customer accounting for the bottom-line 9% increase. The energy usage or kwh is hardly touched in this case.

Another exercise to review would be the General Service Small (small commercial) rate. The customer charge is increased from \$8.39 to \$14.00, but the customer charge by itself does not offer the 9% needed. So, to achieve the 9% increase, the kwh tiers are increased at 4% and 6.4% according to usage. And the demand charge will increase at 8% and 9.1% seasonally. The result, like the Residential class, is an average 9% rate increase for that customer sector. We could make the same claim for all seven customer classes.

Hopefully this quick explanation will help you understand the adjustments. Mr. Berg will be available in the COW meeting this Tuesday evening. It's his analysis, after working with Murray city for about 10 years and with over 40 years of utility experience, that we are respecting and trusting. He has done rate studies for the majority of Utah entities.

In the meantime, our department staff can answer any questions or field comments.



March 14, 2023

Murray City Council

153 W 4800 S
Murray, UT 84107

Subject: Electric Rate Adjustment

Council Members:

In 2016, Dave Berg Consulting, LLC prepared an electric cost-of-service and rate design study for Murray City Power (Murray). Murray has recently been experiencing much higher-than-expected wholesale power costs. I have prepared the attached PowerPoint summary of analysis undertaken to recommend adjustments to Murray's retail electric rates to account for the increased operating costs. A summary of each page of the presentation follows:

Slide 1 – Title page.

Slide 2 – The FY 2023 operating budget resulted in a budgeted loss of \$16.2 million. Beginning of year cash was \$29.6 million, the budget would have depleted reserves by 54%. \$9.1 million of the loss was for capital improvements which often are delayed or not all accomplished during the planned timeframe. The net operating revenue before transfers and capital was negative \$4.3 million.

Slide 3 – As of the mid-year point in the fiscal year (end of December), the YTD result was a loss of \$655,000. This was only 4% of the annual budgeted loss. This difference was primarily due to much less than budgeted capital improvements completed as of December 31 as well as slightly higher than budgeted revenues with slightly lower overall operating expenses.

Slide 4 – Towards the end of calendar 2022 and into early 2023 wholesale power costs have been much higher than expected. Four primary items have impacted wholesale power. 1) Problems with coal delivery via rail and truck to regional coal fired power plants has limited the amount of energy available from these facilities. 2) The drought has limited the availability of hydro power from federal dams. 3) Natural gas transportation bottle necks and lower than expected levels of gas storage have increased the price of gas utilized to generate electricity. 4) Higher market prices have resulted from the first 3 items as well as other market impacts.

Slide 5 – This graph summarizes total expenditures for purchased power by month for July 2022 through January 2023. The bar graphs show the individual UAMPS and WAPA expenditures. The monthly total is indicated by the gray line. The budget is \$2,000,000 per month as indicated by the yellow line. As shown, expenditures were under budget for July through October. November was near budget and December and January were well over budget.

Dedicated to providing personal service to consumer-owned utilities

Dave Berg Consulting, LLC | 15213 Danbury Ave W, Rosemount, MN 55068 | 612-850-2305

www.davebergconsulting.com

Slide 6 – The previous slide was purchased power based on total dollars spent. This slide shows the average cost per megawatt-hour (MWh). The annual budget was slightly above \$60/MWh. December and January were well above this average and expected average costs for the rest of the fiscal year are \$75/MWh (25% over budget).

Slide 7 – This slide summarizes the impact of higher-than-expected power costs.

Slide 8 – Current recommendations are listed. Rates have not been adjusted since 2011. As of December, capital expenditures had been delayed by the items are still planned for completion. I recommend a 9% overall increase in rates which would increase revenues by \$3,000,000 per year. A 9% increase since 2011 averages 0.7% per year. We recommend a full cost-of-service and rate design study similar to the 2016 study be performed at a later time.

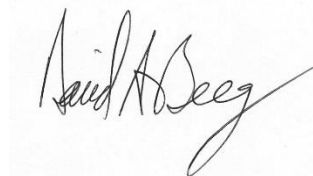
Slide 9 – Specific rate proposals for residential and small general service customers. For residential customers the monthly customer charge increases from \$3.35 to \$8.00, an increase of \$4.65. In 2016 it was recommended that this rate be increased to either \$6.00 or \$8.00 but Murray opted to leave it at \$3.35. For comparison, Rocky Mountain Power's residential customer charge is \$10. The first summer energy tier and all winter energy rates are not changed. All winter bills will increase by \$4.65 regardless of usage. Summer users using 600 kWh or less will also increase by \$4.65. The higher tier of usage in the summer has been increased, this expands the difference between the two summer tiers to further encourage conservation by larger users. The small general service customer charge has been increased from \$8.39 to \$14.00. Energy and demand rates for this class have been increased as well. For both residential and small general service classes the overall increase is 9% but certain customers may experience something more or less than this depending on usage.

Slide 10 – For large general service, ultra large general service and government facilities, all rates have been increased as shown. These rate changes also result in overall increases of 9% for each class of customers. Security light fixed monthly charges have been increased 9%.

I will participate in the March 21 City Council meeting and will go through this PowerPoint presentation at that time. I will also be available to answer any questions you may have.

Sincerely,

Dave Berg Consulting, LLC

A handwritten signature in black ink, appearing to read "David A. Berg", is written over a light gray rectangular background.

David A. Berg, PE
Principal



Electric Rate Recommendation

Murray City, Utah

David Berg – Principal – Dave Berg Consulting

March 21, 2023



FY 2023 Operating Budget

Total Operating Revenues -	\$36,636,625
Total Operating Expenses -	<u>\$40,919,364</u>
Net Operating Revenue -	(\$4,282,739)
Less General Fund Transfer -	(\$2,867,240)
Less Capital Improvements -	<u>(\$9,066,986)</u>
Change in Net Position -	(\$16,216,965)
Beginning of Year Cash -	\$29,628,872

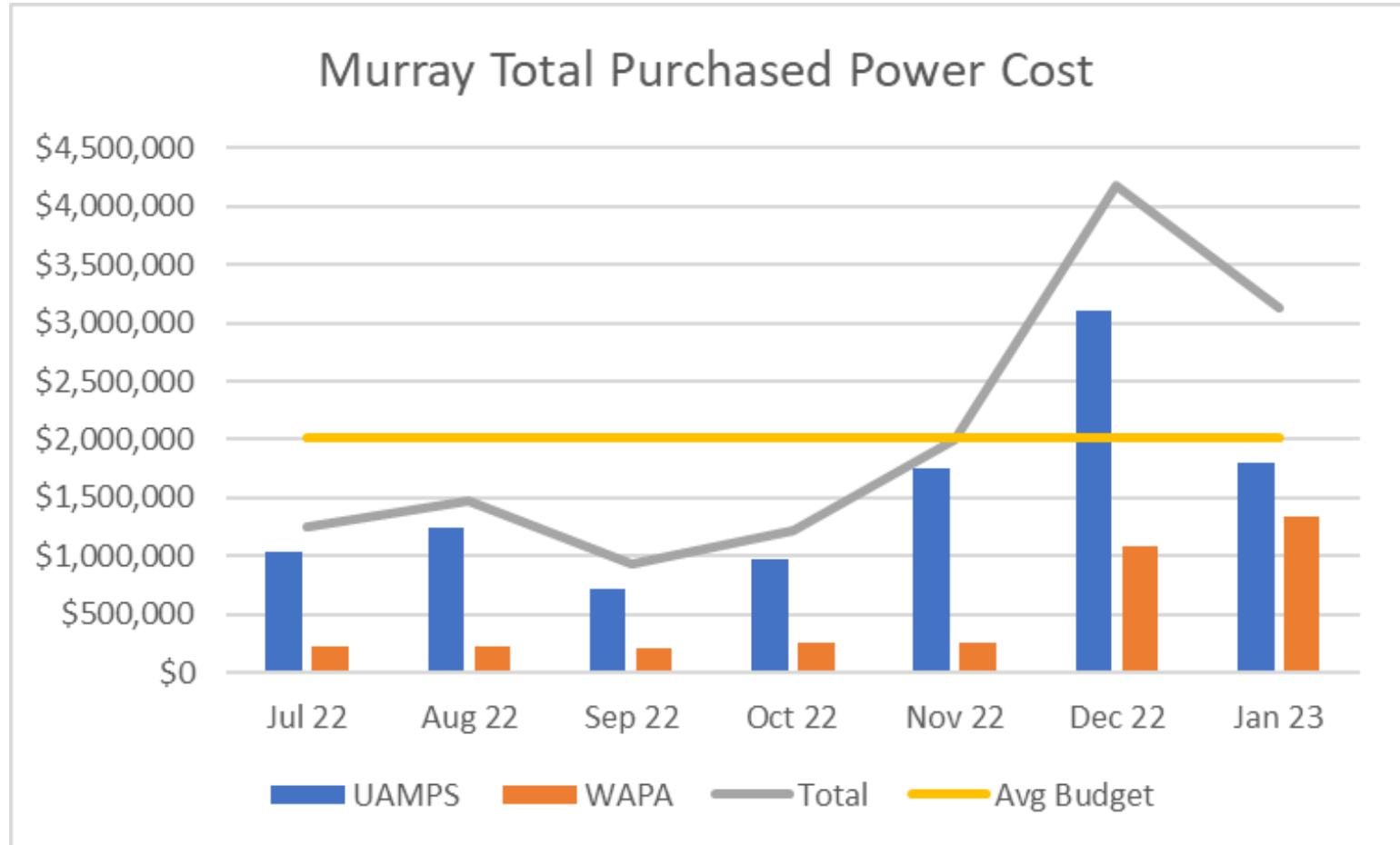
FY 2023 Mid Year Actuals

Total Operating Revenues -	\$21,255,961	58%
Total Operating Expenses -	<u>\$20,157,960</u>	49%
Net Operating Revenue -	\$1,098,001	
Less General Fund Transfer -	(\$1,625,595)	57%
Less Capital Improvements -	<u>(\$127,011)</u>	1.4%
Change in Net Position -	(\$654,604)	4%
Beginning of Year Cash -	\$29,628,872	

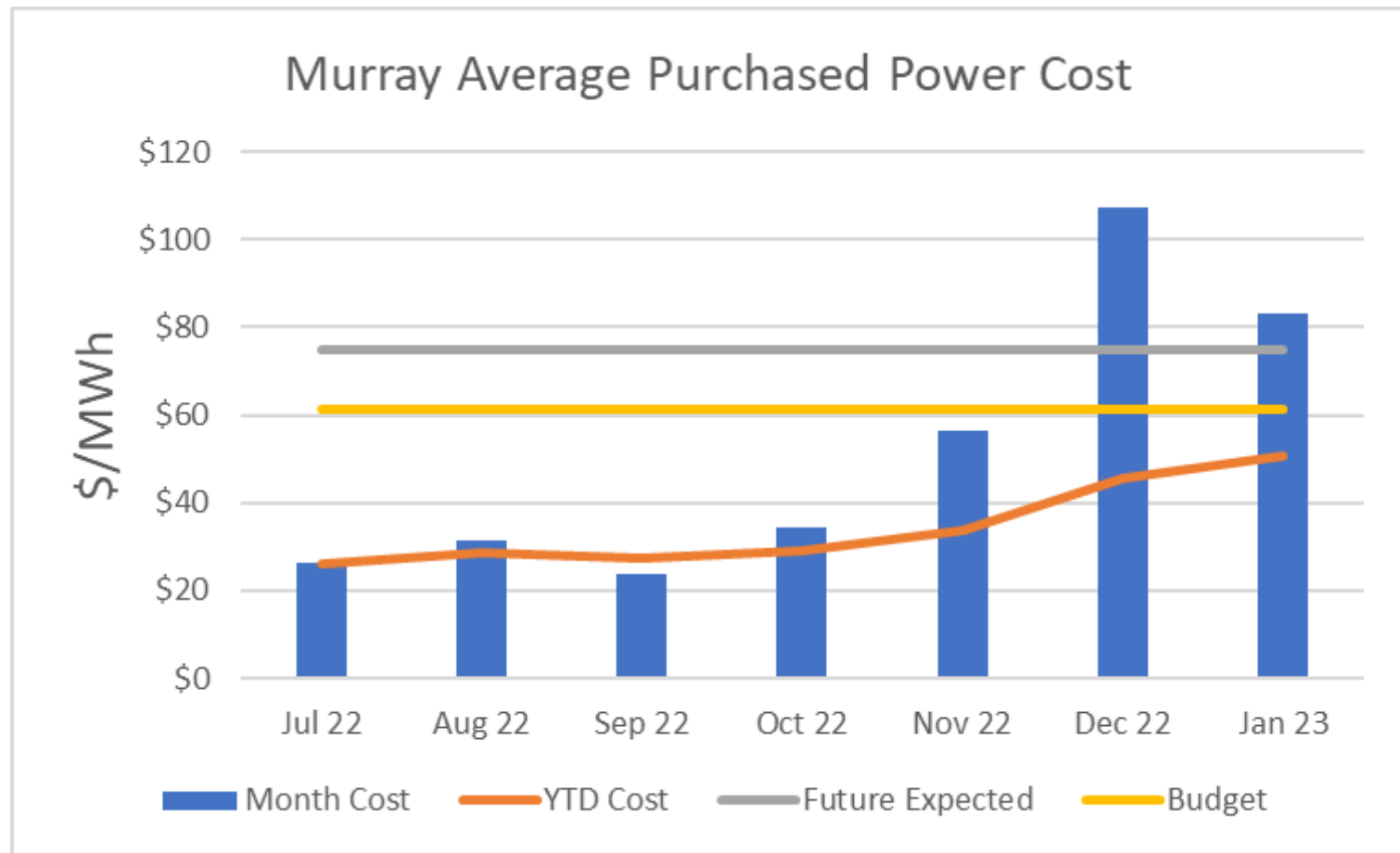
Market Uncertainty

- Coal transportation
- Drought
- Natural gas transportation and storage
- Market prices

FY 2023 Purchased Power Costs



FY 2023 Average Purchased Power Cost



Purchased Power Impact

- Expected near term power costs of \$75/MWh exceeds budget by 25%
- 5 months at \$75/MWh increases costs by \$2.5 million
- \$2.5 million is approximately 15% increase in overall operating costs over 5 months

Rate Recommendations

- Last rate adjustment – 2011
- Capital delayed, but still coming
- 9% rate increase could raise \$3,000,000 per year
- Increase rates 9% overall effective May 1, 2023
- 9% increase since 2011 averages 0.7% per year
- Perform future COS and rate design study

Proposed Rates

	Existing Rate	Proposed Rate	Increase
Residential			
Customer Charge	\$3.35	\$8.00	138.8%
Energy Charge			
Summer (First 600)	\$0.0860	\$0.0860	0.0%
Summer (Above 600)	\$0.0963	\$0.1011	5.0%
Winter	\$0.0860	\$0.0860	0.0%
Residential All-Electric			
Customer Charge	\$3.35	\$8.00	138.8%
Energy Charge			
Summer (First 600)	\$0.0802	\$0.0802	0.0%
Summer (Above 600)	\$0.0898	\$0.0946	5.4%
Winter (First 400)	\$0.0752	\$0.0752	0.0%
Winter (Above 400)	\$0.0557	\$0.0605	8.6%
General Service Small			
Customer Charge	\$8.39	\$14.00	66.9%
Energy Charge			
First 1500 kWh	\$0.0925	\$0.0962	4.0%
Above 1500 kWh	\$0.0468	\$0.0498	6.4%
Demand Charge			
Summer (Above 5)	\$12.49	\$13.49	8.0%
Winter (Above 5)	\$11.00	\$12.00	9.1%

Proposed Rates

	Existing Rate	Proposed Rate	Increase
General Service Large			
Customer Charge	\$20.99	\$28.00	33.4%
Energy Charge	\$0.0436	\$0.0477	9.5%
Demand Charge			
Summer	\$13.16	\$14.16	7.6%
Winter	\$11.58	\$12.58	8.6%
General Service Ultra Large			
Customer Charge	\$72.12	\$120.00	66.4%
Energy Charge	\$0.0383	\$0.0420	9.6%
Demand Charge			
Summer	\$13.09	\$14.09	7.6%
Winter	\$11.58	\$12.58	8.6%
Voltage Discount	\$0.34	\$0.34	0.0%
Government Facilities			
Customer Charge	\$8.39	\$14.00	66.9%
Energy Charge			
Summer (First 1500)	\$0.0696	\$0.0720	3.5%
Summer (Above 1500)	\$0.0353	\$0.0381	7.9%
Demand Charge			
Summer (Above 5)	\$6.25	\$6.75	8.0%
Winter (Above 5)	\$5.51	\$6.01	9.1%
Security Outdoor Lighting			
150W	\$17.49	\$19.06	9.0%
450W	\$27.99	\$30.51	9.0%

Questions/Discussion

Dave Berg Consulting

Tel: 612-850-2305

Email: dave@davebergconsulting.com



MURRAY
CITY COUNCIL

Adjournment



MURRAY
CITY COUNCIL

Council Meeting 6:30 p.m.

Call to Order

Pledge of Allegiance



MURRAY
CITY COUNCIL

Council Meeting Minutes



MURRAY CITY MUNICIPAL COUNCIL

MEETING MINUTES

The Murray City Municipal Council met on **Tuesday, March 07, 2023, at 06:30 PM** for a meeting held in the Murray City Council Chambers, 5025 S State Street, Murray, Utah.

The public was able to view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>. A recording of the City Council meeting can be viewed [HERE](#).

OPENING CEREMONIES

DRAFT - DRAFT - DRAFT - DRAFT - DRAFT - DRAFT - DRAFT - DRAFT - DRAFT - DRAFT

Council in Attendance:

Philip Markham, District #1
Pamela Cotter, District #2
Rosalba Dominguez, District #3
Diane Turner, District #4 - Conducting
Garry Hrechkosy, District #5
Jennifer Kennedy, Council Director
Pattie Johnson, Council Office Administrator III
Crystal Brown, Officer Administrator

Administrative Staff in Attendance:

Brett A. Hales, Mayor (Excused)
Doug Hill, Chief Administrative Office
Tammy Kikuchi, Chief Communication Officer
G.L. Critchfield, City Attorney
Brooke Smith, City Recorder
Brenda Moore, Finance and Administration Director
Craig Burnett, Police Chief
Joey Mittelman, Fire Chief
Jeff Puls, Fire Marshal
Steven Roberson, Deputy Fire Marshal
George Zboril, Deputy Fire Marshal
Jared Hall, Community and Economic Development Director
Robert White, IT Service Director
Ben Gray, Senior IT Technician

Others in Attendance:

Scott Miller, Sally Miller, Marie Davis, Jenn Kikel-Lynn, Jeff Evans, Mary West, Jonathan Olver, Janice Strobell, Rachel Morot, Charles Turner, Donnetta Mitchell, Jake Dinsdale, Greg Jensen, Nicole Jensen, Clark Bullen, Michael Brodsky, O. Yost, Gary and Amy Howland, Jared Boyer, Dave Carr, Mary Evans, Loran Pasalich, Arvil Evans, Deby Evans, Shawn Delliskave, Margaret Dahl, Stacey Pasalisch, Emily Fischio, Liberty Kluse

Opening Ceremonies

Call to Order – Councilmember Diane Turner called the meeting to order at 6:30 p.m.

The audience was invited to recite the Pledge of Allegiance led by Pattie Johnson.

APPROVAL OF MINUTES

1. Council Meeting - February 21, 2023

MOTION

Councilmember Rosalba Dominguez moved to approve the Council Meeting Minutes from February 21, 2023. The motion was SECONDED by Councilmember Garry Hrechkosy.

Roll Call:

Ayes: Philip Markham, Pamela Cotter, Rosalba Dominguez, Diane Turner, Garry Hrechkosy

Motion passes 5-0

SPECIAL RECOGNITION

None scheduled.

CITIZEN COMMENT(S)

Comments will be limited to three minutes, step to the microphone, state your name and city of residence, and fill out the required form.

Mary Evans

Mary Evans discussed the safety of the Murray city building during DUI processing. She requested changes to the procedure and furniture in the new city hall building to provide safe facilities for individuals brought into police custody. She asked the City Council to provide additional funds to make these changes.

No additional comments were given, and the public comment period was closed.

CONSENT AGENDA

None scheduled.

PUBLIC HEARING(S)

Staff, sponsor presentations, and public comments will be given prior to Council action on the following matter. The Council Meeting Agenda Packet can be found [HERE](#).

1. Consider an ordinance amending sections 17.170.120, 17.170.140, AND 17.170.160 of the Murray City Municipal Code relating to the Murray City Center District (MCCD) Zone., Jared Hall

Minutes Attachments

1. MCCD Zone, proposed changes for City Council 03-07-2023.pdf
2. Amanda Rock-Save the Arlington!.pdf
3. Amy Thomas-Mar 7 - City Council Meeting Comments.pdf
4. Brittany Hunt-Murray City Hall Property.pdf
5. Cynthia Proctor-City Hall.pdf
6. David McCarty-Old Murray City Hall.pdf
7. Elayne Anderson-Murray City Hall.pdf
8. Frances George-Murray City Hall.pdf
9. Jane Willie-A new library, no more apartments!.pdf
10. K. Dolos-High Rise Apartment Building.pdf
11. Kari Dunn-Opposition to Murray City Hall becoming 480 Apartments.pdf
12. Kristine Lavon-Arlington.pdf
13. M. Caggiano-Murray City Hall - please no high density apartments .pdf
14. Rachel Morot- Comments for Public Hearing on Tuesday, March 7th.pdf
15. Reynold Willie-Oppose Apartments .pdf

PRESENTATION

Jared Hall shared a PowerPoint with the purpose of the proposed ordinance to consider an ordinance amending sections 17.170.120, 17.170.140, AND 17.170.160 of the Murray City Municipal Code relating to the Murray City Center District (MCCD) Zone.

The proposed ordinance request to amend the Murray City Municipal Code related to the MCCD zone. The changes would only impact a specific area of the MCCD zone, south of Vine Street and east of State Street, which is owned by the RDA. The proposed changes would include limiting building height to six stories or 70 feet, increasing parking requirements for residential units to 1.5 spaces per unit, and increasing the overall requirement for landscaping and open space to 25%. The proposed open space would be required to have no more than 25% turf, and the turf would need to have purposeful use, such as for playing fields or picnicking, and be accessible to the public.

CITIZEN COMMENTS

Clark Bullen

Clark Bullen, a resident of district three, explains that the RDA has decided to sell a six-acre property and a realtor has already been contracted. The only thing that determines how the property is marketed is the zoning. If the zoning is set up with 80 units per acre, it could potentially become a 480-unit apartment complex. Clark Bullen suggests considering less density or making it a commercial-only property. He warns that even though the council may not want apartments if developers offer top dollar for a 480-unit complex, it may be hard to say no. Clark Bullen cites a citywide survey where a majority of respondents did not want high density and urges the council to consider reducing or removing the density.

Margaret Pahl

Margaret Pahl used to live in Murray and currently lives in Holiday. She met with Tim Tingey 18 years ago to discuss the development of downtown Murray, which still hasn't happened. Margaret Pahl urged the council to consider the long-term impact on Murray's character and legacy. She express concern about using the same need assessment that financed other high-density projects in the area, which may lead to extended construction and unoccupied property. She suggests a phased approach and only releasing a portion of the property at a time.

