



MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, May 7, 2019 in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

Council Members in Attendance:

Dave Nicponski - Chair	District #1
Diane Turner	District #4
Brett Hales	District #5

Council Members Excused:

Dale Cox – Vice Chair	District #2
Jim Brass	District #3

Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Doug Hill	Chief Administrative Officer	Jim McNulty	CED Manager
Jennifer Heaps	Comm. & PR Director	Pattie Johnson	Council Office
Rob White	IT Director	Danny Astill	Public Works Director
Melinda Greenwood	CED Director	Danny Hansen	IT
Jon Harris	Fire Chief	Cory Wells	Water Superintendent
LeAnn Saldivar	Murray Boys & Girls Club	Ben Ford	Field Supervisor- Sewer
Brenda Moore	Finance	Kat Martinez	Resident

Mr. Nicponski called the Committee of the Whole meeting to order at 5:00 p.m.

Approval of Minutes - Mr. Nicponski asked for comments or a motion on the minutes from:

- Committee of the Whole – February 5, 2019

Ms. Turner moved approval. Mr. Hales seconded the motion. (Approved 3-0)

Discussion Items

Boys & Girls Club Report – LeAnn Saldivar, President & CEO

Ms. Saldivar provided a recap of the Boys & Girls Club Annual Report, which the council reviewed prior to the meeting. She discussed ways the club extends itself by serving children in Murray; she reviewed programs, and shared new initiatives to define how the club is best meeting the needs of children. In addition, she shared an Impact Report (See Attachment #1), specific to the Murray Boys & Girls Club location, initially prepared for the organization itself and general donors.

She said the Murray Boys & Girls Club was the shining star of all clubs in the state; it is the highest attended, largest staff, and largest budget of all seven clubs. Highlights of her presentation included, statewide needs, demographics, attendance, program goals, and details about the Murray Club:

- Meals served = 10,000+ daily, for breakfast, lunch and snacks, apart from Kids-Eat backpack program.
- The club works with the non-profit organization, Head-Start, to provide meals for childcare division.
- The club focuses on healthy snacks by working with local food banks, community gardens, and other partnerships that provide a variety of snacks and fresh fruit to support high calorie, no nutrition children.
- By Murray zip code, 67% of children attend Murray School District schools; the club serves and transports from all Murray schools, and the Granite School District, located in Murray.

Ms. Saldivar outlined the operating budget for the FY 2018-2019 school year, which was \$4.5 million for the entire organization. Of that, approximately \$850,000 to \$1 million was allocated to the Murray club. She noted a slight reduction in Murray's budget from the previous year, due to less staff, a lack of teachers and a competitive market. One initiative, provided by the human resource committee, hopes to analyze how to recruit and retain staff better. The club believes children's lives are positively influenced by good staff members and not so much by programs or food served. Therefore, staff should be consistent, to provide lasting guidance, and long-term relationships.

Ms. Saldivar was delighted with Mayor Camp's recommendation to allocate \$100,000 to the Murray Boys & Girls Club in this year's budget; however, she encouraged the council to increase the amount back to \$125,000, given in prior years.

She understood the city faced important challenges in the past, when cutbacks were implemented; however, with the current construction project to expand the facility, the additional funding would help remove 20 children from a waiting list. She stated for every 20 children in attendance, one part-time youth development professional was needed, who moves into full time during the summer; and 20 additional vehicle seats are needed during the school year to transport children from schools. With limited vehicle and staffing capacities, it would be those operational costs that prevent the club from serving more students. City funding provides \$800 per child, per year.

Ms. Turner asked the total number of staff members at the Murray location. Ms. Saldivar said 17, which includes three full-time directors, various part-time teaching positions, two drivers who also help with food service, as well as, two front desk workers and other miscellaneous support staff.

Ms. Turner noted the Murray Club received a total of \$125,000 last year; \$100,000 from the city, and \$25,000 from the Murray Power Department for in-kind services. Ms. Saldivar confirmed.

Mayor Camp confirmed cash in \$25,000 was issued as a gift to be applied for building permit fees and associated costs for the new expansion. Ms. Saldivar agreed, however, she noted contributions of \$75,000 in prior years, increased to \$125,000 from the city's budget alone during 2004-2015.

Ms. Turner stated councilmembers would consider a to provide \$100,000 to the Murray Boys and Girls Club. In addition, monthly rent of \$1,000 would be waived for the year that provided a \$12,000 savings. Ms. Saldivar confirmed.

