



MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, May 17, 2016, in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

Council Members in Attendance:

Blair Camp, Chair	District #2
Diane Turner, Vice-Chair	District #4
Dave Nicponski	District #1
Jim Brass	District #3
Brett Hales	District #5

Others in Attendance:

Ted Eyre	Mayor	Jan Lopez	Council Administrator
Jan Wells	Chief Admin. Officer	Janet Towers	Exec. Asst. to the Mayor
Pattie Johnson	Council Office	Jennifer Kennedy	City Recorder
Kim Fong	Library Director	Frank Nakamura	City Attorney
Tim Tingey	ADS Director	Jennifer Brass	Resident
Justin Zollinger	Finance Director	Doug Hill	Public Services Director
Danny Astill	Water Superintendent	Jared Hall	Community Development
Russ Kakala	Public Services		

Chairman Camp called the Committee of the Whole meeting to order at 5:15 p.m. and welcomed those in attendance.

1. Approval of Minutes

Mr. Camp asked for corrections and approval on the minutes from April 19, 2016. Mr. Brass moved approval. Ms. Turner seconded the motion. All were in favor.

2. Business Items

2.1. Reports from Representatives to Boards of Interlocal Entities

2.1.1. Russ Kakala – Trans-Jordan Cities

Mr. Kakala reported the retirement of both Executive Director, Dwayne Woolley, and Operations Manager, Craig Jorgensen and interviews were completed. Mark Hooyer, from Kleinfelder, who had experience in environmental science and engineering consulting, was hired as Executive Director. Jaren Scott, from Summit County Solid Waste, was hired as new Deputy Executive Director. A tentative budget had been sent out. Insurance for Trans Jordan's employees would increase by 8.5%, with a proposal of 1% COLA and 2% merit increase. Tipping fees would remain at \$14 for the year. An increase of 50 cents per ton had been suggested by the former director, however it had been denied for the past two years. Mr. Kakala believed the increase was imperative within the next year and if not an increase of 50 cents, one dollar would be reasonable. Not a huge impact, however, it would provide \$6,000 per year for the organization. Nothing was reported on Sandy City's gasification plant.

2.1.2. Kim Fong – Murray City Library

Ms. Fong explained long range planning goals, a three year plan would be ending June 30, 2016 and the following achieved goals were reported:

Goal #1: Become a comfortable, flexible and efficient destination. Efforts had been made to change and improve daily operations at the library. A small amount of remodeling was completed at self-check-out machines, efficiency improvements to staff areas were completed and the furniture had been rearranged to accommodate guests and employees.

Goal #2: Provide worthwhile, relevant and engaging activities for patrons. She felt this was the most successful of all goals. Numerous programs that were well received and attended had been added. For instance, a Russian story hour for the Russian community and a bilingual Spanish story time had become popular. The Latino community and others have shown great desire to expose children to the Spanish language. After school programs for all ages, particularly an after-hours lock-in program for teens, had become extremely popular. Her enthusiastic staff had done a wonderful job in attaining knowledge about what programs were most appealing for various age groups, resulting in a full, too often, overflowing parking lot.

Goal #3: Promote the library to the Murray community. Over the last three years the library had become a regular fixture for groups and events such as the Power Fair and Health and Safety Fair. Also, participation in the Murray City Fourth of July parade was utilized as an outreach. Regular visits to surrounding schools had kept them very involved with community.

Goal #4: Use technology to make content and services accessible to patrons. An increased popularity in E-book services was significant, as well as, the self-check-out system.

Monitoring items leaving the library was more efficient. Thefts were down due to the new technology.

Goal #5: Avidly promote reading and learning. By incorporating a program referred to as “Reader’s Advisory”, the library obtained opinions and input of patrons, as to their interests. As a result, the library could suggest fun, new and interesting subject reading material.

Goal #6: Achieve a Quality Library certification from the State of Utah. The library has received the certification.

Overall, every goal had been achieved. Plans for the next three year cycle, and setting new goals, was underway.

Ms. Turner stated she enjoyed the library often and was quite impressed with the staff. She added how easy the new self-check-out system was and noticed the staff was very willing to assist patrons who might be struggling to utilize it.

