



## MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met as a Committee of the Whole on Tuesday May 15, 2018 in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

**Council Members in Attendance:**

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

**Excused:**

Dale Cox	District #3
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**Others in Attendance:**

Blair Camp	Mayor	Jan Lopez	Council Director
Jennifer Heaps	Comm. & Public Relations Director	Jennifer Kennedy	City Recorder
Doug Hill	CAO	Mark Hooyer	Trans Jordan Landfill
Craig Burnett	Police Chief	Pattie Johnson	Council Office
Tim Tingey	ADS Director	Russ Kakala	Solid Waste
Kim Sorensen	Parks and Recreation Director	Jon Harris	Fire Chief
Danny Astill	Public Works Director	Lasha Earl	Resident
Loretta Markham	Jacobs	Roger Haglund	Resident
Janice Strobell	Resident	Beverly Crangle	Resident
Brent Barnett	Resident	DeLynn Barney	Resident
Jennifer Brass	Resident	Kathleen Stanford	Resident

Ms. Turner called the Committee of the Whole meeting to order at 4:45 p.m. and welcomed those in attendance. Mr. Nicponski would be delayed.

**1. Approval of Minutes**

Ms. Turner asked for comments or a motion on the minutes from April 3, 2018. Mr. Hales moved approval. Mr. Brass seconded the motion. The motion passed 3-0.

## **2. Discussion Items**

### **2.1 Trans-Jordan (TJ) Landfill Update** – Russ Kakala, Danny Astill, Mark Hooyer and Lesha Earl.

The presentation was related to the Trans-Jordan proposed \$2 rate increase and how it would affect the city a member city, or partial owner. Information about last fiscal year, Murray's current impact on the facility, and how the landfill is growing was reviewed.

In 2016 and 2017, Murray's waste, green waste, and overall costs remained level. However, in 2018 the city had significant growth that created a 5.6% increase. In contrast, Draper City experienced a 14% increase and is the highest waste producing member.

During 2012 and 2013, the landfill took in 275,000 tons of waste combined from all TJ member cities. Mr. Hooyer compared that volume, to over 350,000 tons of garbage received last year alone, which is a total increase of 34%. This means the facility is currently taking an additional 92,000 tons per year from all cities combined - compared to the last six years of slow steady increases.

The facility has maintained the same number of employees since 2010 and adapted to increased growth. Only two positions were recently added; one custodial, and Ms. Earl, who is involved in recycling education, and neither position is related to operations in garbage disposal. Mr. Hooyer said the facility operated in a pinch with the existing staff under circumstances of significant growth.

Mr. Hooyer explained future waste projections that included a conservative 3% yearly increase, but noted Murray's 5.6% growth, and thought the city would go over those estimations this year. Currently, the national average cost per ton is \$50, TJ commercial rates are \$30 per ton, and TJ member city rates are \$14 per ton.

This fiscal year was the busiest on record with all combined TJ cities. As a result, when the landfill reaches capacity, garbage will be transferred to a newly purchased Bayview landfill in Utah County.

Curbside (TJ member cities) provide 55% of tonnage, and commercial garbage and public visits account for 45% tonnage. He estimated with a 3% increase per year, the landfill would reach capacity in 2031. Therefore, the organization is looking for sites to construct one or more transfer stations in the future. With a waste transfer, the Bayview Landfill, and operations costs, the total base cost was estimated at \$32.50 per ton.

In 2017, TJ member cities provided 177,047 tons in revenue, equaling \$2.5 million. Commercial and public visits provided 165,560 tons, equaling \$4,801,240, which meant commercial and public waste collection was subsidizing member cities, because they pay a \$30 gate fee. Mr. Hooyer explained this is the way the system was designed, so there was great value in being a TJ city member.

The proposed \$1 increase to the existing \$30 gate fee for commercial and public customers was strategically planned. Mr. Hooyer explained if the TJ gate rate falls too far below the county landfill fee of \$31.35 per ton, a customer normally taking waste to the county, would divert to TJ to save money, filling up available space in the landfill that much faster. He said TJ is not looking for new business or new revenue - they are looking to preserve existing air space.