Mr. Nicponski asked the location of other associated Boys and Girls Clubs. Ms. Saldivar said besides Murray, six others in: Midvale, Tooele, Price, Sugarhouse, Poplar Grove, and one near West High School in Salt Lake City. Mr. Nicponski thanked Ms. Saldivar for her presentation and appreciated her work for the community. Ms. Saldivar invited the council to tour the new area. A ribbon cutting for the grand re-opening would be held in the Fall of 2019.

Solid Waste Fees – Mayor Camp, Danny Astill, and Russ Kakala

Mr. Astill discussed solid waste fees to meet budget requirements, provided a rate review spread sheet, a draft solid waste fee study, the proposed ordinance modification, and a public notice. He noted the proposed FY 2020 budget was based on the rate increase just to remain balanced.

He explained cost increases to recycling began in 2018, which effected all local communities that participate in the Trans-Jordan Landfill, as well as, every community across Utah. Recycling fees skyrocketed and continue to rise, not to mention increased costs for just general trash disposal. For example, tipping fees for recycling went from \$25-\$30 per ton, up to \$50 per ton. Although, based on the current contract the city has with ACE Disposal – Ace Disposal is responsible for paying half of the \$50 fee. Moreover, he reported another recent notification that the \$50 tipping fee would increase to \$70 per ton. Therefore, not only was the \$50 increase not budgeted into the FY2019 budget, a new \$70 increase, was not accounted for in the FY 2020 budget.

Mr. Nicponski asked the current tipping fee for general garbage disposal. Mr. Astill said \$17 per ton.

Mr. Astill explained solid waste fees were recently reviewed. Staff realized the city was only in year three, of a five-year rate increase plan, and since the increased tipping fee was not factored into the FY2019 budget, the fund would be roughly \$214,000 in the red by the end of FY 2019, due to steady recycling inflation.

ACE would continue to pay half of the tipping fee until December of 2020. The current disposal contract expires in two years, which allows the city time to reevaluate actual increased costs for the next year. Mr. Astill said it is uncertain how often or how much more tipping fees will rise, or when they would ever decrease. The market is unpredictable and changes rapidly from week to week.

He said to meet and stay within the proposed budget and still provide garbage and recycling services to city residents, the cost of \$14.50 per month, per can, would jump to \$19.50. The increase would eliminate a deficit of \$214,000 and provide a surplus of \$37,000 by the end of FY 2020.

Ms. Turner noted a 2019 Garbage Service Comparison chart and confirmed the increase to \$19.50 per can, per month, as higher than other cities listed. Mr. Astill explained other city's increases were not reflected on the chart, but all cities would be dealing with this issue and would be forced to make up the financial difference somehow - either by General Fund transfers to meet high costs, or fee increases like Murray. Ms. Turner affirmed the city was not being charged more than other cities.

Mr. Astill stated other cities treat their recycling and garbage disposal as a function of the city and used tax dollars to fund the whole service.

Mr. Hales stated Murray was different in how services are budgeted. He confirmed Murray has lower property taxes comparatively, and noted friends living in other cities express paying higher service fees was more favorable than paying higher property taxes. Mr. Astill confirmed the \$5 monthly increase was less significant than extreme property taxes.

Ms. Turner asked about an increase to the line item *Administration Fee – Wages*. Ms. Moore explained a finance allocation change occurred this year, due to a department split. She explained because the Murray City Utility Billing Department only provides services like billing, operations, and maintenance services for utility departments, such as, power water, stormwater, and solid waste, 100% of their expenses were reallocated to those utility funds. Allocations are based on the number of accounts involved for each service and utilized mostly for wages. As a result, the Solid Waste Fund would see an increase of \$2,000.

Ms. Turner noted a 10% increase to *recycling collection*. Mr. Astill explained the bill from ACE Disposal was broken-out into categories; garbage, recycling, and extra cans. A 40% increase reflected recycling inflation. He agreed the situation was not a good thing, but it was the reality of the industry with an uncertain future. He shared the idea of changing the pick-up schedule from weekly, to bi-weekly, which would provide a savings of approximately \$35,000 per year. This would reduce the number of tipping scale visits by ACE Disposal when transporting tonnage. The proposed schedule change would provide a savings of about 37 cents per person, per month, for over 7,800 customers. Tonnage amounts would remain the same.