2.1.2. Diane Turner – Legislative Policy Committee (LPC)

There had not been a meeting since the end of the Legislative Session. The Utah League of Cities and Towns (ULCT) reviewed bills during the Mid-year Conference in St. George. The administration recently sent out a list of bills, with required action, which would have an impact on Murray.

Items discussed in the Interim or again during the next session were:

- The committee formed to discuss Housing and Homeless Reform Initiatives.
- Short term rentals - Considered disruptive internet based industry will be studied in the interim.
- On-line sales tax - This bill passed in the Senate but was kept from a vote in the House. It may come back next year.
- Sales & use tax exemptions for the machinery & manufacturing industry.
- Beekeeping modifications
- New auto dealer amendments - This bill will probably come back next year with a new set of rules for on-line auto sales and franchise law.
- Medical marijuana bills - Potential to become a ballot initiative in the future taking away control from local and state government.
- Retail bag reduction program - likely to re-emerge next year.

2.1.4. Mayor Eyre – Council of Governments (COG)

Mayor Eyre described Murray City’s payment to COG. The annual payment of \$3,256.78 to COG for their services was based on the property value of Murray City, which is slightly under 4 billion dollars. Salt Lake City was worth just over 20 billion dollars.

Intertwined with COG, is the Conference of Mayors (COM) organization. With essentially the same members, a decision was made to alternate the two groups for future meetings. The two organizations had been duplicating efforts, discussing identical issues and having the same guests presenting at each individual meeting. The new schedule will have COG holding four meetings and COM holding six meetings per year.

Murray City hosted the most recent COM meeting and thirteen mayors attended. Discussions included, what specifically each city was doing to become a more vibrant city. What events a city had participated in, environmental and sustainability issues were also shared to give the other cities new and efficient ideas.

Mr. Nicponski inquired if Mayor McAdams attended COM meetings. Mayor Eyre confirmed that he did attend and both meetings were always well attended.

Mayor Eyre touched on differences between the two groups. Issues such as, refugees in a city, homelessness and veterans' programs, were typically discussed during COM. Most recently, an idea came about for constructing a veteran's memorial site in a specific city by way of donations.

During COG meetings, more regional issues were discussed and resolved, by hosting organizations such as Wasatch Front Regional Council to discuss the Mountain Accord. Also, city health problems, Valley Emergency Communications Center (VECC) issues, transportation and corridor matters were generally covered in COG meetings.

2.1.5. Mayor Eyre - Utah Telecommunications Open Infrastructure Agency (UTOPIA)

2.1.6. Justin Zollinger – Utah Infrastructure Agency (UIA)

New, full-time Operating Officer, Roger Timmerman had returned to UTOPIA and had shared his visions during a recent meeting with Mayor Eyre. The organization is talking about bonding against UIA revenue in the near future. Mr. Hales inquired how it affected Murray City. Mayor Eyre believed, if revenues did not meet the bond, cities would be asked to guarantee the bond. Mr. Zollinger explained, since the city had already pledged its current revenue and if UIA could not meet bond payments, the city would be held accountable. Mr. Zollinger shared his disbelief that a bank would issue bonds on those revenues without some guarantee.

Mr. Brass stated that UIA was a separate legal entity from UTOPIA and franchise taxes were pledged to UIA. Mr. Zollinger clarified that sales tax were allocated to UTOPIA. Mayor Eyre reported the payment last year was \$1.7 million with a contract lasting another 25 years.

Mr. Zollinger distributed a chart tracking UTOPIA customer numbers in various cities. For instance, because Tremonton did not join UIA, UTOPIA did not offer the lease program resulting in only one new customer within the last five years. In 2014, UTOPIA began the lease program there and since that time, 175 customers have been added, more than a 50% increase in just a year and a half. In the same time, Brigham City added 178 customers, Layton 499, Murray 229 and West Valley added 139 customers.

Under what was considered connectable addresses, Brigham City added 745 connectable locations, which is a take rate of 23% with the 178 new customers. Centerville had built up a customer base for a longer time, and had nothing to do with new build. Layton, in 2014, had 2500 available addresses and are now up to 6,000 available addresses. Most bonding and lawsuit settlement money was aiding their build-out. Murray, surprisingly, added over 2,000 new addresses. West Valley increased from 4600 to 7700 new addresses. Mr. Zollinger tracked information from various reports to see where new construction was taking place because UTOPIA does not report that information.