Member city fees will increase from \$14 to \$16 per ton, and green waste to \$10 per ton. Murray's parks department provided over 320 tons of green waste last year from tree limbs, which equates to approximately \$3,000 per year with the new fee. The total cost to Murray for curbside, plus green waste is \$31,343 per year. Waste only, translates to \$1.78 per year, per household, or 15 cents per month, per household. Green waste fees for commercial and public customers will be \$17 per ton.

Ms. Earl gave an informative presentation regarding global and local recycling concerns, the importance of educating the public, and provided information about the labor intensive process of recycling. The council invited her back for further discussion related to recycling.

## **2.2 Canal Trail Hours – Diane Turner, Kim Sorensen, Chief Burnett**

Ms. Turner had concerns related to safety and water accidents after dark, and requested the discussion as a result of a public comment from one of her constituents. She wondered if Canal Trail hours from 6:00 a.m. to 11:00 p.m. were adequate, after comparing to other cities' park hours. She wondered if changing trail hours to dawn and dusk might be more appropriate.

Chief Burnett confirmed Murray's park hours from 6:00 a.m. to 11:00 p.m. were established in a 35 year old ordinance. He said many issues and incidents occur after dark everywhere - including in parks, but there was nothing to report regarding the Canal Trail. The same park hours for Jordan River Parkway were noted and he thought trail hours at both places were adequate.

Ms. Turner wondered if lighting was provided along the Jordan River Parkway. Chief Burnett said the parkway trail was very dark and lighting was only available near pavilions.

Mr. Sorensen researched other cities park hours and noted: Parks in Utah County and Provo, are open from 5:00 a.m. to 11:00 p.m., as well as, the Jordan River Parkway. Sandy City and Salt Lake County parks are open from dawn to dusk. West Jordan and St. George parks are open 24 hours a day.

Mr. Sorensen reported no complaint calls since the Canal Trail opened, however, he realized residents along the trail might think trail hours are too early, or too late. He thought set hours should be left as is, while monitoring the situation. Comparatively, Jordan River Parkway trails are not as drastically close to homes in most areas, but when incidents generally occurred, it is well after 11:00 p.m. This was confirmed when vandalism reduced significantly, after automatic remote locks were placed on restroom doors that open early at 5:00 a.m. and lock at 10:45 p.m.

Mr. Nicponski said Ms. Turner's concerns had merit, and thought there was never a problem with Jordan River Parkway trail hours, while he was a board member for 22 years. Therefore, he did not want to disrupt scheduled activities on the parkway, and thought addressing the Canal Trail separately might be the best option.

Ms. Turner consulted Mr. Critchfield about excluding the Canal Trail from the ordinance, who confirmed changing trail hours was a possibility. However, he explained thoroughly, if trail hours are changed to dusk and dawn, and if an issue occurred after hours, a resident, witness, and responding officer would be required to report the exact time of the violation. So if someone is cited on the trail after hours, an officer would need to prove that court case. Proof would be difficult to assume because 'dusk' is a moving target throughout the year, and not a reliable sense of time. An emergency call would be recorded by the Salt Lake Valley Emergency Communications Center (VECC), which

would prove the time of the incident. Although, finding a witness to testify the exact time of dusk would be a challenge in a court of law, especially if the issue occurred close to dawn or after dusk. Ms. Turner agreed.

