



## MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

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The Murray City Municipal Council met as a Committee of the Whole on Tuesday, November 1, 2011, in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

### Members in Attendance:

Darren V. Stam	Council Member
Jared A. Shaver	Council Member
Krista K. Dunn	Council Member

### Members Excused:

Jim Brass	Council Chair
Jeff Dredge	Council Vice Chair

### Others in Attendance:

Michael D. Wagstaff	Council Executive Director
Dan Snarr	Mayor
Jan Wells	Mayor's Chief of Staff
Frank Nakamura	City Attorney
Janet M. Lopez	Council Office
Robert White	Information Technology (IT)
Janie Richardson	GIS
David Carpenter	IT
Doug Hill	Public Service Director
Tim Tingey	ADS Director
George Katz	Citizen
Sally Hoffmeyer-Katz	Citizen
Michael Williams	Court Administrator
Paul Thompson	Murray Municipal Court Judge
Danny Astill	Public Services

Mr. Stam called the Committee of the Whole meeting to order at 5:35 p.m. and welcomed those in attendance. He excused Mr. Brass and Mr. Dredge from the meeting for travel and illness.

### Minutes

Mr. Stam asked for corrections or action on the minutes from the Committee of the Whole meeting held on October 4, 2011. Mr. Shaver moved approval. Ms. Dunn seconded and the motion carried 3-0.

**Business Item #1:**                      **Fiscal Year 2012 Budget Amendments – Pat Wilson, Tim Tingey and Doug Hill**

Ms. Wilson noted that her memo gave the details regarding the budget amendments that are proposed. This tells where the money will be funded and why. She asked Department Directors to address the reasons for the requested amendments.

Mr. Tingey stated that he had three amendments to speak to. First, in the Information Technology (IT) area funding affects the General Fund. He is proposing a new line item called *System Upgrades* in order to convert from Lotus Notes (with no ongoing maintenance currently) to a new email system. Bids have been taken from Google applications and Microsoft Exchange. Based on the bid amounts the lower cost is the Exchange program. He will propose a budget amendment to convert to that system, which will cost about \$32,000. This figure will include some consulting for the transfer. It was evaluated with the Google applications for future costs on an ongoing basis and this looks to be the least expensive.

Mr. Shaver asked if there would be some training to help people move from the Lotus to the Exchange program. Mr. Tingey explained that Mr. White and Mr. Madsen have had some training and will provide support for the transfer. Mr. Shaver asked if that would include classroom training. Mr. White indicated that they could conduct some small class sessions to provide some general knowledge. He said many people use this program outside the City and have fundamental understanding. Mr. Tingey stated that no training was included in the purchase beyond the program and consulting to transfer to the new system.

The second area in the IT budget requiring an amendment is under *Software and Equipment Maintenance*. There were some line items excluded from the original budget that are really critical for the IBM servers. These servers include those for the core functions in the City and should not be allowed to lapse. The accounting, payroll, purchasing, utility billing, police records, and internet are affected. The staff has been working with some vendors on costs for that, and also some programming upgrades for the prosecutor's assistant that was not anticipated in the budget. This amounts to about \$46,000, Mr. Tingey noted.

In the Community and Economic Development Division the amendment covers weed control costs. This has been a big year and only \$200 is left; therefore, he is asking for an additional \$1,200 to get through the year until July of 2012. When enforcement is done on weeds, upkeep and maintenance, and if people do not respond, the City cuts the weeds and places a lien on the property. Eventually, the City does get repaid for that expense.

Mr. Tingey explained that there is a lot of momentum on the CDBG down payment and closing cost assistance. All of the funds for that program have been expended. It is marketed through the utility bills. There has been a great need and response. He proposed a transfer of \$21,891 within the CDBG budget from the housing rehabilitation line item into this program, which will facilitate four additional loans and administrative expenses. He feels this is really needed right now.

Finally, Mr. Tingey related that in the Redevelopment Agency a substantial increase under the Smelter Site is being proposed for low income housing. There is a requirement that 20% must go toward low income housing. With the NeighborWorks partnership, this \$180,000

request will allow funding to continue to acquire properties for rehabilitation within Murray. This funding change would come from Redevelopment Fund reserves.

Mr. Hill explained that an early retirement incentive was offered to employees with a focus to save money in the General Fund. That incentive was also offered to employees in enterprise funds and three employees in the Water Division elected to take that offer. Two of the three worked in the water quality area, which is primarily responsible for what the water looks like, what is in it and the production of City wells. Essentially, the City lost two of four employees in water quality. It was the intent to try and get by without those positions until the retirement payout was recovered. He said that four months of that period has elapsed and it would take over a full year to recover.