Ms. Lopez inquired if marketing was a tool used in the areas where addresses were being added. Mr. Zollinger answered that a change in UTOPIA marketing had occurred. Gary Jones, the Marketing Director left the company, leaving the marketing assistant to do the marketing. Mr. Zollinger was not sure what method was being used to contact customers.

Mr. Camp stated he had received pop-ups on his computer, as an advertising method from UTOPIA, however, UTOPIA is not available in his neighborhood.

Mr. Brass inquired about the take rate. Mr. Zollinger reported of the total new addresses built out, the take rate was a percentage of people who actually signed on to receive service and that percentage was different from city to city. For instance, percentages for Murray reflected 2000 new addresses, however, only 11% of them took the service. Without a high take rate, infrastructure would not be utilized as it should.

Mr. Zollinger stated another bond would be a disappointment because the revenue did not make it cost effective. He feels they are fully bonded, with no more capacity. Mayor Eyre reported UTOPIA had contacted Laura Lewis about the possibility of bonding.

Mayor Eyre inquired if the 229 new addresses were net, taking into consideration the turn rate. Mr. Zollinger confirmed they were net new addresses.

Mr. Nicponski stated three cities, West Valley, Midvale and Layton can decide whether UTOPIA would bond again. Mr. Zollinger explained that weighted voting is really dangerous if you are not a majority city in the decision. Mr. Zollinger reiterated his surprise if bonds would be issued on this type of revenue without an additional type guarantee from those deciding cities.

Mr. Camp stated budget numbers reflected UTOPIA operated with a net loss and a better solution was imperative.

2.1.7. Blair Camp – Valley Emergency Communications Center (VECC)

Mr. Camp reported VECC had continued implementation and consolidation of new software. The biggest issue at hand was why 911 revenues were down, with the overwhelming use of cell phones. John Morgan would continue to research to find out the reasons for the decline and attain more details from the state auditor. With continued decreases in that funding, the city would need to make up for the loss in fees. Nothing more was reported.

2.1.8. Brett Hales and Jan Lopez - Association of Municipal Councils

Martin Jensen, Director, of the Salt Lake County Parks and Recreation was the guest speaker who reported on the process of creating a new Parks and Recreation Master Plan, a three year project. Mr. Hales reported that county parks realize 4.5 million annual visits /participants every year to various amenities.

Mr. Hales stated the ZAP-3 Plan was very interesting and 31 applications had been submitted. Funding was for \$75 million, over a 10 year period; \$50 million for new projects and \$25 million for capital renewal projects. Murray requested \$3 million. In June of 2016, the board would present final recommendations to the Salt Lake County Council. In August 2016, the council would finalize recommendations and approve. In November 2016, a bond would be presented to voters.

Mr. Hales reported many requests for larger amounts had been made by other cities and believed Murray had a very good chance of seeing favorable results.

Mr. Hales reported Ms. Lopez attended a meeting for Police Officer Recruiting and Retention with speaker David Warnock, Human Resource Director with the Unified Police.

Ms. Lopez wondered if Murray City had experienced similar challenges that West Valley City had in relation to recruitment and retention. She reported WVC had faced difficulty in recruiting good officers, filling positions, low applicants, and an increase in lateral recruitment. Salaries had increased since 2012, when the average starting salary was \$17.10 per hour. In 2015, the starting average wage was \$18.70, a 9% increase. Their outlook would be affected for the next five years since Unified Police Department (UPD) expected 40% of their officers to retire. She explained it was a high percentage and would mean a significant need for recruitment, however, Chief Russo, who agreed with the recruitment issues, described a 20 year cycle of police officers coming and going. Major hiring would be expected within the next two or three years. Some of the hiring benefits WVC offered were shared:

- At WVC an incentive has been offered to empower current officers to recruit. They pay \$1000 to an officer for a recruit that is hired.
- WVC has an out-of-state residence program offering \$25,000 assistance for down payment on a home in the city. They offer a three year \$200 stipend to officers for re-locating into the city.
- For lateral hiring a Grade 10 is automatic.

