



## 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 15, 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:

Janet Towers	Chief Admin. Officer	Jan Lopez	Council Administrator
Tim Tingey	ADS Director	Kim Fong	Library Director
Pattie Johnson	Council Office	Jennifer Kennedy	City Recorder
Jared Hall	Community Development	Frank Nakamura	City Attorney
Brad McIlrath	Community Development	Justin Zollinger	Finance Director
Jennifer Brass	Resident	George Katz	Resident
Sally Hoffelmeyer Katz	Resident		

Chairman Camp called the Committee of the Whole meeting to order at 5:05 p.m. and welcomed those in attendance. He noted Mr. Tingey was sitting in on behalf of Mayor Eyre.

### **1. Approval of Minutes**

Mr. Camp asked for corrections and approval on the minutes for September 20, 2016 and October 4, 2016. Mr. Brass moved to approve both sets. Ms. Turner seconded the motion. All were in favor.

### **2. Business Items**

## **2.1 General Plan Discussion – Tim Tingey and Jared Hall**

Revisions of the General Plan have been underway since the joint meeting on September 22, 2016, which included the city council, the planning commission and Murray consultants. Based on those results, another meeting had taken place between the planning commission members and consultants. Further input and changes were made and two more planning commission meetings would be held before deliberations and further recommendations go to the council.

Mr. Hall provided a map and summary sheet for the council. (See attachment #1). Two sections of the summary were explained as: *Part One*, a readable segment for public consumption, which was in progress, and *Part Two*, which documented long-range planning and day to day achievements within the department. He expounded on recent discussions, highlighted a few items on the draft plan and described changes made:

### **PART ONE**

- Link Demographics information to plan content

In terms of planning, various statistics were combined for the plan, providing a better source of connection between the demographics and the meaning. Due to the high median age in Murray, and low household size, the city would need to consider housing options for an older population and for smaller families, therefore, consultants would add a section that would identify key statistics and link them to statements. Housing could very well be underrepresented for smaller household sizes related to square footage. Compared to county statistics, Murray has a fairly high median income.

Mr. Tingey reported substantial conversation during the last meeting regarding smaller lot provisions for single family homes. Younger smaller families or aging people who want to downsize would be able to move into Murray. The council would need to give future consideration to the single family low density lot sizes; instead of ranging from 8,000 to 12,000 square feet, low density could become 6,000 to 12,000 square feet. He felt a 6,000 square foot lot in the community could afford a very nice smaller single family home.

Mr. Camp asked if a 6,000 square foot lot was considered medium density. Mr. Tingey confirmed it was currently, however, the proposal was to include it in lower density. Attaining a nice starter home of 2,000-2,200 square foot would be possible, on a 6,000 square foot lot with a smaller yard.

- Summary of “Most Important Changes in Progress Since the Last General Plan”

Changes made to the *Community Context Section* were noted. It was suggested by the planning commission during the recent work session, to include in the language the actual changes made from the old plan and map, to the new plan and map. Mr. Hall noted a few of the major changes to the plan:

1. The creation of two parts to the plan, containing the statistical presentation and the public presentation.

2. New suggested zones would be written, including an employment center, to the city's land use base.
3. Simplify land use designations related to housing changes and provide broader residential definitions.

To clarify, Mr. Tingey stated there was currently a wide range of residential zoning designations. The new plan would simplify and consolidate zones, not exclude them.

4. Historic preservations have been included and will be linked to the *Best Practices* website.
5. The plan itself will offer links to several known *Best Practice* websites.

## **PART TWO**

6. Include important connections and changes between the future land use plan and map, and the previous plan and map. Mr. Hall noted reinforcing that the map was not designed arbitrarily.
7. A transportation map was added and as more information is collected from UTA, additional elements will be included.
8. Implementation of a simple matrix will be used to recognize specific people, staff or groups and their responsibility related to future projects.
9. Reference was made on the map to "small area plans" and details would be identified for nodes and revitalization areas.

The adopted General plan will now include items to be evaluated three to five years down the road. (For example, Fashion Place West transit station and Murray Central Station were identified early on as "small area plan" items).

## **FUTURE LAND USE MAP**

Community and neighborhood "nodes" were pointed out on the map. Mr. Hall noted an increase in the number of nodes since the joint meeting. Other changes mentioned were:

As the city continues to coordinate and evaluate each node location, language describing the nodes would be reviewed. Some nodes could be relocated.

Nodes in Fireclay might require a market study. Nodes at 700 West, Winchester Street and near the Jordan Park Trail at Winchester were mentioned for review, considering redevelopment and revitalization.