Since they have been gone, Mr. Astill and Mr. Hill have been concerned about some of the work not being done. He reassured those present that Murray's water still meets all the guidelines and standards and no one needs to worry about the water quality. There are some other things not getting done. Service kills, yoke repairs, service leaks, fire hydrant repairs and meter replacements are not being taken care of in a timely manner.

Mr. Hill commented that the division has had to shut down three wells because of problems and there has not been time to go out and evaluate the issues and complete the repairs. This is a great time to have those problems; however, had it been in July or August it would have been a more serious matter. Wells are being shut down now anyway, but, there is not enough staff to find out what is wrong with the wells.

There are other safety related issues, dealing with chlorine and fluoride, which are a concern because the staff is forced to rush through those processes, Mr. Hill stated. The employees have not been able to give adequate attention to fluoride tank and barrel change outs, chlorine cylinder rotations and other routine maintenance.

Interruptions have occurred with the water quality sampling process. Mr. Astill reiterated his concern that many things are not getting done. These employees are getting called off to do other things.

Mr. Hill has asked the Mayor for the approval to replace two of the three employees who left during the early retirement incentive. He has gone to the salary review committee, which gave a positive recommendation. However, it is a budgetary issue because the money was spent in the payout leaving no funds remaining to pay any new employees. He was requesting \$72,750 to pay the salary and benefits of two employees until the end of the year.

Mr. Shaver asked how those funds would be divided. Mr. Hill stated that they will probably be split evenly because those employees would be the same grade. He expects to start the advertising right after the budget amendment on November 15 and hope to have them on line in December. The money would come from Water Fund reserves and would not result in any sort of rate increase.

That completed the budget amendment request Ms. Wilson commented.

**Business Item #2**

**Workload & Salary Review for Municipal Court Judge –  
Judge Paul Thompson**

Judge Thompson distributed some materials pertaining to his presentation. Relating to some matters that hit the press earlier this year, Judge Thompson reported it was factually untrue that justice courts hoard money, force guilty pleas and needlessly hold review hearings.

It is actually more work to bring offenders back to be accountable and does not produce more revenue.

He thanked the Mayor and Mr. Nakamura for the professionalism of the City prosecutors who are well trained and well prepared for their cases. Police officers who appear in court are always dressed well and Murray has 90% to 95% attendance, which is excellent. They too come prepared to testify, which is a great benefit to the work of the court.

The Murray Court continues to be one of the busiest single-judge courts in Utah, processing over 15,000 cases per year. He feels it is done efficiently, even though the budget has been reduced by almost \$300,000 since 2007.

Judicial duties have increased significantly. When Judge Thompson took the position, small claim cases were being handled by a senior judge who came in on week nights. The court accepted a recommendation by the City to replace the as-needed court security officers from the constable agency with two full time police certified court officers. Because of that full time service it was necessary to terminate the evening judge for small claims. Judge Thompson now handles all the small claims during the day. The number of those cases has increased substantially because the legislature increased the jurisdictional limit to \$10,000 where before it was \$2,500. Now the City court is seeing Siegfried and Jensen filing cases in Murray and there are cases with both parties being represented by attorneys. The legislature seems intent on turning small claims into district court proceedings. There are more issues involved in that. It has increased his work load.

For background, the Judge explained that for domestic violence and drunken driving cases the court orders defendants to come back on a periodic basis to show compliance with court orders. In the past, a court clerk checked the fulfillment of those orders; however, that became an issue in the press, so the Judge presides over all the review hearings. This is time that he formerly used to review sentencing reports, motions, video arraignments and other matters.

Judge Thompson complimented Mike Williams as the best Court Administrator in the state, who instituted a study to reduce repeat offenses in DUI cases. The state average for repeat offenses is 30%, or 3 out of 10 people. If offenders go through Murray Court's requirements the rate of repeat offenses is only 9%. This is a substantial benefit to the community and valley.

Regarding the salary issue, Judge Thompson informed the Council that the state code requires that each governing body in a municipality with a justice court shall annually review and may adjust compensation paid. The Murray court is required to have a full time judge due to the case load. From an ethical standpoint, a full time judge cannot practice law. (As a part time justice court judge one is able to practice civil law.) The statute requires that a justice court judge be paid between 50% and 90% of a district court judge. Last year that range was from \$66,075 to \$118,935. The salary here in Murray is about \$18,000 under the maximum that could be paid. Many judges receive vehicle allowances in excess of \$400 per month, and his is \$100 per month.

The Administrative Office of the Courts (AOC) determines what courts need to have a full time judge, with the threshold being 6,000 cases per year. The Murray Justice Court does about 2.5 times that amount. Technically, there should be at least one other judge. Judge Thompson commented that in his opinion if one reviews the legislative history behind these statutes, it is clear that a full-time, law-trained justice court judge presiding over an urban court with Murray's caseload should earn the full salary allowed by statute.