Rachel Morot

Rachel Morot, the vice president of the Historic Murray First Foundation, spoke for five minutes during a meeting and expressed her encouragement for the citizens who attended. She emphasized the importance of citizens' engagement in the process and encouraged them to make comments. Rachel Morot clarified that the building in question is a historic building and shared the results of a survey, which showed that the majority of citizens wanted the building to be turned into commercial and retail space. She also read a comment from a citizen who grew up in Murray and urged the city leaders to consider the citizens' opinions since their taxes fund the government's projects. Rachel Morot encouraged the citizens to stand up and voice their opinions about what they wanted to see in their community.

Lynn Olsen, read into the record by Rachel Morot

Lynn Olsen believes that the current city leaders have not considered the opinions of long-time residents who grew up in Murray and attended schools such as Arlington Hillcrest and Murray High. He thinks that the new complex on Vine Street is out of place and that it will be a sad day if the Arlington building is demolished. He suggests that the city leaders visit Main Street in Helper, Utah, to see how they have kept their historic character. He reminded the council that they have a responsibility to be the voice of the citizens whose money they are choosing to spend on city projects since the government only has funds from taxes.

Wayne Brandolino

Wayne Brandolino shared his confusion about the rezoning and concern about adding density with new apartment buildings in the city, which they fear will turn Murray into another Salt Lake City. Wayne Brandolino questioned whether the income generated by adding density will be enough to service them and worry about the crime rate and historical preservation of the city. Wayne Brandolino believes that something needs to be done differently to avoid going in the wrong direction.

Sally Miller

Sally Miller from District Three participated in the survey and believes that the majority wants Murray to maintain its historic look rather than high-rise buildings. She questioned why the proposal for a six-story building is not being reduced to three or four stories if that's what the majority of Murray residents want. She also raises concerns about the lack of parking in Murray. Sally Miller suggests building high-rise buildings and apartments at larger commercial spaces such as the RC Willey or K-Mart locations instead of adding them to the historic district.

Arvil Evans

Arvil Evans shared his negative experience with high-density, high-rise buildings in his previous neighborhood, which resulted in robberies, vandalism, and harassment. He was forced to move and has since made Murray his sanctuary. He has roots in Murray, with ancestors buried in the city cemetery, and does not approve of the proposed high-rise buildings, citing his negative experience and concern for the community's safety and well-being.

Greg and Nicole Jensen, read into the record by Janice Strobell

Janice Strobell from District Three read a comment into the record that was submitted after the deadline expressing concern for the safety of the community and the strain on resources if the proposed residential increases are approved for the old Murray City Hall. The comment requests that Councilmember Markham vote no on the proposals and keep Murray a small community.

Janice Strobell

Janice Strobell questioned whether the proposed zoning for the area complies with the vision for downtown and whether it meets the desires of the citizens. They noted that builders and developers will want to build to the maximum allowed by the current zoning revision.

Mary West

Mary West lived behind her high school on Washington Avenue since 1990. She liked the small community of Murray and how convenient it was to take the UTA tracks to work. However, she was concerned about the increased traffic and density that would come with the proposed apartment complexes. She was worried about the safety of pedestrians, especially with the removal of the only pedestrian walkway. Mary West feared that adding more large buildings would take away the quaintness of Murray and make it unrecognizable as a city. She had previously complained about the traffic and was concerned about how the elderly and young people living in the complexes would cross the street. Mary urged the council to consider their decisions carefully and think about how many more apartment buildings were necessary for the city.

Emily Fischio

Emily Fischio, who lives in District Two, mentioned that she had recently moved back to Murray in 2020, after spending some time in Salt Lake City. Emily Fischio grew up in the neighborhood and walked to Parkside. She stated that she would like the city to remain small and quaint, but not stagnant, and suggested that changes can be made to keep the traffic low. Emily Fischio does not want more high rises in the city center that would be close to the downtown and

preferred that the building being discussed could be utilized better. She loved Murray and didn't want it to change for the worse.

Marcy West Rynearson

Marcy West Rynearson from Taylorsville expressed her love for Murray where she grew up behind Murray High School. She mentioned that Murray was the heart of the valley during her growing-up years, but there's not much left of it now. Marcy West Rynearson expressed her concerns about the proposal to bring in more people when the city is already facing water shortages. She questioned the idea of consuming more water when there might not be enough in the future.

Robert Stefanik

Robert Stefanik, a resident of the Old 400 apartments in Murray, opposes the demolition of the building for high-rise development. He moved to Murray four years ago to avoid being out-priced by high-rises in Salt Lake City and does not want to be priced out of his current home. He enjoys the feeling of safety and comfort that Murray provides and fears that a high-rise development will bring crime to the area.

Craig Bennett

Craig Bennett has been a resident of Murray City since 1955, except for the 20 years he spent in the military. He worked as a dispatcher for Murray City Police Department in the 70s and recalls it as a nice little community. He expresses concern about the proposed high-rise development, citing potential strains on the city's infrastructure and police department. He also states that he would like to spend the rest of his life in his current home and would hate to see the high-rise development move forward.

Liberty Kluse

Liberty Kluse from District One expressed her concern that putting any type of housing on the site would be detrimental to the surrounding area. She suggested making the area a beautiful place for citizens to gather without the traffic that high-density housing would bring. She argued that bringing down historic buildings close to parks, where lots of housing already exists, would be a mistake. She also raised concerns about traffic and road infrastructure, which would require citizens to pay taxes for something they don't want. Liberty Kluse suggested that the area should be kept as a small downtown feel to make it beautiful for the community to gather.

Councilmember Diane Turner mentioned the council has received several emails which will be made part of the record and confirmed all council members have read them.

No additional comments were given, and the public hearing comment period was closed.

DISCUSSION

Councilmember Pamela Cotter read into the record emails she received from Sue and Larry Wilson, Janice Wuckert, and Karen Robertson.

Sue and Larry Wilson

Sue and Larry Wilson expressed their opinion that the city should retain the Arlington building as a community center rather than selling it to a developer for high-density housing. They believe that the building's proximity to Murray Park and the Murray theater makes it an ideal location for a community center that could be used for various classes, events, and even sports. They also suggest that additional parking will be needed once the theater reopens and that the city should take this rare opportunity to give citizens the community center they have been waiting for.

Janice Wuckert

Janice Wuckert sent an official message expressing her opposition to tearing down the Murray city building and replacing it with high-density apartments. She suggested remodeling, updating, and finding better uses for the building and property.

Karen Robertson

Karen Robertson expressed her love for the Arlington building and suggested finding better uses for it instead of tearing it down. While she recognized the structural issue, she was sad that restoration may not be feasible.

Councilmember Garry Hrechkosy asked Jared Hall how the proposed changes align with the results of the Y2 survey. Jared Hall responded that the survey showed an overwhelming consensus among citizens that downtown Murray needs to be redeveloped, which supports the proposed changes. However, Jared Hall clarified that the changes do not necessarily include tearing down the building and that the city has not yet reviewed proposals or decided what to do with the building.

Councilmember Garry Hrechkosy asked Jared Hall what the process is after proposed regulations are passed. Jared Hall explains that if the regulations pass, the RDA board and council would feel comfortable letting their realtor market the property and consider proposals. He reiterated that just because the zoning allows something, it doesn't mean it has to happen, and the RDA board can decide what to do. The removal of the building might be a consequence of taking offers on the property, but it's not certain yet. The process is far from over, and proposals will be brought to the council to see what they like and don't like.

Councilmember Garry Hrechkosy asked Jared Hall about the parking changes and what they entail. Jared Hall said that the parking requirements have been updated to reflect the number of bedrooms in the unit, with a half space added per residential unit. For example, a three-bedroom apartment would now require three parking spaces instead of the current requirement of two and a half. This may be difficult for developers, but the city is making the decision to consider parking and not be under-parked. It is unknown if this change will affect the development of three-bedroom units.

Councilmember Garry Hrechkosy discussed with Jared Hall the height of the current City Hall building and the proposed changes in height for future development. The current height of City Hall is two stories, and it drops approximately 10 feet in the back. The proposed development may be up to five stories due to the six-story restriction.

Jared Hall emphasized that the property is not zoned for a multifamily use, but for mixed-use development, which requires a commercial component. Mixed-use zoning is preferred for redevelopment in the downtown area.

Jared Hall shared that the city has existing design guidelines in place for the downtown area that include traditional materials and good design components. However, they are just guidelines, and the city is working on developing development standards that will be written into code and dictate the look and feel of future redevelopment. The city is planning to issue a contract to harden up those standards, but they don't know exactly what kind of historic look and feel they want yet.

Councilmember Garry Hrechkosy questioned whether the resources are assessed as part of any potential project in a city. Jared Hall confirmed the answer is yes. He stated that any project that is proposed would go through an adequate public services review as part of a Master Site Plan. Although this has not been done in the downtown area for a long time, they will still go through the process again. The infrastructure in the area has been planned to support 100 units per acre, but any future proposed project will be well under that threshold.

Councilmember Rosalba Dominguez asked about impact fees and what developers are required to pay. Jared Hall answered that the newest impact fee is the parks impact fee, which

developers are required to pay to offset the impact of new development on park infrastructure. The fee is collected from developers and not from citizens, and it is a significant amount of money.

Councilmember Garry Hrechkosy asked what were the issues with the current building. Jared Hall answered that the biggest issue is the change of use, which requires everything to be brought up to code, including seismic codes, which are a big deal in Utah. There are also problems with the sewer, boiler, roof, and ADA compliance, and bringing the building up to standard would be costly, with seismic being the biggest cost factor.

Councilmember Philip Markham asked whether the planning department and city council have done a good or bad job in portraying the process and what they are trying to achieve with the sale of the property. Jared Hall responded the message has been muddled due to the complexity of the issue, but the city is trying to bring it back to discussing only specific things. The city has a duty to use taxpayer money to benefit the community, and the sale of the property is aimed at generating funds to be used for other projects in the downtown area. Jared Hall acknowledges the importance of community involvement in the process, even if there may not always be agreement, and notes that they are working on improving the information and being more transparent.

Councilmember Philip Markham addressed the audience and emphasized the importance of doing research and not being blinded by one issue when considering a larger problem. He asked for patience, trust, and an open mind from the audience. Councilmember Philip Markham acknowledges a positive development in the form of a potential restaurant cooperative and encourages proactive rather than negative action from those who feel strongly about the issue.

Councilmember Rosalba Dominguez expressed appreciation for everyone in attendance and the emails the council has received regarding the property development issue. She shared that the council has worked hard to get to this point and the new administration has been instrumental in making this effort. Councilmember Rosalba Dominguez acknowledges that there are concerns about the size of the development and suggests considering alternative uses for the property. Councilmember Rosalba Dominguez also encourages working with developers to find long-term solutions and identify what the city is missing in terms of community needs. Councilmember Rosalba Dominguez shared a personal story and explained that the Arlington School building was not always a positive place for kids who looked like her and there are stories of racism and bullying that most audience members have not heard. She highlights the importance of not destroying historical properties but also understanding the perspective of all community members.

Councilmember Pamela Cotter asked Jared Hall to explain a deed restriction that was mentioned in an email sent to the council. Jared Hall responded that the city owns the property and has more flexibility in selling it. Deed restrictions allow the city to choose a developer and restrict how the property is used, such as the number of units or their location. The city has a fiduciary duty to weigh the benefits and costs of deed restrictions against the needs of the community.

The discussion period was closed, and a Motion was requested.

MOTION

Councilmember Garry Hrechkosy moved to adopt the Consider an ordinance amending sections 17.170.120, 17.170.140, AND 17.170.160 of the Murray City Municipal Code relating to the Murray City Center District (MCCD) Zone. The motion was SECONDED by Councilmember Pamela Cotter.

Roll Call:

Ayes: Philip Markham, Pamela Cotter, Rosalba Dominguez, Diane Turner, Garry Hrechkosy

Motion passes 5-0

The council took a 5-minute recess.

BUSINESS ITEM(S)

1. Consider a resolution approving an agreement between Murray City Corporation and Life Safety Inspection Vault LLC for the collection, organization, and storage of fire and life safety inspection reports, Joseph Mittelman and Steve Roberson

Minutes Attachments

1. LIV Inspection PPT.pdf

Chief Joseph Mittelman presented a request for an agreement between Murray City Corporation and Life Safety Inspection Vault LLC (LIV) for the collection, organization, and storage of fire and life safety inspection reports. The agreement aims to provide a more efficient tracking and follow-up process for Safety System inspection reports. The inspection companies performing inspections within the City will be required to submit their reports through the LIV Services and pay a \$15 fixed fee for each inspection report submitted. The LIV reporting system allows for easy monitoring and is similar to those of other cities and will be carried out by the Fire Marshal.

DISCUSSION

Council members thanked Chief Joseph Mittelman for his presentation during the committee of the whole.

MOTION

Councilmember Philip Markham moved to adopt the resolution approving an agreement between Murray City Corporation and Life Safety Inspection Vault LLC for the collection, organization, and storage of fire and life safety inspection reports. The motion was SECONDED by Councilmember Pamela Cotter.

Roll Call:

Ayes: Philip Markham, Pamela Cotter, Rosalba Dominguez, Diane Turner, Garry Hrechkosy

Motion passes 5-0

2. Consider a resolution approving an Interlocal Cooperation Agreement between the City, the Utah Community Action Head Start Program and Murray City School District (District) to lease City property., Doug Hill

Doug Hill presented a resolution request for an interlocal cooperation agreement between the City, the Utah Community Action Head Start Program, and Murray City School District to lease City property located at 73 West 6100 South. The lease will provide Head Start space to operate a community service program for low-income children and their families, and the District space to provide educational and recreational opportunities to City residents. The 2017 interlocal agreement has expired, and the new agreement has certain conditions that need to be met. The agreement is part of the long-term relationship of cooperation and sharing of resources between the City and the District.

MOTION

Councilmember Rosalba Dominguez moved to adopt the resolution approving an Interlocal Cooperation Agreement between the City, the Utah Community Action Head Start Program, and Murray City School District to lease City property. The motion was SECONDED by Councilmember Garry Hrechkosy.

Roll Call:

Ayes: Philip Markham, Pamela Cotter, Rosalba Dominguez, Diane Turner, Garry Hrechkosy

Motion passes 5-0

3. Consider a resolution approving an Interlocal Cooperation Agreement between the City and the Murray City School District (District) for the license and access to a City Communication Tower.,

Doug Hill

Doug Hill presented an agreement between the City and Murray City School District for the license and access to a City communication tower. The City owns a communication tower, and the District has approached the City for the use of the tower to provide wireless high-speed internet capability to its students. The resolution is based on the Interlocal Cooperation Act which allows public agencies to enter into agreements for joint or cooperative actions.

Councilmember Philip Markham acknowledges that the two business items being discussed showcase what makes Murray a special place - the city's relationship with its school district and its ability to work together to provide benefits for citizens at no cost. Councilmember Philip Markham hoped that those who are not present will see this and wanted it to be on record that the council is still striving to fulfill its goals.

MOTION

Councilmember Pamela Cotter moved to adopt a resolution approving an Interlocal Cooperation Agreement between the City and the Murray City School District (District) for the license and access to a City Communication Tower. The motion was SECONDED by Councilmember Garry Hrechkosy.

Roll Call:

Ayes: Philip Markham, Pamela Cotter, Rosalba Dominguez, Diane Turner, Garry Hrechkosy

Motion passes 5-0

MAYOR'S REPORT AND QUESTIONS

Doug Hill reported on behalf of the Mayor, who was excused.

Doug Hill mentions the promotion of a new sergeant in the police department and the addition of two new police officers who recently graduated from the police academy. The public works department has been busy with 23 storms and spreading 5000 tons of salt, with assistance from other city departments. Doug Hill expresses gratitude towards the city employees for their efficient and conscientious work in clearing the snow, including the Murray Parkway Trail. Doug Hill discusses past flooding along Little Cottonwood Creek and how it may occur again due to an upcoming storm, cautioning citizens to stay away from the creeks and streams. He also mentioned the library website is currently down, but they are working on getting that back up and running. He also updated the council on the Murray mansion and theater renovations, with completion expected by June and February of next year, respectively.

Council members thanked city staff for their hard work in clearing snow off the roadways and park trails.

Councilmember Diane Turner asked if the sandbags were made out of plastic or burlap. The Mayor's office will look into it and let the council know.

Councilmember Rosalba Dominguez mentioned that she was able to attend meetings in Washington D.C. with the Mayor and Councilmember Diane Turner. They learned a lot about power, and she encouraged the rest of the council to attend future meetings.

ADJOURNMENT

The meeting was adjourned at 8:13 p.m.

ADDITIONAL INFORMATION

The next scheduled meeting will be held on **Tuesday, March 21, 2023, at 6:30 p.m. MST.**

Supporting materials are available on Murray City's website at www.murray.utah.gov.

Special Accommodations for the hearing or visually impaired will be made upon a request to the office of Murray City Recorder (801-264-2662). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speakerphone. The speakerphone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.

At least 24 hours prior to the meeting, a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. A copy of this notice was posted on Murray City's internet website www.murray.utah.gov and the state noticing website at <http://pmn.utah.gov>.

MCCD Zone, proposed changes

Text Amendments to 17.170 regarding
height, parking, and landscaping



Areas Impacted



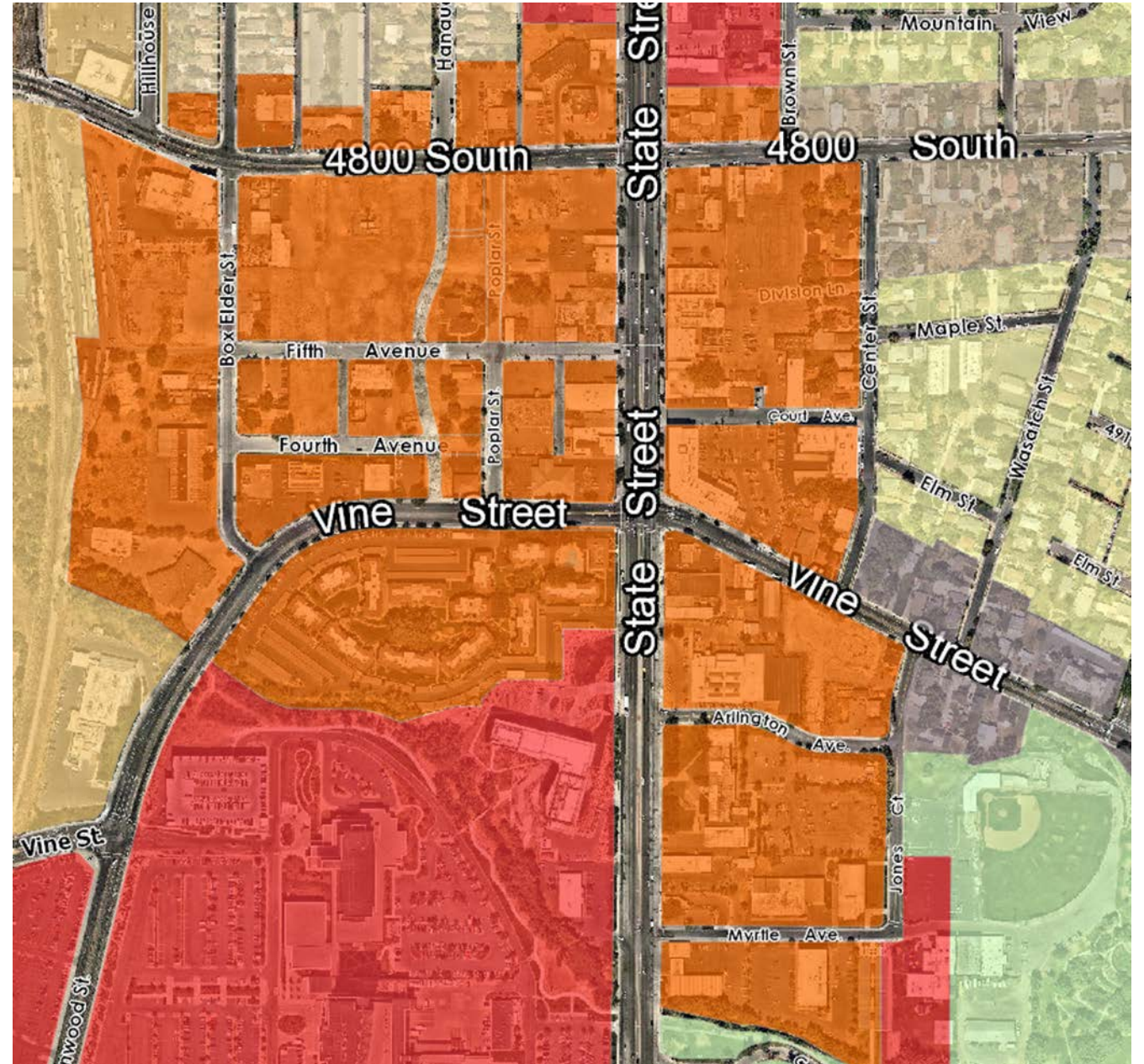
Height



Parking




Landscaping & Open Space

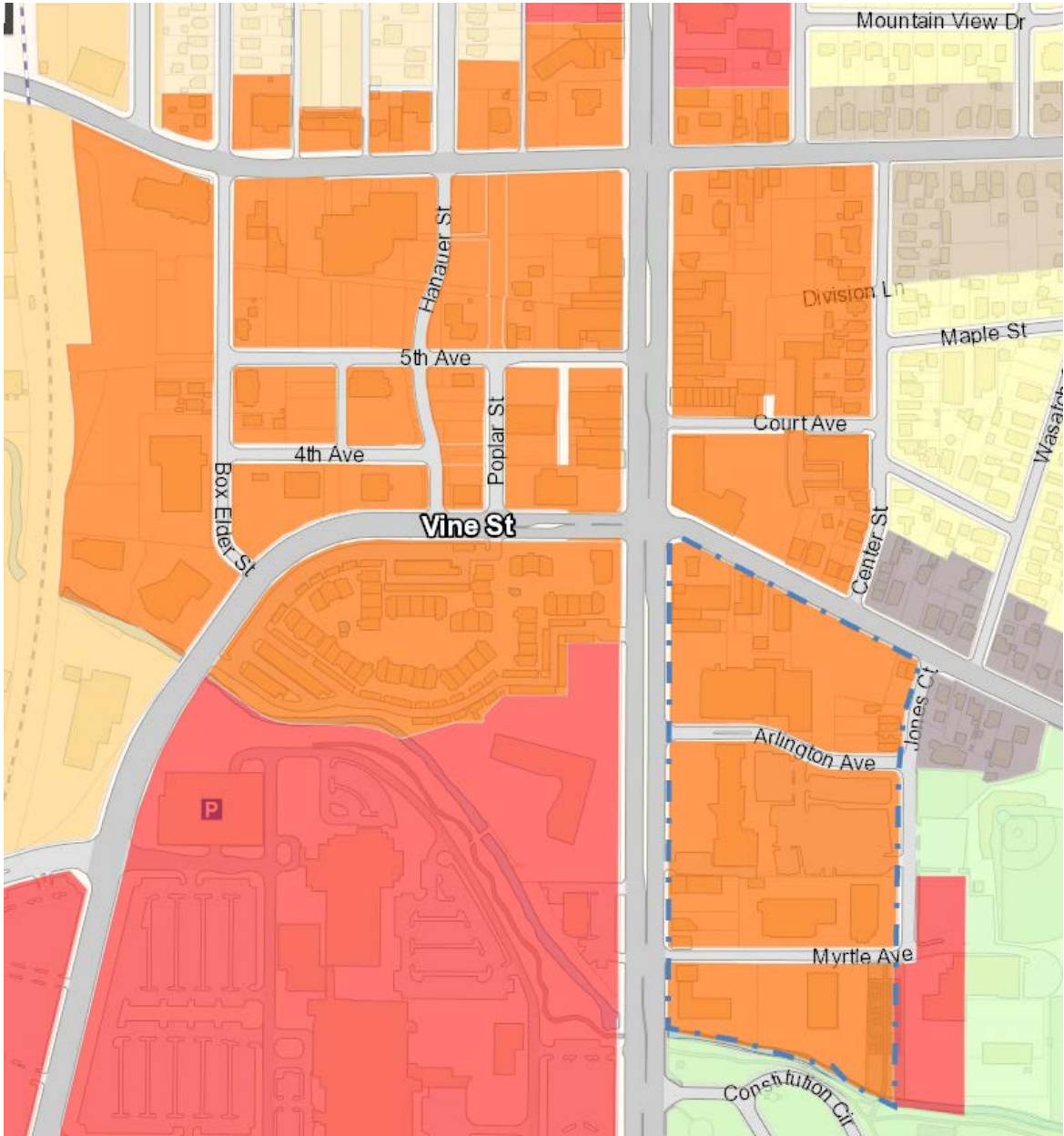


Areas Impacted

 Height

 Parking

 Landscaping & Open Space





Height Regulations

Current:

