

Murray City Municipal Council Chambers Murray City, Utah

The Murray City Municipal Council met on Tuesday, January 21, 2020 at 6:30 p.m. for a meeting held in the Murray City Center Council Chambers, 5025 South State Street, Murray, Utah.

Council Members in Attendance:

Kat Martinez	District #1
Dale Cox	District #2 – Council Chair
Rosalba Dominguez	District #3 – Council Vice-Chair
Diane Turner	District #4
Brett Hales	District #5

Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Doug Hill	Chief Administrative Officer	Jennifer Heaps	Communications & Public Relations Director
Craig Burnett	Police Chief	Brenda Moore	Finance Director
Danny Astill	Public Works Director	Jon Harris	Fire Chief
Chris Zawislak	Senior Civil Engineer	Sam Adams	Construction Inspector
Trae Stokes	City Engineer	Kim Sorensen	Parks & Recreation Director
Robert White	IT Director	Melinda Greenwood	Community & Economic Development (CED) Director
Citizens			

Opening Ceremonies

Call to Order – Councilmember Hales called the meeting to order at 6:30 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Glo Merrill, Murray School District Board Member

Approval of Minutes

Council Meeting – January 7, 2020

MOTION: Councilmember Martinez moved to approve the minutes. The motion was SECONDED by Councilmember Turner. Voice vote taken, all “ayes.”

Special Recognition

1. Murray City Council Employee of the Month, Chris Zawislak, Senior Civil Engineer.

Staff Presentation: Brett Hales, Councilmember and Danny Astill, Public Works Director
Councilmember Hales said the Council started the Employee of the Month Program because they felt it was important to recognize the City's employees. He presented Mr. Zawislak with a certificate, a \$50 gift card and told him that his name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Mr. Zawislak for all he does for the City.

Mr. Astill highlighted some of the work Mr. Zawislak has done during his 6 ½ years with the City.

Citizen Comments – Councilmember Hales noted there were many citizens in attendance who wanted to speak about an item on the Business Items portion of the agenda. He asked that Citizen Comments be moved until right before the Business Items, no objections were made.

Consent Agenda

1. Consider approval of Mayor's appointment of Dustin Matsumori to the Murray City Ethics Commission for a three-year term beginning February 2020 through January 2023.

MOTION: Councilmember Martinez moved to adopt the Consent Agenda. The motion was SECONDED by Councilmember Cox.

Council roll call vote:

Ayes: Councilmember Martinez, Councilmember Cox, Councilmember Dominguez
Councilmember Turner and Councilmember Hales

Nays: None

Abstentions: None

Motion passed 5-0

Public Hearings

Staff and sponsor presentations and public comment will be given prior to Council action on the following matter.

1. Consider an ordinance amending the City's Fiscal Year 2019-2020 Budget.

Staff Presentation: Brenda Moore, Finance Director

Ms. Moore said there are four items on this budget amendment. She explained that the City's Auditor prepared the City's financial statement this year. Because of that, she is requesting to move \$4,500 from the Non-Departmental budget to the City Council's Professional Services Budget, which is the budget that pays for the financial statement.

The Fire Department sent some firefighters to California to help fight fires. The City is being reimbursed \$61,641 for that.

The City received \$74,108 from the State Division of Alcoholic Beverage Enforcement. That money will be added to the Police Department's budget to purchase body cameras and/or body camera video storage space.

The Utahna Storm Drain project encountered various issues resulting in cost overages. Ms. Moore is requesting to transfer \$294,000 out of the Storm Water Reserves to complete the project.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

MOTION: Councilmember Dominguez moved to adopt the ordinance. The motion was SECONDED by Councilmember.

Council roll call vote:

Ayes: Councilmember Martinez, Councilmember Cox, Councilmember Dominguez
Councilmember Turner and Councilmember Hales

Nays: None

Abstentions: None

Motion passed 5-0

Citizen Comments – Comments are limited to 3 minutes unless otherwise approved by the Council.

Bryant Larsen – Murray City, Utah

Mr. Larsen said he was here to speak in opposition to Murray City creating this nonbinding Equal Rights Amendment (E.R.A.) statement. He disapproves of its content. None of what it says, in his opinion, is relevant in the USA anymore, and he is suspicious of the nature of why Murray City is even considering this 50 year old legislation.

Mr. Larsen personally feels that the City Council is being used by outside forces to push an agenda. He feels that this first proposed action by a newly elected councilwoman gives the citizens insight into who she plans to represent over the next four years. He feels that her allegiance is to Planned Parenthood and other liberal organizations who funded her campaign and not to him, his wife, his children (three of whom identify as female), or his mother (all whom live in Murray), and many others who have shared their disdain for the E.R.A..

Mr. Larsen asked his councilwoman to retract this proposal. If not for him, for the wonderfully unique women in his life. Anyone who thinks we should treat women exactly the same as we treat men has never met such divinely unique and wonderful people as

the women he adores in his family.

Even the men who stood by on the Titanic as "women and children" were given priority during the evacuation recognized that there is a great deal of difference between the sexes. What a shame it would have been if the rule was "every human for their-self".