Judge Thompson referred to some graphs he prepared, one showing the salary and how it compares to other courts. Ogden, South Jordan, West Jordan and Provo are all paid the statutory amount and one Ogden judge is paid up to \$130,000. His salary is noted. The West Valley judges work only four days a week and one has another position at Saratoga Springs.

Mr. Shaver asked about the caseload graph. He noted that Salt Lake City had 4.5 judges. One which is comparable is Taylorville, with 1.5, to Midvale and Murray's one judge based on their caseload.

Judge Thompson pointed out another graph showing the budget and amount used from fiscal year 2008 to present. He commented that the court is trying to do its' part during the economic recession. This economic climate also causes a lot of pressure and strains on the poor. There are people who have lost jobs and are unable to pay fines. It is interesting to deal with defendants on that basis too.

The Judge voiced his appreciation for working at the Murray City Justice Court and urged Council Members to contact him if there were ever any questions.

### **Business Item #3**

### **Information Technology (IT) Discussion – Tim Tingey**

Mr. Tingey mentioned a couple of things that he has talked about regarding the reorganization. One is the desire to continually communicate direction, especially with changes being introduced. Another is helping to understand the new divisions, which were departments in the past, what they do and how they go about the work that is done. He stated his appreciation for Mr. White, Mr. Carpenter and Ms. Richardson who were present that evening. He noted that Mr. White is the Network Administrator, Mr. Carpenter is over programming and Ms. Richardson is the GIS Administrator. So often, he stated that he has taken their work for granted in his day to day functions. A lot of time is put in to keep the City going and keep technology moving forward, including crisis situations, which many times, occur on weekends. Just recently, Mr. White was here on a critical server issue on a Sunday. There is a lot of time, effort and devotion to the work that they do. They really work to help the end users and understand that viewpoint as programs are developed. On the mapping, Ms. Richardson provides vital support especially for public services. He expressed how much he really appreciates all their efforts.

The IT Division does very important work related to computer support, programming, application administration, server administration, user training and support, and maintenance of security systems. Since the reorganization the IT staff includes Mr. Rob White who supervises Bonnie Park, Ryan Madsen, Trong Le, now Juliette Dorsett (Police) and Claude Jones (Fire). As part of this division they work toward the goal of enhancing our technology efforts. Dave Carpenter and Roy Wall do the programming and have great results for the end user in many applications from business licensing to utility billing to a variety of different things.

The GIS division provides programs, data research and mapping products to increase efficiency. They create and publish mapping products. In the land use side of things the GIS maps are critical and are important in providing data, in presentations and for infrastructure in a variety of areas. The staff people are Janie Richardson, Steve Kollman and Matt McQuiston.

Mr. Tingey stated that a lot of changes are being worked toward, which stem from the IT Strategic Plan. He has reviewed the plan and is beginning implementation.

The primary goal of the Strategic Plan was to evaluate the City's use of technology, develop a road map for future IT investments and better align our resources with business requirements. Key beginning points of implementation include these three areas:

- Developing an information technology governance committee;
- Developing and adopting IT policies and procedures;
  - Creating technology standards that deal with the day to day operation regarding how we all function and the standards for:
    - Internet use;
    - Email use;
    - PC use.

The IT Governance Committee (ITGC) has been established and includes department directors from a number of departments. He said it is starting small and will expand in the future. Representatives from the Mayor's office and from the Council office are included. Within this group an IT Governance Policy has been adopted. This policy determines how the committee will function and evaluate standards, products and investments related to technology in the City. It will cover statistics on how well the division functions and will report and provide recommendations to the Mayor regarding IT functions. The ITGC will also make recommendations to the Council on investments through the budget process, Mr. Tingey explained.

The role of the committee is to provide insight and input for technology programs and services and to shape the framework of the governance policy in which technology investments are evaluated. For example, Mr. Tingey asked how the City would consider a major investment or change for a system, whether it is for the AS400, investment in security systems, or phone systems. Rather than one person coming to request systems, the strategic plan outlines a collaborative effort, allowing end users, department representatives, and City Council members to evaluate information provided by IT staff to make recommendations and decisions on future investments and processes. This is really the role and purpose of the committee.

The committee will be based on a formal process. Guidelines within the policy and procedures have been established. A monthly meeting will be held, with a quorum and an information packet that will go out one week in advance. Written minutes will be kept with an opportunity to review the discussion. Decisions of the committee can be appealed to the Mayor by a department Director.

Mr. Tingey explained that the committee will review:

- Investment of new technology including hard ware and software packages;
- Purchase of IT equipment over \$10,000;
- Renewal of a contracts related to hardware and software maintenance & support;
- Procurement requests for technology services;
- Changes, modifications or statistics of customer service processes;
- Annual budget requests;
- Technology infrastructure changes or upgrades;
- Modifications or enhancements from current systems;
- Other issues related to the above.