### **2.3 Murray City Quarterly Financial Update and Statement** – Danyce Steck

Ms. Steck reviewed for the period of July 1, 2017 through March 31, 2018, and noted the fund balance was extremely high compared to last year, which was due to \$5.8 million in bond proceeds. She would be making a transfer out this month, leaving a remaining fund balance of \$8 million, which was close to last years ending balance. The following was noted:

#### General Fund

- Revenue

- 71% of budgeted revenue has been received, as well as, sales tax through January 2018 (or 66% of the fiscal year).
- Sales tax reflected growth of almost 5% in comparison to the prior year.
- Local option sales tax was up 4%.
- Franchise fees continue to decrease annually, due to the disappearance of land lines, and increasing solar power resources.
- The distribution of 911 fees changed from the prior year. The city is no longer receiving these funds and they are directly distributed to VECC.
- Revenues in public safety are 13% higher than budget, which is \$380,666 above the prior year. This is attributed to ambulance service.
- Investment Income is up 52% as interest rates are increasing.

- Expenses for the General Fund are on target:

- Personnel is 71% of the budget, and was lower than expected and 1% higher than last year.
- Operation and maintenance – Costs are 63% below budget.
- Transfers in reflected an increase, which was calculated based on a percentage of revenue in the proprietary utility funds and rate changes.

Ms. Turner wondered about the increase in public safety and asked if the billing process had improved. Ms. Steck believed there was a higher collection rate but was not certain. Mr. Harris thought there were three combined reasons for the increase: Billing contracts with Gold Cross were renegotiated for a lesser amount, call volume increased with more transports, and the state changed the amount of money collected from Medicare.

Library Fund – There were no changes to report.

#### Redevelopment (RDA) Fund

- An increase was noted in operations and maintenance, due to a low income housing payout to Fireclay.

Cemetery Fund – Nothing to report.

### Capital Projects Fund

- Parks and Recreation – an increase of \$1.5 million was noted, due to the purchase of the Murray Mansion.

Due to increased usage and rate increases in utility funds, all revenues were slightly ahead.

### WATER FUND

Personnel costs were accurate, and 85% of budgeted revenue has been received.

### WASTE WATER FUND

The fund is 1% above budget. All expenditures were below budget.

### POWER FUND

Slightly above budget at 79%. There has been no increase by comparison, year over year, during the same time period. Personnel costs were accurate.

### Golf Fund

The golf course continues to be an issue. A budget amendment was done last quarter to bring the fund into a positive position. A transfer of \$250,000 was noted from the General Fund.

### Solid Waste Fund

Ms. Steck would monitor the fund and explained the fund balance was anticipated to drop \$300,000 in next year's budget to \$675,000. As a result of cost and personnel increases at the TJ landfill, as well as, tremendous cost increases for recycling and general waste disposal, a substantial increase would occur this year. A rate study would be required next year to determine the amount of a rate increase.

### Storm Water Fund

A rate adjustment occurred this year. The fund received 77% of budgeted revenue, which is ahead of budget and 15% ahead of the prior year. The budget is healthy and strong and the city would continue to build and maintain it according to Environmental Protection Agency (EPA) guidelines.

## **2.4 Bus Rapid Transit Project – Tim Tingey**

Project Manager, Loretta Markham, from Jacobs Engineering was present and provided an update on the proposed Bus Rapid Transit project.

The project connecting Bus Rapid Transit from the Salt Lake Community College campus in Taylorsville to Intermountain Medical Center – at the Murray Central TRAX station has been underway for at least 12 years. State funding was provided for the project, including design work.

Planning continues to evolve with strategies to extend the route to West Valley navigating through Murray, where proposed stations were noted on a map. Roads in Murray will not be widened and buses will travel in general purpose lanes.

The only construction associated with the project are two additional bus bays, modifications to integrate buses into the existing bus turn-around-stations, and bus stations located along the route in Murray up to Taylorsville at 4700 South. Two dedicated bus lanes would be constructed in Taylorsville along 4500/4700 South, which are currently grassy medians dividing the road.

Ms. Markham reviewed the bus route, and noted a proposed station at Commerce Street and Vine Street, which could be utilized by the AISU Charter School, and businesses along Vine Street. Conceptual drawings and renderings reflected side-stations through Murray, which was a perception for pedestrian connectivity, providing shelters, and all fare boarding technology, with an emphasis for connecting to trails for bike use on the Jordan River Parkway.