Buildings not to exceed
Ten (10) stories or 135'

Proposed:

Buildings not to exceed
Six (6) stories or 70'

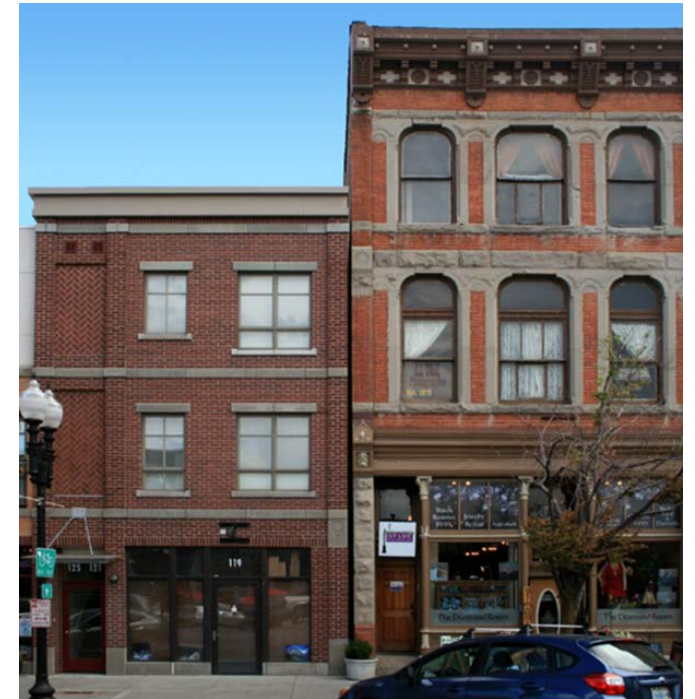




Table D: Parking Requirements

Land Use	Parking Spaces Required
Residential, Studio	1 space per unit
Residential, 1-bedroom	1.05 spaces per unit
Residential, 2-bedroom	1.5 spaces per unit
Residential, 3-bedroom +	2.5 spaces per unit
Office	1 space per 500 ft ² net usable floor area
Medical/Dental Offices & Clinics	1 space per 500 ft ² net usable floor area
Retail/Commercial	1 space per 500 ft ² net usable floor area
Restaurants / Eating & Drinking Establishments	1 space per 500 ft ² net usable floor area
Uses not listed	As determined by the Planning Commission based on comparable standards
Disabled / ADA Accessible	See Section 17.72.040 of this title. Other requirements per the Americans with Disabilities Act
Parking in excess of 125% of minimum requirements	Allowed as approved by the Planning Commission if provided within structures or the building envelope
<u>Developments east of State Street and south of Vine Street</u>	<u>An additional 0.5 spaces per unit</u>





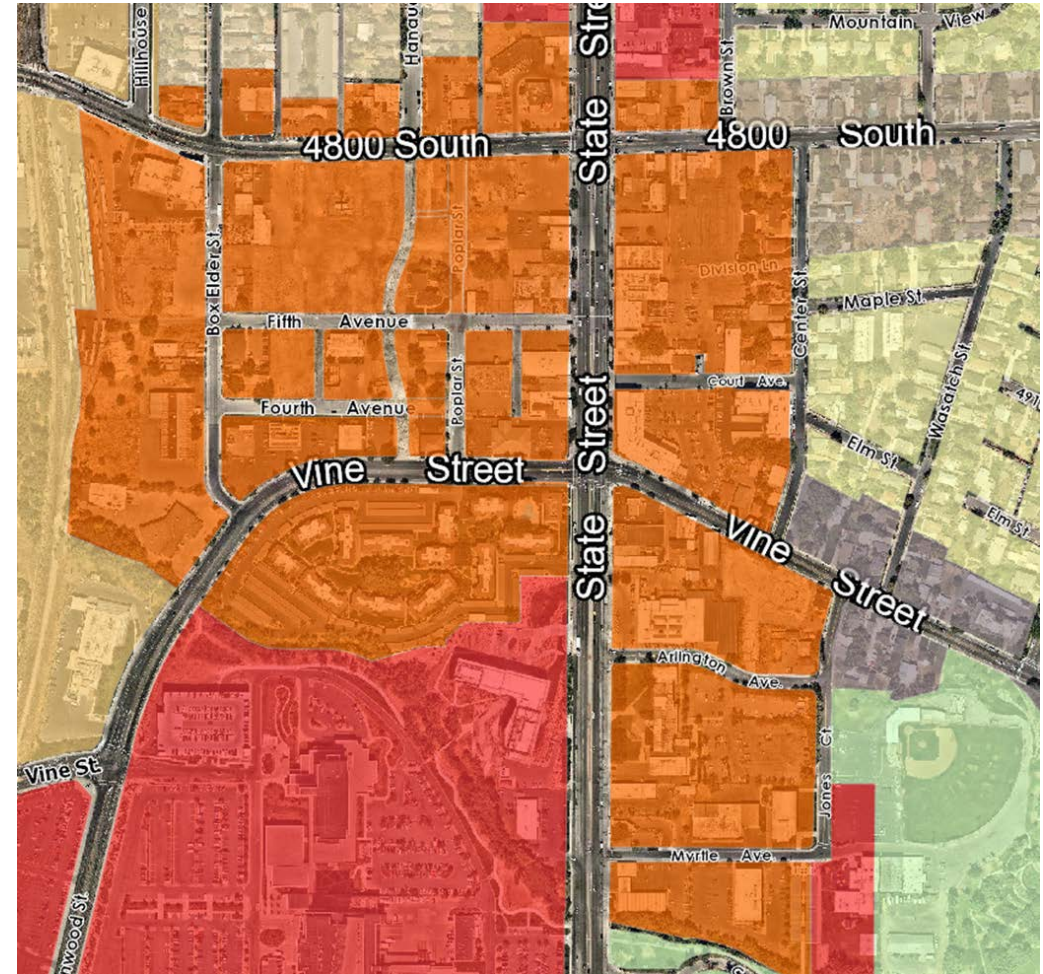
Landscaping & Open Space

- Requirement increased from 15% to 25% overall.
- Turf may not comprise more than 25% of the total landscaping area (was 50%) and must be functional.
- Exceptions to the 25% turf limitation may be considered if it is usable, public-access open space as part of the development.
- Maintains existing requirements for use of native plants, water-conserving landscape designs overall, street trees, etc.



Staff Recommendation

Staff recommends that City Council APPROVE the proposed text amendments to Chapter 17.170 of the Murray City Land Use Ordinance as presented.





THANK YOU!



From: [Amanda Rock](#)
To: [Jennifer Kennedy](#); [Garry Hrechkosy](#); [Diane Turner](#); [Pam Cotter](#); [Phil Markham](#)
Subject: Re: Save the Arlington!
Date: Monday, March 6, 2023 4:14:40 PM

Hello again!

I wanted to follow up with my address, 4768 S Hanauer St. Murray, 84107. Again, I'd love to see the Arlington building saved instead of being torn down for more condos.

Thanks,
Amanda

On Fri, Mar 3, 2023 at 10:57 AM Amanda Rock <amandarock.212@gmail.com> wrote:

Hi all,

I wanted to write in support of saving the Arlington building. I'd love to see our community using the building instead of it being torn down to build more condos.

Thank you!
Amanda

From: [Amy Thomas](#)
To: [Council Citizen Comments](#)
Cc: [Jennifer Kennedy](#); [Brett Hales](#)
Subject: Mar 7 - City Council Meeting Comments
Date: Monday, March 6, 2023 4:29:31 PM

I am writing today to encourage the City Council to prioritize the preservation of the Arlington/City Hall building to support our collective efforts to create a better city for the residents of Murray and future generations.

By preserving and choosing to adaptively reuse the building we already have, we can conserve precious resources, reduce waste, save money, and still get an appropriate amount of density. You may recall some of these statistics I shared with you in previous meetings:

1. Studies have shown that if a new construction project includes the cost of demolishing an existing building, it will actually cost the developer 3%-16% *more* than if they had rehabilitated the existing building.
2. It takes between 10 and 80 years for a new building that is 30% more efficient than an average-performing existing building to overcome the negative climate change impacts related to the construction process.
3. Just one modestly sized house in Utah generates 350 tons of waste in the landfill. That's as much waste as 1 person would generate in 445 years. Rehabilitating that same house would only generate 50 tons of waste. Now multiply those numbers to account for how large the Arlington building is and also consider that construction debris accounts for 25% of waste in municipal water stream each year.
4. Average density in 43 of 50 cities was greater in historic neighborhoods because they utilize the concept of "hidden density."
5. Studies show that Historic buildings contain more local businesses than newer and larger buildings. Many start-ups specifically choose to locate in historic districts due to the attractiveness of the buildings and neighborhood commercial vitality they usually embody.

When discussing the MCCD zoning changes, I ask that you consider the following:

1. Please limit building height to no more than 4 stories.
2. Please consider lower density, along the lines of RM15 zoning.
3. Please consider requirements to ensure that any development prioritizes historic preservation and/or historic design guidelines.
4. Please don't take away one of the few remaining green spaces we have along State Street in all of Salt Lake County.

The benefits of historic preservation are many for Murray - to create healthy lifestyles, increase jobs and incomes, efficiently use our infrastructure, grow our local economy, create a positive city image, supply affordable housing, and work toward a sustainable future. This starts with you.

Thank you,
Amy Thomas
District 3 (205 E Vine St)

From: [Brittany](#)
To: [Council Citizen Comments](#); [Rosalba Dominguez](#); [Clarkbullen@gmail.com](#)
Subject: Murray City Hall Property
Date: Tuesday, March 7, 2023 5:30:02 PM

I'm writing today to oppose high density housing at the property that is currently Murray City Hall. I own a house next to Murray Park, near the apartments going up currently in district 3. I used to rent an apartment here in Murray, so my perspective is that of a renter in need of options, and a homeowner whose community will be greatly impacted. My experience as a renter has shown what issues apartment complexes pose. My main concerns are quality of life for those immediately around the complex, and the strain on our resources: water, schools (Hillcrest is currently already out of control with major behavioral issues), police officers, first responders, TRAFFIC on Vine and State, etc . We also have seen that we can't trust the developers to plan for something as basic as parking at many of these complexes currently in Murray. My time in the apartment came with domestic violence disputes, a murder suicide, a dead body found just outside the building, and so so many police visits to the property. I think that realistically for the area we are talking about, the apartments going in already are a stretch. This area cannot absorb 480 apartments worth of people.

We do not need MORE apartments in Murray. We have so many new apartment complexes already, and that's great! We need to invest in Murray either via space the community can use, we definitely could use more community space with the additions of apartments and housing going up currently in Murray. Alternately I'd love to see housing people can own, townhouses for example. Too many apartments come with too many problems, and we are at the bar of "too many" for many in this community. Please don't enrich developers pockets by sacrificing our community. Thank you for your time.

Brittany Hunt

From: [Cynthia Proctor](#)
To: [Pam Cotter](#); [Diane Turner](#); [Garry Hrechkosy](#); [Jennifer Kennedy](#); [Phil Markham](#); [Rosalba Dominguez](#)
Subject: City Hall
Date: Monday, March 6, 2023 3:56:06 PM

Hello Council Members,

I live in Murray in Councilwomyn Dominguez's district, and have a comment on the use of the city hall property.

I'm not against apartments. I know people need places to live. It's just that something different is clearly needed as structure after is built with little regard to architecture, sense of place and the need of humans to be part of their community.

I don't know the answer, but I can't help but wonder about the future of these places. Will they become unnecessary and abandoned? Are temporary residences what people really need for the long-term? Where do these residents go for walks and meeting with others in their neighborhood? Will we wish we had more green and community space? More neighborhoods instead of structures? More starter homes available for people transitioning from apartments?

We can get a clue from looking at the giant complexes of the Avida apartments and the Brickgate at Fireclay area. The reviews from the residents foretell the future of buildings that are no longer new and shiny. It also demonstrates the failure of planned retail spaces which remain empty.

I live in Three Fountains East. I relish the grounds and see how often they are used by residents. I can't imagine being surrounded by busy roads and cement. Where will the children play?

My guess is that we'll be sorry we have planned without considering that Murray is a community. As humans, we have social needs that giant complexes do not address.

Sincerely,
Cynthia Proctor
4995 S Middle Fork Ln
Salt Lake City, UT 84117

From: [David McCarty](#)
To: [Council Citizen Comments](#)
Cc: [RDA Email](#)
Subject: Old Murray City Hall
Date: Tuesday, March 7, 2023 6:50:02 PM

Due to a scheduling conflict, I am unable to attend the meeting tonight but I wanted to share my voice.

In one of the most recent issues of Murray City Journal, it was expressed that there was concern about not having enough water and/or electricity to meet the demand for Murray going forward. I share this concern, and it seems to me that high density apartments would probably only make things worse-more so than most other choices.

The property is located at the heart of Murray and as such it would be an excellent place for Murray City to expand its public offerings. We already have a great rec center, a heavily used park, and the library, but he could always expand any or all of those offerings. I for one would be very happy to pay higher taxes in order to support more offerings, whether that is for things that we don't have (such as a climbing wall), or improving things we do have (like the library which is adequate but could be larger and have much more in it).

Thank you for your time,

David McCarty

From: [Elayne Anderson](#)
To: [Pam Cotter](#)
Cc: [Council Citizen Comments](#)
Subject: Murray City Hall
Date: Monday, March 6, 2023 2:18:24 PM

In my opinion most Murray residents would like something other than high density apartments built on the Murray City Hall property. Can we have something at this location that makes Murray different than every other place?

It would be nice to have a community center or a new library there. The Viridian Event Center Library in West Jordan has so many fun programs for people of all ages and I would love to see something like that in this space.

When my children were teenagers, Murray had a roller skating rink, a movie theater, and the Galleria for kids to go to hang out together. Last summer Murray Park hosted the Food Trucks every Tuesday evening and it was a great place to meet up with friends or family.

I believe this property should be used for something that the people who already live here can be proud of and gives us all some new things to do.

Thank you,
Elayne Anderson

From: [Frances George](#)
To: [Council Citizen Comments](#)
Subject: Fwd: Murray City Hall
Date: Tuesday, March 7, 2023 4:18:31 PM

----- Forwarded message -----

From: **Frances George** <fpgeorge74@gmail.com>
Date: Tue, Mar 7, 2023 at 4:12 PM
Subject: Murray City Hall
To: <ghrechkosy@murray.utah.gov>

I am sending this email to let you know that I oppose our current Murray City Hall becoming 480 apartments. I believe that would create a lot of traffic and parking issues in that area as well as detracting from our downtown Murray. Also are there water resources sufficient for 480 apartments?

As a citizen of Murray I would like to see historic downtown Murray preserved and this building used for community space.

Frances George

From: [Jane Willie](#)
To: [Council Citizen Comments](#)
Subject: A new library, no more apartments!
Date: Tuesday, March 7, 2023 3:15:16 PM

I oppose turning the old city hall into apartments. We need to keep an historic district visible on State Street, not more apartments.

Why not refurbish it and move the Murray City Library there? We need a bigger library. Or add an Arts Ctr with a larger Library. No more apartments!

BTW, that new apartment complex on Vine Street, behind the PO and Police Station is an eye sore and way too high. I am very disappointed that the city council signed off on that.

Sincerely,
Jane Willie Sent from my iPhone

From: [Kathy Dokos](#)
To: [Council Citizen Comments](#)
Subject: High Rise Apartment Building
Date: Tuesday, March 7, 2023 2:58:56 PM

I am unable to attend the meeting tonight, but I do want my voice heard. "Enough is enough" housing in our city. Leave the building as an Historical Memory to Murray, Utah. Thank you K. Dokos

From: wildekari@aol.com
To: [Diane Turner](#); [Council Citizen Comments](#); [RDA Email](#)
Cc: kennedy@murray.utah.gov; [Brett Hales](#); [Doug Hill](#)
Subject: Opposition to Murray City Hall becoming 480 Apartments
Date: Tuesday, March 7, 2023 2:05:57 PM

I am opposing the Murray City Hall becoming another housing development.

We are ruining the wonderful city Murray has been. As a lifetime resident with multiple generations of family living in our city I am concerned for our future. Not only do we have a multitude of office buildings that are empty all of the most recent land developments are now becoming Multiple Resident housing.

We are taking away the ability for Single Resident homes to be built, children to play in their own yards all for the sake of the ALL Mighty Dollar. We should be focusing on keeping this an upscale city that has enough resources such as land, power & water to keep our residents going for quite some time.

The more multiple housing developments we build the more low cost housing we will be providing. This will become a problem in our city in the future. There is already too much traffic in this area of Murray to add another 480 households would be detrimental to our road situation.

I am all for utilizing the existing building and land in a way that will benefit our Residents positively such as a grocery store, entertainment center that is family friendly (examples; Fat Cats, bowling alley, Kidz Empire, movie theater). We need to start looking at what our city will look like in 30 or 40 years vs what it looks like today. The last 40 years has changed us so much we forgot the old family style city we had.

When people from out of town come visit they always say this is looking like a smaller version of "LA". That is the last place I would want to live, but keep adding more and more High Density Housing and Large Business Buildings this is what we will have.

Kari Dunn
5887 S Hatton Circle

From: [kristine Lavon](#)
To: [Council Citizen Comments](#)
Subject: Arlington
Date: Monday, March 6, 2023 7:39:56 PM

To whom it may concern, I am against selling this property to another developer. We could have a community center where community could gather for so many events. If you do sell to a developer. Please make it condos so the people will own their units and it gives people a chance to get into the real estate market at some level. We should be building condos instead of apartments. Require that the owners have to live in the units, and the city could provide first time home buyers incentives. People should feel invested in our community and home ownership will do that! Folks want to buy a place to live, condos in the 275,000 space would make that possible. Thank you for listening.

Kristine Lavon

Sent from [Mail](#) for Windows

From: [Michael Caggiano](#)
To: [Phil Markham](#); [Pam Cotter](#); [Rosalba Dominguez](#); [Diane Turner](#); [Garry Hrechkosy](#); [Brett Hales](#)
Cc: [Jennifer Kennedy](#)
Subject: Murray City Hall - please no high density apartments
Date: Saturday, March 4, 2023 6:11:45 PM

Hello,

My name is Mike Caggiano. My family and I live on Vine St next to Parkside Elementary. Regarding the Murray City Hall property. I'm sure you are going to receive significant pushback. While I am vehemently against more apartments, I'd like to propose some alternatives. I'm disappointed that every large property is being pushed for high density. It is ruining the feel of the town. Below are some suggestions. Please listen to the citizens that already live here and consider these alternatives.

Just commercial

Some on the council have mentioned a medical office building. There is one really close, by the pickleball courts, that is 3 stories and historic looking. It makes sense to take advantage of all the medical activity in the area. I have heard a nursing school suggested. Also a restaurant collective. I'd love to see a growing start-up locate in Murray. We have a great location for a corporate office. The council could change the zoning to only allow commercial, no residential.

Community Space

The library needs to grow and expand. I'd love to see a community center with a library, arts rehearsal space, community gathering rooms etc. That would be perfect for the renovated Murray Theater nextdoor. Keeping our library in the downtown area makes a lot of sense and having it close to the arboretum would be nice. I know this is the least likely scenario as the council has indicated wanting this to become a tax/income generating property but hey, a guy can dream. If anyone knows a higher up at IHC that could facilitate them donating the money to make this happen, I'm all ears.

Medium Density housing

If the argument and demand for housing is just too persuasive then may I suggest medium density housing. A strong community has a mix of available housing and it seems we are heavy on the high density apartment end. Medium Density like RM 15 is more likely to be townhomes or condos for sale. These could be homes for those who work in the hospital among others who may take trax to work in downtown SLC. This is not my first choice but maybe a better alternative to the 480 apartments

Some things to consider

Many of these scenarios could incorporate a restoration of the current city hall building, the historic Arlington school. If a developer preserves all or part of the building then their building/permit fees are waived. The city could place a deed restriction on the sale requiring the preservation of the Arlington as part of whatever new build they pursue. There is a whole 6 acres to build on, they could build behind the Arlington and use it as a communal space. There was a feasibility study done under mayor Dan Snarr showing it was feasible and more cost effective to keep the building than tear it down. Keeping history out of landfills is always good.

Parking

This property is supposed to provide parking for the renovated/restored Murray Theater. Apartments use parking at night when a theater/performance venue needs the parking. They have suggested putting parking by Ken price ballpark but that is too far away from the theater. Corporate offices and a community space could share the parking well.

Historic design requirement

Murray conducted a city wide survey about downtown. Over 70% of respondents prefer a historic look and feel for downtown Murray. Think of historic downtowns you are familiar with? Isn't it great that it all looks like it belongs downtown, you can tell when you're downtown and it attracts people to the area to spend their time and money. A destination if you will. This building will be next to a restored Murray Theater and restored Murray Armory. People

say they like Holladay downtown. Those buildings aren't all historic but they follow a historic design guideline. This is our chance to set such a guideline and include this property which would start our downtown in the right direction.

Thanks,
Mike Caggiano

Sent from my iPhone

From: [rachel morot](#)
To: [Phil Markham](#); [Pam Cotter](#); [Rosalba Dominguez](#); [Diane Turner](#); [Garry Hrechkosy](#)
Cc: [Jennifer Kennedy](#)
Subject: Comments for Public Hearing on Tuesday, March 7th
Date: Monday, March 6, 2023 10:50:24 AM
Attachments: [Arlington Visualization - Community Center.pdf](#)
[Arlington Visualization - Shops \(1\).pdf](#)
[Arlington Visualization - Housing.pdf](#)
[Historic Architectural Services Study.pdf](#)

Hello Murray City Council members,

I know most of you and look forward to meeting with Phil sometime soon. Welcome to the council Phil. I'm sure you know by now that we have a diligent group of individuals on our city council.