Mr. Larsen said he strongly feels that it is no longer needed to enforce stuff that says we are equal. Look at the Murray City Council, which is now a majority female, who were elected by the citizens of Murray. That was celebrated and wrote about in the Murray Journal. Mr. Larsen feels like if the City passes the E.R.A., the City is kind of saying that it no longer wants to celebrate the differences between a man and a woman.

Mr. Larsen sees the two sexes as different; divinely so, and he doesn't think it's fair to suggest they are equal by law. If there is discrimination, that should definitely be fought, but not with legislation that was done 50 years ago.

Susan Radtke – Murray City, Utah

Ms. Radtke said she is very much in support of the E.R.A. and has been since 1972. The E.R.A. states, "*Equality of rights shall not be denied or abridged by the United States or by any State on account of sex.*" It's 23 words and that is all it is saying. She wants herself, her daughter, her granddaughter and her grandson to all have equality of rights, under the law, regardless of sex.

Ms. Radtke said she was a single mother and she raised her daughter alone. Equality of pay would have meant a great deal in her life. That is what she wants for future generations and for this generation. She reiterated she strongly supports, and appreciates the Council's support, of the E.R.A..

Robin Hough – Holiday City, Utah

Ms. Hough said if the E.R.A. is so bad, why was it included by the founders of the Utah Constitution. Article IV of the Utah Constitution states, "*The rights of citizens of the State of Utah to vote and hold office shall not be denied or abridged on account of sex. Both male and female citizens of this State shall enjoy equally all civil, political and religious rights and privileges.*" This has been part of the Utah Constitution since 1896.

Alice Paul, who wrote the E.R.A., came to Utah and used the words of the Utah Constitution in the E.R.A. Ms. Hough asked the Council to do nothing more than affirm what is in the Utah Constitution already. If bad things were going to happen, they would have already happened here in Utah because we have had this as part of the texture of being a Utahan since 1896. She urged the Council to approve this resolution for all of the citizens in Utah and to be proud to stand up for equality for all.

Carolyn Williams – Murray City, Utah

Ms. Williams said she supports this resolution for the E.R.A. and she urged the Council to

approve it. She has four daughters who contribute to the State of Utah through their work and volunteer efforts.

Clark Bullen – Murray City, Utah

Mr. Bullen said he can see why Murray City would want to support equal rights and he sees the intent and it is noble, but he feels like there are a lot of unintended consequences of wording that is vague, which is worrisome to him. He thinks having a resolution supporting equal pay or supporting the Utah Constitution would be great. There are unintended consequences of the E.R.A. such as women in the military draft, women's sports, mothers in custody cases, single mother taxation, welfare for mothers, women's shelters, and women's restrooms and locker rooms, and he's not sure Murray is ready to swallow all of that in its entirety. However, Murray should consider resolutions for equal rights, but not be so vague about it.

Carolina Sagebin Allen – Big Ocean Women

Ms. Allen said this is an important discussion to have. She is opposed to the E.R.A. because the legislation is very old and the context in which it was first inspired has drastically changed. Back in 1972, the notion of women and sex was solidified. Today, in our gender identity politics, we are seeing a massive overhaul of what the language in the E.R.A. means. She reiterated that this language is vague and there isn't a general understanding and consensus of what it means to be a women today or what sex or gender mean.

Ms. Allen has a non-profit and in places that have codified this legislation in their constitutions, it becomes extremely counterproductive to women. Her non-profit has seen extreme cases where women in prisons are being allowed to have biological male inmates, who simply because they feel they are women, are then allowed into the prisons and have assaulted women. Women non-profits, like Ms. Allen's, that are working to do so much good for women all over the world related to sex-based violence and opportunities for work and school are being shut down simply because they aren't catering to gender neutral language. There are adverse effects happening to women from the E.R.A. all across the board.

Ms. Allen said she is a female athlete. She has four daughters and wants the best for them. She does a lot of things in her home, in her community and in her non-profit to support women, but she is not in favor of the E.R.A.. She asked the Council to reconsider and look a few steps down the road of what this could do to women in Utah.

Pam Cotter – Murray City, Utah

Ms. Cotter said in 1971 she was living in upstate New York when she was called to Albany New York to have her voice heard. She did just that and here she is again 49 years later. Ms. Cotter went through some court cases related to the E.R.A. that have happened since that time.

Coleman vs. Maryland – the court, in this case, held that a husband could no longer be

required to support his wife. Newspaper reports of the case termed the ruling unfortunate but admitted that the court had no choice under the state's equal rights amendment.

Conway vs. Dana – this case exempted a father from providing primary support for his minor children.

Albert Einstein Medical Center vs. Nathan – The trial court in this case nullified a husband's legal responsibility to pay for his wife's hospital medical bills or any necessities as previously required by law.

Commonwealth vs. Pennsylvania Interscholastic Athletic Association – The court in this case ruled that under the absolute mandate of the State's Equal Rights Amendment, all school sports must be integrated including wrestling and football. That means that students may no longer be excluded solely on the base of their sex.

Ms. Cotter stated she knows this is a nonbinding resolution but the fact it is being discussed worries her. She is concerned about the impact of this nonbinding resolution on the residents of Murray. She believes the citizens should have the opportunity to vote on this nonbinding resolution. She does not want the Council to rush this through so Representative Kwan can have something to bring to the Legislature in February. If this resolution passes tonight, it will be a black mark on Murray. She does not agree with the passing of this nonbinding resolution.

