

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 2nd day of October, 2012 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Jim Brass,	Council Chair - Conducted
Brett Hales,	Council Member
Darren Stam,	Council Member
Jared Shaver,	Council Member
Dave Nicponski,	Council Member

Others who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Gil Rodriguez,	Fire Chief
Craig Burnett,	Assistant Police Chief
Justin Zollinger,	Finance Director
Doug Hill,	Public Services Director
Blaine Haacke,	General Manager
Glen Sidwell,	Safety/Risk Manager
Phil Roberts,	Fire Marshal
Mike Terry,	Human Resources Director
Danny Astill,	Water Superintendent
Bruce Turner,	Operations Manager
Jim Hendrickson,	Shade Tree Commission
Geneal Nelson,	Shade Tree Commission
Darin Bird,	Shade Tree Commission
Scouts	
Citizens	

5. OPENING CEREMONIES

- 5.1 Pledge of Allegiance – Randy Smith, Boy Scout
- 5.2 Mr. Brass stated that there is a tradition in Murray to have the Scouts in attendance stand and introduce themselves, their Scout Leaders and which Merit Badges they are working on. The Scouts introduced themselves.
- 5.3 Approval of Minutes for August 21, 2012.

Call vote taken. All Ayes.
- 5.4 Special Recognition:
 - 5.4.1 For Outstanding Achievements in Corporate Safety **“The Award of Merit” from the Utah Safety Council** is presented to Murray City.

Staff presentation: Glen Sidwell, Safety/Risk Manager

Mr. Sidwell stated that each year, the Utah Safety Council recognizes and honors those companies who supersede their partners in safety and this year Murray City received the Award of Merit. In order to be considered for this award an organizations workplace incident rate must be lower than the national average for the industry, must demonstrate continuous improvement or sustained levels of excellence and must have the essential elements of a safety program. Some of these elements include a functioning safety committee, a written safety and health program, a city-wide emergency action plan, periodic safety observations, safety training, and a company who has not suffered a fatality during the year. This is the third year in a row that Murray City has received this award and fourth overall. In 2011, our employees worked close to 850,000 hours with only 21 recordable incidents and only two involving days away from work. So far this year, the City has had only ten recordable injuries so we are on track to beat last year’s record by 30-40%.

Mr. Sidwell stated that he is proud of each department. He represents every employee in the City and knows that the City has some outstanding departments who have worked hard to enhance the safety program and to create a culture that is free of incidents and hazards and make this a safe workplace. Mr. Sidwell expressed his appreciation to the departments for all of their hard work. He encouraged all departments to continue working diligently to enhance and improve, adding that there are several more awards that they can win with the Safety Council. Their goal is to continue down that road to safety.

5.4.2 Consider a Joint Resolution of the Mayor and the Municipal Council of Murray City, Utah declaring **October 7-13, 2012 as Fire Prevention Week**.

Staff presentation: Phil Roberts, Fire Marshal

Mayor Snarr read the Resolution in its entirety.

Mr. Shaver made a motion to adopt the Resolution.
Mr. Stam 2nd the motion.

Call vote recorded by Jennifer Kennedy.

 A Mr. Shaver
 A Mr. Hales
 A Mr. Nicponski
 A Mr. Stam
 A Mr. Brass

Motion passed 5-0

Mr. Roberts stated that they are always grateful and that throughout the year they have many events that are fire prevention and fire safety, working with the Police Department. Murray is a very active and pro-active community with both volunteers and with staff. Mr. Roberts couldn't be prouder when he goes to legislative events and they talk about hazards and such, Murray just doesn't fit into a lot of those categories and it is pleasing to represent a city that is pro-active. These events have been supported by the Mayor, City Council, all of the civic and city leaders and it is nice to be a part of something that is so positive and he appreciates the City recognizing Fire Prevention Week.

5.3.3 Murray City's **28th Annual Beautification Awards Program** for 2012

Staff presentation: Jim Hendrickson, Shade Tree Commission

Mr. Hendrickson said that it is an honor to recognize individuals in our community who have taken an interest in their community and are now winners of this award. This is the 28th year that they have presented this award and Murray's 38th year for being a "Tree City USA." Mr. Hendrickson said that Murray City is a green city and wants to continue to be such.