The policy standards are general broad standards that if evaluated for change or investment these are the things that will be considered and the policies that will be adhered to:

- Data and software within the City will be shared to the extent possible;
- IT activities will be aligned with the Murray City Strategic Plan goals;
- Development and standardization of an integrated communications network for delivery of data, voice, image and video information will be the standard;
- Changes to systems or processes must impact the effectiveness and efficiency of the City.
- Ongoing cost savings in hardware and software will be a major point of consideration; however, it will not be the only consideration;
- Future considerations will be to promote modernization of the City's IT infrastructure;
- Changes to systems must be analyzed on impact to the end users, managers, citizens and customers, and IT staff support;
- New systems must meet regulatory requirements to federal, state and local standards;
- In selecting either a hardware or software system, and evaluation of best practices in the industry must be considered;
- Approve or consider technologies that are proven and established, rather than the latest fad or trend;
- Changes and upgrades will only be considered if IT staff and other experts have analyzed the impact on current systems.

Anything that is evaluated, whether it comes to the Council at the budget level or any other area, should meet these general guidelines.

Mr. Tingey commented that the procedural process has been established, as well.

- The monthly agenda will include any requests by departments for investment of hardware or software;
- Written request by department, staff report and recommendation will be provided to the committee;
- Analysis of the integration with systems and reference checks will be included;
- The committee will deliberate on a proposal and make a decision.

These are items that would have already been budgeted. If changes to the budget are being considered, it would go through the budget process and the ITGC would have communication and involvement with that.

The committee would review the annual IT budget and provide recommendations to the Mayor and Council. The committee will conduct annual reviews of new technology systems to see if it is working properly or if there are problems. User groups will be included to provide input, end users in particular.

The committee was established on October 17, and meeting times were scheduled. IT customer service modifications will be made soon. The committee has reviewed the plan and some adjustments are being completed. There will be a central call-in location for problems and needs. Requests will be logged into a new system that will track it in the process. Emails will remind staff regularly for follow through. This is a free system called Spice Works that the division has implemented. It will also track statistically how we are doing in customer service response. We are calling it the Help Desk program and requests can be submitted on line. It is

very simple to use. Service requests will be sent to Mr. White, who will assign them to staff members. It will help the IT area to determine the priority and track it better. It will be unveiled in the next few weeks. The committee reviewed the process and provided some input.

The committee provided recommendations on the budget amendment that Mr. Tingey presented and policies and procedures have been adopted. The ITGC is currently working on the technology standards for the end users in the work they do. Other items to be worked through with the committee include IT strategic plan recommendations, a PC replacement program, cell phone policies and an evaluation of the AS 400. This is just a summary of the governance committee. Collaborative effort is the goal by getting people on the same page and bringing recommendations forward to help with IT decision making. We hope to build the IT and GIS areas into more of a strategic partner within the City, Mr. Tingey remarked.

Future Council action will involve a form of endorsement of this plan. Mr. Tingey will provide a final version for consideration. As the ITGC works through implementation it is important to have the Council comfortable with the elements of this plan. The endorsement will be by formal resolution. He will request ongoing review of technology investment regularly in the budget process.

Mr. Shaver noted that fiber is a part of that information technology. He reiterated that Mr. Tingey pointed out the committee would look at data, voice, and video – all of which can be used through a fiber operation. Mr. Tingey agreed. Mr. Shaver asked if that is something that will be considered by the committee. Mr. Tingey stated that it probably will be; however, they have not gotten that far along in discussions. The ITGC has only met once. Implementing these elements has been the focus of discussion, many of which concern the day to day operation that is impacted by fiber. It will definitely be part of the purview.

Mr. Shaver asked if it would be of service to his department and the City as a whole if more of the departments were in a localized area, not split in three different buildings. Mr. Tingey responded that it does help. Time and effort is spent if staff must travel to another facility; however, it is not a huge issue. There will always be fire stations that need IT service provided. Mr. Shaver said that in his opinion, and he has not talked with other Council Members, during the budgeting process ways to save money are considered and many times it is necessary to invest to save. If staff can just get into an elevator and not a car, time is saved. He mentioned that he had technicians working on his computer from a remote location, nowhere near his office. They had the ability to fix his computer without being onsite. Mr. White indicated that he has the ability to do that now. Mr. Shaver stressed making service more accessible and the opportunity to save money doing so. The benefits of working from one building may save time and money, and it is something the Council is considering. Those are some issues he would like the ITGC to look at and how it might benefit the City.

### **Announcements**

### **Mike Wagstaff, Council Executive Director**

Mr. Wagstaff stated that he needed to set some dates for the Strategic Plan Retreat. He asked for a response from Council Members as soon as possible.

There being no additional business before the Council, the meeting was adjourned at 6:25 p.m.

Janet M. Lopez  
Council Office Administrator