Katherine Larsen – Murray City, Utah

Ms. Larsen said she feels that this E.R.A. amendment has nothing to do with being oppressed, but it has to do with abortion and the funding of it. If this E.R.A. is passed, it could be used to guarantee unrestricted taxpayer abortion. She pointed out that two of the Councilmembers are supported by Planned Parenthood who is the leader in the abortion industry.

Ms. Larsen said she does not support the E.R.A. and does not support Planned Parenthood. She does not feel that the City Council should be using its time to push people's political agenda.

Susan Roylance – United Families International

Ms. Roylance said in 1975 her family moved to Washington State where they had passed a state E.R.A. and laws had been changed to eliminate words related to sex, which is what this proposed E.R.A. would do. The words mother and father had been changed to parent, and husband and wife had been changed to spouse. Family was completely altered.

Ms. Roylance was concerned with the potential for a Federal E.R.A. and became involved nationally. She discovered that the main promoters of the E.R.A. were the pro-abortionists. Last year the National Abortion Rights Action League (NARAL) sent out an

alert stating that the E.R.A. will reinforce the constitutional right to an abortion. It would require judges to strike down any anti-abortion laws, and there are some good laws related to abortion in the State of Utah. She asked if the Murray City Council wants to go on record as promoting abortion.

Another huge problem with the E.R.A. is the potential definition of the word sex. Ms. Roylance is involved with international policy at the UN where gender is considered to be socially constructed and most references to women are being replaced with nonbinary words. Women as women are unique in their ability to bear children and they should be protected. Does the Murray City Council want to go on record as opposing laws and medical guidelines that give special protections to women?

The E.R.A. could also affect any organization with a specific focus on any activities for girls, boys, men or women. All of that is erase with E.R.A. because you can't talk about specific sex. This could include churches with a male priesthood, like the Catholic Church and the Church of Jesus Christ of Latter Day Saints. The tax-exempt status of these organizations could be in jeopardy. This could also impact tax-exempt contributions. She asked if the Murray City Council wants to go on record to promote the elimination of tax-exemptions of church donations.

Ms. Roylance said that most people cite the rights of women in the workplace as a reason for the E.R.A.. In fact, in many cases, women are already given a priority through affirmative action programs. The E.R.A. would give men an even playing field. Women would lose special considerations if the E.R.A. was passed. They would be reduced to equality with men. Does the Murray City Council want to go on record as opposing programs that give special consideration to women?

Ms. Roylance said that passage of the E.R.A. would open the floodgates of lawsuits to both men and women to change the laws of the United States. Is this what the Murray City Council wants to support?

Ms. Roylance noted that Article IV of the Utah Constitution is vastly different than the national amendment being proposed. Article IV says both male and female citizens of this state, it mentions the fact that we are different, shall enjoy equally all civil, political and religious rights and privileges.

Ms. Roylance urged the Council to table a decision on this. It won't make an ounce of difference. There is a push in Utah to become the 38th state to ratify this. Number one, the U.S. Supreme Court said the issue is dead. The ratification deadline has passed. There is a bill before Congress right now trying to say that they can open it up, but the U.S. Supreme Court has said that is not possible. Even Ruth Bader Ginsburg has said she would like to see it opened up to a new E.R.A. to begin the process again because it is dead. Why is Utah doing this? They wanted to be the 38th state, but the 38th state was Virginia, but the last three don't count and four states have rescinded. This is an unnecessary,

inappropriate thing for the Council to promote and she urged them to table it and let it go.

Rhonda Hair – Gathering Families

Ms. Hair read a statement from Laureen Simper.

“My name is Laureen Simper. I’m a native and nearly lifetime resident of Murray City. I’m writing in opposition to Murray City passing a resolution to ratify the Equal Rights Amendment, for three reasons.

First: the amendment's provisions give me pause as to its desired outcomes of "equality." For over 40 years, proponents of the E.R.A. have claimed there are rights for women not protected by law. However, this amendment gives more teeth to the state making men and women the same, rather than equal.

Equal doesn't equal the same. There are inherent physical and psychological differences between men and women which must be dismissed as irrelevant if this amendment is ratified, to the peril of women.

It isn't right to tell a woman that she must register for the draft, or must serve in the military beside men, with no recognized distinctions of these physical and psychological differences, simply because men must register for the draft.

It isn't right, in a "Me Too" world, to tell a woman seeking shelter from an abusive relationship that she can't have the refuge of an all-women's shelter, simply because men must also have access to these shelters.

Second: I don't want the right for a woman to kill her unborn child codified into constitutional law. It should give Murray residents serious pause that some of you sit on this council, thanks to thousands of donated dollars coming from Planned Parenthood. As abortion is the number one money maker for Planned Parenthood, it should be obvious that their stake in the passage of this amendment has nothing to do with equal rights. Rather, its passage gives Planned Parenthood constant access to funds for abortion, a brutal procedure which was originally touted as needing to be only "safe" and "rare." Passage of this amendment would ensure that recent state laws to protect the unborn become obsolete, by deeming them "unequal."