Mr. Hendrickson stated that the residents of Murray City have an interest in Murray and in keeping it a good-looking, clean community and the Shade Tree Commission thanks all of those residents. Award winners for the 2012 Beautification program are:

- District 1- Snarr Residence- 5223 Spring Clover Drive
 - District 2- Lambourne Residence- 326 East 6240 South
 - District 3- Wilde Residence- 564 Spruce Glen Drive
 - District 4- Farr Residence- 5364 Avalon Drive
 - District 5- Brown Residence- 6100 Glen Oaks Street
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- Multi-Family- Monte Cristo HOA- 6350 Highland Drive
 - Single Family- Hansen Residence- 5837 Majestic Pine Drive
 - Xeriscape- King Residence- 6247 Turpin Street
 - Commercial- Costco Wholesale- 5201 International Drive

Mr. Hazelgren, representative for District #1, expressed his appreciation to Mayor Snarr for his work on his home and presented him with the award.

Mayor Snarr stated that there is no greater joy than to make something beautiful. That was something he learned from O.C. Tanner who really spent a lot of time and money on their landscaping. Mayor Snarr used to take care of the landscaping for their properties and for him it is something that he enjoys doing because it is very rewarding. Mayor Snarr said that his neighbors enjoy coming down to the house and seeing what he has done and he joked that what drove him over the top for winning was the 361 LEC C9 University of Utah light fixture on the roof.

Darin Bird, representative for District #2, announced the District #2 winners, the Lambourne residence.

Geneal Nelson, representative for District #3, presented the award to her good friend and neighbors, the Wildes. Ms. Nelson stated that every year they plant new flowers and everything is beautiful and flourishes there. Ms. Nelson enjoys driving by to see what is being planted at the residence.

Mr. Hendrickson announced the Farr residence as the winners in District #4, and presented the award for District #5 to the Brown residence.

Mayor Snarr said that it is wonderful to drive around the City and see those businesses that have gone above and beyond what it necessary to keep the City looking great.

Mayor Snarr presented the Commercial award to Costco, saying that Costco has a beautiful building and grounds and is the single largest source of revenue in the

City as far as a single store goes. Mayor Snarr presented the award to the General Manager of Costco.

Mayor Snarr said that the Multi-Family award goes to the Monte Cristo HOA, which is in the newer area of Murray. The Mayor presented the award adding that they have been a great addition and they have a beautiful, well maintained property.

Mayor Snarr said that the next award is really the 'Best of Show' and presented the award for the Single-Family landscaping to the Hansen residence. Mayor Snarr presented the Xeriscape award to the King residence saying that it not only conserves water but the vegetation is incredible. Mayor Snarr added that a landscape that conserves water and is very attractive is a wonderful thing to see.

Mr. Hendrickson concluded the award ceremony by thanking the City and all of its residents who take such an interest in our great community.

6. CITIZEN COMMENTS (Comments are limited to 3 minutes unless otherwise approved by the Council.)

Carol Coy, 6301 S 1300 W, Taylorsville, Utah

Ms. Coy indicated that she would like to be annexed into Murray. She provided some information to the Council and asked what the next steps are to begin the process and how many of the residents need to be a part of the annexation process. Ms. Coy stated that they are currently sandwiched between Murray and Taylorsville, with Murray on either side of her and Taylorsville across the street. She is hoping that her neighbors would want to be annexed as well, but needed to know, if she can only get so many people or if the whole area needs to be included.

Mr. Nakamura said that it is possible to do a boundary adjustment that would require the cooperation and decisions of both Murray and Taylorsville. It would need to make sense to Murray in terms of services that we provide and there are many factors that need to be taken into account. Mr. Nakamura said that he thinks they are in Taylorsville and that their initial step has to be with Taylorsville. There is a petition process, but they would look to Taylorsville as she is a resident of that city. Mr. Nakamura added that in addition to these issues there are also special district issues that need to be looked at.

Ms. Coy asked what happens if Taylorsville says no but the residents still want to be annexed. Mr. Nakamura responded saying that Murray could not do a boundary adjustment without Taylorsville's approval. There is a complex annexation process which is a whole other process requiring petitions, a certain percentage of property owners, taxes, etc. and the County would be involved in this as well. It is a long process and Murray would have to go before the Boundary Commission in Salt Lake

County as well. It would be best if they were able to get Taylorsville's cooperation in this matter.

Ms. Coy asked if she could get a petition and take that to Taylorsville. Mr. Nakamura said that he cannot give her any advice and the City cannot be involved or participate, and suggested she seek legal counsel on the matter due to the difficulty in the process.