Another proposed option is an opt-in, opt-out recycling program other cities adopted. It is uncleaned, and unrecyclable material that causes contamination by the truck load. Trucks must divert to landfills instead, where the \$70 per ton tipping fee was established for contaminated recycling loads.

He explained once a week ACE Disposal audits one truck, to determine levels and frequency of contamination, which is determined by hand picking through truck loads. The result was 30% contamination, based on what was found, however, other times contamination was as low as 22%.

Another suggestion is to provide a mixed-paper-only dumpster, similar to glass recycling located in Murray Park. Mr. Astill said the service would generate revenue to pay for itself, although, one concerning inconvenience was the requirement of residents transporting their own paper to a dumpster location. One cause of contamination is the few drops of soda that leak from aluminum cans onto paper when placed together in a recycling can; this completely contaminates an entire truck load of recycling.

Ms. Turner thought recycling paper separately and generating revenue from it, would help defray the reality of increased recycling costs.

Education and outreach are key for proper recycling as the city makes changes to address the challenges. Additional staff might be considered to provide a continuing education program throughout the city. He said the \$5 increase could place the city among the highest in recycling fees, but there was no other apparent choice to address the significant increase. Mr. Astill said the investigation would be ongoing and he would return to the council on June 4th when the council would consider the fee increase. Ms. Lopez confirmed the fee increase was already built into the draft budget under review.

MWPP (Municipal Wastewater Planning Program) Report – Danny Astill, and Cory Wells

Mr. Astill introduced Water Superintendent, Mr. Wells; and Field Supervisor, Mr. Ford from the sewer division. Portions of the 2018 MWPP report were reviewed about to the city's wastewater collections system. Mr. Astill said there was no impact to the budget, and the report also pertained to the city's responsibilities with the Central Valley Water Reclamation Facility, where there are associated capital costs at the treatment plant.

Mr. Astill explained as a condition for receiving State of Utah financial assistance loans for the city's wastewater collections system, all survey questions were answered completely. The resulting report conveyed no concerning issues, as related to the following information:

- Overall condition of the city's collection system and general system operations.
- Facility Maintenance – Reviewed and audited every five years.
- Sufficient staffing.
- Funding: Average yearly residential bill = \$403.92.
- Financial health of the Wastewater Fund, including debt service and collections.
- Capital improvement projects – 10 years
- Finance Division Compliance.
- New development connections.
- Population Served = 36,500.
- Sewer system overflows = Zero.
- Operator Overview = 8 employees, fully State certified in collection systems, including one Chief Operator, Mr. Ford, who attains DRC (Direct Responsible Charge) certification.

Mr. Ford reported most employees hold Grade-4 Certification, even though the city maintains a Grade-3 Collection System; having over certified employees was positive.

Mr. Astill said the system was built in 1917, so there are many parts of the system that are still that old, but well taken care of with regular cleaning and monitoring of repairs. Mr. Ford is responsible to ensure overflow does not occur.

Mr. Astill reiterated there were zero overflow instances to report caused by the city. Mr. Ford confirmed it was two years since the city caused an overflow incident; he attributed that record to having adequate funding for high tech equipment necessary for maintaining clear lines. He thanked the council for

approving funds for ongoing maintenance. Mr. Astill agreed residents experience lateral problems, which cause sewer overflow, but those situations are not the city's fault.

Mr. Hales confirmed recent news reports about other cities having constant overflow issues, which Murray was not experiencing.

Mr. Astill noted minor concerns like root intrusion, manhole structural issues, and manhole lid failures, which would be repaired. He identified certain areas that need special maintenance, such as, pipelining, to be fixed over time, based on the budget. He said the city had no pressing issues and the system was in very good shape overall.

Mr. Ford gave a brief report on the Walden Glen project, which is the city's oldest lift station on 5300 South near Cottonwood Creek. He said the rebuild would produce a more reliable lift station with completion expected the first of July.

Ms. Turner appreciated important work to keep city pipelines well maintained. All others agreed.

Sign Code Regulations – Jim McNulty

Mr. McNulty said the council would consider the pending sign ordinance in two weeks, during a public hearing in a council meeting. On December 11, 2018, the council learned about and reviewed proposed new sign code graphics to replace outdated illustrations, and an improved user-friendly document.