The city's mixed use areas on the map were reduced significantly because over the last 10 or 12 years, the city has not seen benefits of this designation. Areas mentioned were the Fashion Place West Station, Murray City Center District, west side, and Intermountain Medical Center hospital area. These areas are now replaced as Business Park land use designations and the hope will be to write in an overlay zone, or incentive zone to get better results in creating true business and industrial parks, as opposed to businesses such as storage units cobbled together.

He noted the goal was not to see industrial businesses disappear, but to provide better utilization of the region bringing employment centers to the area, such as, professional office zones. This would eventually prompt the writing of a new zone to incentivize people to create Class A office space.

Commercial areas had not been expanded. Better utilization of these spaces with neighborhood and community nodes was desired to support revitalization in those areas.

All changes related to the draft plan would be coming to the council for further review. After the plan is adopted, Mr. Hall's staff would begin to seek funding and see progression begin.

Mr. Tingey reported applications had been submitted for grant funds through Wasatch Front Regional Council in order to attain the means for small area studies. In addition, once the General Plan was adopted, a major revamping process of all zoning ordinances would begin. Ordinance changes related to adding the new Business Park designations would be a big and exciting task. All ordinance amendments for final consideration would be brought to the council.

Mr. Camp was pleased about the reduction of Mixed Use areas and felt it was initially too large. Mr. Hall agreed and by cutting some of those spaces and simplifying, other directions could be pursued. The plan would be bigger by six or seven categories, and better by adding the Business Park category and Professional Office designations, which did not exist before.

## **2.2 Reports from Representatives to Boards of Interlocal Entities**

### **2.2.1 Diane Turner - Legislative Policy Committee (LPC)**

**Motor Fuel Tax** - Due to issues created during the last Legislative Session with the wording on HB 362/HB 860, the Utah League of Cities and Towns (ULCT) had been working on a framework to see that cities, towns and counties see an increase of 17.5% in B & C Road Funds for the final payment in 2016 and going forward into 2017. The governor plans to call a special session of the legislature to pass the compromise framework that all stakeholders have agreed to.

**2017 Legislative Session** - ULCT anticipates legislation on the following topics during the next session:

- Police body camera bills
- Business licensing of home occupations- fee waivers have been suggested
- Food truck licensing and proposed background checks, as well as, an effort to reduce regulatory burdens on this industry.
- Referendums and the interpretation of when the clock starts ticking to gather signatures on a petition and when signatures are certified.
- Special Districts related to fee increases and city council approvals
- Wildland Fire rules
- 911 Revenue reduction
- Police - related to secondary employment and the fact that they are considered as acting on behalf of the city entity, which employs them.
- On-line Sales Tax – three bills already filed in the House
- GRAMA request fees
- Drones – safety guidelines and law enforcement use

Mr. Nicponski commented on the topic of special districts and felt it would be an important issue to watch. He believed it was positive, providing the board would have to go through their city councils, requiring a council vote. He believed it would inhibit property tax increases if it were to pass.

### 2.2.2 Kim Fong - Murray City Library

Comparing the first four months of fiscal year 2016, to fiscal year 2017, a power point was used to provide the following statistics related to current activities and attendance:

Kids Activities: Includes Story Time, Wiggle Worms, and all after school programs for elementary age, preschoolers, toddlers and babies. More occurrences of their most popular programs were added in an effort to meet high demands, facility space limit and lack of parking. Instead of balancing out the schedule, it created an increase in popularity.

<u>Activities</u>	<u>Attendance</u>
2016 - 167	2016 - 7310
2017 - 187	2017 - 8126
Change - 11% Increase	Change – 11% Increase

Teen Activities: Includes various ongoing activities.

<u>Activities</u>	<u>Attendance</u>
2016 - 49	2016 - 1811
2017 - 61	2017 - 1930
Change - 24% Increase	Change - 6.5% Increase

Adult Activities: Includes book clubs, cooking classes and various things of this nature.

<u>Activities</u>	<u>Attendance</u>
2016 - 10	2016 - 92
2017 - 12	2017 - 104
Change - 20% Increase	Change – 13% Increase

Family Activities: Includes family game night, movie night, and summer matiness.

<u>Activities</u>	<u>Attendance</u>
2016 - 7	2016 - 230
2017 - 13	2017 - 406
Change - 85% Increase	Change – 76% Increase

Outreach Activities: Saw a decrease from last year, however, library staff will attend events, such as, kindergarten registration and back to school night, which helps promote all the library has to offer. Future goals have been set to reach the community more.