I wanted to comment by email so that I could attach some files for your consideration as part of my advocacy for preserving and repurposing the Arlington School/current city hall. I know that you all are aware of my desires to see this building continue to stand and serve Murray Citizens as it has done since the 1930's. We have so few of our historic public buildings left, which makes each one more valuable with the increasing rarity. I am commenting here as an individual citizen asking you to please deed restrict the Arlington building before putting the 6 acres of property on the market. You have the power and responsibility to do this for the citizens of Murray who elected you and will be electing or re-electing you this November. It is abundantly evident that the public will stand on the side of smaller, human scale buildings like the Arlington and decidedly against more high-density high-rise developments PARTICULARLY near Murray City Park. You already know what Gary Howland is planning for the other side of Murray Park and the overwhelm will be real. Kim Sorensen's team does a beautiful job of maintaining our parks and I have a lot of respect for him. It would be a shame to undo all of that with too much density bordering Murray Park. All it takes is a scan of the comments section on the Murray Facebook pages any time adding density is mentioned, to know exactly what people think of that plan in general and in the downtown sector of the State Street corridor in particular. Murray Theater will be considered as part of historic downtown Murray (as it should be.) It doesn't make sense that the Arlington should be excluded from that in the zoning changes being considered. Murray City has done a great job of preserving and renovating the Murray Mansion and the theater and we appreciate that. I'm asking that you consider putting more density elsewhere. **PLEASE** do not allow the historic Arlington to be another casualty of the over-development push in Murray. The RDA has a lot of other holdings to put density, if we must have it, that will not erase one of our last historic resources. I have to say that I and the citizens of Murray (again, check through the public forums and the results of the Edlen open house and the Y2 Survey results for evidence) are dismayed at the lack of vision and willingness to pursue alternative solutions to the "status quo big money, big development" continually pursued by Murray City planning and decision

makers. I have met with each of you, with the mayor and with his staff, and with Jared Hall on numerous occasions and discussed ways that our historic resources can be revitalized and incorporated with new, historically harmonious infill to create a beautiful, livable and unique experience for the citizens and that will draw people from all over the valley to spend time and money in our city. I have sought answers from the city, even giving the benefit of the doubt concerning pressure you may be under from the state and county levels. I was told by Doug Hill at one of these recent meetings that it's not really a pressure situation from the state yet, but that there is a state law requiring each municipality to submit plans to accommodate more density. Murray has gone above and beyond already in that respect. (RC Willey, K-Mart, Fireclay, Point at 53rd, all the new density west of IMC, ad nauseum.) It's time to stop. You are our voice, we are saying "enough is enough". We count on you to reflect that with your votes this Tuesday.

As to the attached files. I am including some renderings that my non-profit, the Historic Murray First Foundation commissioned from CRSA architects to show what could be done with the Arlington building. We asked for three different options: a commercial market, affordable housing, and a community center/library. Any one of these would be a great adaptive reuse of the space. I acknowledge that a moderate height addition is necessary and could be added in the form of two stories over a parking garage at the back of the Arlington which could provide additional retail/restaurant or office space. Personally, I would like to see the Arlington repurposed as the ARC or Arlington Restaurant Collective and added on to at the back for a total of 5 stories in height (including the parking garage underneath) in a style that harmonizes with its art deco facade. The rooftop of the original building could be structured as outdoor dining, serving the restaurants on the upper two floors. I am in talks with a commercial developer interested in the property who may be able to make this work. In the Y2 Analytics survey respondents said that they want more bar and dining options in downtown. This would be a great way to accomplish that and preserve the building, (keeping it out of the landfill) and secure the tax revenue that is so important to Murray City. The parking garage could serve both the Murray Theater and the Arlington Restaurant Collective because theater crowds will want dining options before or after shows. Not to mention that IMC would be patronizing it every day. People want more locally owned non chain restaurant options in the community, and small businesses need a place to establish other than ground floor retail level of Edlen style projects that only chain restaurants can afford to pay.

I have also attached the 2004 feasibility study commissioned by Murray City and undertaken by FFKR/Entelen architects which outlines several scenarios the city could pursue at the time and recommends adaptive reuse of the building. We GRAMA requested this as the latest feasibility study we could find that was done on the property and I have highlighted the recommended scenarios on pages 17, 20 and 23. Our purpose in looking this up was to determine the viability of the Arlington for adaptive reuse. I realize this information is 20 years old, but compared to the life span of the building, I believe it is still important to consider.

On a personal note, you know how involved I have been through Historic Murray First Foundation in advocating for the future of our city. I do this nearly full-time on a completely volunteer basis in addition to being full-time at my job. No one in Historic Murray First Foundation is paid. We are 100% volunteer. I mention this to illustrate that there are many more important things in this world than money. I want you to know that I make these efforts because I love and value Murray as home and as an independent oasis in the middle of Salt Lake valley, which is selling its character and soul and receiving in return terrible, low quality, disposable architecture. The ways in which you as policy makers can prevent Murray from succumbing to the same fate is by deed restricting the Arlington, encouraging city planners to implement design style guides that developers must follow in planning new structures and most importantly, restoring our historic preservation protections that were gutted by the last administration in 2019. It is clear that the public will for all of these things is very much alive.

Thank you for considering the concerns of the taxpaying, homeowners, voting stakeholders of Murray before the concerns of the brokers and the developers.

Sincerely,

Rachel Morot

SAVE THE ARLINGTON

1939



SCENARIO 01

COMMUNITY CENTER

Scenario 01 explores the possibility of maintaining the historic school as a **public space**. This option would provide the opportunity for a potential **library, community, cultural or senior center** for the Murray community.

SAVE THE ARLINGTON

1939



SCENARIO 03

COMMERCIAL MARKET

Scenario 03 continues the **rich commercial legacy of Murray's segment of State Street**, adapting the Arlington into a **collection of boutique shops, local eateries and coffee shops**. Upper level can be used as **rentable workspaces**, or house space for entities such as **non-profits**.

SAVE THE ARLINGTON

1939



SCENARIO 02

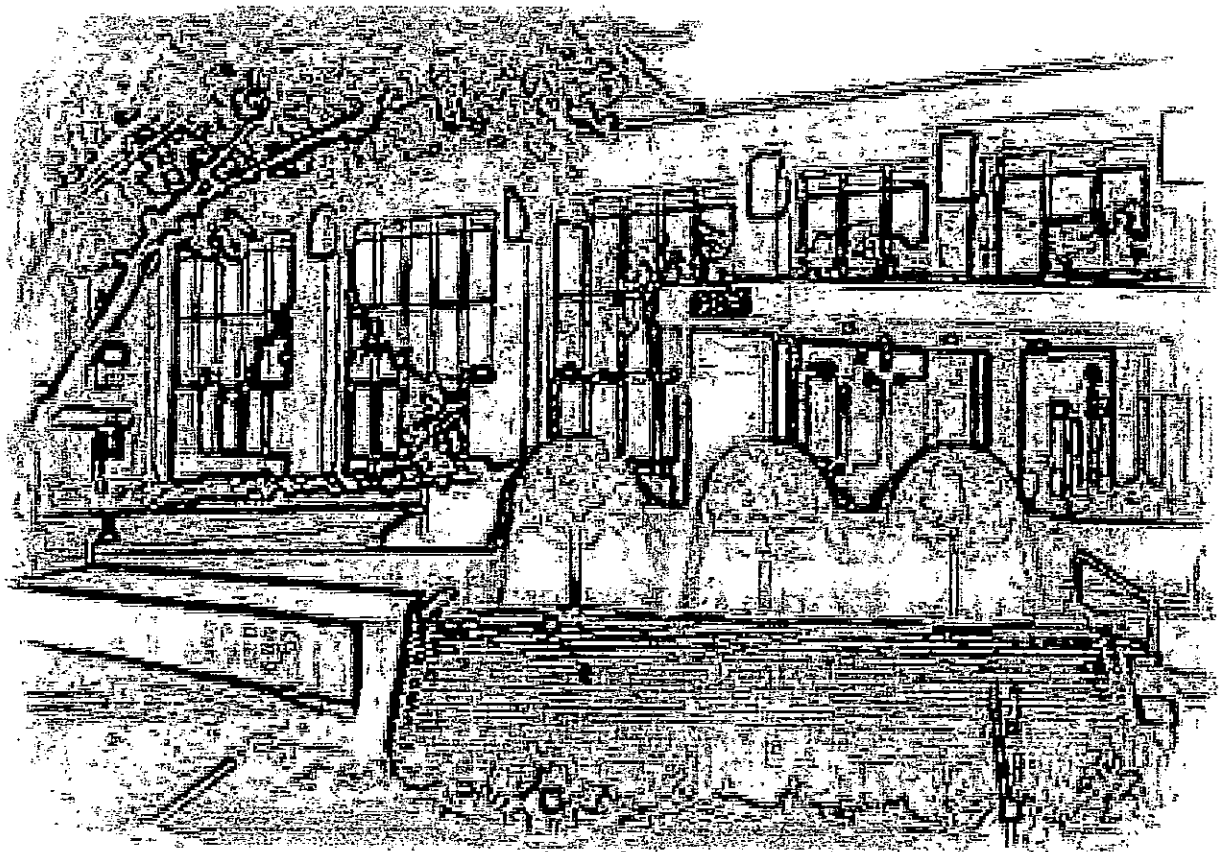
AFFORDABLE HOUSING

Scenario 02 proposes re-imagining the Arlington as **housing for Murray residents**. Using the school as residences for low-income community members both helps address the **crucial need** for affordable housing, while also **keeping a local landmark intact**.

STUDY FOR THE MAYOR'S COMMISSION ON PUBLIC SAFETY

HISTORIC ARCHITECTURAL SERVICES

MURRAY CITY, UTAH



FFKR / ENTELEN

730 Pacific Avenue, SLC, UT 84104

December 7, 2004

**AN EVALUATION OF THE HISTORIC CITY HALL
LOCATED AT 5025 SOUTH STATE STREET, MURRAY, UTAH
FOR USE IN CONJUNCTION WITH
A STUDY OF PUBLIC SAFETY FACILITIES
PRELIMINARY AND FINAL REPORTS**

December 2004

Prepared By:

**FFKR ARCHITECTS / ENTELEN Design-Build, LLC
730 Pacific Avenue
Salt Lake City, UT 84104
801-517-4391**

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Barry H. Welliver, Consulting Structural Engineer	

DRAFT REPORT AND COMMENTS

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PROJECT APPROACH

Murray City, through the Mayor's Commission on Public Safety, has authorized a study to review and make recommendations to the Commission regarding the current housing of public safety departments and first responders, and to evaluate the current buildings associated with each of them as to what other options might be possible. The Commission has expressed concerns over the stability and safety of the Public Safety Department and first responders in a possible emergency scenario, such as earthquake. Further, the Commission is concerned about working efficiencies due to possible inadequate facility space. Separate studies of seismic evaluation have been undertaken by professional engineers hired by the City. This report will refer to meetings and conversations held with those engineers.

Four general scenarios for discussion were suggested by the Commission, with several specific options added for further evaluation. They included:

- Scenario #1: Seismically stabilize the current City Hall. Leave all departments in place "as-is".
- Option A: As above, plus co-locate Emergency Operations Command (EOC) and Fire Administration.
- Option B: Per Option A, plus add the Justice Court.
- Option C: Add property as necessary to any of the above Options.
- Scenario #2: Build a Public Safety Building to house Police, Fire Administration and the EOC.
- Option A: As above, plus co-locate the Justice Court at this location. Suggest uses for the vacated "current" Justice Court facility.
- Scenario #3: Sell the State Street frontage west of City Hall (or City Hall, as well) and build new facilities with the proceeds. Recommend whether City Hall functions should co-locate with Public Safety in any new building(s).
- Option A: Suggest location for the Justice Court, either in a new City Hall or in a new Public Safety Building.
- Scenario #4: Demolish City Hall and re-build nearer to State Street, including space for the Police Department, the EOC and Fire Administration either in the City Hall facility or as a separate building.
- Option A: Evaluate housing options for the Justice Court in connection with Scenario #4, above.

The current City Hall location is a site of some historic importance and has been the City Hall location since 1982. Previously, the building was recognized as the Arlington School.; a short history of the

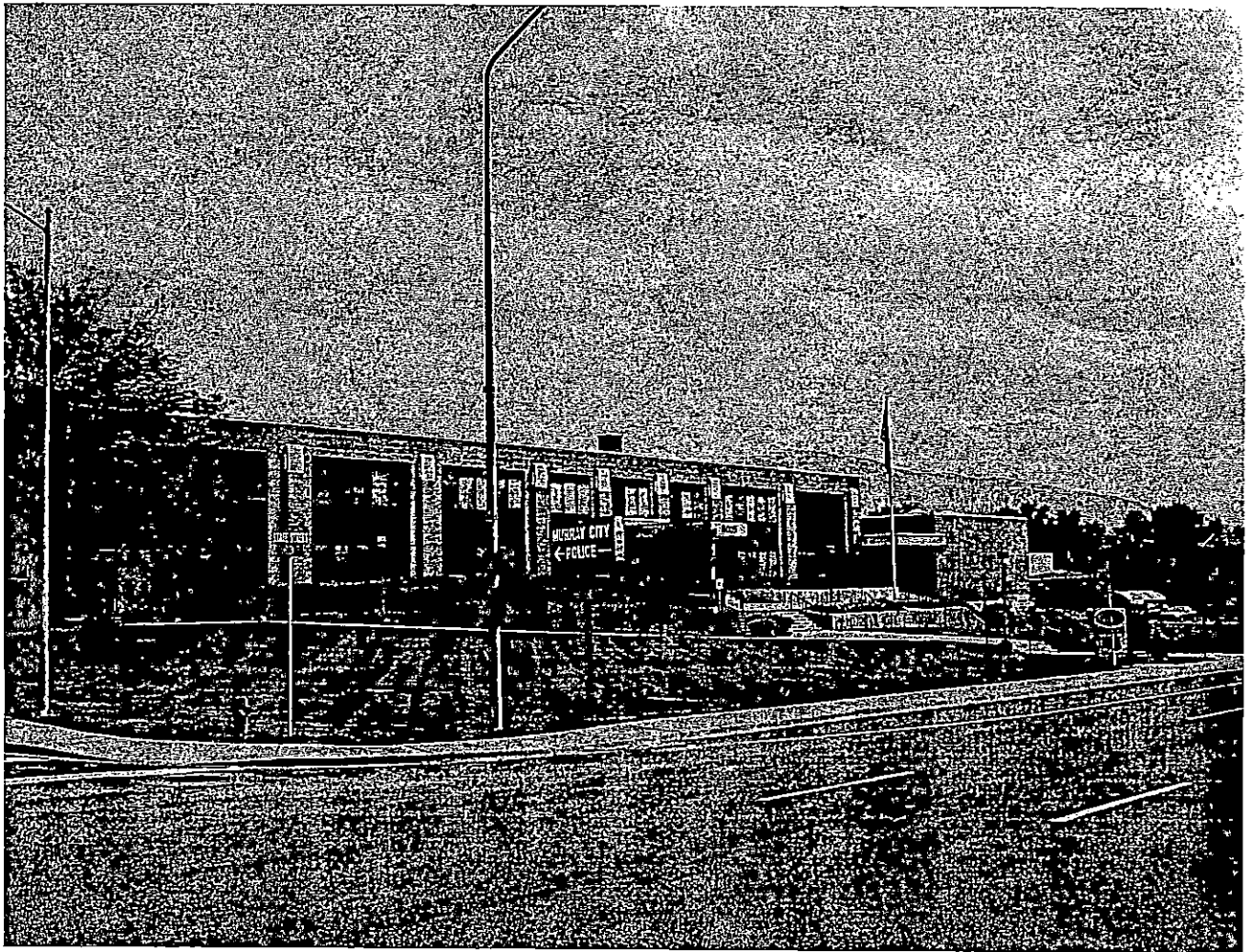
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building site is included elsewhere in this report. Options involving changing and/or demolishing the current City Hall will address issues of historical consideration.

At this time, no final conclusions or recommendations have been suggested pending review and comment.

INITIAL MEETINGS

In order to begin the evaluation and study of the properties involved several visits were made to the various sites by the principal architects, Steven R. Burt and Roger P. Jackson. The building was photographed and studied to try to determine its underlying structure and building addition sequence.



HISTORY OF THE CITY HALL BUILDING AND SITE

The first brick school building to be built on the site of Arlington School was the county District School #25, built in 1874. In 1899 a new school was built on the same site and was given the name of

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Central School. It was a large red brick building with three floors and an attic. The name of this school was changed to Arlington School when the Murray School District was organized in 1905.

When more space was needed in 1935, the district decided to replace this school and applied for funds under the Public Works Administration for a PWA project. The new Arlington School was completed in 1939 with 14 classrooms. Over time, the building was enlarged on the north and south to accommodate additional rooms and a multipurpose room. These additions are visible in the brick work on both the east and west façade. The earlier additions made attempts to “tooth” the new brick façade into the existing wall. Later additions abandoned this approach and a single, straight joint can be viewed between the new and existing walls. This building served as one of three elementary schools in Murray until the 1950’s or 60’s. It continued to serve as an elementary school as three other schools were built.

The school was sold to the City when the school district built Horizon Elementary to replace it. Subsequently the building was remodeled for use as City Hall in 1982.

When remodeled, the basic shell of the building was retained however several changes were made to the building exterior. These included a complete change of the front entry and approach, and major changes to the windows on the west façade. The changes eliminated the smaller window size (still evident on the east façade) and pulled the plane of vertical glazing nearly to the face of the brick wall, eliminating the characteristic shadow-line. The character of the west façade has become, presumably by design, more corporate in appearance by virtue of these changes. Minor new ornamentation elements were added.

The building interior was essentially gutted and re-built for it’s new use as a city hall.

Using state and federal guidelines, historic buildings are given a letter grade to signify historic integrity. An “A” building means the historic elements are largely intact, a “B” building recognizes that the building has undergone some changes but that the architectural elements making the building historic are still intact, and a “C” building indicates that the building has been heavily modified to the point that it retains little of it’s original, historic character. The City Hall building, under these criteria, would be graded as a “C” structure.

The architectural elements of the building would be technically regarded as PWA Moderne building, meaning that it was a depression-era building designed following the tenets of modernism, with government funds. The style has little ornamentation and has sometimes been referred to as stripped-down classicism, with elements of Art Deco or Art Modern styles.

Although the building has had major modifications, the City’s Historic Preservation Advisory Board has recommended designating this building as a “contributing” structure to the proposed Downtown Historic Overlay District due to its historical significance and impact in the community. Additionally, the site itself has strong historic connections.

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DEPARTMENTAL MEETINGS

In order to better understand the needs of the Public Safety Departments affected by the study, visits were made to the City's main fire station, the Police Department, and to the current Justice Court facility on Vine Street. Separate meetings were held with fire, police and courts staff and department heads. Additionally, visits were made to the Murray City School District building and brief discussion held with Superintendent Richard Trantor regarding the history of the Arlington School. A meeting with the Murray Cultural Specialist provided some new and interesting historical perspective.

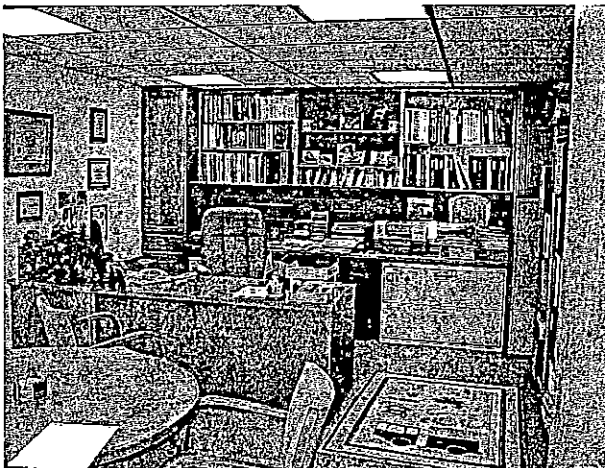
Meeting minutes and comments/observations regarding each department are included here for reference.

Fire Department Comments

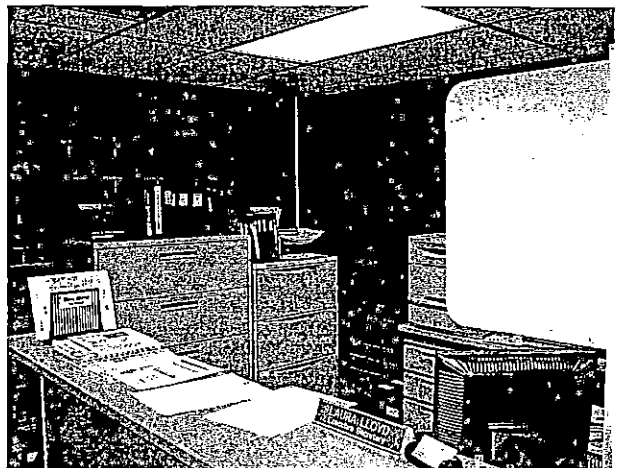
A meeting was held on Tuesday, September 28th, 2004 with the Chief of the Murray City Fire Department. The following items were discussed as important issues for consideration in any change of housing for his department.

1) Fire Administration: The Chief described who would be considered as Fire Department Administration. These are the staff members who would be considered for any re-location/co-location changes in the future.

Fire Chief
Deputy Fire Chief
Fire Marshal
Deputy Fire Marshall
Fire Inspector
Secretary / Administrative Assistant
Office Support Staff (1 ½ people)



Office of the Fire Chief



Office Space for Chief's Administrative Assistant

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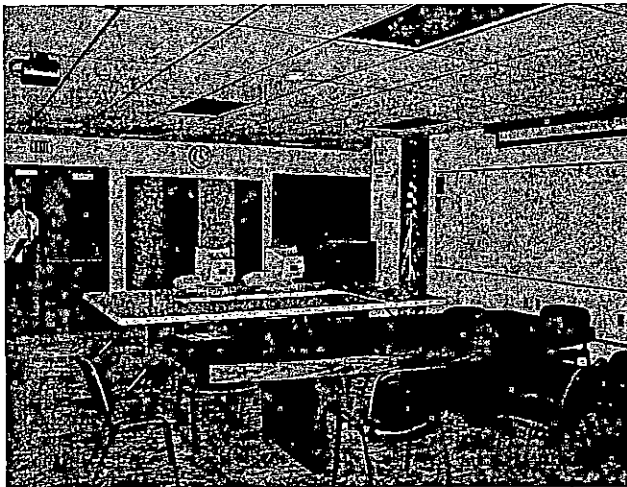
2) Added Space: The following additional spaces were suggested by the Chief as necessary for efficient operation of Fire Administration. All of these spaces could be shared, in his opinion, with Police or others.

- Conference Room (8-10 People)
- Reception Area
- Video Surveillance Room

3) EOC Criteria: We discussed his desires for what constituted an EOC for Murray. He said that one of his Battalion Chiefs is the EOC Director by assignment. He suggested the following spaces be given consideration:

- Communications Room (12'x12') permanent equipment set-up
- Operations Room (15-20 workers w/ desks) w/ fiber hub
- Policy Room (10 people at a conference table)
- Food Storage/Prep Room
- Sleeping Area (small area to set up cots)

He suggested that a Media Briefing Room be located remote from the EOC.



Current Emergency Operations Command Center

He also suggested that consideration should be given to a small laundry area for use in extended periods of sustained emergency.

A back-up generator for instances of power failure would be an obvious necessity, in his opinion.

Current Building Space Assigned to the Fire Department in City Hall: 0 sf

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Courts Comments

A meeting was held on Wednesday, September 29th, 2004 with both the Judge and Clerk of the Court for the Murray City Justice Court. The following items were discussed as important issues for consideration in any change of housing for his department.