Finally: I oppose this resolution for its very nature and purpose. I have seen the resolution strategy used globally, at the recent United Nations conference held in Salt Lake City, locally, on the Salt Lake County level, and now this attempt at our city level, to create a false sense of consensus and peer pressure. At the United Nations, there was strong opposition, and not by a small minority, to the outcome document generated at the Salt Lake City conference. The resolution process leaves no room for dissenting voices, and the resulting documents and resolutions go forward as a means to pressure legislative bodies

to pass laws they have no business passing. While there is no real force behind these resolutions, I see them as the same kind of tired tactics as a junior high bully or "mean kids" club. They create a culture of community peer pressure - where the only goal is that of tyrannical sameness.

For these reasons, I would urge this council to vote against the passage of such a weak and meaningless resolution. Murray City has needs and priorities far more important than a motion that merely attempts to pressure the legislature into doing something it has no business doing in the first place."

Kim Landeen – Big Ocean Women

Ms. Landeen said her focus is on the international community and she has seen the E.R.A. play out on a national level. She reminded the Council that they have been privileged to represent the citizens and have the responsibility to make the choices of what matters and what the citizens value.

Ms. Landeen has spoken with women who are the equal among men. They are pulled out of their homes because they are needed in the workforce. They lose their ability to want to be mothers and to be mothers. That's not equal. We are not equal. Ms. Landeen was in Ecuador at the Habitat Conference for the United Nations a few years ago. After listening to a conversation about gender and equality and violence against women, it occurred to her that because of her biology, she is vulnerable, her ability to give birth makes her vulnerable, and her physiological person makes her vulnerable.

Ms. Landeen applauds every single women that wants equality and protection for women, but she reiterated that we are not the same and we are not equal in that sense. She spoke about a picture she once saw of a mother holding her child and around the mother were the strong arms of the father protecting the family unit. That ceases to exist when the E.R.A. is written into law. She applauds Murray for wanting to represent Utah and to take the forefront but this is not the battle that Utah wants to face. Why are we going back to legislation that was written in 1922? We are not the same as we were in 1922. Why do women believe that we do not have the gumption or fortitude to write our own piece of legislation right now? Why are we pushing this agenda? It makes no sense to her, unless it's just an agenda. This is not about equality. If it were about equality the Council would give the voice to the women that sit in this room. We have the ability to write legislation that, on its own merits, could go through Congress and could be ratified by 38 states that would protect women and children. She hopes Murray will not pass this resolution.

Maryann Christensen – Murray City, Utah

Ms. Christensen said she is the Director for Citizens for Strong Families. Citizens for Strong Families supports the things that keep the family strong and oppose things that will disintegrate the family. They oppose the E.R.A. The 14th Amendment and the Civil Rights Act of 1964 already protect equal rights based on sex. If people want to ratify the E.R.A.

based on that argument, it's been done already. The E.R.A. will dissolve the distinctions between men and women. She reminded the Council that some of the things that would change with E.R.A. would be: the military draft, women's sports, intimate spaces, abortion limits, gender roles, harm to women in divorce or child custody cases, making it harder for women to choose traditional roles, and the rewriting of the tax laws.

Citizens for Strong Families applauds the motives of the supporters of the resolution but they also anticipate that it will bring repression for women. Over the years, women have gained many rights; this will all be undone with the passing of the E.R.A. Men and women are equally important and should be protected equally under the law. Protecting both sexes under the law does not mean that we cease to recognize biological, physiological and emotional differences between men and women. Those need to be supported and preserved so we can support and preserve our traditional families. She urged the Council to not pass the resolution.

Gail Ruzicka – Utah Eagle Forum

Ms. Ruzicka said Utah Eagle Forum's original name was Stop E.R.A. She encouraged everyone to look up Phyllis Schlafly who was the founder of Stop E.R.A. Ms. Ruzicka said she likes this resolution, at least the first page and a half of it. It is well written and tells the history of Utah and what women in Utah have been able to accomplish. Because of Utah's Equal Rights Amendment, women in Utah have been able to accomplish more in Utah than just about any other state in the nation.

Ms. Ruzicka stated Utah's Equal Rights Amendment states that *"The rights of citizens of the State of Utah to vote and hold office shall not be denied or abridged on account of sex."* It then goes on to talk about the things that men and women can enjoy together. If you look at what the E.R.A. that is being addressed today says, it says, *"Equality of rights shall not be denied or abridged by the United States or by any State on account of sex."* Why would we support that language when we have the right language in Utah already and it has worked? To say that men and women are exactly the same, as the National E.R.A. does, would cause all kinds of consequences. The E.R.A. is not good for women, it hurts women. However, Utah's Equal Rights Amendment is good for all people, men and women.

Ms. Ruzicka said the good thing about the City's proposed resolution is that it points out all the good things that have happened to women in the State of Utah because Utah has the right amendment to make it happen. She likes that five out of the nine institutions of higher education in the State of Utah have women as their presidents and the State's current Superintendent is a woman. She mentioned Becky Lockhart who served as Speaker of the House and noted that the majority of judges in Utah are judges because of Utah's E.R.A. Ms. Ruzicka asked the Council not to pass this resolution.

Miranda Walker – Representative for Karen Kwan

Ms. Walker said that Representative Kwan is not in need of anything to bring to the

Legislature this session as there are already over 1,100 bills being introduced. Representative Kwan is currently working on obtaining affordable housing for seniors, better accessibility to mental health care for first responders, and comprehensive background checks for individuals working in schools.