<u>Events</u>	<u>Attendance</u>
2016 - 52	2016 - 1304
2017 - 50	2017 - 1264
Change - 4% Decrease	Change – 3% Decrease

Story Tube views are part of outreach activities and have become an extremely popular resource. Available on You-tube, the program continues to increase by leaps and bounds and could reach one million by the end of the year.

Story Tube Views

2016	109,907
2017	182,213
Change	– 55% Increase

Volunteers: Includes a robust group of people of all ages, including teenagers and senior citizens who desire to give back to the community library. Many of the volunteers, who adopt a shelf and clean the library have attributed to the increase.

<u>Volunteers</u>	<u>Minutes</u>
2016 - 37	2016 - 6704
2017 - 65	2017 - 10462
Change - 75% Increase	Change - 56% Increase

Ms. Fong read a quote by Philip Pullman: *“After nourishment, shelter and companionship, stories are the thing we need most in the world.”*

Mr. Hales inquired if after school teens were behaving well in the library. Ms. Fong said she is hopeful for their success in society this year, after a few negative, isolated incidents in the past.

When looking at the possibility of a new library, Ms. Fong believes one can see the very high demand for programs offered, however, beyond that, the downside of high demand has been the lack of appropriate space and difficulty in accommodating patrons that would like to utilize meeting rooms. Additional community space would certainly be a tremendous benefit to the community.

### **2.2.3. Janet Towers – Council of Governments (COG)**

This year, Mayor Freeman, Chairman of COG, and Mayor Eyre, Chairman of Council of Mayors (COM), decided to combine the two groups because presentations were being repeated at both meetings.

The Salt Lake Valley Mayors, Salt Lake Valley Representatives, Speaker of the House, Greg Hughes, and Senate President, Wayne L. Niederhauser attended the last COG meeting. Discussions about the upcoming legislation took place, related to Ms. Turner’s presentation regarding the 2017 Legislative Session.

Mayors came together with a consensus for on-line sales tax, recovery facilities, and firework limitations at the last COM meeting on October 27, 2016. Also, as a main focus facing communities, were three main issues they hope to bring forward:

- The Justice Reinvestment Initiative Funding - a presentation was made by Mayor Cullimore
- Short Term Rentals - a presentation made by Mayor Eyre
- Transportation Needs - due to disapproval of Proposition A on the last election presented by Mayor Applegarth.

Ms. Towers said House Speaker Hughes and Senate President Niederhauser spoke about a few key issues:

- The Budget, which looks to be very tight this year.
- Funding will be a challenge and educational issues will be a priority
- Growth in the valley as the population looks to inevitably double
- Traffic congestion and transportation for what is the new norm of high density planning in order to accommodate the population increase.
- Criminal justice reformation and full support of the new prison facility
- Homelessness and seeking additional location sites to improve upon the 2,000 homeless people downtown.
- The Interim Session would be held November 16, 2016. Ms. Towers, along with lobbyist Kory Holdaway and a new intern, would be attending the Special Session on transportation funding, which would provide a substantial amount of money above what had been anticipated for the city's 6<sup>th</sup> allotment.

#### **2.2.4. Justin Zollinger – Utah Infrastructure Agency (UIA)**

A handout was shared depicting active customers by city. (See Attachment #2.) Tracking was done at the end of each calendar year to find changes in customer base and determine what percentage each city had of UTOPIA/UIA total customers. A few of those percentages were shared, Orem came in at #1 with 22%, and Murray City came in at #2 with 16.71%.

Slow growth since 2014 was reflected in customer increases. Addresses added by cities would provide the take rate of the deployed fiber. For example, Layton added 4,889 addresses since 2014, only 700 new customers were actually added. Based off total addresses added in Murray City, the overall take rate was 22.5 %, which was basically one out of four homes and a 13.86% take rate for new addresses. Lindon reflected a higher take rate of 44%, which Mr. Zollinger felt was due to the fast growing tech community at hand. West Valley added 3,000 addresses with a 6% take rate. Midvale added 2,200 address with a 5% take rate. All of the numbers were important, even at a slow rate, but the most positive result was that UIA was now covering their bond payments.

Mr. Zollinger voted against the decision for the fiber optic provider to move their headquarters to Murray when it was brought to the board. His analysis was shared to support his unfavorable decision, by explaining what they would save by moving to a building they own, versus, how many customers they could connect with two million dollars spent for the new facility. Mr. Zollinger requested analysis be conducted by the UIA finance director, prior to the vote, so that crucial information would be part of public records and provide important decision making data. Due to lack of time the analysis was not done by the finance director, so Mr. Zollinger conducted the analysis himself.

Mr. Zollinger's new building analysis took the two million dollars that would be bonded for the building and showed that at \$1,200 per connection, over 1,600 new customers could be connected. If the new monthly revenue continued for 25 years the revenue would total over \$26 million.