Mayor Snarr noted that this area has been an area of concern for a long time. It is booked in by both the north and south boundaries. That area was not built out at the time they petitioned it to become part of Murray. Because it was under the ownership of one developer at the time, it was easier to tag Murray's sewer system there because they ran it to a nearby development. If they had tried to annex before becoming a part of Taylorsville, a boundary adjustment may have been made.

Citizen comment closed

7. CONSENT AGENDA

None scheduled.

8. PUBLIC HEARINGS

8.1 Staff and sponsor presentations, and public comment prior to Council action on the following matter:

Consider an Ordinance amending Section 13.08.050 of the Murray City Municipal Code amending the Water Connection Impact Fee Schedule.

Staff presentation: Doug Hill, Public Services Director

Mr. Hill stated that a year ago, the Public Services Department hired a consultant to update the City's five year Master Plan. That was presented to the Council last year and as part of that process the Council then adopted the projects that were identified in that Master Plan that needed to be done over the next five years.

Mr. Hill said that shortly after the Council adopted the Master Plan, they hired a consultant to do a fee study analysis for their Water Fund based on the Master Plan and the new improvements. The consultant completed that study three or four months ago and that consultant presented the results of that fee study to the Council. The good news is that the consultant, after reviewing the City's Capital Projects, fees and cash position, made the recommendation that the City did not need to do any adjustments to the water rates. For the foreseeable future they feel that the Water Fund is in good shape and there is no need to make any adjustments to the water rates. There was a recommendation to

change the impact fee for water. An impact fee is a fee that is charged for new development in the City. If a new home or business were to come in to the City and connect, they would pay an impact fee for the water system. This is allowed under State Law and is something that is of great benefit to people who currently live in the City because rather than having all of the existing residents having to pay for all of the growth and new development, this impact fee is an extra fee paid by the new development to cover the costs of connecting to our system.

Mr. Hill stated that up until this time the City has been using a methodology to collect that fee that is a complicated process. The consultant came in and said that the City should go to a more standard or uniform process of collecting this impact fee and that is what is being presented tonight. They want to change the methodology in which they collect the impact fees by going to meter size. It would be dictated by the size of the meter which is placed at the home or business. The larger the meter, the more water you will use and the higher the impact fee. In the materials that Mr. Hill distributed to the Council it shows that charge that a developer would pay for connecting to the City's water system for the first time. This fee does not change or affect residential homes; any new, single-family residential home that is being built in the City would pay the same fee that they have been paying for the last several years.

Mr. Hill summarized by saying that the Ordinance is to change the methodology from the number of residential units that are being built to simply a meter size and the fees for those meter sizes would be adopted as part of that Ordinance change.

Public Hearing opened for public comment.

None given.

Public comment closed.

Council consideration of the above matter.

Mr. Shaver asked if he remembered correctly in saying that the consultant had come in and said that in other communities throughout the U.S. this is a standard way that they calculate their fees. This means that we would go to the way that others are doing in other communities. Mr. Hill responded that was correct.

Mr. Nicponski made a motion to adopt the Ordinance.
Mr. Hales 2nd the motion.

Call vote recorded by Jennifer Kennedy.

- A Mr. Shaver
- A Mr. Hales
- A Mr. Nicponski
- A Mr. Stam
- A Mr. Brass

Motion passed 5-0

8.2 Staff and sponsor presentations, and public comment prior to Council action on the following matter:

Consider an Ordinance repealing Chapter 13.20 and amending Sections 13.48.050 and 13.48.055 of the Murray City Municipal Code amending the Storm Water Utility Fee.

Staff presentation: Doug Hill, Public Services Director

Mr. Hill stated that this is a little bit different than the water issue. This is for the Storm Water Utility which is similar to the water, power and sewer and everybody who owns a piece of property within Murray pays to this utility. The fee is based on the amount of impervious surface that is on the property-that property that does not absorb water such as rooftops, parking lots, driveways and sidewalks. In 2006, the City started this Storm Water Utility and they charge residential and commercial properties a fee based upon that impervious surface.

Mr. Hill said that the Master Plan was updated, the fee study was done, and the consultant came back with several recommendations for the Storm Water Utility. The first recommendation was that the City needs to have a rate increase. They have been operating under the same fee for six years and that dollar buying power has decreased over the years, yet they continue to have problems throughout the City with improving the infrastructure. There are areas in the City that will flood in big storms, they have additional requirements that the EPA has put on the City to make sure that the storm water is being collected and disposed of properly. As a City, we are now put into a position where we have to do enforcement to make sure that people don't dump their oil and fertilizers down the storm drains. The cost to the City to make sure that the storm water is clean before it goes into our creeks and rivers have increased. The consultant had indicated that to accomplish the goals of our Master Plan, to fix these problem areas, we can't do it without doing a fee increase.