Chief Russo discussed body cameras and reported not all types of body cameras have the same capabilities. Ms. Lopez explained head mountable body cameras are most effective. When the camera was attached to the chest or shirt, every time the officer turned his body, he could be moving away from the action. When mounted to the head, footage would always be recorded in the direction of the action, which is what needed to be viewed. Chief Russo recommended officers turn on body cameras as soon as dispatched, leaving them on during the entire time of a

call. Head mounted cameras create a lot of recorded activity, however, footage was saved for only three months. Footage required for evidence was retained for a longer period of time.

2.1.9. Jim Brass & Danny Astill – Central Valley Water Reclamation (CVWR)

During the last five to seven years, all waste water facilities throughout the state were facing new regulations from the Environmental Protection Agency (EPA). Nutrients, such as nitrogen, phosphorus and ammonia are chief targets for continued regulation, with phosphorus as the leading target. In the 1970's, when the treatment plant was built, discharge from the plant flowed into Millcreek. Approximately one thousand feet down Millcreek, the discharge continues its flow into the Jordan River. At that time, the state and EPA allowed and agreed to the flow of discharge from the plant into Millcreek and still have the limitations that would normally be in the Jordan River and not Millcreek. One might not consider a difference between the two areas, but Millcreek is classified as a cold water fishery. However, dipping your toe into Millcreek would never be recommended because of high contamination, unless CVWR is discharging into Millcreek then you can see the bottom.

Mr. Brass agreed Millcreek was much cleaner below the plant than it was above the plant. Mr. Astill noted waterfowl and fish had returned to the creek.

Mr. Astill described the situation Central Valley Water Reclamation faced after recent discussions with the state, concerning the point of discharge into Millcreek. The plant would claim, due to a reversed grade in the area, the creek was under the influence of the Jordan River, which pushes the water back up into Millcreek about a half a mile beyond the plant.

In the beginning discussions, the state had been concerned over being sued by environmental groups, due to the water backup. The general manager of the treatment plant invited various environmental groups to tour the plant and observe the discharge area for themselves. After the tour, environmental groups were asked whether they approved of the operation, considering the limitations of the Jordan River, and would they oppose continuing the discharge process in this manner. The groups were not concerned with the issue and agreed it was a great method for discharge, further they were impressed with the benefits to Millcreek. The state was not satisfied and later confirmed the intention to impose new severe regulations on the treatment plant. New regulations will affect not just the Murray treatment plant, but all plants across the state. Approximately 20 Utah treatment plants will be up for permit renewals. Most plants will be facing huge regulations and costs related to future plant processing changes.

Mr. Astill confirmed there was no way around the situation CVWR was facing. The members of the Jordan River Water Quality Coalition, had formed strategies with scientific studies by individuals who hold PhD's. Details of the results to the river quality were demonstrated with the discharge above and below the plant. However, the state continues to find error no matter what efforts are tried. Strategy options discussed were:

- 1) Take no action at all and delay resolution to the issue. Move forward in the same direction and face future stringent regulations, including removal of nutrients like ammonia and nitrogen when required.
- 2) Perpetual Testing. By continuing to discharge into Millcreek, it was expected that every single wet test conducted would continually fail.

Mr. Astill explained the plant currently conducts wet tests to determine if the *Ceriodaphnia dubia* (water flea) or a *Pimephales promelas* (fathead minnow) survive in the effluent. Based on a formula, including a larger amount of Jordan River water, mixed with a CVWR effluent, a determination could be made as to whether bugs or fish could live in the water. The tests have never failed at the Jordan River. However, with new regulations applied, tests would fail every time in Millcreek, because the regulations are very stiff.

This has placed the plant into a whole new category of regulations to determine what compounds were killing the fish and the fleas. In order to determine the answer, daily testing would be required, at a cost of \$1000 per test. Should something be discovered, treatment would be required, but the initial problem would still not be solved. Perpetual testing was not a viable strategy. Mr. Brass said in order to pass 4 or 5 tests in a row, the cost would result in millions of dollars anyway.

Mr. Astill explained thousands of compounds would need to be tested. It would be almost impossible to find which one was causing the damage. Not only would tests be costly, the treatment plant did not have a proper lab for conducting such tests. Specimens would need to be shipped out for testing, perpetuating the process even longer.

Recently, new legislation had passed for peer review which was a good thing. Any new regulations coming forward could be challenged, however, current regulations for phosphorus and nitrogen would still be required for approval. Treating for phosphorus was the easy part of testing, however, treating for nitrogen and ammonia was much tougher.