If the two million dollar bond were used for the building at a monthly rent of \$14,197, annual cost would be \$170,364 with payments over 11.74 years. He projected the total savings would be over \$4.2 million over 25 years.

He felt voting against the decision was most logical and bonding an additional time for the new facility was not a good choice at this time. His decision was not favored by UIA board members, however, pointing out the numbers was imperative. The new location for UIA will be 900 East at 5820 South.

#### **2.2.5. Blair Camp – Valley Emergency Communications Center (VECC)**

The 2016 annual audit for VECC was completed by Osborn, Robbins and Buhler, PLLC and there were no findings. The opinion reflects a clean financial statement, internal control had an accounting and technical finding due to rolling forward of assets. State compliance resulted in no findings and the board had discussions concerning internal controls relating specifically to credit card use in light of some abuses reported in other entities lately. The board is confident that VECC is handling matters appropriately. Director, John Morgan, would continue to look for answers in the loss of \$1 million, related to 911 revenue from cell phone providers. Mr. Morgan finds it a mystery and would continue working with the Utah State Tax Commission and Senator Harper about the possibility of legislative oversight and auditing, to ensure telecoms are submitting money that is collected.

On August 23, 2016, the Utah Communication Authority (UCA), approved payments for over a three year period, totaling \$6.5 million to VECC from the State Restricted Fund for new computer aided dispatch (CAD) software and management costs.

#### **2.2.6. Brett Hales - Association of Municipal Councils**

The group meets monthly and a short synopsis was given for a few of their meetings:

- July - Utah Department of Natural Resources. Wildfires and cooperative agreement between cities.
- August - Mayor Ben McAdams visited. Various topics were discussed.
- September - Utah Division of Wildlife (DWR), discussed control and capture of animals in cities. Also, Salt Lake County Animal Services visited to explain the no kill shelter facility and services offered.
- October - Cameron Diehl, Utah League of Cities and Towns (ULCT) discussed motor fuel tax, short term rental, and fireworks regulations.
- November - Council of Mayors, (COM), as mentioned previously by Ms. Towers in her presentation.

#### **2.2.7. Jim Brass – Central Valley Water Reclamation (CVWR)**

Central Valley Water Reclamation held a public hearing regarding the budget, which is considerably more now due to the cost of the plant upgrade. Mr. Nakamura will bring an interlocal agreement covering significant changes to a Committee of the Whole meeting for further discussion in the near future. A fee increase for city waste water will most likely result.

The facility has been efficient in providing very low rates in the past, as well as, the lowest rates comparatively to anywhere, however, considering the \$150 million upgrade spanning over the next decade, rate changes are inevitable.

Rate increases are calculated by percentage of ownership, which is critical, and Murray is an 8% owner of CVWR. It is anticipated increases will affect Murray residents as much as \$10 per month.



### **2.2.8. Jim Brass - Wasatch Front Waste and Recycling District (WFWRD)**

A public hearing was held on the budget, no public comments were documented. Pam Roberts would be presenting more information at the next Committee of the Whole meeting, therefore, Mr. Brass provided a brief update.

Residential garbage collection did not see a fee increase, however, due to substantial new home construction, mostly in Herriman, an increase is expected in the next budget year. It was suggested by the Herriman board member, that a fee be charged for new address collection, in order to recover the costs of set up and delivering cans. The actual cost per home is \$110, so a startup fee of \$50, along with \$10 per can was recommended. A \$5 per container fee, per month, for automated front loader pickups, and a \$1 per can, per month for side load was also found necessary to allocate high contracted service costs.

Garbage trucks are several hundred thousand dollars and expenses are very high due to maintenance and fuel. Trucks are dispersed from Herriman, to Cottonwood Heights, through Holladay and to Magna, creating a lot of driving. Garbage collection for several city hall buildings, parks and difficult areas that are hard to get to, such as, Snowbird, and Alta, will see the fee increases instead of residential citizens.

The fees recover approximately \$40,000, which covers employee wages and truck expenditures. Until a better way is discovered to distribute waste, rising costs are continual. A survey is expected in the near future to address service costs and whether certain services will continue, including costly neighborhood cleanup program services.

### **2.2.9. Blair Camp – Chamber of Commerce**

The Murray Chamber of Commerce continues to be one of the more vibrant and active chambers in the valley and do an excellent job. Where board members have been active for several years, the time has come to rotate memberships and the process is underway to fill four vacant positions on the board of directors.

Interesting topics will continue to be discussed at *Eggs and Issues* on Friday mornings. A recent topic was solar net metering, and police and fire departments are featured once a month on the first Fridays to help businesses with safety and security issues.