Ms. Walker stated that Representative Kwan was sorry she could not be in attendance. She read a statement from Representative Kwan.

"I would like to recognize and thank Murray's residents for voting in one of Utah's first female majority councils and to thank the City Council for acknowledging the Equal Rights Amendment as a cause worthy of your attention. It is this inclusive, forward mindset that will ultimately set the bar higher for public service in Utah. We have a great early history of women's rights that many people, including Utahans, don't know about. Written in Utah's Constitution is the same notion of equality, the same inclusions and guarantees for women that the E.R.A. would provide for in our Federal Constitution. We are living in an E.R.A. world right now in Utah and this is a diplomatic message to send.

With that said, the E.R.A. won't change anything in Utah or Murray because we already have these rights. There is no reason to fear, no reason not to ratify, but every reason to do it. E.R.A. sends a message of support for future generations. For our daughters and sons, granddaughters and grandsons and their grandchildren. It will let them know we were on the right side of history.

I am proud to live in one of the 25 states that guarantees equal rights regardless of sex and I am proud of cities like Murray that lead out on supporting that grand gesture of love and respect now, right now for our stay at home moms, our female veterans currently serving, Murray's majority female council and for future generations."

Aaron Hildreth – Murray City, Utah

Mr. Hildreth said he supports the E.R.A. and is glad Murray is taking a stand. He is proud to live in a city that will stand up and do the right thing.

Dawn Bates – Sandy City, Utah

Ms. Bates read a statement from Stacie Thornton.

"I am strongly opposed to this resolution for more reasons than I have time in this meeting to explain. First of all, the accepted time limit for ratification of the E.R.A. amendment has passed. Justice Ruth Bader Ginsburg, a more sympathetic Justice to this cause than I, has said that the ratification deadline can't simply be legislated away. She said that those in favor of this amendment must start over. I do not believe that the majority of Americans, and especially the residents of Murray, are in favor of lawmakers disregarding different aspects of the law that no longer fit their agenda only to force it upon those who have entrusted them with limited power.

Next, Justice Ginsburg also said that 800 laws would change under the E.R.A. My question to those seeking to push this resolution, giving the appearance that all of Murray is in favor of it, is what are those 800 laws? I'm not interested in just a few of them, I'm interested to know if you can name all of them. In what way will they change. I would like to know the impact those changes will have on not just women, but men and children. And most importantly, what impact will these changes have on families, the most sustainable unit of society.

Wouldn't it be wonderful if instead of pushing these resolutions, regulations, and laws that have wonderful sounding names that spark the feel-good vibe in everyone's heart, we first did an impact study on the consequences, both those intended and those unintended before we signed and forced or passed them. Many feel-good laws and such that have been passed in the last 50 years have done little of what they claimed they would do and have instead weakened men, women, children and families thus drastically weakening our communities and nation. Those who understand human nature understand that rules and regulations that are passed in a growing, secular society, generally do more harm than good. The Equal Rights Amendment will be no different. In the end, it will harm men, women, children, and families.

I am opposed to the amount of legislative power that will be passed from the states to Congress which creates an even greater imbalance of power to the Federal Government. Section 2 of the E.R.A. requires that Congress be given the power to enact the provisions of the E.R.A.. As a result, states would lose their legislative abilities in regard to family law, sex crime laws, public and private schools, insurance, prison regulations, and any other areas of law impacted by gender.

The purpose of the Constitution was to prevent the concentrating of power into one body. We should never desire an amendment that grants more power to the Federal Government. Thomas Jefferson said that the generalizing and concentrating of all cares and powers into one body has destroyed liberty and the rights of man in every government which has ever existed under the sun. I urge the members of this Council to vote no on this resolution."

Anne Hunter – Murray City, Utah

Ms. Hunter said she is against the E.R.A.. She read a portion of a letter she sent to Councilmember Martinez.

"I do support equal rights for all under the law, but there are problems with the E.R.A. It is my understanding that it removes legislative powers from the State and transfers them to the Federal Government. Laws that address marriage, family and issues between the sexes would be controlled by Congress, executed by the Federal Government and interpreted by the Federal Courts. It does not allow exceptions to be made for women. It does not guarantee workplace accommodations for pregnant women or social security benefits based on a spouse's income for stay at home mothers. It is possible women could

be stripped of financial protections in case of divorce and their special standing of wives, widows and mothers ignored. Fathers may be relieved of their responsibility to financially provide for their children. Alimony and child support may not apply. The vagueness of the amendment's language would leave it open to interpretation.

There are no guarantees women would not be forced into combat or that abortion wouldn't be allowed on demand at every stage of pregnancy or that man, assisted by drugs and surgery, could invade protected female space."

Ms. Hunter urged the Council to table this resolution. She asked them to not perpetrate discrimination and considerable harm to women by encouraging laws that do not benefit them. Or, at the very least, take this issue to current voters citywide before offering their support to the E.R.A.