- 3) Construction of a new pipeline. The new pipeline would feed discharge from the plant directly into the Jordan River. It would run within approximately 20 to 30 feet of Millcreek and remove all discharge from Millcreek.

Mr. Brass stated the cost of the pipeline would be \$10 million to \$13 million, however, it made economic sense considering the cost of failing one single wet test.

Mr. Astill stated the pipeline strategy was most viable, sending discharge straight to the Jordan River, but regardless, regulations would still be changing and must continue to be met.

- 4) Build a Biological Nutrient Removal (BNR) plant. The chemical removal process, provided by a BNR plant would cost less for the initial startup. However, the overall expenses and sludge removal costs afterwards, would be more much expensive. Mr. Astill believed a biological

process was a much better way to go, however the cost would be double and would require expansion of the plant, due to overrunning the plant at peak.

Mr. Brass added, if used for chloride, it would de-rate the treatment capacity rather significantly. Solids would increase which would contain very little nutrient value for farms because of significant iron levels. The situation was a loss all the way around. This strategy #4 looks inexpensive upfront, but the back end cost would be enormous.

Mr. Astill reviewed that by immediately changing the treatment process and beginning tests, the hope would be for the state to allow continued discharge into Millcreek and still adhere to the Jordan River regulations. The state has emphatically denied that possibility. Therefore, the option of building a new pipeline could still remain. The other immediate option, to upgrade to a BNR plant, to treat for phosphorus and a small amount of nitrogen, would cost approximately \$85 million. This would not include future regulation changes, such as treating nitrogen and ammonia. Such induced future test requirements would incur an additional \$70 million. He explained that by building it all at the same time, as soon as possible, the total cost was estimated at \$165 million.

Ms. Turner asked if the state would provide funding for the project. Mr. Astill responded most likely, the state would not provide funding. A loan program was available and the state had communicated the possibility of providing some funding in the amount of \$50 million to \$80 million, but not enough for the entire project. Mr. Astill said this was, however, a good portion and would be attained at a low interest rate.

Mr. Brass discussed information from a recent meeting with several board members and management. They reviewed the options and admitted that if legal action was taken, you can win, but you have defeated the agency that would be issuing your permit for the rest of your existence, therefore, he wondered what kind of long term problems might result. He noted, the plant was now 30 years old and needed an upgrade. Costs of \$30 million to \$40 million spent for a temporary upgrade could be saved and put towards building a new plant.

He liked the idea of meeting with the Division of Water Quality to convey that constructing a BNR plant immediately would be the best solution. A request could be made to the state for support and funding. Mr. Zollinger reported the city of Logan borrowed \$75 million dollars at 1.75% interest rate. If Central Valley could attain a similar bond, it would ease the cost.

Another idea Mr. Brass shared to keep nutrient levels at the current required number would be to continue discharge in Millcreek, while having the permit to reach the Jordan River like it had been since its existence. Hydraulically and technically speaking, discharge from the plant goes into the Jordan River. The Jordan River carries a greater flow than Millcreek. Therefore, water flowing up that channel to Millcreek and beyond the plant was an expected occurrence. Negotiations were occurring due to an individual who insisted the discharge was flowing into Millcreek initially, a cold water fishery, which reclassifies the river. Interestingly, carp is the only fish below the plant, which would then classify Millcreek a warm water fishery, which was a better classification. Mr. Brass reported he was unable to attend the meeting wherein the final decision was made. He would relay the information as soon as he was aware of the outcome.

Mr. Astill concluded he was made aware that the state would definitely not allow regulations of the Jordan River and allow discharge to Millcreek, even if the plant was built. Mr. Brass stated, adding \$10 million of new piping into an \$80 million to \$90 million plant was really not going to hurt financially. The money saved would make sense. What bothered Mr. Brass were the stiff regulations to the lower Millcreek. By removing the discharge output from the plant, the creek would be altered detrimentally. He could not understand how the weekly forced testing could be made at such a high cost. Again, Mr. Brass noted that by spending \$35 million to upgrade the plant's trickling filters, only to have to rebuild the plant again later, made no sense. He would advise to just spend the money and build a new plant.