Current City Justice Court Facility



Court Clerks Work Area showing door to Courtroom

1) Justice Court Needs: Discussions with the Judge suggested the following space needs for an adequate Justice Court facility in Murray:

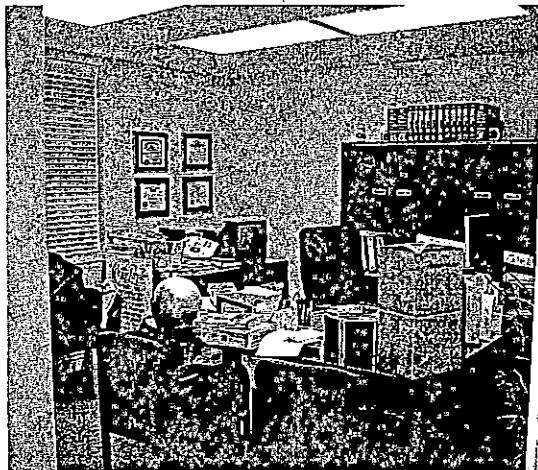
Courtroom (1)
Jury Deliberation Room (1)
Jury Assembly Room
Security Screening Area
Court Security Officer (1)

Witness Waiting Room
Attorney/Client Meeting Rooms (3)
Traffic Hearing Officer (1)
Judges Chambers
Clerk of the Court Office (1)
Court Clerks Work Area (6)
In-Court Clerks Work Area (3)
Office Supply/Copy Room
File Storage Area
Secure Prisoner Transfer/Holding
Sally Port
Parking Area adequate for court needs

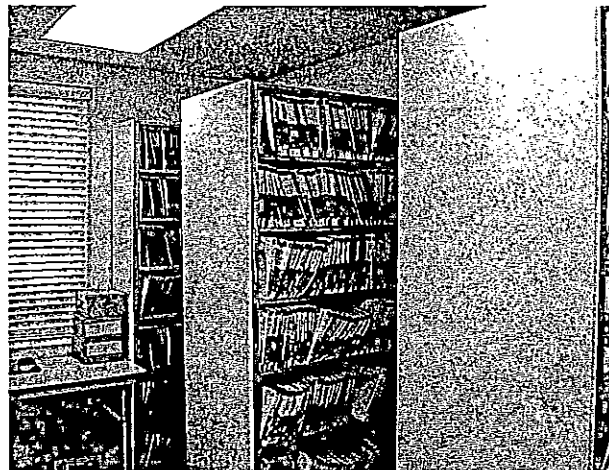
w/out windows
currently 10'x13' w/ restroom
for up to 25 potential jurors
could be shared w/ others
who monitors building when he is in court?

w/ small table for meeting
w/ private restroom

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Current Judges Chambers



Court File Storage

2) Parking Deficiencies: It was observed that the shared parking situation at the current court facility is, at most times, inadequate to serve the needs of both the court and the other owners of the office condominium park. There are not enough spaces for proper parking near the court itself and court parking appears to often displace other parking for the other users of the buildings.

There is no secure sally port or prisoner loading area to transfer detainees from transport to a holding area. Transfer of prisoners to the courtroom occurs within a few yards of the front entrance to the courtroom itself. There is no fence, wall or other separation between the transfer and the public generally.

There is no secure or separate parking for the Judge.

3) Courtroom Issues: Several issues with the courtroom reveal a sub-optimal situation that could be rectified by relocation of the court. They include:

Windows are in walls of the courtroom itself. Several key windows (line-of-sight to the Judge's bench) have been upgraded to receive bullet-resistant glazing and operable blinds, however it appears that closing the windows completely is not an option due to restrictive covenants regarding the condo association.

The current seating capacity is 30-40 people, depending on how people fill the bench style seating. An increase to 50 or more people would be beneficial, particularly during jury selection.

The Judge's entrance to the bench passes through the clerk's work area, creating both a disruption and potential security risk. A semi-private corridor shielded from public view would be a great improvement to security and cause less disruption of the clerk's working time.

The current Court entry allows no metal detector or other security devices to be used.

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The current Court entry situation requires that court patrons wait outside the building if doors are closed, or if space is inadequate to seat all involved. No lobby or overflow waiting area is available.

4) Co-Location of Departments: Neither the Judge nor Clerk felt that co-locating with other City departments would be a negative step. In fact the Judge commented that the security "effect" of being located adjacent to Police facilities would be positive. He did, however, caution that departments would need to be clearly separated in light of public opinion (no one wants to see the same people who make arrests also make judgments).

5) Location in Building: The Judge felt that security interests would be served if the Court were to be located on a ground level floor.

6) Security Hardware: The Judge also suggested that card access security would be superior to a keypad system if a new facility were contemplated. Amy also was concerned that people might look over her shoulder to see what code she punches in to the current system.

7) Lobby Security / Public Access: Security at the front desk where clerks interact with the public should be improved to include permanent, bullet resistant glass and walls. Currently the openings under the glazed partition could allow someone to reach across the counter and remove various items, such as the credit card machine.

8) Shared Lobby: Patients accessing the dentist office on the second floor use the same front entry as Court patrons. This could become a minor inconvenience with clerks giving building directions to these patients.

The clerks at this counter also must constantly give building directions to patrons seeking either the Traffic Hearing Officer or the Courtroom due to the arrangement of the current facility.

9) Attorney / Client Meeting Rooms: These rooms are located on the second floor. Convenient access from the Courtroom itself is precluded by the current building arrangement which require that users exit and re-enter the building at a different location and then find their way to an unoccupied, upstairs room. As a result these rooms are seldom used.

10) Exit Door Security Risk: At the east end of the main floor there is a required exit door. This door is locked from the outside but has a full height glass panel which could easily be broken to obtain entry. Although glass sensors are installed to detect glass breakage, if the Court Security Officer were to be in the Courtroom, a break-in could occur and a problem develop faster than he would be able to respond. Unbreakable glazing, such as Lexan, could be installed to prevent easy entry.

A similar door and problem exists at the second level at the west end of the hallway.

11) Weight Limitations: Storage of paper records and files may eventually exceed the design limitations for loading of the floor joists at the second level. No information is currently available for the actual floor design, but it would be expected that the loading conforms to building code guidelines for office space. Under such guidelines the floor could reasonably be expected to support a uniformly

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distributed Live Load (non-permanent, not a fixed part of the building) of 50 psf or 2,000 psf for a concentrated load. Storage warehouse floors are typically required to have floors designed to support *at least* 125 psf.

12) Separation of Clerks: The current separation of managed office work areas requires increased management time by supervisory staff without convenient, line-of-sight adjacency to employees.

Current Building Space Assigned to the Courts in Current Location: 4,552 sf at the main level and approximately 2,200 sf at the second level.

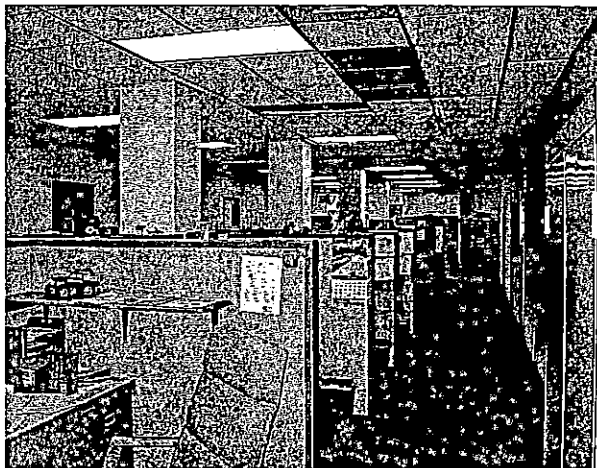
Police Department Comments

A meeting was held on Monday, October 4th, 2004 with the Chief of the Murray City Police Department. The following items were discussed as important issues for consideration in any change of housing for his department.

1) Evidence Issues: The Chief is very concerned about the condition and size of the evidence storage and evidence check-in area in the current Police Facility. The current room is approximately 13' x 28' in size with a smaller area adjacent for a desk and file cabinet.

Evidence is currently "checked-in" by placing it into wooden lockers. The officer or detective then turns a numbered key in the locker to lock it in place and then inserts the key through a small hole into the evidence room for retrieval by the evidence officer. We observed that the room is crowded, causing the evidence officer to place some retrieved items on the floor in a stack while logging them into the computer.

The storage racks were full of seized evidence which had been tagged for later use. We were informed that the room contained only evidence pertaining to current cases and included a variety of items including firearms.



Current Police Office Area



Current Temporary Holding Area

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We were later shown steel containers behind City Hall which were stored in a fenced area. The containers hold evidence that is from closed cases or evidence that is waiting to be disposed of at some future time.

We did not see anyplace that evidence, such as blood soaked (or otherwise wet) evidence could be easily dried and stored. No separation exists between "homicide" evidence and other evidence.

2) Fire Code Issues: The Chief expressed concerns about fire code related problems in the Police Facility. It did not appear, for example, that adequate exiting width or signage was provided in the roll call area.

3) Dedicated EOC: The Chief also expressed the need for a dedicated Emergency Operations Center. Currently the fire department room used for that purpose must be quickly (several hours) set up to function in an emergency. He gave as his opinion that prior to the last few years the community considered a large earthquake as a potential emergency to be considered. He now feels that the community has a broader sense of the various potential dangers including terrorism, criminal activity, weather-related problems, etc.

4) Space Constraints: The Chief was careful not to pursue a direction of discussion strictly directed at staffing, as we had advised him that staffing issues were beyond the scope of this study and would be further addressed at a later time. However, it was obvious that there was a serious capacity issue in the building for staff that he already has in place. For example, the roll call room had been modified to make it smaller to accommodate a small report writing area for patrol officers who had been displaced by the need for other information techs to have a workspace that was usable. Little storage area for records remains in the office areas. Future studies should address staffing issues with respect to calls for service, and based upon agreed future staffing levels space needs studies should be modified.

5) Location: The Police Department should have ready access to the freeways and major road systems within Murray, according to the Chief.

Current Building Space Assigned to the Police Department in City Hall: 14,179 sf plus storage containers in the parking lot.

SPACE REQUIREMENTS DEVELOPMENT

Based upon previous meetings with departmental management, a draft Space Requirements Summary has been developed (shown below). This information has not been reviewed with department managers, but is reliable as to industry comparable size for office space needs. Design is an iterative process, requiring substantial back-and-forth cross checking of data and assumptions. Future design and programming efforts will need to review this information with affected users.

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MURRAY CITY PUBLIC SAFETY SPACE REQUIREMENTS SUMMARY

<u>Space</u>	<u>Total Area in s.f.</u>
<u>Fire Department:</u>	
Fire Chief's Office	240
Deputy Fire Chief's Office	220
Fire Marshal' Office	180
Deputy Fire Marshal' Office	180
Fire Inspector's Office	150
Fire Dept. Secretary/Admin. Assist. Area	150
Fire Dept. Office Support Staff Area	120
Conference Room (for 10)(may be shared)	250
Reception Area(may be shared)	200
Video Surveillance Room(may be shared)	120
Subtotal:	1,810
Gross factor (1.33%)	2,407

<u>Emergency Operation Center (E.O.C.):</u>	
Communications Room	144
Operations Room (20 workers)	1800
Policy Room (10 people)	250
Food Storage/Prep Room	100
Sleeping Area (10 cots)	240
Laundry Room	60
Remote Media Briefing Room	250
Back-up Generator Room	70
Subtotal:	2,914
Gross factor (1.33%)	3,876

<u>Courts:</u>	
Courtroom, seating 50+	1550
Jury Deliberation Rm., Break Rm., and Toilet	300
Jury Assembly Room (25 jurors)	140
Security Screening Areas (may be shared)	200
Court Security Officer Room	180
Witness Waiting Room	100
Attorney/Client Meeting Rooms (3 Rooms)	300
Traffic Hearing Officer's Room	100
Judge's Chambers w/ restroom	240
Clerk of the Court Office	200
Court Clerk's Work Area (6 workers)	800
In-Court Clerk's Work Area (3 workers)	400

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Office Supply/Copy Room	100
File Storage Area	400
Secure Prisoner Transfer/Holding Room	120
Sally Port (Prisoner Loading Area)	600
Lobby Waiting Area w/ Security Check-In	400
Subtotal:	6,130
Gross factor (1.33%)	8,153
<u>Police Department:</u>	
Existing Police Dept.	14,179
Additional Evidence Storage	400
Additional Evidence Check-in	80
Additional Records Storage	100
Subtotal:	14,759
Gross factor (1.4%)	20,663
<u>City Hall without Police:</u>	
Subtotal:	24,053
Total	59,151

SEISMIC EVALUATION OF HISTORIC CITY HALL

Murray City has independently contracted with a licensed structural engineer, Barry H. Welliver, to perform a FEMA 310 Tier 1 and Tier 2 analysis, with reports to be presented directly to the City. Meetings were held with Mr. Welliver on October 25, 2004 at ENTELEN's offices in Salt Lake City to review the preliminary findings in his studies. He has not yet had an opportunity to review our interpretation of his work thus far, nor have we attempted to include his report or his findings in detail as a part of this study. His preliminary sketches and report are included in the Appendix to *this* report, by permission. Based upon our conversations we make the following observations:

The historic City Hall / Arlington School Building is a concrete and masonry, two story structure with an open-web, steel joist and deck roof configuration. The upper floor is a concrete slab supported on open web steel joists. No information is given regarding the museum structure, which is outside the scope of Mr. Welliver's studies.

The building currently has significant seismic deficiencies, particularly in the north-south axis of the building. Multiple and/or large areas of widow make it difficult to transfer the lateral loads created in a seismic event to resolution at the ground. Also, the shorter building to the south which currently houses the museum engages the main building at mid-height. During a seismic event there is a potential for these two buildings to move at differing rates, with the shorter building "banging into" the taller City Hall halfway up its south wall. Uncoupling the two buildings is a possible solution for part of this problem.

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Part of the possible solutions to the seismic weaknesses are illustrated in his sketches, which show new concrete areas of shear wall constructed inside the building masonry skin, between window areas. Construction of these walls and tying them to the existing steel frame and masonry "skin" are procedural construction issues that will require that the work space be essentially vacant during construction. The existing building interior finishes will need to be removed, the steel connections made, the concrete poured, and the finishes re-installed prior to relocation into the building space. Work will need to commence from the ground floor first, then to the second floor and the roof.

Undoubtedly, the full analysis by Mr. Welliver should be reviewed prior to any final decisions regarding treatment of the City Hall building.

CONCEPTUAL DESIGN DEVELOPMENT

Using the data developed in the Space Requirements Summary above, multiple schemes were developed, drawn and evaluated for suitability for the needs of this study. A brief description of each scheme is listed herein. Fold-out, 11 x 17 drawings are attached in this report illustrating each scheme. At this point in the study it is important to keep in mind that these drawings do not represent anything more than studies. They do not represent buildings at this time, but are footprint sizes to aid in decision making regarding potential solution on the site.

Further, the interaction between spaces has not yet been evaluated. No floor plans have been created, for example, as they are beyond the intended scope of this study.

Scenario 1: Seismic upgrade and improvements to existing City Hall

Scenario 1A: Seismic upgrade and improvements to existing City Hall plus addition of EOC and Fire Department administration above existing museum.

This option adds about 6,280 square feet of space to the existing building. The footprint for the existing museum extension is estimated to be about 9,250 square feet. An addition of a second story should easily house the EOC, Fire Department administration, and minor improvements to the existing City Hall. Museum Level remodeling will also be required to allow entrance and security at ground level. Addition may be added to east side of museum area if needed. This scenario will also address seismic stability issues where the two-story building meets the single-story Museum extension to the building. It also will help preserve remaining historic features of the building and will not reduce existing parking.

Scenario 1B: Include City Justice Court addition near Police Dept in City Hall

This option matches Scenario 1A except that another 8,153 square feet of space will be required to accommodate the City Justice Court facilities. The Justice Court facilities would fit well in the space currently allocated for the existing Museum. The total space required for the Justice Court, EOC, and

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Fire Dept. administration is approximately 14,433 square feet as compared to the 18,500 square feet that would be available if the existing museum is used and a second story added to it. Additions can also be added east and west of the existing museum as required to accommodate an adequate sally port, any special parking requirements, and any other additions that may be required.

The existing museum could be relocated to the current Justice Court Building unless another location is preferred.

Scenario 1C: Acquire property to the south of City Hall as needed for Scenarios 1 through 1C.

Not illustrated. Every scenario listed above can be accomplished without acquiring the property south of City Hall, although additional parking may be desired. Existing parking will have to be reduced to accommodate improved security access and the Sally Port for the Justice Court.

Scenario 2: Build a new Public Safety Building to accommodate Fire Dept. Administration and the Police Dept.

This building will require approximately 20,663 square feet for police and 2,407 square feet for Fire Department Administration for a total of 23,070 square feet of space. A 2-story building with a 11,535 square foot footprint would meet requirements. (With this scenario, EOC can be placed in the space in City Hall freed up by the removal of the Police Department.)

The new Building would best be located on the east side of the existing parking area on city-owned property. Property south of City Hall could be purchased to regain lost parking if needed. The following locations for a separate Public Safety Building are discouraged for reasons indicated below:

Area South of Existing City Hall: Building will fit on the property but parking, and options for securing prisoners, would be much more limited than at the preferred site.

Properties South of Myrtle Ave: This area is also an option, but it separates the facility from the City Hall, the property must be purchased, and the terrain may limit possibilities for parking. It has no advantages over the east parking lot site.

The single-story Murray School District Administrative Building is not a good option because its 17,160 square foot area is not adequate space to accommodate the Public Safety Building. It also presents complications in the moving of existing users of the building.

Scenario 2A: Include City Justice Court in new Public Safety Building

This will add another 8,153 square feet, to the new building indicated in Scenario 2, for a total required area of 31,223 square feet. A 2-story building would have a 15,612 square foot footprint. A 3-story building would have a 10,408 square foot footprint. The site on the east side of the parking lot is still preferred.

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Scenario 3: Sell existing City Hall or City Hall frontage and build new City Hall that includes Public Safety Facilities.

Based on preliminary data, a new City Hall, now also including Fire Department Administration, Police, and EOC, will require a 50,998 square foot area. This requires a footprint of 25,499 square feet for a 2-story building or 17,000 square feet for a 3-story building. (This area will likely be reduced by designing the building so that some spaces are shared by more than one department.)

Parking required for the commercial facilities using the existing City Hall will reduce parking available for the new City Hall.

Scenario 3A: This is the same as Scenario 3 except it also includes the City Justice Court.

Issues that applied to Scenario 3 also apply to Scenario 3A. Adding the City Justice Court increases the space required to 59,151 square feet. This requires a footprint of 29,576 square feet for a 2-story building or 19,717 square feet for a 3-story building.

Scenario 4: Demolish existing City Hall and build new City Hall closer to State Street. New City Hall would not include Public Safety facilities. A new Public Safety Facility could be built on the east side of current property at 26,946 sf. (excluding Courts). A new City Hall, without Public Safety, at 24,052 sf could be built in either a two story configuration utilizing 12,026 sf per floor.

These scenarios are complicated by the fact that, during construction, the existing building will have to remain in use. Available parking will be reduced and there will be costs associated with limited accessibility to the construction site. A separate Public Safety Building will not improve the situation.

Scenario 4A: Same as Scenario 4, except add the Courts to Public Safety. Public Safety with Courts requires 35,098 sf.

PRELIMINARY CONCLUSIONS

In reviewing the various schemes and scenarios it quickly becomes clear that there is no single, correct answer for housing Public Safety. What is clear is that some of the City's first responders and related staff and administration are working in buildings at some risk due to seismic events. Further, certain duties of Public Safety officials could potentially be open to criticism (Police Evidence storage, for example) by those so inclined to criticize. Justice Court security is potentially a problem, both in the lack of a secure prisoner transfer area as well as lack of metal detectors and entry security to the facility as a whole. The City and the Commission are wise to resolve these issues before serious problems develop.

Also, while the existing City Hall is a marginally valuable historic specimen, it is savable. Schemes 1A and 1B address new construction south of City Hall which could be used to help solve seismic retrofit

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difficulties in the existing buildings north-south axis. In these Scenarios, the EOC, Fire Administration and Courts could all be placed in a building with central security at the location where the current Museum exists. Further study needs to be undertaken to determine whether that building currently has the potential to be added upon, or whether it should be torn down and replaced with a completely new building. Should the Court relocate to this location, then the Museum could be relocated to the building on Vine Street vacated by the Court.

Parking needs to be studied further. No definitive parking studies have yet been attempted, given the site placements for building. In Scenarios #2 and #3 parking will definitely be an issue.

Cost analyses have also not yet been made.

At this point we look forward to further comment and direction from the Public Safety Commission, from City Administration and from affected Departmental Management.

FINAL REPORT

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SUBSEQUENT REVIEW AND UPDATES

The preceding Preliminary Report was presented to the City for review and comment on November 3, 2004. A meeting with the Mayor's Commission on Public Safety was held on November 17, 2004 to discuss the information presented in the Preliminary Report. During that meeting each Scheme and its corresponding cost was discussed. Various questions regarding the details of the several Schemes were posed and answered.

The Commission asked FFKR/ENTELLEN to focus on four of the various possible schemes only and to come back and meet again with the group. Those revised Schemes are:

Scenario W: This scheme contemplates building a new City Hall and Public Safety Building in the frontage area between State Street and the current City Hall. Upon completion of the new building, City employees would re-locate to the new building and the old building would be demolished. The old building footprint would be re-worked to provide additional parking area. Existing parking to the east would remain "as-is". The current Museum would need to be re-located.

Scenario X: In this scheme a new City Hall and Public Safety Building would be constructed to the east of the City property. Again, at the completion of the construction period City employees would move into the new building from their various current locations. The old building footprint would need to be re-worked for parking and planting, as would the area between the new and old buildings. The current Museum would need to be re-located.

Scenario Y: Scheme Y illustrates the option of building a new, separate Public Safety Building on the current City property while also renovating the current City Hall building. Sequentially, the new building could be built first to allow the Police to leave their current space in City Hall. Main Floor employees would need to be temporarily re-located to the Second Floor while seismic, HVAC/plumbing, and sewer line renovations occur below. As the Main Floor work completes employees re-located to the Second Floor could return while renovations occur at the Second Floor. Some minimal work is contemplated to the public areas and offices in the wing currently occupied by the Museum. No new Museum work is anticipated in this Scheme. Additional study and review of parking options will be necessary with this option.

Scenario Z: This scheme suggests seismically renovating the portion of City Hall characterized as historic, and demolishing the current, non-historic single story buildings where the Museum is located. A new, 3-story Public Safety Building could be built attached to the south end of the City Hall. Due to the natural slope of the ground at that location it is possible that the building could be designed in such a way that the three story attachment would be at a similar height to the existing City Hall. Construction sequencing for work in the current City Hall would be similar to Scenario Y, above. Minimal parking adaptations would be required.

None of the final four schemes considered establish a final building footprint or location. The width to length to height variations of the solutions could be manipulated further as more direction is given and

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building programs are solidified. Other variations may also be considered. Scenario W and X, for example, would likely be designed in such a way that the new buildings employ a single lobby for City Hall functions separate from a higher security lobby for Public Safety. However, the functions may still be built as a part of a single unit.

Square footages needs were re-evaluated and updated to reflect corrected information.