Mary Taylor – Pro-Life Utah

Ms. Taylor is the President of Pro-Life Utah. She said across Utah and across the country, they see cities passing sanctuary city resolutions to protect the rights of unborn, innocent babies. Here tonight, Murray City is considering a resolution that is anything but an equal rights amendment. To have equal rights, those rights must extend to everyone, including the most vulnerable members of our society, the unborn. This E.R.A. puts the unborn at great risk. The E.R.A. would put the horrific and brutal partial-birth abortion, third-trimester abortion, and tax funded abortion on the table. As cities across the country show their compassion, the resolution that is being considered tonight would reflect a callous disregard for life. She urged the Council to vote no for this resolution.

Adam Thompson – Murray City, Utah

Mr. Thompson said everyone here will have a different opinion on this. He doesn't think anyone in Utah opposes equal rights so there has to be a reason people oppose the E.R.A. The E.R.A. was opposed by both liberal and conservative groups. At the Democratic National Convention in 1960, the E.R.A. was rejected and opposed by the ACLU, the American Federation of Teachers, Americans for Democratic Action, the Nurses Association and the National for Jewish, Catholic and Negro Women.

Mr. Thompson asked why now, what's going on. Mr. Thompson said he ran for City Council. When he ran he said he would always tell the voters the truth, place service above self and put Murray families first, regardless of consequences. He asked the Council if there was a grassroots effort within Murray for this. He didn't think there was because this wasn't brought up once during his campaign. He asked if this was activism or self-service because to him, this seems more like activism than public service.

Mr. Thompson said City Council's throughout the Wasatch Front are being taken over by outside influences and this was clearly pre-planned for it to be the first thing in the meeting agenda of this new year.

Beverly Crangle – Murray City, Utah

Ms. Crangle said she is opposed to giving up more rights. So many of our State rights have been taken over by the Federal Government. It's been unintended, but nevertheless, taken over. We send our income taxes to the Federal Government so they can pass them back with strings attached. She believes the E.R.A. will harm the City's residents. She doesn't know what rights would be gained and what amount of time it would take to change the wording in all these laws that already have gender specific names. She thinks the City has better things to do than to spend time on this. She urged the Council to either table or not pass this resolution.

Jeff Collette – Murray City, Utah

Mr. Collette spoke about an article that was posted in the Deseret News on Wednesday, November 20 and was written by Valerie Hudson. In the article Ms. Hudson explains she is opposed to the E.R.A. for a couple of reasons. Her first is, what does sex mean in the EAR amendment for 2019? She says that according the proposed Equality Act, the word sex in every piece of federal legislation must be replaced with the phrase sex (including sexual orientation and gender identity). Her second reason is it widely agreed that the E.R.A. would make any future imposition of a military draft impossible. She added that women already give their lives for their country in a way men do not, why do we want to put them in the military.

Mr. Collette noted he opposes this resolution.

Carolyn Forsyth – Murray City, Utah

Ms. Forsyth said she spoke to her children about what this E.R.A. resolution would do and they don't want those types of things in their lives and she doesn't want that for her children either. She opposes the E.R.A. and it sounds to her like a lot of citizens that have spoken today oppose it as well. She would like the Council to oppose this resolution.

Cathy Mauluulu – West Jordan City, Utah

Ms. Mauluulu said whenever really vague language is passed, it always has unintended consequences that typically do not benefit the people. The terms men and women in the Utah State Constitution help guarantee equal rights under the law. However, the E.R.A. in this resolution does not say equality for men and women, it says based on sex. In this day and age, we don't have a clear definition as to what that actually is.

The other issue she has heard tonight is because the Utah State Constitution has passed an Equal Rights Resolution, this won't change anything. If that is the case, isn't this redundant and a waste of everyone's time and energy. Obviously something will change or we wouldn't put in the time to vote for or against this.

Another issue is according to the language of the resolution, the State of Utah would be forfeiting our state rights on anything that had to do with sex. That right would be advocated to the Federal Government. She thinks we need to pause and really consider

the unintended consequences that this particular language would put upon everyone in Murray City and in the State of Utah. She encouraged the Council to not vote on this resolution.

Janice Strobell – Murray City, Utah

Ms. Strobell said she is concerned about the direction that implementing an E.R.A. resolution would have. For one, it's non-binding; there are no legal ramifications by it. By taking action on national issues like this, we're using up the vital time that we elected the City Council for. The City Council is meant to discuss local issues, issues that reflect what we are dealing with in our city. We have the opportunity to speak about more of the international and national issues as we work with our legislators, that is not the point of a City Council. This is deceiving to say that this is a resolution of the City, when it is only coming from the five Murray City Councilmembers. She asked the Council to digest what the citizens are saying. This resolution doesn't feel like it reflects Murray.

Glo Merrill – Murray City, Utah

Ms. Merrill said she is on the Murray School Board and four out of the five School Board members are female. She said if this were a School Board meeting, they would be talking about kids, lunch, and whether or not kids should go to recess before or after lunch. This City Council should be thinking about where the pot holes in the road are, what the new Fire Station is going to look like, the water, the park, and the homeless people along the Jordan River Parkway. The Murray City Council is for the citizens of Murray, not the citizens of the world, or nation or state. Karen Kwan is a legislator and that is where this information should be, at the state. That way, all of Murray's citizens would be able to vote on this. Ms. Merrill added that as a School Board member, 100% of her time is for the children, not for something else.

