

**MURRAY CITY MUNICIPAL COUNCIL
COMMITTEE OF THE WHOLE**

Work Session Minutes of Tuesday, November 12, 2024

Murray City Hall, 10 East 4800 South, Poplar Meeting Room, Murray, Utah 84107

Attendance:

Council Members:

Paul Pickett	District #1
Pam Cotter	District #2 – Council Chair
Rosalba Dominguez	District #3 – Arrived at 4:32 p.m.
Diane Turner	District #4
Adam Hock	District #5 – Council Vice-Chair

Others:

Brett Hales	Mayor	Jennifer Kennedy	City Council Executive Director
Doug Hill	Chief Administrative Officer	Pattie Johnson	Council Administration
G.L. Critchfield	City Attorney	Joey Mittelman	Fire Chief
Zac Smallwood	Planning Manager	Phil Markham	Community and Economic Dev. Director
Ella Jay Olsen	City Journals	David Rodgers	Community and Economic Development
Brenda Moore	Finance Director	Kim Sorensen	Parks and Recreation Director
Sheri VanBibber	Murray Coalition	Robyn Colton	Human Resources Director
Greg Bellon	Power Director	Matt Youngs	Assistant Power Director
Lori Edmunds	Parks Department	Anthony Semone	NeighborWorks
Robyn Colton	Human Resources Director	Kim Sorensen	Parks and Recreation Director
Kathy White	Murray Chamber of Commerce	Sierra Marsh	Murray School District
Sheri Van Bibber	Murray Coalition	Brooke Smith	City Recorder
Whitney Rosa	Salt Lake County Health Dept.	Ben Gray	IT
Wendy P. Baker	Citizen		

Conducting: Council Chair Cotter called the meeting to order at 4:30 p.m.

Approval of Minutes: Committee of the Whole, October 1, 2024 and Committee of the Whole, October 15, 2024. Ms. Turner moved to approve, and Mr. Hock seconded the motion. All in favor 4-0.

Discussion Items:

- **Presentation on the Murray Coalition.** Sheri VanBibber introduced Whitney Rosa with the Salt Lake County Health Department, Sierra Marsh with the Murray City School District and Kathy White with the Murray Chamber of Commerce as support in helping her with the coalition. Ms. Van Bibber said 17 other cities in Salt Lake County have city-owned and operated coalitions and that Murray had a coalition before the pandemic. When the County encouraged her to restart a Murray Coalition in 2022, she and Councilwoman Cotter began visiting other coalition cities and attending various coalition meetings to gather ideas in creating what is now called the Murray P4P (Partners 4 Prevention) Coalition.

Ms. Van Bibber said P4P was based on Cities That Care, which is a well-studied nationwide program that provides access to doctors who work with students ages 12 to 28 on various healthcare issues. She and the Chamber decided that instead of running the coalition through Murray City, it would be operated through a nonprofit called the Chamber Foundation as part of the Murray Chamber of Commerce. P4P is a community owned and operated coalition implemented to support and enhance healthy families, that make for a healthier city. Goals of P4P is to reduce risk factors related to anxiety, depression, racism,

bullying, temperament, insecurities, food, home, poverty, poor social skills and substance abuse, by providing social protective tools for individuals, families and the community.

Ms. Van Bibber said they have 50 partners with a vested interest in the Murray community. They hold monthly meetings and trainings are offered to help those become certified within components of the City and work groups related to religion, non-profits, business, youth, medical, fire and police. Everyone involved would work together as a community in support of one another to strengthen youth and create change. P4P will conduct surveys in public schools to recognize and find risk factors and needs before issues arise. Her youth coalition, the Murray Youth Community Council is also involved where students recognize risk factors in peers like suicidal tendencies.

Ms. Van Bibber said it was important to work with Murray planning, zoning and economic development so that P4P could study specific zip code areas for assessing needs related to social behaviors, vulnerability to gangs, violence and underage drinking. All collected information would be data based and take time to develop. The Coalition received 109 boxes of naloxone and State Opioid grant funding in the amount of \$72,000. Grant money would be gifted to P4P over the next three years which could possibly increase to \$90,000. The purpose of the P4P Coalition is to create opportunities, recognize people for teaching skills, create bonding in healthy beliefs and improve social development in youth.

- **Murray City's participation in UAMPS proposed natural gas projects for base load and peaking plants.** Power Director Greg Bellon said that in 2023 UAMPS (Utah Associated Municipal Power Systems) realized a significant need for both baseload and peaking energy resources for member cities. Because UAMPS was considering nuclear power that is no longer an option, they are now looking at two potential natural gas plants to hedge against market purchases that are volatile. UAMPS provided Murray Power with a 20-year forecast confirming the need for energy and to replace energy lost due to the proposed shut down of the Hunter Coal-fired plant by 2032. The Hunter plant currently provides Murray with 22 MW (Megawatts) of coal energy.