Mr. Hill stated that what they have proposed is a five-year rate schedule that will increase the fees on July 1, 2014. Everyone would see what is called a "50 cent per equivalent residential unit". Right now all of the single-family properties pay \$3.55 per month to the

Storm Water Utility. That fee will go up \$.50 or to \$4.05 per month on July 1, 2014 if this is approved. For the commercial properties, it is also an increase of \$.50 per equivalent residential unit. The more rooftop area or impervious surface that they have the fee would be multiplied by that amount. This would mean that businesses or developments would see a higher increase in some cases over due to the amount of impervious surface that they have. In 2018, which is the last year of the rate schedule, that fee would increase an additional \$.60 per month on top of the \$4.05. These rate increases will allow the Public Services Department to go out and bond knowing that they have this rate schedule in place and bond to make improvements to the system over the next five to ten years with the additional monies that will be collected.

Mr. Hill said that the second thing this Ordinance does is similar to the water rates to where they are changing the methodology by which they collect an impact fee for storm water. It is the same principal where they will charge new developments for storm systems where they have to improve and repair as a result of growth. They have been charging an impact fee but they are going back to a standard methodology which will be based on the equivalent residential unit. They have also made some technical changes to the Storm Water Ordinance, deleting some duplicative language and included another section to the Code.

Mr. Hill concluded by saying that both of these Ordinances, the water and this storm water ordinance should the Council adopt it, will go into effect 90 days from today which will give them time to get some information into the utility bills as well as the Murray Journal to make people aware of the change. This will not affect anyone in the City until July 1, 2014 when the rate will go up. The impact fee will change in 90 days but the rates will not.

Mr. Nicponski asked Mr. Hill to describe some of the projects that this money will help pay for.

Mr. Hill said that they have a project coming up next year along the Kenwood and Avalon area where they do not have good storm drainage and there are a lot of irrigation ditches in that area. Another problem area is at 5900 South, west of State Street which has a very old storm drain which is also very big- 5' from top to bottom. This pipe was built from corrugated steel and over time it has started to rust out and they plan on replacing that drain in the next couple of years.

Mr. Hill thanked Mr. Astill for his work on water and waste water saying that Mr. Astill is very progressive and always makes sure that the fund is in good shape. He also thanked Russ Kakala and Trae Stokes for all of their work on these studies.

Mr. Shaver added that these rate changes will also be noticed in the paper and at City Hall to make the public aware.

Public Hearing opened for public comment.

None given.

Public comment closed.

Council consideration of the above matter.

Mr. Brass said that he and Mr. Astill share responsibility on the Central Valley Water Conservancy Reclamation Facility Board and the EPA is looking at the Jordan River right now. All of the City's storm water ultimately ends up in the Jordan River and the big concern right now is phosphorus levels and trying to reduce that. If they take it to a level that they are hearing, the cost to the plant could be \$30 million and the City would have their share of that cost. If we have to treat our run-off, the cost to the City could be many times that amount, and mitigating that is critical to Murray. When it rains, all of the water goes into the sewers as well as oil, leaves, grass and anything else. This ultimately ends up in the Jordan River raising the oxygen levels, which affects the organics and the fish. This is a fairly modest fee compared to what residents could be paying if we had to treat the water.

Mr. Shaver added that sewer water and storm water are treated differently. Sewer water is treated in order to reclaim it while storm water is not treated at the present time. It could straight into the rivers and streams, so the idea that we may have to treat this water in some way is one of the considerations that they have. They are also cautioning people through citizenry meetings asking people to be careful of what they put into those storm drains because it is not treated water and goes straight into the lakes, streams and rivers. If we cannot control it, eventually it will be treated and that will be a prohibitive cost for the City.

Mr. Nicponski made a motion to adopt the Ordinance.

Mr. Shaver 2nd the motion.

Call vote recorded by Jennifer Kennedy.

 A Mr. Shaver
 A Mr. Hales
 A Mr. Nicponski
 A Mr. Stam
 A Mr. Brass

Motion passed 5-0

9. UNFINISHED BUSINESS

None scheduled.