Preliminary engineering is underway for the extension to West Valley and a public meeting would be held in July 2018. Once funding is identified, the project should be completed by 2021. For more information on the project visit [www.midvalleyconnection.com](http://www.midvalleyconnection.com)

**2.5 Rezone from C-D (Commercial Development) to R-M-15 (Residential Multi-Family) for the property at 4878 South Murray Boulevard** – Tim Tingey

The proposed rezone would be considered by the council during a public hearing at tonight's meeting, which would only address the rezone, since there is no plan for a construction project at this time.

Land owner, Brighton Development, requested the rezone, which is thought to be in the best interest of the city. The proposal was approved by the planning commission on April 19, 2018 for 3.31 acres, located on Murray Boulevard, north of Hunters Woods and a newly developed townhome community. Initially the intention was for a mixed-use zone, which became a commercial development (CD) zone. However, after considering residential areas adjacent to the property, which are medium density, it was decided that residential multi-family (R-M-15) zoning was best suited the property, and is medium density. Land uses allow single family residential duplexes and conditional use permits allow for multi-family.

There is lots of interest in the property that could provide a maximum of 45 units. Future projects would not include high-density, or multi-family dwellings, but the end result could be 40 units when considering amenities and road configurations. Single-family townhomes, or medium-density multi-family dwellings, with detached low-rise garden type units of three or four-plex units could be allowed.

The request includes 2.5 parking stalls, per unit, which should provide adequate parking. The maximum height that could be approved through the planning commission is 40 feet. Mr. Tingey reminded the council multi-family dwellings are restricted to two stories, and noted a bed and breakfast facility could also be a possibility.

Mr. Nicponski wondered if 2.5 parking stalls would service 2 and 3 bedroom units. Mr. Tingey said each unit would be allowed 2.5 parking stalls and said 2 stalls are requirement for single-family units, and .5 is for visitor parking, He thought this was adequate for low rise type dwellings and other potential uses.

## **2.6 Resolution Supporting Salt Lake County's Imposition of a 0.25% Local Option Sales Tax Dedicated to Transportation** – Doug Hill

The council would consider imposing the 0.25% tax increase, which is equivalent to one penny for each \$4 spent and would be dedicated to transportation. If imposed, the city is estimated to receive more funding beginning fiscal year 2020.

Mr. Hill explained SB-136, which passed during the last legislative session, became known as the Transportation Overhaul Bill in the press. The bill addresses the reorganization of the Utah Transit Authority (UTA), as well as, the restructure of the funding sources for transportation. Mr. Hill reviewed the following related to restructuring.

There are two sources of funding for transportation in the state:

1. Gas Tax - A portion of every dollar spent on fuel allocated to Class B and C road fund money, which is distributed to cities according to population and number of road miles. Murray receives approximately \$1.8 million per year of the gas tax.

Recently, the legislature negotiated a deal with education to increase the gas tax .10 cents per gallon, which would be on ballots next November for a citizen vote. If the proposed increases passes, the city could see an increase in Class C road monies beginning next fiscal year.

2. Local Option Sales Tax – A portion of every sales tax dollar collected by counties, throughout the state.

Mr. Hill explained going forward SB-136 changed the way funds are dispersed. However, what currently exists, is called the 'Quarter of the Quarter.' He reviewed the specifics about how sales tax dollars were distributed every quarter from Salt Lake County in the following way:

- The First Quarter - Passed several years ago, allocating .30% of sales tax dollars dedicated for transportation, which helped get UTA started.
- The Second Quarter – Passed a few years later, allocating .25% dedicated to transit for lite rail and bus services.
- The Third Quarter – Passed following 1<sup>st</sup> and 2<sup>nd</sup> quarter distributions, dedicating .25% to both transit and roads, which was collected by Salt Lake County. The county decided what cities would receive funding and how funds would be utilized.