Mr. Astill agreed, regulations must be met and all cities involved would need to comply. The outcome for Murray City would mean paying its portion of the entire work going into the project, which would be approximately \$16 million to \$20 million.

Mr. Astill added, if the plant was only upgraded, that would cost the city \$8 million to \$9 million, however, if regulations are going to push it to the next level, the new plant should be constructed immediately, while the cost is low and regulations for the future could be met as well. Mr. Astill believed this was a good thing environmentally and agreed that if delayed for five years, the city may not be able to attain 1.75% financing that it can now. Costs are not going down.

Mr. Astill said plans for the sewer master plan were almost completed and he would return to the council to report. A guest speaker would come to review rates and bond options. Mr. Zollinger would be actively involved regarding the plan and join Mr. Astill for discussions related to the options the city faced.

Mayor Eyre understood the cost to Murray City and he inquired how many other entities were involved. Mr. Astill confirmed seven total, two cities and five districts were involved. Mayor Eyre wondered if this fell under the definition of an unfunded mandate by the EPA forced upon the entities.

Mr. Astill responded absolutely and noted that when the plant was originally constructed, 70% of funding had been provided by the federal government. Currently, funding from the federal government was zero. Grants had been considered and researched, however, none are available.

Mr. Camp inquired if Mr. Astill had an idea of how city sewer rates would be affected after the study was completed. Mr. Astill responded he would not know for some time because total funding for construction would not be required up front.

2.1.10. Jim Brass - Wasatch Front Waste and Recycling District (WFWRD)

The financial manager of WFWRD had retired and was replaced by the assistant financial director from American Fork. A resident of Santaquin, Utah, she was a good candidate with an excellent resume, who came from a government background with lots of accounting degrees.

Mr. Brass reported the biggest challenge was cash flow. Discussion continued regarding monthly residential fees. There had not been a fee increase in the last two years, therefore, he was positive a fee increase should be anticipated.

The largest expenses were employees, vehicles and fuel. WFWRD capitalized on the low fuel prices by deferring the purchase of trucks. He believed a balance was required with vehicle purchases, so they did not get behind in replacements. A natural gas garbage truck runs \$250,000.

Monitoring their own rates versus those of the private sector was constant and the goal for WFWRD was to remain relevant and affordable.

Other discussions on the agenda related to post-employment benefits (OPEB). Murray City had addressed this after 2008. Now, it is just as important for these service districts to analyze their liabilities. With 30 employees looking to retire in the future, a resolution would be drafted to fulfill the required benefits and adjust the liability.

Overall, he was pleased with the work being done and reported one of the drivers had been acknowledged as driver of the year. Garbage truck drivers are considered one of the top ten most dangerous jobs. This particular driver, who received the award had an accident-free record and would be honored at the next meeting.

Ms. Wells inquired about new entities coming on board, how that would affect the organization.

Mr. Brass responded Ms. Lopez had sent out the draft resolution, to amend the Salt Lake County resolution that created WFWRD. Changes to the required number of board members needed to be made with Millcreek becoming a city, maintaining an odd number in membership to avoid a tie. There was still some question related to Magna and Copperton because the populations are not large enough and they may not want to send a voting member.

Ms. Wells stated a concern about the process for fee increases. Mr. Brass stated that the board's desire was not to hold a public hearing every time a fee increase was voted upon. Instead, they would see if the county would allow internal fee increases like carton fees, glass recycling or green waste based on a vote by the board and with public notice. For overall rate increases, a public hearing would be held as it had been in the past.

Cutting expenses would continue to be a priority and challenge. Increasing neighborhood cleanups with a cost, or changing services, might be realized by way of conducting a resident survey. Informing members of costs and increases might be helpful in determining priorities.

2.1.11. Blair Camp – Chamber of Commerce

The golf tournament would be held June 22, 2016. Eggs and Issues moved locations from Mimi's to Anna's Restaurant, in Ivy place. No other business was reported.

2.1.12. Tim Tingey – NeighborWorks

A couple of housing rehab projects were completed and on the market for sale. One, located at 90 West American Road and the other at 4716 Box Elder. Realtors marketing the homes, suggested additional cosmetic work should be done, which was finished and the homes are back on the market.