Elizabeth Payne – Murray City, Utah

Ms. Payne said she supports the E.R.A. resolution and she is grateful it has been brought up. She encouraged the Council to vote for it.

Kelly Whited Jones – Utah E.R.A. Coalition

Ms. Jones noted that she came to the meeting today dressed as a suffragette. She has seen overwhelming support for women this year. Three years after women won the right to vote, Alice Paul, a suffragette, sat down and penned the words for the E.R.A. Those 24 words cannot be changed, but they are also reflected in the Utah State Constitution.

If the state already has an equality clause, why do we care about this here. The reason is that Utah women travel and it would be wonderful to have these rights and privileges extended from state to state. Twenty-five states have an equality clause, but many states do not. For consistency reasons, it is important for us to have the E.R.A.

One of the tangible benefits of the Equal Rights Amendment is that when your daughter goes to court over an equal pay issue, her claim will be met with a different level of judicial

scrutiny. In many cases women loose because they are forced to prove they have been discriminated against and that there was an intent to discriminate. The reason Justice Ruth Bader Ginsburg supported the E.R.A. and said that is the amendment she would like to see in her lifetime is because it would raise the bar when women go to court so their court cases are seen with strict scrutiny, the same scrutiny that is used in the 14th Amendment. Justice Scalia, one of the more conservative members of the Supreme Court, said that the 14th Amendment does not consistently cover discrimination based on sex.

Ms. Jones said she is here fighting for her daughter so she will have the same rights she has had. The privileges and rights that our daughters have at this moment can be changed and watered down with one administration. She urged the Council to support the E.R.A.

Alexander Teemsma – Murray City, Utah

Mr. Teemsma said last year he came to the Council asking that they legalize short-term rentals such as Airbnb's and Vrbo's. He was hoping with the new Council the process of consideration could be expedited. He is in favor of short-term rentals.

Kathy Prestwich – Murray City, Utah

Ms. Prestwich said she opposes the E.R.A. and she hopes the Council will consider all the comments that have been given tonight.

Claire Turner – Murray City, Utah

Ms. Turner said she is in favor of the E.R.A. resolution. She thinks a lot of the horror stories and myths of the E.R.A. are unfounded and a lot of things have been passed already. She asked the Council to consider passing this resolution.

Mike Prestwich – Murray City, Utah

Mr. Prestwich said he is opposed to this E.R.A. resolution. He doesn't feel like this represents the attitudes of Murray citizens. This topic doesn't come up when he is out visiting with his neighbors. He is wondering where this came from because it doesn't seem like it's an item of interest for Murray citizens. He asked the Council to vote no for this resolution.

Business Items

Councilmember Hales asked if Item 4 could be discussed first due to all the interest of the citizens in attendance in that item. No objections were made and Item 4 on the Business Items was discussed first.

4. Consider a resolution in support of ratification by the State of Utah of the Equal Rights Amendment to the United States Constitution.

Councilmember Hales asked the Council to consider tabling this item. This has been a tough item for him. He represents District 5 and he listens to his citizens. He hasn't heard from any of the citizens in his district that have asked him to vote for this, but he has

heard from some who do not want him to vote for it. He feels it would be wrong for him to vote for this because he represents the citizens.

Councilmember Hales added that if anyone thinks this is a man vs. women thing, it is not. Two weeks ago, Councilmember Cox was voted in as the Council Chair and he was voted in as the Redevelopment Agency Chair by the majority of the Councilmembers.

Staff Presentation: Kat Martinez, Councilmember

Councilmember Martinez began with a quote from Dr. Martin Luther King Jr. In 1965 he said, *"The time is always right to do what is right."*

Councilmember Martinez said on January 26th, 1920, the same year the 19th Amendment which secured women the right to vote passed, her Grandma Nina was born. Three years later, in 1923 the Equal Rights Amendment or E.R.A. was introduced to Congress. In the years that followed much progress was made towards gender equality. Whoever you voted for in the 2016 presidential race, Councilmember Martinez hoped you can join her appreciation for the historic moment her grandma got to witness when a woman was on the ballot for the office of President of the United States of America. Her Grandma Nina died before the general election but living to see that primary meant the world to her.

With all the progress we have made, there are still many reasons that the principles of the E.R.A. are both relevant and needed today. Councilmember Martinez gave some quick facts regarding gender inequality today.

- The Supreme Court has determined that gender is not a protected class like race and ethnicity when it comes to laws and governmental actions. This means that the 14th Amendment, which addresses citizenship rights and equal protection under the law, does not protect women.
- Women are half as likely to receive a pension as men because Social Security still defines women as dependents.
- 56.8% of women over the age of 16 are in the labor force, and yet, on average, women are paid less than men for the same jobs. For every dollar that a man makes, a White woman earns 77 cents, a Black woman earns 68 cents, and a Latina earns 59 cents.
- The United States is one of only seven countries in the world that still hasn't ratified the Convention on the Elimination of Discrimination against Women (CEDAW), which aims to ensure equal rights for women around the world.

A common misconception is that the E.R.A. is all about women, but gender equality is about protecting men's rights as well. When women are compensated fairly for their labor, it benefits their spouse, children, the whole family.