10. NEW BUSINESS

- 10.1 **Consider a resolution approving the amendment to the Interlocal Cooperation Agreement between the City and Cottonwood Heights City, Draper City, Salt Lake City, Sandy City, South Jordan City, South Salt Lake City, West Jordan City, West Valley City, Unified Police Department, Salt Lake County Sheriff's Office, Granite School District, Utah Transit Authority and the University of Utah regarding the creation and operation of the Valley Police Alliance.**

Staff presentation: Frank Nakamura, City Attorney

Mr. Nakamura stated that this Resolution is renewing an agreement between the cities. The Valley Police Alliance Interlocal Agreement is a way of sharing law enforcement resources across jurisdictional lines as in mutual aid agreements. This is also an opportunity, if it presents itself, of economies of scale to be able to share equipment or services. This allows all of the entities in the valley to share and be able to cross jurisdictional lines if there is a need to do so. This agreement expired and they want to renew the agreement for an additional three-year term, renewable after that time unless the City decides otherwise. Usually the only time an agreement like this changes, is if there is a change in the different entities and that is why this one expired. Unified Police and the entities have changed over the years and the agreement needed to be amended.

Mr. Hales made a motion to adopt the resolution.
Mr. Shaver 2nd the motion.

Call vote recorded by Jennifer Kennedy.

 A Mr. Shaver
 A Mr. Hales
 A Mr. Nicponski
 A Mr. Stam
 A Mr. Brass

Motion passed 5-0

11. MAYOR

11.1 Mayor's Report

Mayor Snarr indicated that Ms. Wells had distributed information regarding the participants in the City's Vehicle Replacement Committee. Based upon that, the Committee has made recommendations on vehicles that will be included in this year's CIP plan. This has been reviewed and they have been very conscientious about looking at vehicles with others input on what would be the best vehicles for the City to acquire and the amount of savings that would incur.

Mayor Snarr said that along Vine Street coming to the east, across from Forest Products, a major clean-up has been taking place. There was some contamination and other issues that they had to deal with and they have taken out about 40 large trees from that area. They also had to remove a lot of buried concrete that they were not aware was there. The Kimball Investment Group purchased this property from Granite Credit Union and they are thrilled with the amount of property they are contemplating removing the last building that remains on the property, but need to evaluate the costs involved. Currently they do not have any potential buyers for the land, but want to give the property a clean bill of slate and make it more attractive. They are also looking at acquiring some additional property in the area and feel that it would be desirable for them to look to this additional property to provide parking for the other property and land resources.

Mayor Snarr pointed out that this is another example of someone catching the vision of what is possible here in Murray and see the potential for the future, particularly with the development of the commuter rail site. They are being really aggressive on that line, and if it is going to open in December of this year they are going to need to get the pavement down. In speaking with the representatives of UTA, the Mayor is very excited about the development and the potential.

Mayor Snarr indicated that the Marriott is having some financial challenges, but they are working on resolving these issues. The County is going to move forward and probably start next year, in making that agreement stand as far additional restrooms, taking down the bleachers, putting in additional parking and enhancing the landscaping. Right now there is an issue on the Rugby Field with it not getting enough sun and the County will be reorienting that as well. They are looking at orienting it the same way as all football fields are and that is changing it to a north-south orientation. There may be enough space to have two rugby fields and they would put in portable bleaches for both of them. They have so many venues there that it would be nice to do games simultaneously. There are so many activities in the park and these areas are well used.

Mayor Snarr said that the Miller Group really wants to open the new dealership in January, but as with the Chick-Fil-A, the issue is with laying the asphalt down and getting it done while the weather is still good. If they can get that done, they will be able to open on time but if the weather turns, it may be Spring before it can be completed.

11.2 Questions of the Mayor

Mr. Hales asked the Mayor to explain his comment on the Marriot and Kimball's "slowing up" because of funds.

Mayor Snarr said that right now, it really doesn't pencil out and they are trying to go back and work that out. Marriott came back with some much higher standards that they expect for the rollout of the new Residency Inn's. If you are a franchisee you have to live up to those commitments and they are going back to the corporation and saying that they bought the property under the prior understanding, can they be allowed to go back and look at some of these things that are not going to cheapen the quality of product. They are holding meetings and working on these issues. The Mayor would really like to see that site cleaned up, especially the slope that the County controls, but no longer owns.

12. ADJOURNMENT

Jennifer Kennedy, City Recorder