Further investigations were also undertaken regarding the condition of HVAC/plumbing/electrical/sewer systems at the current City Hall. Meetings were held with Tom Baker with Murray City and with Gordon Wilson of Carrier Corporation who together maintain the building's various systems. Also present was Steven R. Burt, AIA from FFKR/ENTELLEN and Bill Higginson with Van Boerum and Frank, Consulting Engineers. During several site visits the following information regarding City Hall was observed:

HVAC Systems: A new, 3 million BTU boiler system was installed within the last two years to provide steam to the existing radiant heat system. A smaller, older boiler remains in the basement to provide back-up when necessary. The older boiler appears to contain asbestos insulation which has been rendered non-threatening by a jacket coating to encapsulate it. The new boiler is considered too large to be effective for the current building configuration. It would likely have excess capacity to serve any future building additions.

Steam is moved throughout the system to existing radiator panels in various rooms. The steam lines are reportedly in poor repair and should be replaced. They constantly leak and are hard to maintain. Most are accessible easily in steam line tunnels. A hot water system should be considered at the time these lines are replaced.

The main rooftop fan units are both new. One was being replaced during our site visits. Neither needs replacement at this time.

The HVAC controls system is partially upgraded from pneumatic to electronic. This could be completed during any subsequent re-work of the building system.

Plumbing Systems: The sewer line for the building runs north and south, under the floor through the Council Chambers. The sewer line is deteriorated and should be replaced. Recently it was sleeved as far as practical to extend its useful life, however it is not expected to be good for more than 5 years. During seismic renovation of the current building, while the Main Floor employees have vacated the space, this sewer line could be dug up and replaced.

The restroom fixtures are generally showing signs of wear and should be replaced. While still serviceable they are showing surface deterioration which allows some types of bacterial growth to occur.

Building fire protection systems are not current. No smoke detectors were observed. Heat detectors were located at some areas of the building. The building is not protected by a fire sprinkler system.

Electrical Systems: No electrical issues were observed.

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Building Envelope: While on the roof of City Hall it was observed that the existing asphalt membrane roofing is in poor condition and should be replaced. Numerous bubbles and cracks are obvious across the entire upper roof. Recent additions of rooftop equipment will likely hasten the deterioration of the roofing due to increased traffic during the installation timeframe.

It was also reported that the glazing systems currently do not adequately keep water out of the building during periods of storm, especially on the west façade. These window systems should be replaced with insulating units to improve building energy efficiency.

FURTHER CONCEPTUAL DESIGN DEVELOPMENT

During discussions with the Commission questions arose as to the relative sizes of the graphic building areas shown on the conceptual schemes. Further visits to the current building were made by FFKR/ENTELLEN to clarify the building particulars. No changes were made that affect Courts, EOC, or Fire Administration. The Project Summary Sheets for Schemes W through Z utilize corrected square footages reflecting the results of these site visits. The changes are evident in the existing City Hall building, including Police areas. Police areas, for example, could not be verified to match the 14,179 sf shown on the City's document. Examination of the space and plans indicate a square footage closer to 12,800 sf. Added space for Evidence and Records has been included, as has a general space recommendation of an additional 2,000 sf for general office use by Police. The base Police total is now 15,380 sf. Refer to the Project Summary Sheets W through Z for revised building footprint sizes.

The Commission also recommended evaluating 3-story building options for any new construction in order to conserve limited site space for parking and planting.

Budget Costs have been projected in 2004 dollars for the four illustrated Scenarios. Costs have been calculated using RS Means 2004 Cost per Square Foot Data for the 84*** Zip Code, modified by their Location Factor for US construction of .89.

Grossing factors used to estimate building square footages have been slightly reduced for these schemes due to further review of the available data and discussion about how it was obtained. A grossing factor of 1.2 indicates that for every 10 square feet of usable programmed space, 2 square feet should be added to account for non-programmed building circulation, HVAC/plumbing/electrical spaces, common areas, etc.

Sitework areas vary from Scenario to Scenario, ranging from 40,000 sf to 110,000 sf. These numbers could vary significantly as design progresses based upon any of these options. The current numbers reflect our best judgment at this time, based upon apparent site impacts. Costs model figures for Sitework do not include any significant excavation, should it be desired.

Options including relocation of the Museum have been budgeted at \$75 per sf for interior museum work only. This budget allowance does not represent a new building.

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Soft costs, including fixtures, furnishings and equipment, are projected at 40% of actual building costs. These costs include allowances for moving expenses, disruptions, City project oversight, etc.

Each of these schemes contemplates vacating the Courts building on Vine Street and either selling it or re-locating other city uses into it.

Other Scenario specific comments are as follows:

Scenario W: This Scenario raises significant security issues with placing a building so close to State Street. Further, the construction process on the limited site will be difficult due to minimal material "lay down" and "staging" areas. No new location is identified for the Museum in this option. Actual building costs for this Scenario (and for Scenario X) are highest at a projected \$131/sf. No part of the old City Hall is re-used. This Scenario is similar to Scenario X except that it could likely involve less site adaptation.

Scenario X: Similar to Scenario W except that the location for the new building is behind the existing City Hall instead of in front of it. This would allow for easier construction activity. It would also allow for a better aspect ratio for the building footprint (length relative to width). It might also require a much more extensive renovation of the overall site due to the new building location. Potentially this model could represent any new Scenario at the site that does not re-use the existing City Hall.

Scenario Y: Scenario Y proposes renovating the existing City Hall building, while also building a new Public Safety building on site. This option provides both the most square footage for City use, as well as the most site coverage with buildings. Overall building costs per square foot are the lowest of all schemes due to re-use of the full City Hall building, with only minor, interior cosmetic changes and seismic upgrades being made to the single story building housing the museum. The Public Safety building itself may be somewhat easier to secure as a stand-alone building in this scenario than in other options. Parking may become an issue with this scheme.

Scenario Z: Like Scenario Y, this option utilizes the existing City Hall. It anticipates demolition, however, of the existing single story portion to allow construction of a new, 3-story building immediately adjacent to the south. The new building could provide substantial seismic strengthening to the old building in the north-south direction, thus reducing seismic retrofit cost by up to one-third. Also, some sharing of existing HVAC and electrical systems and (in limited instances) elevators might allow for a slightly reduced construction cost for the new building portion. This scheme would likely cause the least site disruption as well. The Museum could also be re-located into the renovated City Hall building.

FURTHER DESIGN CONSIDERATIONS

When actual building planning begins, certain building characteristics can take on increased significance from the standpoint of vandalism, bomb security, and burglary. Site layout is the first of these design considerations. A site with a clear, unobstructed view around the whole building is desirable and helps

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protect against hit and run attacks. While building slopes may pre-determine building locations, a rectangular, unattached building positioned on a uniform elevation can be covered with fewer guards,

television cameras, etc. than can a multi-faceted building on multiple elevations. Setback from vehicular traffic areas and barricading through the use of concrete bollards, planters, etc. must be considered.

Reinforced concrete is often recommended for use in blast resistant construction, however reinforced masonry can be designed to protect in most all situations and may be more cost effective.

Building surfaces at ground level should be devoid of recessed areas, alcoves, projections or over-sized columns which might obstruct security views. Foliage and landscaping features should not be permitted to obscure visual observation of the building surroundings, or provide places of concealment for explosive or incendiary devices.

Main building entrances should be at or above street level to reduce the need for stairwells which make observation by police and security more difficult. Where exterior stairs are necessary serious design efforts should be made to reduce bomb concealment opportunity.

Building entrances and exits should be minimized to reduce the resulting security effort to police them. Fire exit doors should all have alarms and controls to prevent their use except in an emergency. All exterior stairs should have a status monitoring system tied to a central monitoring location.

Interior stairwells may provide an intruder with the opportunity to move throughout the building undetected. Stairwells should be designed, subject to fire authority approvals, so that all doors can be locked allowing exit only at ground level but still allowing entrance at all levels above.

Elevators also provide a means for people to move through buildings undetected. Security controls may be desirable to limit floor access through elevators. The interior of elevator cars should be designed to eliminate indirect lighting wells or other hidden alcoves where explosives may be hidden. Ceiling escape panels should be equipped with alarms and elevator equipment rooms should be secured against intruders. Often building security stations can be placed near elevators to monitor their use.

Public restrooms are recognized as bomb concealment hazards and should be designed with the thought of protecting adjacent areas of the building by providing a frangible wall which could vent a blast away from occupied areas. Also, reduction of any concealment areas will reduce search times and discourage potential bombers.

Security of access doors to rooftop locations should be considered and should include the use of dead-bolt locks and electronic intrusion detection devices at all hours. Rooftops are recommended for placement of air handling equipment for security reasons. Anti-silhouetting screens should be considered to help conceal locations of rooftop air vents, air conditioning units and machinery rooms as well as to provide concealment for any security forces patrolling the areas.

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Drawings of public buildings and their security features should be protected from disclosure to persons not having absolute needs for such information. Available information regarding such items as the routes of public utilities, phone lines, alarm lines, etc. into buildings may jeopardize the buildings total security.

Some locations and areas that may be considered targets include:

- Garages, parking areas and maintenance areas (car bombs and undetected entry)
- Roof top areas, skylights, hatches, doors leading to roofs
- Air intake vents for HVAC equipment
- Weapons storage areas / Armory
- Records storage areas
- Communications and dispatch areas
- Fire escapes, stairways, exterior doors and windows
- Public areas such as lobbies and restrooms
- Judges chambers / bench areas in courtroom
- Prisoner loading areas
- Court clerk interfaces with public

Other general guidelines for security design include:

- Installation of perimeter lighting around the building, particularly near doors and windows
- Keeping parking areas away from buildings where possible (50 feet minimum / 50 yards desirable)
- Eliminating glass sidelights adjacent to exterior doorways
- Eliminating glass areas below 48"
- Glazing with 3/8" or 1/2" tempered glass in lieu of plastic polycarbonate (low melting point)
- Wall and fence attachments to building should not provide climbing points to the roof
- Protecting skylights, hatches and doors terminating at the roof
- Locating all electrical and HVAC equipment on the roof or in enclosed, protected areas
- Upgrading locking devices throughout the facility to deadbolt types (minimum)
- Installing astragals at pairs of doors to prevent forced entry
- Installing status indicators on all exterior doors

The information presented here is not intended to be all-inclusive, rather it is included to illustrate the fact that security issues can be complex and varied. Every building design is different and presents its own set of potential security risks. Technology is changing rapidly and new security devices and systems become available constantly. However, so is the technology to defeat these protective technologies. We recommend identifying the most obvious and vulnerable security risks and taking steps to eliminate them through thoughtful building design. Often a few simple changes will vastly increase the security and safety of an entire project.

PROJECT RECOMMENDATIONS

Before any final programming is undertaken to establish building sizes, a staffing evaluation and a caseload evaluation should be undertaken to establish a potential 20 year forecast for needs. Questions such as, "Will a second Justice Court be needed?" or "What police staffing level will be required in twenty years?" must be addressed in order to provide responsible answers to building size considerations.

However, from the data available certain conclusions may be drawn. The existing Police and Courts facilities are marginally effective building spaces and should be improved upon for various security reasons mentioned elsewhere in this report as well as for operational and efficiency reasons. Also, a permanent EOC is a desirable fixture for city emergency response management.

The existing site, which has historic connections to City Hall for over twenty years, has considerable available land for necessary growth. The existing building can be updated at reasonable expense compared to building a new structure. New construction where contemplated should occur either south or east of the current City Hall. From a dollar cost effectiveness standpoint, a mix of renovation with new construction yields the greatest value in terms of dollar per square foot evaluation. All security issues identified are repairable, including seismic stabilization of the existing City Hall.

Seismic study of the smaller Museum wing has not been undertaken, however it is at least *possible* that such work will need to be done in that building. Such work would be expected to cost approximately \$165,000.00 and that has been factored into Scenario Y.

Some disruption will occur in any of the Scenarios shown. Renovating City Hall will disrupt city employees' routines more than simply building a new building and moving into it. However, all schemes provide space available for moving most City employees during the construction activities.

From the Historic perspective the existing building is marginal. However, preliminary data suggest that the building can be renovated relatively cost effectively when compared with new construction. Final seismic remediation planning may affect the absolute numbers, but probably will not alter the overall cost structure of rehabilitation. Also, no significant historic renovations have been included in the final Budget Cost models. Suggestions to restore the west facing widows, for example, to their historic character were discussed but not recommended at this time. Additional possibilities for changes might include changes to the front (west) entry canopy, to restore that portion of the building to a more historic look. Other City sponsored groups may have additional input at future reviews and evaluations.

Ultimately the final decision may be based upon a choice of governmental philosophical positions: Should the policing arm of government be portrayed, through architecture, as a separate, semi-autonomous unit of the City or should it be portrayed as an attached, supporting function? Should the City preserve the existing building which has housed City services for several years, or should it move ahead with a new building and a new image for the future? **Scenarios Y and Z were judged to be the most serviceable schemes** regardless of how one answers the philosophical issues. And the answers to those philosophical questions are best left to those entrusted to the making of public policy.

APPENDIX

MURRAY CITY PUBLIC SAFETY STUDY

PROJECT SUMMARY SHEET / SCHEME W

New Public Safety Wing	Grossing Factor	Subtotal Area	Total Area	\$/s.f.*		Budget
Emergency Management Operations	1.2	2,914	3,497	\$	150	\$ 524,520
Fire Department Administration	1.2	1,810	2,172	\$	125	\$ 271,500
Police Department	1.25	15,380	19,225	\$	135	\$ 2,595,375
Subtotals		20,104 s.f.	24,894 s.f.	\$	136	\$ 3,391,395
Add Courts	1.2	6130	7,356 s.f.	\$	130	\$ 956,280
Total			32,250 s.f.	\$	135	\$ 4,347,675

New City Hall Building						
New 3-Story Construction			25,000 s.f.	\$	130	\$ 3,250,000
Total			25,000 s.f.			\$ 3,250,000

Museum Tenant Build Out (At a New Location)			2,148 s.f.	\$	75	\$ 161,100
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Total						\$ 7,758,775
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Demolition						\$ 100,000
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Sitework			70,000 s.f.	\$	5	\$ 350,000
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Soft Costs			40% of Bldg. Total			\$ 3,103,510
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Project Budget Total						\$ 11,312,285
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Project Building S.F.						59,398
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Budget per S.F.						\$ 190
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Building per S.F.						\$ 131
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Calculated using RS Means 2004 Cost per Square Foot Data
Revised with 84*** Zip Code location factor of .89

MURRAY CITY PUBLIC SAFETY STUDY

PROJECT SUMMARY SHEET / SCHEME X

New Public Safety Wing	Grossing Factor	Subtotal Area	Total Area	\$/s.f.*	Budget
Emergency Management Operations	1.2	2,914	3,497	\$ 150	\$ 524,520
Fire Department Administration	1.2	1,810	2,172	\$ 125	\$ 271,500
Police Department	1.25	15,380	19,225	\$ 135	\$ 2,595,375
Subtotals		20,104 s.f.	24,894 s.f.	\$ 136	\$ 3,391,395
Add Courts	1.2	6130	7,356 s.f.	\$ 130	\$ 956,280
Total			32,250 s.f.	\$ 135	\$ 4,347,675

New City Hall Building					
New 3-Story Construction			25,000 s.f.	\$ 130	\$ 3,250,000
Total			25,000 s.f.	\$ 130	\$ 3,250,000

Museum Tenant Build-Out (At a New Location)			2,148 s.f.	\$ 75	\$ 161,100
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Total					\$ 7,758,775
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Demolition					\$ 100,000
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Sitework			110,000 s.f.	\$ 5	\$ 550,000
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Soft Costs			40% of Bldg. Total		\$ 3,103,510
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Project Budget Total					\$ 11,512,285
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Project Building S.F.					59,398
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Budget per S.F.					\$ 194
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Building per S.F.					\$ 131
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Calculated using RS Means 2004 Cost per Square Foot Data
Revised with 84*** Zip Code location factor of .89

MURRAY CITY PUBLIC SAFETY STUDY

PROJECT SUMMARY SHEET / SCHEME Y

New Public Safety Building	Grossing Factor	Subtotal Area	Total Area	\$/s.f.*	Budget
Emergency Management Operations	1.2	2,914	3,497	\$ 150	\$ 524,520
Fire Department Administration	1.2	1,810	2,172	\$ 125	\$ 271,500
Police Department	1.25	15,380	19,225	\$ 135	\$ 2,595,375
Subtotals		20,104 s.f.	24,894 s.f.	\$ 136	\$ 3,391,395
Add Courts	1.2	6130	7,356 s.f.	\$ 130	\$ 956,280
Total			32,250 s.f.	\$135	\$ 4,347,675

Renovated City Hall Building					
Seismic Upgrade			40,651 s.f.	\$ 18	\$ 731,718
Tenant Improvements / Upgrades / Lighting / Main Building			31,404 s.f.	\$ 25	\$ 785,100
HVAC/Plumbing Upgrades			31,404 s.f.	\$ 22	\$ 690,888
Roofing / Windows /Bldg. Envelope			31,404 s.f.	\$ 25	\$ 785,100
Tenant Improvements / Balance of Existing Building			9,247 s.f.	\$ 20	\$ 184,940
Total Building			40,651 s.f.	\$ 78	\$ 3,177,746

Museum Tenant Build Out	2,148 s.f.	\$ -	\$ -
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Total	\$ 7,525,421
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Demolition	\$ 40,000
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Sitework	70,000 s.f.	\$ 5	\$ 350,000
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Soft Costs	40% of Bldg. Total	\$ 3,010,168
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Project Budget Total	\$ 10,925,589
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Project Building S.F.	72,901
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Budget per S.F.	\$ 150
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Building per S.F.	\$ 103
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Calculated using RS Means 2004 Cost per Square Foot Data
Revised with 84*** Zip Code location factor of .89

MURRAY CITY PUBLIC SAFETY STUDY

PROJECT SUMMARY SHEET / SCHEME Z

New Public Safety Wing	Grossing Factor	Subtotal Area	Total Area	\$/s.f.*	Budget
Emergency Management Operations	1.2	2,914	3,497	\$ 145	\$ 507,036
Fire Department Administration	1.2	1,810	2,172	\$ 120	\$ 260,640
Police Department	1.25	15,380	19,225	\$ 130	\$ 2,499,250
Subtotals		20,104 s.f.	24,894 s.f.	\$ 131	\$ 3,266,926
Add Courts	1.2	6130	7,356 s.f.	\$ 130	\$ 956,280
Total			32,250 s.f.	\$ 131	\$ 4,223,206

Renovated City Hall Building					
Seismic Upgrade			31,404 s.f.	\$ 12	\$ 376,848
Tenant Improvements / Upgrades			31,404 s.f.	\$ 30	\$ 942,120
HVAC/Plumbing Upgrades			31,404 s.f.	\$ 22	\$ 690,888
Roofing / Windows /Bldg. Envelope			31,404 s.f.	\$ 25	\$ 785,100
Total			31,404 s.f.	\$ 89	\$ 2,794,956

Museum Tenant Build-Out (Inside Vacated City Hall Space)	2,148 s.f.	\$ 75	\$ 161,100
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Total	\$ 7,179,262
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Demolition	\$ 50,000
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Sitework	40,000 s.f.	\$ 5	\$ 200,000
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Soft Costs	40% of Bldg. Total	\$ 2,871,705
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Project Budget Total	\$ 10,300,967
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Project Building S.F.	63,654
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Budget per S.F.	\$ 162
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Building per S.F.	\$ 113
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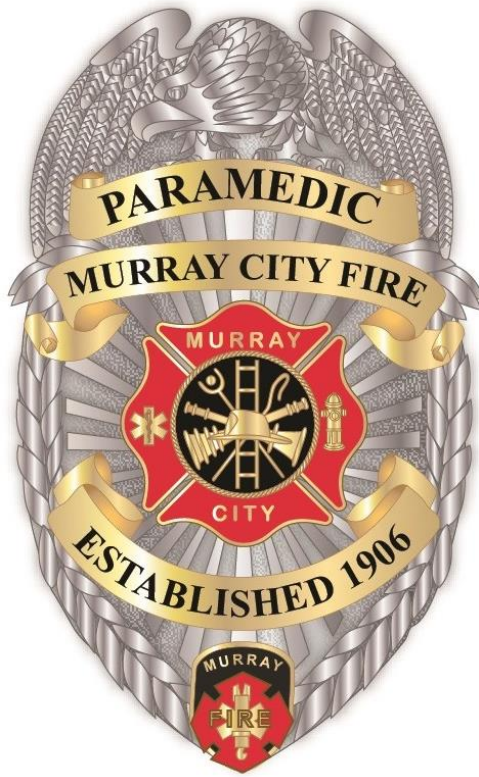
Calculated using RS Means 2004 Cost per Square Foot Data
Revised with 84*** Zip Code location factor of .89

From: [Reynold Willie](#)
To: [Council Citizen Comments](#)
Subject: Oppose Apartments
Date: Tuesday, March 7, 2023 3:27:40 PM

I oppose making the old city hall into apartments. I would like to see a library or an Art center or something that represents Murray and what Murray stands for. It is too nice of a building to lose. It more than anything else represents what Murray is!

Reynold D. Willie (a Murray resident)

Sent from my iPhone



Inspection Tracking Software

Receiving Reports From Sprinkler and Alarm Companies

Tags on the
Sprinkler
System

Tags on the
Alarm Panels

Alarm
Monitoring
Companies

How will LIV improve Murray?



Upload inspection documents



Assist businesses and apartments with staying alarmed for their protection



No cost to the city and businesses cost stay the same



Questions



Special Recognition



MURRAY
CITY COUNCIL

Special Recognition #1



MURRAY

Council Action Request

Meeting Date:

Department Director	Purpose of Proposal
Phone #	Action Requested
Presenters	Attachments
	Budget Impact
Required Time for Presentation	Description of this Item
Is This Time Sensitive	
Mayor's Approval	
Date	

EMPLOYEE OF THE MONTH RECOGNITION

DEPARTMENT:

DATE:

Finance and Administration

2/21/2023

NAME of person to be recognized:

Submitted by:

Wendy Saunders

Brooke Smith

DIVISION AND JOB TITLE:

Recorders, Passport Agent

YEARS OF SERVICE:

2

REASON FOR RECOGNITION:

I am pleased to nominate Wendy Saunders for Employee of the Month.

Wendy is a part-time Passport Agent who consistently goes above and beyond her duties to ensure that clients receive the best customer service possible. Her dedication to her work and customer service is exemplary, and she deserves recognition for her exceptional work.

COUNCIL USE:

MONTH/YEAR HONORED



Wendy is super reliable and always available to fill in gaps in coverage when other employees call in sick or are out of town. Her flexibility and willingness to help out have been invaluable to the Passport office, and her colleagues appreciate her reliability and commitment to the team. Wendy's selflessness and can-do attitude have made a significant impact on the efficiency and productivity of the office.

Moreover, Wendy is learning the Spanish language to help clients who speak English as a second language. She makes every effort to ensure that clients understand the processes and procedures, which can often be confusing and overwhelming. Wendy's empathetic and patient approach has resulted in positive feedback from clients who appreciate her dedication to serving them.

In addition to her language skills, Wendy excels in customer service. Clients always walk away from their interaction with her saying that the process was easier than expected and that they appreciate her friendly demeanor and willingness to help out. Her attention to detail and the personalized service she provides have set a standard for excellent customer service in the office.

In conclusion, Wendy Saunders is an exceptional employee who deserves recognition for her hard work and dedication. I strongly recommend her for the Employee of the Month award.