Mr. Bellon said UAMPS is suggesting that member cities subscribe to a Peaker natural gas plant located in Millard County, Utah to help with peak loads between 4:00 p.m. to 11:00 p.m., and a Baseload natural gas facility located outside of Pocatello Idaho. Staff is considering 20 MW from the Baseload plant and 11 MW from the Peaker plant. Both futuristic power plants are expected to have the ability to burn hydrogen in the distant future if necessary. The two potential sites for construction were selected ideally due to available land that is near natural gas pipelines and Rocky Mountain Power's transmission lines.

The reason staff urgently consulted the Council was to meet a critical deadline allowing UAMPS to enter the initial cluster study phase, which will take one year to complete. Matt Youngs stated if the opportunity is missed, the next cluster study opportunity won't come for another year.

Mr. Bellon said the cost to participate in both plants was notably higher than current energy wholesale purchasing, as construction for both projects still need to occur. The Peaker plant would not be operating until 2029 and the Baseload facility would not be completed until 2031. He reviewed the estimated costs for each plant based on the LCOE (Levelized Cost of Energy) and CF (Capacity Factors).

Mr. Pickett felt both resources would only be a small portion of the City's power source portfolio. Mr. Bellon agreed. Ms. Turner said the financial information was nebulous and asked what the initial financial commitment was for both projects as related to bonding costs. Mr. Bellon said the process was similar to other UAMPS projects when bonding is needed. There would be no upfront costs to the City until the power plants are constructed and generating power and this was how the power sales agreements and

contracts were designed. Once the City commits to a subscribed number of megawatts, the price for energy would also include a portion geared for paying the overall bond payments. The only thing required of Murray now is the number of MW the City will commit to subscribing to.

Ms. Dominguez asked what percentage of the generation is needed from members to make the project viable. Mr. Bellon said UAMPS is looking for a subscription rate of 85% for each plant to start. The Baseload plant will produce natural gas totaling 360 MW, and the Peaker plant will produce a total of 200 MW. UAMPS must have enough committed participation to move both projects forward.

Mr. Hock asked what the current subscription rate was so far and would cities be forced to increase subscriptions if the 85% rate was not met. Mr. Bellon replied UAMPS had reached 80% so far, and if short, a 5% increase would be requested of all cities. Mr. Hock asked what if projects fall completely apart before completion. Mr. Bellon confirmed all committed cities would share in covering all incurred costs.

Ms. Turner reiterated concern about signing nebulous contracts and asked if both power plants were essential to Murray Power. Mr. Bellon said yes. Both of these projects would be viable resources that are not new technology. Most UAMPS cities are going to participate and it would be a very long time before another opportunity like this comes along, which was worth the financial risk. Mr. Pickett expressed concern about work orders and asked if there was a plan to limit change orders that usually increase project costs significantly. Mr. Bellon said both projects would disband if construction costs exceeded a certain LCOE. Ms. Turner asked when will they know the actual financial commitment. Mr. Bellon felt they would know by the end of November as well as other cities subscription rates.

UAMPS CEO and General Manager Mason Baker entered the meeting and confirmed all that was reported by Mr. Bellon. UAMPS member participants would not be billed during the initial development or study phase and there would be no financial commitment or buy in amount when signing the Power Sales Contract. He said a lending agreement was in progress, with the request for purchase process underway to secure funding. Initial bonds would support construction, followed by 20-25 year tax-exempt bonds. Billing will begin only once projects become operational.

He clarified that by approving and signing a Power Sales Contract, a UAMPS participant agrees to be financially committed in repaying all projects costs necessary to develop, construct and operate and decondition the facility. Best cost estimates at this time are \$112 MWh (per megawatt hour) at the Peaker plant with a 40% CF; and \$69 MWh at the Baseload plant with a 75% CF. To ensure that pricing works for all participants, cost estimates would be revised as projects get underway as part of the internal developmental process.

He noted that if pricing at any time does not work for members, projects can be terminated with a super majority vote by the project management committee within UAMPS. The committee would analyze visible development costs each year of construction and decide whether to keep moving projects forward. Cost estimates would be revised during the development cycle based on engineering work. Once the Power Sales Contract agreements are returned to UAMPS and a project becomes effective, financial responsibility would begin to be calculated. If a project is terminated, Murray along with other member cities would pay a portion of the total costs incurred based on the agreed subscription rate even if the total cost was as much as \$10 million.

Mr. Young calculated that in the worst-case scenario of a project's termination, Murray would be required to pay nine times the actual cost of the study work completed, up to the point of termination. Mr. Baker confirmed the calculation would be nine times \$240,000 for the Baseload plant and nine times \$160,000

for the Peaker plant. Mr. Young said if projects are not terminated, Murray and other cities would pay for all construction and generating costs as the power is delivered to them which is how the bonds would be paid. Mr. Bellon agreed.