The monthly luncheon continues on the first Thursday of each month. The next luncheon will feature, professional speaker, Kevin Clayson, who will be speaking on "Flipping the Gratitude Switch". Many excellent speakers are expected within the next year and the luncheon will be moving to Murray at the Desert Star Theater in 2017.

Stephanie Wright was expected to attend a Committee of The Whole meeting in the near future to provide a detailed comprehensive report.

Ms. Turner wondered if the Chamber of Commerce had grown and inquired what the number of members was and how many pay dues. Mr. Camp would provide the information later and did not know at this time.

Salt Lake County pulled a substantial amount in funding away from the Salt Lake Chamber this year because the chamber supports city issues, not necessarily unincorporated areas. Mr. Camp would provide the exact dollar amount that was withheld at a later date.

#### **2.2.10. Tim Tingey – NeighborWorks**

Mr. Tingey invited the council and their spouses to attend NeighborWorks annual dinner and celebration on November 16, 2016. Mr. Gilbert Gonzales would be receiving an award during the celebration.

After working for months with the property owner, NeighborWorks has attained a contract to purchase and develop a subdivision west of Riverview Jr. High School, on a large parcel consisting of several acres.

Ms. Lopez inquired the number of new homes estimated for the lot. Mr. Tingey stated the exact number is yet to be determined, however, there would be a subdivision with a road leading into it. Depending on lot sizes, according to the General Plan, lots between 6,000 and 8,000 square feet could be considered. Once again, considerations for new starter homes would be priority, plus possibly other larger, two story homes up to 3,000 square feet. The NeighborWorks project will be a very nice addition utilizing some tax increment financing, as well as, bank loans to design the new NeighborWorks development consisting of six to ten new homes.

#### **2.2.11. Blaine Haacke – Utah Associated Municipal Power Systems (UAMPS) & Intermountain Power Association (IPA)**

##### **UAMPS**

Both groups, IPA and UAMPS are looking at resources that will run out in 30 to 40 years for its members. However, Murray is well suited with a good variety for decades to come. Other municipalities are short in supply, therefore, UAMPS, is pursuing projects. Murray City would like to remain involved in the study process of the various resources in order to remain informed, specifically, the small nuclear project near Idaho Falls.

Ms. Turner inquired the cost of the project. Mr. Haacke explained there were costs and variables for the small nuclear reactors, due to the technology being the first one ever built in the country and world. Because it is a new technology, and a commercial operation, there would be many Department of Energy rebates, as well as, tax incentives. The exact cost is not yet clear, however, it is somewhat higher than coal-fire prices.

Mr. Haacke has major concerns as to whether it is economically feasible and whether a *first off the shelf* technology is the best option for Murray. The council will be given the option to approve the resource and the megawatt (MW) size, so that rates will not be greatly affected. If Murray should consider buying in, the amount would minimal at five or ten megawatts out of the 600 that will be generated.

##### **IPA**

The coal and natural gas resource in Delta, Utah will continue as a renewal project with two separate contracts. 1) Power Agreement Renewal - after 2027 providing natural gas; and, 2) The Excess Power Sales Agreement – which will allow the city to call back fuel from the Las Angeles Department of

Water and Power (LADWP). Both agreements are in place, however, California is taking time in finalizing. Both Los Angeles and Pasadena have attained approval from the California Energy Board to renew/build the Utah plant. Riverside, Burbank and Glendale, are all expected to approve in December. Anaheim has opted out as a participant after 2027. The process has been long and complicated, however, the approximate cost for the renewal will be between \$40 MW and \$50 MW at the plant, plus \$10 for transmission, which makes the plant a \$60 MW resource beginning 2027 for the next 40 years. Escalation is expected due to inflation factors over time.

As a result, the city will have a matrix of resources to choose from, whether it is nuclear energy, coal-fired, or natural gas for the next two decades. Considering the Hunter power plant, it will need to be replaced if it goes under.

As general manager, Mr. Haacke believes the city is in an excellent position, procuring resources for future needs. He must continually weigh the two separate organizations, the IPA and UAMPS, which, at times, in their decision making, will run against each other. Overall, Murray is very well positioned.

**3. Announcements**

- December 2<sup>nd</sup>, 2016, a follow up meeting would be held at the Utah State Capitol in the Copper Room, to the Building Healthy Communities Conference held earlier in August. Registration was requested.
- December 6, 2016, Annual Meeting for IPA, would be held at the Grand America. Reservations were requested.

**4. Adjournment: 6:18 p.m.**

**Pattie Johnson  
Council Office Administrator II**