Special Recognition #2



MURRAY

City Council

Joint Resolution supporting Child Abuse Prevention Month

Council Action Request

Council Meeting

Meeting Date: March 21, 2023

Department Director Jennifer Kennedy Phone # 801-264-2622 Presenters Mayor Hales Sheri Van Bibber Required Time for Presentation Is This Time Sensitive No Mayor's Approval Date March 6, 2023	Purpose of Proposal A Joint Resolution supporting April 2023 as Child Abuse Prevention Month Action Requested Informational only Attachments Joint Resolution Budget Impact None Description of this Item A Joint Resolution of the Mayor and the Municipal Council of Murray City, Utah in Support of the Murray Exchange Club by Recognizing and Declaring April 2023 as Child Abuse Prevention Month.
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Joint Resolution # 23-15

A Joint Resolution of the Mayor and the Municipal Council of Murray City, Utah in Support of the Murray Exchange Club by Recognizing and Declaring April 2023 as Child Abuse Prevention Month

WHEREAS, the children of Murray are the future of our state's success and investing in their general welfare, safety and livelihood are of utmost priority; and

WHEREAS, all children deserve to grow up in a safe and nurturing environment to assure they reach their full potential as they grow and develop; and

WHEREAS, the protection of children and strengthening of families is of concern and responsibility of all Murray citizens because the wellness of children affects our lives now and will continue to affect us in the future; and

WHEREAS, child abuse is a serious problem with 165 suspected child abuse calls in the city of Murray last year, with each of those cases impacting an entire family and affecting the community as a whole; and

WHEREAS, child abuse respects no racial, religious, socio-economic, or geographic boundaries, and

WHEREAS, all citizens of Murray need to become more aware of child abuse and its prevention within their respective communities and actively encourage and support parents to raise their children in a safe and nurturing environment, and

WHEREAS, preventing child abuse requires each member of the community to be attentive to the problems of families around them and commit to do everything they can to help.

WHEREAS, The National Exchange Club has adopted this cause as its National Project and is supporting parent aide programs, parenting classes, educational programs and community service activities, and is helping to make significant progress in stopping this crime against families and children; and

WHEREAS, the Murray Exchange Club members are active and positive participants in the City of Murray in accordance with the standards of the National Exchange Club; and

WHEREAS, The Murray Exchange Club is anxious and appreciative to share this worthwhile cause and opportunity with Murray City;

NOW THEREFORE, the Mayor and City Council of Murray on behalf of the citizens of

Murray, proclaim April 2023 as **CHILD ABUSE PREVENTION MONTH** and we call upon all our citizens to renew their commitment to be educated on the impact of child abuse and join in working for its prevention within our communities.

BE IT FURTHER RESOLVED, that in support of the Murray Exchange Club and this worthwhile cause, Murray City will fly the Child Abuse Prevention Flag in front of City Hall under our flags from April 1st through April 30th.

We are appreciative of the work, care, and concern that our Victim Advocates, Police and Detectives put forth in dealing with these tough cases. It is our hope that those numbers will decrease as families develop healthy caring, nurturing, and loving relationships; and

BE IT STILL FURTHER RESOLVED, we commend the Murray Exchange Club for their continued efforts in helping families break free from this vicious cycle of Child Abuse. Our Nation's greatest asset is our children. All Children deserve to grow-up in a safe and nurturing environment to assure they reach their full potential.

Passed, Approved and Adopted this 21st day of March, in the year 2023.

Murray City Corporation

Murray City Municipal Council

Mayor Brett A. Hales

Phil Markham, District 1

Pam Cotter, District 2

Rosalba Dominguez, District 3

ATTEST:

Diane Turner, District 4

Brooke Smith, City Recorder

Garry Hrechkosy, District 5



MURRAY
CITY COUNCIL

Citizen Comments

Limited to three minutes, unless otherwise approved by Council



MURRAY
CITY COUNCIL

Public Hearing



MURRAY


Power Department

Navajo Tribal Utility Project

Council Meeting

Council Action Request

Meeting Date: March 21, 2023

Department Director Blaine Haacke Phone # 801-264-2715 Presenters Blaine Haacke Bruce Turner Required Time for Presentation 15 Minutes Is This Time Sensitive No Mayor's Approval  Date February 17, 2023	Purpose of Proposal Send Power Department employees to the 4 Corners area to help install power for the Navajo Nation/ June 17-24, 2023. Action Requested Inform the council for recommendation / approval Attachments Budget Impact See below (2nd page) for cost estimates. Description of this Item Public Hearing/Resolution We are proposing to send a group of line personnel to the Navajo Nation in and around the 4 Corners area. The group would consist of 5 workers (1 line crew supervisor and 4 apprentices). They would leave on June 17th and work for six days and return on June 24th. They will be taking a Murray City Power line truck, a bucket truck, and a crew truck.
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Continued from Page 1:

Estimated Cost:

Five-man crew 40 hours/6 days

Five-man crew 24 hours/6 days overtime \$30,600.00

Line Truck, bucket truck, crew truck \$ 7,500.00

Per diem \$ 3,000.00

Total estimated cost: \$41,100.00

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 21st day of March, 2023, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing to receive public comment concerning a proposed resolution which would authorize the City's Power Department to provide volunteers and the donation of services and nonmonetary assistance to the Navajo Tribal Utility Authority to aid in a project to construct electrical infrastructure for Navajo Nation homes which do not have electricity.

DATED this 24th day of February 2023.



MURRAY CITY CORPORATION

A handwritten signature in blue ink, appearing to read "B. Smith".

Brooke Smith
City Recorder

Date of Publication: March 6, 2023
PH23-03

Post:

1. in at least three conspicuous places within the City; and
2. on the Utah Public Notice website.

UCA Section 10-8-2(a)(v).

RESOLUTION NO. R23-16

A RESOLUTION APPROVING THE DONATION OF CITY SERVICES AND/OR NONMONETARY ASSISTANCE TO THE NAVAJO TRIBAL UTILITY AUTHORITY'S "LIGHT UP NAVAJO" INITIATIVE PROJECT

WHEREAS, in accordance with section 10-8-2 of the Utah Code the City Council may authorize municipal services and/or nonmonetary assistance to be provided to nonprofit entities regardless of whether the City receives consideration in return; and

WHEREAS, the Navajo Nation is the largest Native American territory in the United States. Among the 55,000 homes located on the 27,000 square mile reservation, about 15,000 do not have electricity; and

WHEREAS, the Navajo Tribal Utility Authority (NTUA), a nonprofit entity created by the Navajo Nation, has launched the "Light Up Navajo" initiative (the "Initiative"), in which it is seeking volunteer crews and in-kind donations of expert labor and the use of power truck equipment in order to help expedite electrification projects within the Navajo Nation; and

WHEREAS, under the Initiative, volunteer crews would be working with NTUA crews to help build electric lines to serve homes for the first time; and

WHEREAS, the American Public Power Association (APPA) has asked member utilities to assist with the Initiative and is helping to approve volunteer registrations; and

WHEREAS, as a member of the APPA, the City wants to be responsive and assist the NTUA with the Initiative by (1) providing a crew, (2) paying the crew a per diem, and (3) covering the cost of transporting the power trucks to and from the Navajo Nation; and

WHEREAS, the NTUA will provide all materials for the electrification projects, as well as food and lodging for City crews; and

WHEREAS, City crews would volunteer in the Navajo Nation from June 17, 2023 through June 24, 2023; and

WHEREAS, pursuant to section 10-8-2 of the Utah Code, the City Council held a public hearing on March 21, 2023 to receive and consider public comment on the City's proposed donations to assist with the Initiative;

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council as follows:

1. It hereby approves and authorizes the donation of City services and/or monetary assistance to the NTUA in support of the Light Up Navajo initiative.

2. It authorizes the Mayor to execute any documents required to implement the City's participation in the Initiative.

DATED this day of March, 2023.

MURRAY CITY MUNICIPAL COUNCIL

Garry Hrechkosy, Chair

ATTEST

Brooke Smith, City Recorder



Business Items



Business Item #1



MURRAY


Mayor's Office

Murray School District - Library property discussion

Council Meeting

Meeting Date: March 21, 2023

Council Action Request

Department Director G.L. Critchfield Phone # 801-264-2640 Presenters G.L. Critchfield Required Time for Presentation 10 Minutes Is This Time Sensitive No Mayor's Approval  Date	Purpose of Proposal Discuss Conveyance of Property from City (Library) to School District ("District"); and discuss ground lease going forward Action Requested Discuss conveying ownership of library property back to District and entering ground lease. Attachments 1. Map of Property; 2. Resolutions; 3. Agreements to transfer ownership and to enter into ground lease; 4. QC Deed Budget Impact N/A Description of this Item In 1990, the District agreed to lease to the City the ground where the library currently stands. The City issued bonds to pay for the construction of the library building. In order to secure the bond payments, the City requested title to the property. The District agreed to temporarily transfer title to the land to the City. Once the bonds were paid off the City was obligated to transfer the property back to the District.
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RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY AND THE BOARD OF EDUCATION OF THE MURRAY CITY SCHOOL DISTRICT REGARDING THE CONVEYANCE BY THE CITY OF REAL PROPERTY ON WHICH THE CITY WILL CONTINUE TO OWN, OPERATE AND MAINTAIN THE MURRAY CITY LIBRARY.

WHEREAS, UTAH CODE ANN. Section 11-13-202 and other provisions of the Interlocal Cooperation Act (see UTAH CODE ANN. 11-13-101 et seq.) ("Act") provide that any two or more public agencies may enter into an agreement with one another for joint or cooperative action; and

WHEREAS, Section 11-13-214 of the Act provides that a public agency may convey property to another public agency for consideration as may be agreed upon; and

WHEREAS, Murray City (the "City") and the Board of Education of the Murray City School District (the "District") are public agencies for purposes of the Act; and

WHEREAS, the City is the owner of real property located at approximately 166 East 5300 South Street, Murray, Salt Lake County, Utah (the "Property") where the City has constructed, improved, owned, operated, and maintained a public library ("Library") for almost 30 years; and

WHEREAS, the City acquired the property from the District in December of 1991 to facilitate the financing of the construction of the Library; and

WHEREAS, the City and District contemplated that upon the satisfaction of the financing, the Property could be reacquired by the District, subject to a long-term lease with the City for the continued ownership, operation, and maintenance of the Library; and

WHEREAS, the City's financing has been satisfied and the District now desires to reacquire the Property, subject to a separate long-term lease with the City; and

WHEREAS, the City will continue to own, operate, and maintain the Library;

WHEREAS, an Interlocal Agreement between the City and the District for the sale of the Property has been prepared to accomplish such purpose.

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council that:

1. It hereby approves an Interlocal Cooperation Agreement between the City and the District, in substantially the form attached as Exhibit "A".

2. The Interlocal Cooperation Agreement is in the best interest of the City.
3. Mayor Brett A. Hales is hereby authorized to execute the Interlocal Agreement on behalf of the City and to act in accordance with its terms.

DATED this _____ day of _____, 2023.

MURRAY CITY MUNICIPAL COUNCIL

Garry Hrechkosy, Chair

ATTEST:

Brooke Smith, City Recorder

EXHIBIT "A"

INTERLOCAL COOPERATION AGREEMENT

After recording return to:

Murray City Corporation
5025 South State Street
Murray, UT 84107

Parcel No. **22-07-377-028**

**INTERLOCAL COOPERATION AGREEMENT BETWEEN MURRAY
CITY CORPORATION AND THE BOARD OF EDUCATION OF THE
MURRAY CITY SCHOOL DISTRICT**

For Sale of Property Located at 166 East 5300 South

THIS INTERLOCAL COOPERATION AGREEMENT ("Agreement") is made and entered into this _____ day of _____, 2023 (the "Effective Date"), by and between MURRAY CITY CORPORATION, a Utah municipal corporation (the "City") and THE BOARD OF EDUCATION OF THE MURRAY CITY SCHOOL DISTRICT, a body politic of the State of Utah (the "District").

RECITALS

WHEREAS, UTAH CODE ANN. Section 11-13-202 and other provisions of the Interlocal Cooperation Act (see UTAH CODE ANN. 11-13-101 *et seq.*) ("Act") provide that any two or more public agencies may enter into an agreement with one another for joint or cooperative action; and

WHEREAS, Section 11-13-214 of the Act provides that a public agency may convey property to another public agency for consideration as may be agreed upon; and

WHEREAS, the City and District are public agencies for purposes of the Act; and

WHEREAS, the City is the owner of real property located at approximately 166 East 5300 South Street, Murray, Salt Lake County, Utah, and more particularly described at Exhibit "A" ("Property") where the City has constructed, improved, owned, operated, and maintained a public library ("Library") for almost 30 years; and

WHEREAS, the City acquired the Property from the District in December of 1991 to facilitate the financing of the construction of the Library; and

WHEREAS, the City and District contemplated that upon the satisfaction of the financing, the Property could be reacquired by District, subject to a long-term lease with the City for the continued ownership, operation, and maintenance of the Library; and

WHEREAS, the City's financing has been satisfied and the District now desires to reacquire the Property, subject to a long-term lease with the City; and

WHEREAS, all improvements are excluded from this transaction including but not limited to the building and all appurtenances thereto, including but not limited to all pavement, accessways, curb cuts, parking, drainage system and facilities, landscaping, and utility facilities and connections for sanitary sewer, potable water, electricity, telephone and natural gas, cable connections, and personal property and fixtures; and

WHEREAS, pursuant to provisions of a resolution dated March 21, 2023, the City Council has authorized and approved the execution of this Agreement.

NOW THEREFORE, in consideration of the mutual obligations of the City and the District contained in this Agreement, the City and the District hereby agree as follows:

AGREEMENT

NOW, THEREFORE, the parties agree as follows:

Section 1. Agreement of Sale and Purchase. City hereby agrees to sell, transfer and convey, and District hereby agrees to purchase and accept title to the Property, excluding therefrom all improvements including but not limited to the building and all appurtenances thereto, including but not limited to all pavement, accessways, curb cuts, parking, drainage system and facilities, landscaping, and utility facilities and connections for sanitary sewer, potable water, electricity, telephone and natural gas, cable and fiber connections, and personal property and fixtures.

Section 2. Deed. Contemporaneous with the execution of this Agreement, the City will convey to the District by Quit Claim Deed the Property described on Exhibit "A." The District shall pay the sum of **Fifty Dollars (\$50.00)**. All costs associated with the conveyance of the Property shall be paid by the District, including, but not limited to, closing costs, recording fees, title insurance, survey and engineering costs, environmental audit costs and any legal fees of the District.

Section 3. Use After Closing. Upon Closing of the purchase of the Property, District shall lease to City and City shall lease from District the Property in substantially the same form of the Ground Lease Agreement attached hereto as Exhibit "B."

Section 4. Termination of Security Agreement. District will join the City in executing any necessary documents to terminate the Security Agreement granted and executed pursuant to Paragraph 5 of that certain unrecorded Agreement between City and District, dated December 4, 1991.

Section 5. Parking. The Parties covenant that the parking lot constructed for the use by the Library shall be open for pedestrian and vehicle utilization seven (7) days a week, with the exception of such days as may be declared public holidays, and/or for routine repair and maintenance of said parking lots. Said lot, however, may be closed after 10:00 o'clock p.m. on each and every business day until 7:00 o'clock a.m. the following day. The City and the District understand and agree that certain school and

library functions and events may over utilize designated parking areas. Such usage is expected and both parties to this Agreement shall use their best efforts to cooperate to meet each other's specific needs.

Section 6. Indemnification. This Agreement is intended to be interpreted so as to convey to City and District all of the protections from liability provided by UTAH CODE ANN. Section 57-14-1 *et seq.*, as amended through the applicable date of reference or any other applicable law that provides immunity or limitation of liability. City must indemnify District against all losses and litigation expenses resulting from property damage and/or personal injuries that occur or are alleged to occur as a result of City's continued ownership, operation, and maintenance of the Library, except to the extent caused by the negligent or wrongful acts or omissions of District. "Losses" means any liability, loss, claim, settlement payment, cost and expense, interest, award, judgment, damages (including punitive damages), diminution in value, fines, fees and penalties or other charge other than a Litigation Expense. "Litigation expense" means any court filing fee, court cost, arbitration fee or cost, witness fee, and each other fee and cost of investigating and defending or asserting any claim of violation or indemnification under this Agreement including in each case, attorneys' fees, other professionals' fees, and disbursements.

Section 7. Escrow Closing. The closing of the purchase and sale of the Property shall take place at the office of District's escrow agent. On or before the closing date, District and City shall deposit in escrow with the escrow agent all instruments, documents, and monies, and closing instructions necessary to complete the transaction in accordance with this Agreement. The escrow agent's closing fees shall be paid by District. District shall pay for any title insurance desired by District. District shall pay the escrow fees of the escrow agent.

Section 8. Additional Act Provisions. In compliance with the requirements of the Act and other applicable law:

(a) **No Separate Entity.** The parties agree that they do not by this Agreement create an interlocal entity.

(b) **Financing and Joint Cooperative Undertaking and Establishing Budget.** There is no financing of joint or cooperative undertaking and no budget shall be established or maintained.

(c) **Attorney Review.** This Agreement shall be reviewed as to proper form and compliance with applicable law by the authorized attorneys for the City and District in accordance with UTAH CODE ANN. Section 11-13-202.5.

(d) **Copies.** Duly executed original counterparts of this Agreement shall be filed with the keeper of the records of each party pursuant to UTAH CODE ANN. Section 11-13-209.

Section 9. General Provisions. The following provisions are also integral parts of this Agreement:

(a) Binding Agreement. This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the respective parties.

(b) Captions. The headings used in this Agreement are inserted for reference purposes only and shall not be deemed to define, limit, extend, describe, or affect in any way the meaning, scope, or interpretation of any of the terms or provisions of this Agreement or the intent hereof.

(c) Counterparts. This Agreement may be signed in any number of counterparts with the same effect as if the signatures upon any counterpart were upon the same instrument. All signed counterparts shall be deemed to be one original.

(d) Severability. The provisions of this Agreement are severable, and should any provision hereof be void, voidable, unenforceable or invalid, such void, voidable, unenforceable, or invalid provision shall not affect the other provision of this Agreement.

(e) Waiver of Breach. Any waiver by either party of any breach of any kind or character whatsoever by the other, whether such be direct or implied, shall not be construed as a continuing waiver of or consent to any subsequent breach of this Agreement.

(f) Amendment. This Agreement may not be modified except by an instrument in writing signed by the parties.

(g) Time of Essence. Time is of the essence in this Agreement.

(h) Interpretation. This Agreement shall be interpreted, construed, and enforced according to the substantive laws of the State of Utah.

(i) Notice. Any notice or other communication required or permitted to be given hereunder shall be deemed to have been received:

(i) Upon personal delivery or actual receipt thereof; or

(ii) Within three (3) days after such notice is deposited in the United States mail, certified mail postage prepaid and addressed to the parties at their respective addresses:

District

Murray City School District
5102 South Commerce Drive

Murray, UT 84107
Attention: Superintendent

with a copy to: President, Board of Education of the Murray
City School District at his or her then current
residence address.

City Murray City Corporation
5025 South State Street
Murray, UT 84107
Attention: Mayor

Library Board Board of Trustees of the Murray City Public
Library
166 East 5300 South
Murray, UT 84107

(j) Exhibits and Recitals. The Recitals set forth above and all exhibits to this Agreement are incorporated herein to the same extent as if such items were set forth herein in their entirety within the body of the Agreement.

(k) Governmental Immunity. Both parties are governmental entities under the Governmental Immunity Act, UTAH CODE ANN. Section 63G-7-101 *et. seq.* ("Immunity Act"). Consistent with the terms of the Immunity Act, the parties agree that each party is responsible and liable for the wrongful or negligent acts which it commits or which are committed by its agents, officials, or employees. Neither party waives any defenses or limits of liability otherwise available under the Immunity Act and all other applicable law, and both parties maintain all privileges, immunities, and other rights granted by the Immunity Act and all other applicable laws.

(l) Ethical Standards. The parties represent that they have not:

(i) Provided an illegal gift or payoff to any officer, employee, or former officer or employee, or to any relative or business entity of an officer or employee, or relative or business entity of a former officer or employee of the other party; or

(ii) Retained any person to solicit or secure this Agreement upon any contract, agreement or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees of bona fide commercial agencies established for the purpose of securing business; or

(iii) Breached any ethical standards set forth in State statute or City ordinance; or (iv) knowingly influenced, and hereby certify that they

will not knowingly influence, any officer or employee to breach any of the ethical standards set forth in the State statute or City ordinances.

Section 10. Additional Acts. Each party agrees to take such other actions and to execute and deliver such further documents as may be reasonably required to consummate this transaction, and to afford each other reasonable cooperation towards that end.

IN WITNESS WHEREOF, City, by Resolution duly adopted by its City Council, a copy of which is attached hereto, caused this Agreement to be signed by its Mayor and attested by its City Recorder; and District, by formal Board of Education action, a copy of which is attached hereto, authorized the execution of this Agreement.

[Signature pages follow.]

MURRAY CITY CORPORATION

Brett A. Hales, Mayor

ATTEST:

Brooke Smith, City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me on this ____ day of _____, 2023 by Brett A. Hales and Brooke Smith as the Mayor and the Recorder, respectively, of Murray City, a municipality and political subdivision of the State of Utah.

[SEAL]

NOTARY PUBLIC
Residing in Salt Lake County

Approved and reviewed as to proper form and
compliance with applicable law:

G.L. Critchfield, Murray City Attorney
Date: March 21, 2023

THE BOARD OF EDUCATION OF THE
MURRAY CITY SCHOOL DISTRICT

By: _____
Its: _____

ATTEST:

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me on this ____ day of _____, 2023 by _____ and _____ as the _____ and the _____, respectively, of The Board of Education of the Murray City School District, a body politic of the State of Utah.

[SEAL]

NOTARY PUBLIC
Residing in Salt Lake County

Approved and reviewed as to proper form and
compliance with applicable law:

District Attorney
Date:

EXHIBIT "A"

Legal Description of the Property

OVERALL CURRENT LIBRARY PARCEL

[NOTE: This description includes the entire property, including a small pan-handle area to go back to the District]

BEGINNING AT A POINT SOUTH 89°52'45" EAST ALONG THE MONUMENT LINE OF 5300 SOUTH STREET 433.86 FEET AND SOUTH 00°06'11" EAST 317.40 FEET FROM A FOUND BRASS CAP MONUMENT LOCATED IN THE INTERSECTION OF SAID 5300 SOUTH STREET AND STATE STREET, SAID POINT ALSO BEING NORTH 745.77 FEET (747.76 FEET BY DEED), MORE OR LESS, AND EAST 1261.27 FEET (1261.38 FEET BY DEED), MORE OR LESS, FROM THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE NORTH 00°06'11" WEST 284.40 FEET (NORTH 00°02'05" EAST 283.80 FEET BY DEED) TO THE SOUTHERLY RIGHT OF WAY LINE OF 5300 SOUTH STREET, AS MONUMENTED; THENCE SOUTH 89°52'45" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE 301.62 FEET (SOUTH 89°40'10" EAST 301.74 FEET BY DEED); THENCE SOUTH 260.38 FEET (260.73 FEET BY DEED); THENCE SOUTH 89°53'00" EAST 90.32 FEET (NORTH 89°34'17" EAST 90.00 FEET BY DEED) TO THE WESTERLY RIGHT OF WAY LINE OF HILLSIDE DRIVE; THENCE SOUTH 00°00'15" WEST ALONG SAID WESTERLY RIGHT OF WAY LINE 23.23 FEET (SOUTH 22.79 FEET BY DEED); THENCE NORTH 89°59'45" WEST 391.42 FEET (WEST 391.91 FEET BY DEED) TO THE POINT OF BEGINNING.