He explained replacing 30-year old hand drawings would help business owners, contractors, and sign code companies better understand city regulations. He said Murray City staff worked on revisions for 12 months with the city's attorney's office to rewrite of the *Murray City Municipal Code* - Section 17.48 and proposed sign code regulations were presented at two public hearings, held during Murray City Planning Commission meetings on March 7, 2019, and April 4, 2019.

The planning commission was informed that staff requested the planning commission forward a positive recommendation to the city council. Public comments were allowed at both planning commission meetings, with no comments or concerns. As a result, the planning commission forwarded a positive recommendation to the city council for them to adopt the sign ordinance.

A recent law case (Reid v. the Town of Gilbert) was discussed briefly in an effort to understand compliance related to EMC's (electronic message center's/signs). Therefore, the city intends to regulate signs in a manner that is consistent with free speech protections, and provisions of the United States Constitution, and the Constitution of the State of Utah.

Mr. McNulty noted EMC's located at National Security, on 5300 South, west of I-15 (Interstate 15), and at Fashion Place Mall. Current code allows a one-foot candle above ambient light, which is very bright. Industry standards are .03-foot candles above ambient light, which is 1/3 of the one-foot candle lighting; the change from one-foot candles occurred because bright messages are hard to read by drivers on freeways and roads. In addition, an automatic dimmer switch would be required so that different levels of lighting could be adjusted for day and night; noted in the proposed ordinance.

Another proposed regulation would change the distant EMC's are located to nearby residential areas. Mr. McNulty explained there was a suggestion to change the current distance of 500-feet, to 200-feet, which the planning commission was not comfortable with, so, it was decided to propose 300 feet, which would still prevent light from shining into neighborhoods.

Ms. Turner asked how the proposed distance was determined. Mr. McNulty said staff studied other cities, and related conditional use ordinances. As a result, 300-feet was decided upon as a good compromise, which was better for Murray, compared to a 200-foot distance approved by many cities.

Mr. McNulty described Fashion Place Mall as the only planned commercial center in the city, and recently requested two pedestal signs, which is a 35-foot EMC board. The mall qualifies for signs of this nature because it is over 20 acres in size. The hope is to locate one sign at the I- 215 freeway exit, on the corner of Fashion Boulevard; and the other at the State Street and Winchester intersection.

Currently, in the M CCD (Murray City Center District), the T-O-D (transient oriented development) zone, and the M-U (mixed-use) zone, externally illuminated signs are allowed, but not signs with internal illumination or neon lighting. Mr. McNulty explained the goal is to allow these types of signs, in all three zones, should the opportunity present itself; the draft ordinance was noted likewise.

Ms. Turner asked why signs with internal illumination were not allowed anymore. Mr. McNulty said there was a notion in the past that they appeared too bright, causing distractions; he was not certain when they were dismissed, but the hope was to allow them again.

Mr. Hales inquired if pedestal signs advertise only for a related commercial center. Mr. McNulty confirmed on-premise signage was different from off-premise signage, which was also approved weeks ago, by resolution. He noted there would be no change to outdoor advertising on billboards at this time, however, City Code would inevitably accommodate changes made in State Code last year. Provisions were made for outdoor advertising companies, such as, Reagan and others, to change existing static signs to EMCs. He said there was little concern for related signs along I-15 or I-215, although, there is worry about signs located along State Street, 5300 South, and 900 East, where signs could eventually become EMC type signs, which did not seem fitting, because of close neighborhoods.

Mr. McNulty concluded the proposed City Code re-write presented was relative only to on-premise signs. The city would do its best to regulate signage, handle the ordinance correctly, and legally, and allow people their first amendment and free speech rights, which was most important.

Governing Board Representatives – G.L. Critchfield

Mr. Critchfield led a brief discussion about amending Murray City Municipal Code, Chapter 2.5: Governing Board Representatives, to be considered later by the city council. He explained six boards were presently listed in code, however, twelve exist; therefore, the amendment would add the following six interlocal entities:

- Wasatch Front Waste and Recycling District Board
- Intermountain Power Agency Board

- Metro Fire Agency Board
- Neighborworks Salt Lake Board
- Community Action Program Board
- Jordan River Commission

Holiday Ordinance – Mayor Camp

Mr. Nicponski announced the Holiday Ordinance discussion would be rescheduled for June 4, 2019, when all council members would be present.

Announcements: Ms. Lopez made several announcements related to coming events for the council members.

Adjournment: 6:08 p.m.

Pattie Johnson
Council Office Administrator II