The property on 700 West has been on the market for several months and still has not sold. Primarily the issue had been that when originally purchased, some of the rehab work and demolition had been purchased with CDGB dollars. A HUD requirement of 80% area median income (AMI) had made it hard to market. There had been a good amount of interest from people above 80%. Two new programs were approved last month at the Redevelopment Agency related to down payment assistance and a potential financing mechanism that may help to get it sold.

Mr. Tingey concluded the organization had hired a new real estate development director whose primary focus would be new acquisition for rehab and new construction projects in Murray. An increase in work was hopeful.

2.2. Discussion on proposed Subdivision Ordinance Text Amendment, related to Landscaping of Park Strips on Double Frontage Lots – Tim Tingey and Jared Hall presenting.

A proposal had gone to the planning commission and would be presented to the council related to the subdivision ordinance on double frontage lots. The Public Services Department has requested the proposed changes.

Jared Hall explained the proposal grew from discussions between engineering and planning regarding double frontage lots and perpetual challenges with maintaining the landscape.

In some instances there was room for engineers to determine when there should be a right of way and what kind of improvements should be made, however, in the case of double frontage lots, which is a lot with frontage on the arterial or collector street and also on a subdivision road, it was not as clear.

Mr. Hall described the current requirements of the code:

- Solid Masonry buffer wall on the rear lot line abutting collector or arterial streets.
- Installation of regulation sidewalk and park strips, park strip to be landscaped with vegetation.

Mr. Hall stated the greatest challenge was in areas where conditions made it difficult to maintain the landscaping. The situation was likely to have shorter park strips, narrower park strips, or high traffic volume. Situations exist where there are 20 or 30 homes in a row and nobody has access through the wall to easily maintain the landscaping.

Mr. Tingey added this was the biggest issue. The city requirement was to maintain adjacent to your property and if your subdivision road is on one side and you have to go clear around the subdivision to get to the arterial of the property it was difficult to maintain that park strip.

Mr. Camp asked how long the masonry wall been a requirement, because he knew there were many lots that did not have them. Mr. Brass stated most were chain link. Mr. Hall stated some were wood or vinyl also.

Mr. Hall explained it was only a requirement where there were collectors or arterials, not all double frontage lots fall into this category. For example. Fashion Place Mall, not a collector, would not apply to the code. This particular regulation only applies to double frontage lots on arterials and collectors. He stated he was not sure how long masonry walls had been required.

Mr. Camp inquired if 700 West was considered an arterial road. Mr. Hall responded it was a considered a collector and was on the list.

Mr. Hall described what the proposed amendment does:

- Replaces references to the “City Forester” with the Community and Economic Development Division and the City Engineer.
- Allows required vegetation in park strips along some frontages of certain collector or arterial streets to be substituted for pavers or concrete if the engineer finds:
 - Limited accessibility by property owners
 - High traffic volume
 - Maintenance concerns
 - Lack of sufficient space for viable landscaping

Using a map, Mr. Hall depicted roads identified as collector and arterial sections, where maintenance was lacking and regulations were difficult to implement to the current code as:

- 1300 East – problematic sections
- 900 East
- Van Winkle Expressway (including near 700 East)
- State Street
- 700 West
- Winchester Street
- 4500 South
- 5300 South, a portion west of State Street

Mr. Hall believed the proposed language change was necessary to be held to a standard and address the issue of maintenance.

In some areas the current code has been working fine and some home owners associations had a maintenance agreement, which was also working. Those areas would remain the same when possible.

There are times, however, when the code has not been viable and providing flexibility would provide a cleaner approach rather than allowing dead landscaping that has not been maintained.

Mr. Brass stated he was in favor of the amendment.

Mr. Hall reported the planning commission had reviewed the proposed amendment and voted to send a recommendation of approval to the council. Mr. Tingey stated there had been a lot of discussion regarding the issue, as well as, evaluating design elements during their approval process and recommendation to the council.

Mr. Camp thanked Mr. Tingey and Mr. Hall for the detailed information.

3. Announcements: Ms. Lopez made the following announcements:

- The yearly budget meeting would be held May 18, 2016 at 9:00 a.m. and May 19, 2016, from 3:00 p.m. until 5:00 p.m.

4. Adjournment: 6:17 p.m.

**Pattie Johnson
Council Office Administrator II**