The city applied for county assistance in the past and was awarded funding for two major projects: 4800 South, east of State Street, and 5900 South, east of State Street - both multi-million dollar projects.

Up until now, the Salt Lake County Council never had a systematic process in place for distributing funds, which was a complaint made by many cities, because the procedure seemed political, and distributions were never based on any fair formula.

Last year, in order to implement the "fourth quarter" sales tax distribution, the legislature allowed counties to implement 'Proposition One', designated for counties, cities, and transit. However, the proposition failed in Salt Lake County, which was believed to be because of situations within UTA.

This year, the legislature made an effort to start over with the Proposition One formula, by allowing Salt Lake County to implement the sales tax – either by a citizen vote, or, by a vote solely made by the Salt Lake County Council – essentially bypassing a citizen vote. If the proposition passes, 40% or .10% would

go the cities, 40% or .10% would go to transit, and the remaining 20% or .05%, would go to Salt Lake County.

According to SB-136 the following conditions must be met by counties that implement the tax:

- Counties imposing the “fourth quarter” between now and June 30, 2019, may keep 100% of the revenue to pay for debt service, or to fund regional transportation or transit projects. Beginning July 1, 2019 the three-way distribution goes into effect.

Mr. Hill summarized that if the county decides to pass the tax, they receive an incentive – which is keeping 100% of the taxes for one year. In response, Salt Lake County, Mayor McAdams, and the Salt Lake County Council recently decided the tax will be implemented immediately, without a citizen vote - as long as 67% of the cities in Salt Lake County support it.

Beginning July 1, 2020, if the county has not imposed the “fourth quarter” and if cities do not support the tax, then: Cities within 1st, 2nd, and 3rd class counties, located within the UTA local district, have the option to impose the full quarter -thereby collecting more funding. (Murray is in the 1st Class) So instead of receiving .10% the city would receive .125% of taxes going forward, and transit would receive .125%, which is a 50% split.

Mr. Hill said the initial thought of collecting more funding later was positive. However, after calculations it would be difficult to make up the revenue the city would lose during the two year waiting period prior to 2020.

Mr. Hill explained two additional complications, should the city did not support the county:

1. The Murray City Council would be left to implement the sales tax themselves, creating a higher sales tax rate than neighboring cities that did not impose the tax.
2. The county could withhold the .05% portion it receives from Murray’s distribution. He thought the city might not be treated fairly for not supporting the county in the first place. A similar situation was noted related to the distribution of ZAPP funds.

Mr. Hill said the county confirmed very few roads were under their jurisdiction, therefore, the need of funding transportation projects was not significant. Salt Lake County plans to organize a committee to oversee city assistance requests and would award funding more fairly, which means there would be an application process that was never in place before. He said since the county has not frequently favored Murray with funding there was no guarantee the city would be awarded, however, he thought it was a step in the right direction for the city to participate in the new application process.

Mr. Hales affirmed there would be a guarantee of funds by supporting the county. Mr. Hill confirmed the ULCT estimated if 67% of communities in Salt Lake County supported the county imposed tax, Murray would receive approximately \$1,450,000 per year, in addition to the Class B and C road money.

The county requested cities that support them, in implementing the tax immediately by passing a resolution of support - prior to June 15, 2018. The resolution would come to the council for their consideration on June 5. Mr. Hill provided the council with a draft resolution for their review.



Mr. Hill mentioned controversy by citizens who voted against Proposition One because there would be no way to oppose the new tax law – after opposing it last year. He stressed the city needs funding for road improvements, which was why the mayor submitted the resolution of support to the council for their consideration.

Mayor Camp commented under this scenario 60% of funding would go toward road projects, and 40% towards transit needs, as opposed to a 50% split.

Ms. Turner agreed the city could definitely use the funding.

3. **Announcements:** Ms. Lopez made several announcements related to coming events for the council members.
4. **Adjournment:** 6:10 p.m.

**Pattie Johnson**  
**Council Office Administrator II**