CONTAINS 87,720 SQ. FT. OR 2.014 ACRES

EXHIBIT "B"
Ground Lease Agreement

EXHIBIT "C"
Resolution of Murray City Council

EXHIBIT "D"

Resolution of Board of Education of the Murray City School District

After recording, return to:
City Attorney's Office
Murray City Corporation
5025 South State Street, Suite 106
Murray, UT 84107

Affected Parcel: **22-07-377-028**

QUIT-CLAIM DEED

MURRAY CITY CORPORATION, a political subdivision of the State of Utah, Grantor, hereby QUIT-CLAIMS to THE BOARD OF EDUCATION OF THE MURRAY CITY SCHOOL DISTRICT, a body politic of the State of Utah, Grantee, for the sum of FIFTY DOLLARS (\$50.00) and other good and valuable consideration the following described tract of land in Salt Lake County, State of Utah:

[NOTE: This description includes the entire property, including a small pan-handle area to go back to the District]

BEGINNING AT A POINT SOUTH 89°52'45" EAST ALONG THE MONUMENT LINE OF 5300 SOUTH STREET 433.86 FEET AND SOUTH 00°06'11" EAST 317.40 FEET FROM A FOUND BRASS CAP MONUMENT LOCATED IN THE INTERSECTION OF SAID 5300 SOUTH STREET AND STATE STREET, SAID POINT ALSO BEING NORTH 745.77 FEET (747.76 FEET BY DEED), MORE OR LESS, AND EAST 1261.27 FEET (1261.38 FEET BY DEED), MORE OR LESS, FROM THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE NORTH 00°06'11" WEST 284.40 FEET (NORTH 00°02'05" EAST 283.80 FEET BY DEED) TO THE SOUTHERLY RIGHT OF WAY LINE OF 5300 SOUTH STREET, AS MONUMENTED; THENCE SOUTH 89°52'45" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE 301.62 FEET (SOUTH 89°40'10" EAST 301.74 FEET BY DEED); THENCE SOUTH 260.38 FEET (260.73 FEET BY DEED); THENCE SOUTH 89°53'00" EAST 90.32 FEET (NORTH 89°34'17" EAST 90.00 FEET BY DEED) TO THE WESTERLY RIGHT OF WAY LINE OF HILLSIDE DRIVE; THENCE SOUTH 00°00'15" WEST ALONG SAID WESTERLY RIGHT OF WAY LINE 23.23 FEET (SOUTH 22.79 FEET BY DEED); THENCE NORTH 89°59'45" WEST 391.42 FEET (WEST 391.91 FEET BY DEED) TO THE POINT OF BEGINNING.

CONTAINS 87,720 SQ. FT. OR 2.014 ACRES

Witness the hand of said Grantor, this ____ day of _____, 2023.

MURRAY CITY CORPORATION

By: _____
Brett A. Hales, Mayor

ATTEST:

Brooke Smith, City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

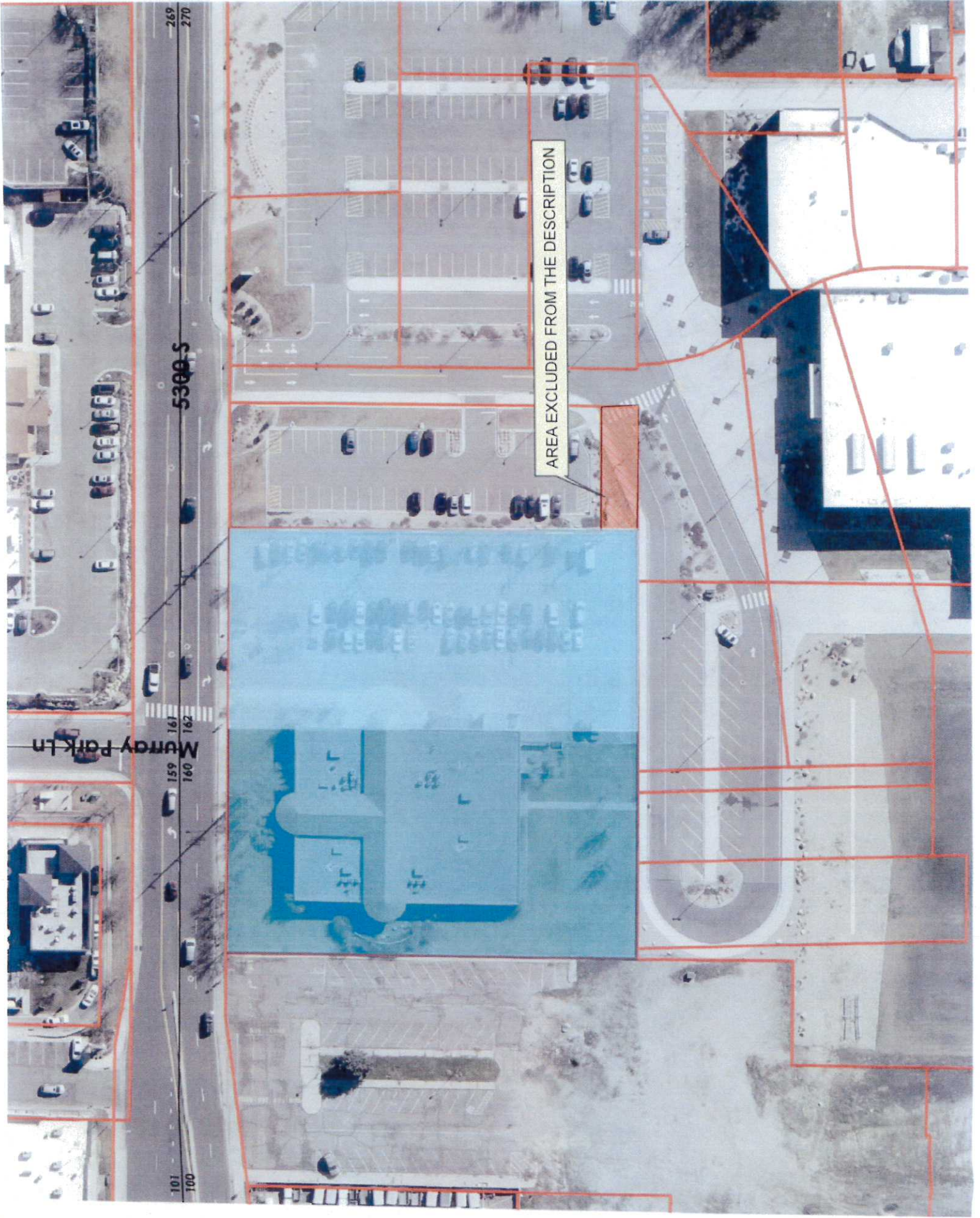
On the ____ day of _____, 2023, personally appeared before me Brett A. Hales, as Mayor of MURRAY CITY CORPORATION, known or identified to me to be the person who executed the instrument on behalf of said municipality, and acknowledged to me that said municipality executed the same.

Notary Public
Residing: _____

(SEAL)

APPROVED AS TO FORM:

Murray City Attorney's Office



AREA EXCLUDED FROM THE DESCRIPTION

5300 S

Murray Park Ln

269
270

159 161
160 162

101
100



MURRAY
CITY COUNCIL

Business Item #2



MURRAY


Mayor's Office

Murray School District - Library property discussion

Council Meeting

Meeting Date: March 21, 2023

Council Action Request

Department Director G.L. Critchfield Phone # 801-264-2640 Presenters G.L. Critchfield	Purpose of Proposal Discuss Conveyance of Property from City (Library) to School District ("District"); and discuss ground lease going forward Action Requested Discuss conveying ownership of library property back to District and entering ground lease. Attachments 1. Map of Property; 2. Resolutions; 3. Agreements to transfer ownership and to enter into ground lease; 4. QC Deed Budget Impact N/A Description of this Item In 1990, the District agreed to lease to the City the ground where the library currently stands. The City issued bonds to pay for the construction of the library building. In order to secure the bond payments, the City requested title to the property. The District agreed to temporarily transfer title to the land to the City. Once the bonds were paid off the City was obligated to transfer the property back to the District.
Required Time for Presentation 10 Minutes Is This Time Sensitive No Mayor's Approval  Date	

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY AND THE BOARD OF EDUCATION OF THE MURRAY CITY SCHOOL DISTRICT TO PROVIDE FOR A GROUND LEASE OF PROPERTY OWNED BY THE BOARD OF EDUCATION OF THE MURRAY CITY SCHOOL DISTRICT LOCATED AT 166 EAST 5300 SOUTH STREET.

WHEREAS, Title 11, Chapter 13, Utah Code Annotated 1953, as amended, permits public agencies to enter into cooperative agreements to provide joint undertakings and services; and

WHEREAS, the Board of Education of the Murray City School District (the "District") has exercised an Option to Purchase from City the ground located at approximately 166 East 5300 South Street, Murray, Salt Lake County, Utah ("Property"); and

WHEREAS, the City and the District agreed in that certain unrecorded Agreement, dated December 4, 1991, that the District may acquire the Property from City through the exercise of that Option to Purchase subject to a long-term Lease Agreement with City for the continued ownership, operation, and maintenance of City's public library (the "Library") and all associated improvements at said location; and

WHEREAS, the City desires to lease the Property from the District for the continued ownership, operation and maintenance of the Library building and associated improvements; and

WHEREAS, title to all improvements shall be and remain in City and are excluded from this transaction including but not limited to the building and all appurtenances thereto, including but not limited to all pavement, accessways, curb cuts, parking, drainage system and facilities, landscaping, and utility facilities and connections for sewer, water, electricity, telephone, and natural gas, cable and fiber connections, and personal property and fixtures; and

WHEREAS, the attached Ground Lease Agreement has been prepared to accomplish such purpose.

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council that:

1. It hereby approves a Ground Lease Agreement between the City and the Board of Education of the Murray City School District in substantially the form attached as Exhibit A; and

2. The Ground Lease Agreement is in the best interest of the City and will allow for the continued ownership, operation and maintenance of the Murray City Library and related improvements by the City; and
3. Mayor Brett A. Hales is hereby authorized to execute the Ground Lease Agreement on behalf of Murray City Corporation and to act in accordance with its terms.

DATED this ____ day of _____, 2023.

MURRAY CITY MUNICIPAL COUNCIL

Garry Hrechkosy, Chair

ATTEST:

Brooke Smith, City Recorder

EXHIBIT "A"

GROUND LEASE AGREEMENT

GROUND LEASE AGREEMENT BETWEEN MURRAY CITY AND THE
BOARD OF EDUCATION OF THE MURRAY CITY SCHOOL
DISTRICT FOR THE MURRAY CITY PUBLIC LIBRARY
Located At Approximately 166 East 5300 South

THIS GROUND LEASE AGREEMENT ("Lease Agreement") is made and entered into this _____ day of _____, 2023 (the "Effective Date"), by and between MURRAY CITY CORPORATION, a Utah Municipal Corporation (the "City"), and THE BOARD OF EDUCATION OF THE MURRAY CITY SCHOOL DISTRICT, a body politic of the State of Utah, (the "District").

RECITALS

A. WHEREAS, District has exercised an Option to Purchase from City the ground located at approximately 166 East 5300 South Street, Murray, Salt Lake County, Utah ("Property"); and

B. WHEREAS, City and District agreed in that certain unrecorded Agreement, dated December 4, 1991, that District may acquire the Property from City through the exercise of that Option to Purchase subject to a long-term Ground Lease Agreement with City for the continued ownership, operation, and maintenance of City's public library (the "Library") and all associated improvements at said location; and

C. WHEREAS, City desires to lease the Property from District for the continued ownership, operation and maintenance of City's public library building and improvements; and

D. WHEREAS, title to all improvements shall be and remain in City and are excluded from this transaction including but not limited to the building and all appurtenances thereto, including but not limited to all pavement, accessways, curb cuts, parking, drainage system and facilities, landscaping, and utility facilities and connections for sewer, water, electricity, telephone, and natural gas, cable and fiber connections, and personal property and fixtures; and

E. WHEREAS, pursuant to provisions of a resolution dated March 21, 2023, the City Council has authorized and approved the execution of this Ground Lease.

NOW, THEREFORE, based on the mutual covenants and conditions contained herein, it is agreed by and between the parties as follows:

AGREEMENT

1. Subject only to the provisions of Paragraph 9, the District hereby leases to City, and City hereby leases from District, for City's sole and exclusive use, for an initial term ending at 11:59 p.m. on December 4, 2041, the following described parcel of ground:

[NOTE: This description includes the area of the Library Building and Library Parking Lot]

BEGINNING AT A POINT SOUTH 89°52'45" EAST ALONG THE MONUMENT LINE OF 5300 SOUTH STREET 433.86 FEET AND SOUTH 00°06'11" EAST 317.40 FEET FROM A FOUND BRASS CAP MONUMENT LOCATED IN THE INTERSECTION OF SAID 5300 SOUTH STREET AND STATE STREET, SAID POINT ALSO BEING NORTH 745.77 FEET, MORE OR LESS, AND EAST 1261.27 FEET, MORE OR LESS, FROM THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE NORTH 00°06'11" WEST 284.40 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF 5300 SOUTH STREET, AS MONUMENTED; THENCE SOUTH 89°52'45" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE 301.62 FEET; THENCE SOUTH 283.79 FEET; THENCE NORTH 89°59'45" WEST 301.11 FEET TO THE POINT OF BEGINNING.

CONTAINS 85,615 SQ. FT. OR 1.965 ACRES

2. This Ground Lease Agreement shall commence on its Effective Date.

3. Throughout the term of this Ground Lease Agreement, and any renewal term thereafter, title to any building or buildings or other improvements constructed by or at the direction of City on the Property shall remain with City. Improvements include but are not limited to the building and all appurtenances thereto, including but not limited to all pavement, accessways, curb cuts, parking, drainage system and facilities, landscaping, and utility facilities and connections for sewer, water, electricity, telephone, and natural gas, cable and fiber connections, and personal property and fixtures.

4. City agrees to pay to District the rent for the Property in the amount of one dollar (\$1.00) per year, for a total sum of **NINETEEN DOLLARS (\$19.00)** for the initial term (Effective Date to 11:59 p.m. on December 4, 2041). The total sum shall be due and payable within thirty (30) days after the execution of this lease.

5. City is granted the exclusive non-transferable right to build, construct or reconstruct, and otherwise improve or renovate said parcel of land with the intended purpose of the lease being the ownership, operation, and maintenance of a building and improvements used for the Library and Library related purposes. The Property and improvements shall be used solely as a public library and library educational facility, including without limitation, areas for public and educational uses, areas for staff use only, and areas for storage, processing support or ancillary uses, including without limitation storing, processing and accessing materials and information of any medium or technology and related equipment to serve this library facility, and for library administration and administrative offices, and for any or all of the foregoing, and for related community services and events commonly conducted in a public library or library educational facility.

6. The City may construct library related buildings and other library related improvements within the Property, together with additions, renovations, alterations, or replacements thereof or improvements thereto, and may demolish or remove any then-

existing buildings or improvements from time-to-time, provided that the City constructs or reconstructs any then-existing or new buildings and improvements, including replacements or reconstructions thereof.

7. This Ground Lease Agreement shall be automatically renewed by and between the parties for an additional fifty (50) years, ending at 11:59 p.m. on December 4, 2091, unless the parties hereto terminate the agreement pursuant to paragraph 11 of this Ground Lease Agreement. City agrees to pay the sum of \$1.00 per year, for a total sum of **FIFTY DOLLARS** (\$50.00), as payment for lease of said Property for the renewal term. The total sum shall be due and payable within thirty (30) days after December 4, 2041. The terms of this Ground Lease Agreement and any amendments to it, will continue to apply during the renewal term.

8. City is granted the exclusive right to utilize said Property without interference or direction from District subject only to the provisions of Paragraph 9. District further grants to City a nonexclusive right of way for ingress and egress for a parking lot. Said property to be utilized for said Ingress and Egress and Parking is described as follows:

[NOTE: This description includes only the Library Parking Lot]

BEGINNING AT A POINT SOUTH 89°52'45" EAST ALONG THE MONUMENT LINE OF 5300 SOUTH STREET 433.86 FEET AND SOUTH 00°06'11" EAST 317.40 FEET AND SOUTH 89°59'45" EAST 175.00 FEET FROM A FOUND BRASS CAP MONUMENT LOCATED IN THE INTERSECTION OF SAID 5300 SOUTH STREET AND STATE STREET, SAID POINT ALSO BEING NORTH 745.77 FEET, MORE OR LESS, AND EAST 1261.27 FEET, AND SOUTH 89°59'45" EAST 175.00 FEET, MORE OR LESS, FROM THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE NORTH 00°06'11" WEST 284.05 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF 5300 SOUTH STREET, AS MONUMENTED; THENCE SOUTH 89°52'45" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE 126.62 FEET; THENCE SOUTH 283.79 FEET; THENCE NORTH 89°59'45" WEST 126.11 FEET TO THE POINT OF BEGINNING.

CONTAINS 35,877 SQ. FT. OR 0.824 ACRES

9. District covenants that said parking lot shall be open for pedestrian and vehicle utilization seven days a week, with the exception of such days as may be declared, public holidays, and/or for routine repair and maintenance of said parking lot. Said parking lot, however, may be closed after 10:00 p.m. on each and every business day until 7:00 a.m. the following day. City and District understand and agree that certain school and library functions and events may over utilize designated parking areas. Such usage is expected and both parties to this Ground Lease Agreement shall use their best efforts to cooperate to meet each others specific needs. Notwithstanding provisions to the contrary, District and City shall have the right to utilize parking on the Hillcrest Junior High school property and described library parcel during such times of special events.

10. It is expressly agreed and understood that City shall hold the District harmless, and shall defend the District from any and all damage, injury, claim, suit, accident, law, and equity which may be brought against the District which may arise out of the improvement or use of the Property as described in paragraph 1 herein.

11. This Ground Lease Agreement may be terminated by the parties after the expiration of the initial term as provided for in paragraph 1, provided the written notice is served upon the parties at least five years prior to the expiration of said initial term. If said Ground Lease Agreement is terminated by District, District shall compensate City for the improvements constructed on said leased premises at the fair market value of said improvements as determined on the date of termination of said lease. In the event that City elects to terminate this lease as provided herein, District shall not be required to compensate City for such improvements.

12. It is expressly understood that the operation, management, and control of said library facilities is exclusively reserved to the City.

13. This Ground Lease Agreement or the use and administration of the Library shall not be assigned without the prior written consent and approval of the parties.

14. In the event of default of one of the parties hereto, it is agreed that the non-defaulting party shall be entitled to reasonable attorney's fees and all costs of court incurred in the enforcement of this Ground Lease Agreement.

(Signature Page to Follow)

DATED as of the EFFECTIVE DATE above.

MURRAY CITY CORPORATION

THE BOARD OF EDUCATION OF THE
MURRAY CITY SCHOOL DISTRICT

Brett A. Hales, Mayor

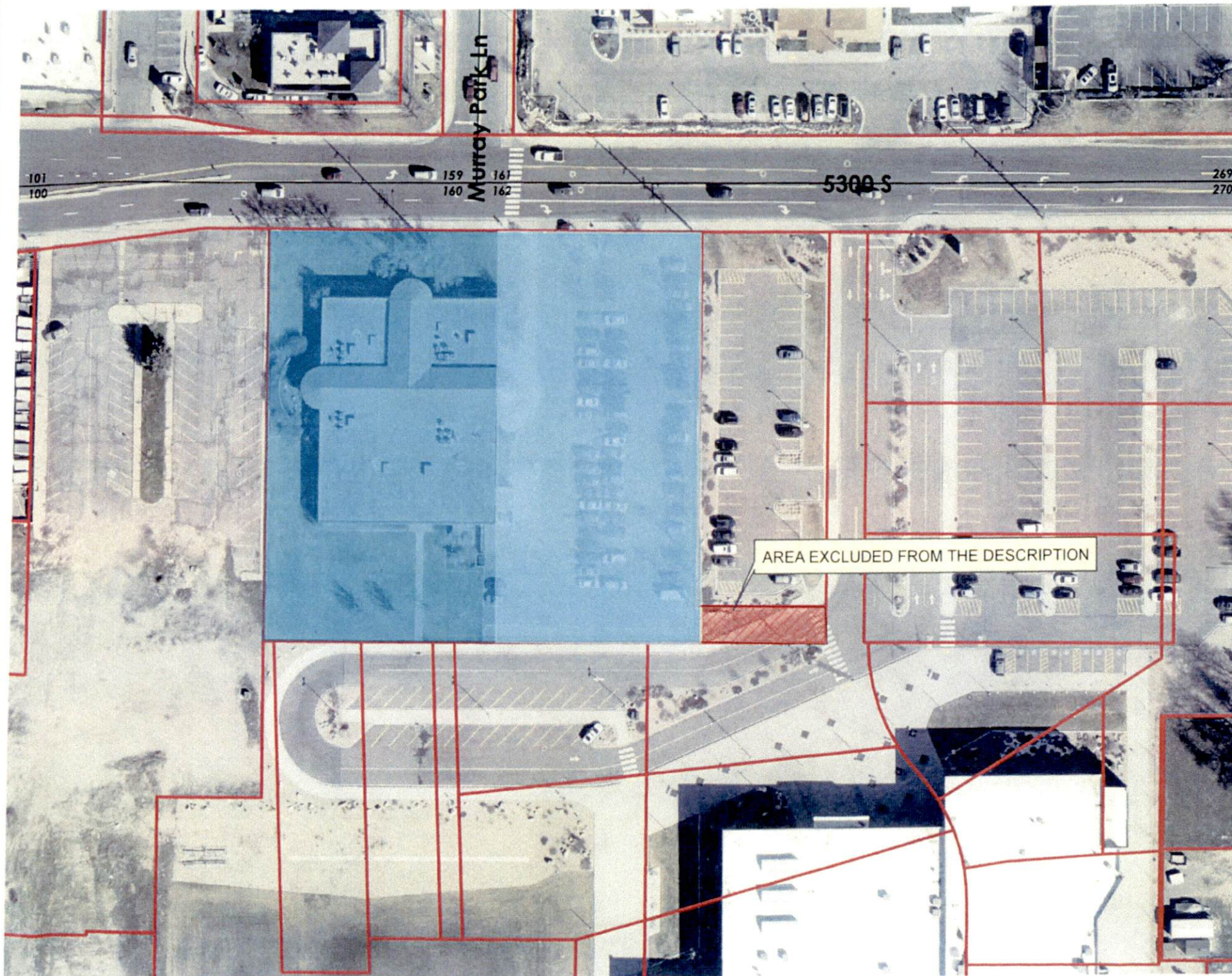
By: _____
Its: _____

ATTEST:

Brooke Smith, City Recorder

APPROVED AS TO FORM

City Attorney



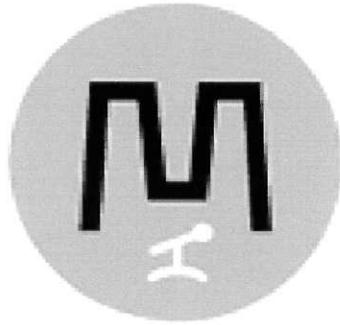
Murray Park Ln

5300 S

AREA EXCLUDED FROM THE DESCRIPTION

3117

101	100
159	160
161	162
269	270



MURRAY
CITY COUNCIL

Mayor's Report And Questions



MURRAY
CITY COUNCIL

Adjournment