- **A resolution approving an Interlocal Cooperation Agreement between the City and Salt Lake County for receipt by the City of Tier II Zoo, Arts, and Parks Funds.** Parks and Recreation Director Kim Sorensen and Cultural Arts Director Lori Edmunds reported that the City was awarded \$100,000 from Salt Lake County, Tier II, Zoo, Arts and Parks grant funding that would be used for cultural arts programming.
- **An ordinance amending Sections 2.10.030 and 2.23.010 of the Murray City Municipal Code relating to duties of the Risk Management Division and the Human Resources Department.** City Attorney G.L. Critchfield and HR (Human Resources) Director Robyn Colton said a position related to Workers Compensation should be moved from the City's Attorney's office to the HR Department. Mr. Critchfield noted the position was once located in HR but he felt the change would also allow the risk analyst more time to be involved with the Smelter site that involves health and safety matters. Ms. Colton agreed there was currently overlap between Workers Compensation and HR so the change would improve coordinating policies more timely and properly.

An ordinance amending Sections 17.78.040, 17.78.050, and 17.78.090 of the Murray City Municipal Code relating to standards for detached accessory Dwelling Units. Planning Manager Zac Smallwood said requested updates, changes and adjustments were made to the draft ordinance. Additional city comparison information was also provided. Mr. Pickett expressed concern with the 10-foot setback requirement and having an overabundance of ADUs (Accessory Dwelling Units), throughout city neighborhoods. Mr. Smallwood said staff was very cautious in making small incremental steps to make ADUs easier to construct and felt the 10 foot setback was a good sizeable number. Mr. Markham pointed out the City is only allowing detached ADUs on 10,000 square foot lots and ADUs would not be something commonly seen in Murray. A brief discussion followed about allowing entrances on corner side yard areas.

- **An ordinance amending Sections 17.48.040 and 17.48.200 of the Murray City Municipal Code relating to screen signs in Commercial and Manufacturing Zones.** Planning Manager Zac Smallwood said the proposed change to City Code came about due to National Security wanting to do more advertising on their screen sign attached to their office building. The existing screen sign was originally installed as an art display screen but National Security would like to use it for more precise advertising. In order for the request to be considered, City Code required a clear definition of a screen sign and precise sign regulations that he thoroughly reviewed with Council Members.

Mr. Pickett had concerns with light pollution saying Murray should not look like Las Vegas. He said the sign gives him that feeling, he did not want to create more of this environment that kills the night sky and he worried about what the freeway would look like 20 years now. Mr. Hock asked if hours of operation could be regulated. Mr. Smallwood noted the proposed ordinance only allows screen signs to be located within 150 feet of the I-15 (Interstate 15) freeway facing towards the freeway and that EMC (electronic message centers) requirements are already in place related to night time dimming. If passed, National Security would have to comply to the ordinance and EMC requirements.

Mr. Critchfield said it was decided years ago to only allow screen signs along I-15 and not deep into the City. Mr. Smallwood thought light pollution would continue as more signs are placed along I-15, which is controlled by the Utah Department of Transportation. He said that the ordinance permits one screen sign per property and only in Commercial or Manufacturing zones. Screen signs are not allowed in the General Office zone, and the City would not permit them along Interstate 215 in Murray. Ms. Dominguez said moving forward, the City should consider limiting screen signs and regulating dimming for future art

installations and potential developments along State Street or in other areas of the City.

- **Discuss an ordinance amending Section 17.170.120 of the Murray City Municipal Code relating to height regulations in the Murray City Center District (MCCD).** David Rodgers said the amendment to modify the height of a specific area in the MCCD zone would affect parcels east of State Street and south of Vine Street where Triumph developers want to create a more symmetrical project proposed at the old city hall site. He explained that Arlington and Myrtle Avenues have different hill grades from those areas closer to State Street, which was why Triumph would like to increase the height of the project in the lower areas making it more symmetrical. The change means that new buildings located in this area shall not exceed seven stories in height, or 85 feet, whichever is less instead of six stories or 70 feet.

Mr. Hock asked why should the Code affecting the corner of State Street and Vine Street be changed when a new FBC (Form Based Code) would be applied to that area in approximately two months. Mr. Rodgers explained even though FBC was coming, staff wanted to change the height for specific parcels at the site. The hope was to claim the whole area and change it as a group even though FBC was coming. Mr. Smallwood said the reason staff proposed to change Code in this way, was for expediency meant to help Triumph developers trying to get entitled and approval from the City to increase the height. Mr. Hock asked what would stop Triumph from increasing the overall height of the project and not just the lower graded areas. Mr. Smallwood said the development agreement and nothing would change the design of the project.

- **A resolution adopting the regular meeting schedule of the Murray City Municipal Council for calendar year 2025.** City Council Executive Director Jennifer Kennedy presented the proposed council meeting schedule for 2025. There was consensus that all meetings would be held on the first and third Tuesday of each month with the exception of: May 6 and 13, August 5 and 12, November 18 and 25; and December 9 and 16 of the year 2025.

Adjournment: 6:17 p.m.

**Pattie Johnson
Council Administrator III**