Currently, men suffer great discrimination in our nation's family courts. Councilmember Martinez saw this first hand with her amazing brother-in-law. This man is the best dad ever, he taught her how to swaddle her babies and is wholeheartedly committed to his children. Following the unfortunate event of his divorce she watched him navigate a custody system rigged against him, it was heartbreaking for him and her and hurtful to his children.

There are many Myths associated with the E.R.A. that lead to misinformation and confusion.

Myth 1: An E.R.A. will compel public funding of abortions for Medicaid recipients.

Medicaid benefits combine federal and state funds. There are federal minimum benefits, and states can go beyond the minimum in providing various types of health services but there is no default inclusion of abortion coverage. The E.R.A. has no mention of abortion in its language neither explicitly nor implicitly. The E.R.A. is not an abortion law.

Councilmember Martinez noted there have been a lot of attacks towards her about being involved with Planned Parenthood. She volunteered with a teen mom group for young women who got pregnant and chose to keep their babies. Every Tuesday for a year and a half, she made them dinner, taught them parenting lessons, helped them apply for college and got them through high school. Councilmember Martinez stated she is not ashamed of that volunteer association with Planned Parenthood; she is very proud of it. This E.R.A. resolution, however, is in no way tied to abortion or Planned Parenthood.

Myth 2: Sex-segregated prisons, locker rooms, restrooms and shelters will be illegal.

Councilmember Martinez said this is false. An E.R.A. does not mean that men and women have to be treated identically. It is not about identical treatment, it's about equal treatment. It means that there must be a compelling, rational basis for the different treatment. There are privacy and safety considerations that justify separate prisons, locker rooms and shelters for women, and those considerations are protected under the U.S. Constitution. The E.R.A. enhances, not reduces, federal constitutional protection.

Myth 3: Women will be forced to register for the draft

The reality is that Congress already has the power to draft women. They choose not to, but legally can at any time. Article I, Section 8 of the Constitution gives Congress the authority to raise armies but does not specify gender or age limitations. At present the United States doesn't draft anyone, male or female, but relies on a voluntary military. Councilmember Martinez said as the mother of one son and two daughters, her heart breaks at the thought of her son being drafted as much as her daughters.

Women have participated in various capacities in every war the United States has ever battled. They have fought and died in combat. All branches of the military benefit from their service. The E.R.A. will Allow Women who choose to Build A Military Career to do so

without fear of discrimination. It will guarantee women cannot be denied promotions because of their sex.

Utah has a strong history in the fight for gender equality. Women in Utah were the first in the nation to vote, and Utah was the first state to elect a woman as state senator. The fight for gender equality is not new, but that doesn't mean its outdated or anywhere near finished. Councilmember Martinez wants her son and daughters to have equal opportunities and protections under the law. A resolution here, in Murray, at the municipal level tells our community we value father's as much as mother's in their children's lives and believe in equal work for equal pay.

We are not members of Congress here in this room, nor are we members of the state legislature. Councilmember Martinez ran for City Council because she believes in focusing on our local community first. Murray has always prided itself as being independent and standing strong in its values. Because of this history of independence and fortitude, Councilmember Martinez believes it is not only appropriate, but necessary, for Murray to resolve to its citizens a commitment to gender equality. This resolution tells the state legislature, that whether or not they vote to ratify the E.R.A., that we here in Murray honor its spirit by passing this resolution and telling our citizens that the leader's value them all equally. When any minority rises, they should reach down to lift up others, and Councilmember Martinez feels that this E.R.A. resolution does that.

Councilmember Martinez said a 100 year old movement isn't going to be perfect. The E.R.A. doesn't take us across the finish line, but it is a meaningful step in the right direction. We must keep moving forward. And as we do, we must always keep in mind how the work we are doing helps lift up not just women but people of color, keeps our LGBTQ neighbors safe and ensures inclusion of our community members with disabilities.

Shaun Delliskave from the Murray Journal conducted a poll on a Murray Citizens Facebook page that indicated overwhelming support for the resolution. Councilmember Martinez said she received one phone call against and half a dozen texts and emails in favor of the E.R.A. She said her job is to represent the wishes and best interest of residents of District 1, and they have made their voices heard. She said that the Councilmembers are listening. Let's set an example here in Murray to profess our values and let's keep moving forward towards a more equal and fairer City together.

Councilmember Martinez read the resolution.

MOTION: Councilmember Dominguez moved to amend the second to the last paragraph where it says, *"Well after the 1982 deadline set by Congress, Nevada in 2017 and Illinois in 2018 ratified the Equal Rights Amendment, bringing the total number of states that have ratified the amendment to 37."* She would like to change the number 37 to 38. The motion was SECONDED by Councilmember Martinez.

G.L. Critchfield, City Attorney, noted that they could add Virginia ratified in 2020. The Councilmembers agreed.

Councilmember Turner said in 1974 she was at the Salt Palace with her young son fighting for the E.R.A. It was very important to her at that time and that hasn't changed. She has received five correspondence from her constituents, two negative and three positive. She also received some positive emails a few weeks ago. She read an email she received from Cynthia L.K. Reese.

"Dear Councilperson Turner,

I recently heard that the Murray City Council was considering officially supporting the E.R.A. When I heard this, I was thrilled. Since I was a child, I have dreamed that our country would truly embrace the principles of equality that I was raised to believe our nation held as a core value and finally ratify the E.R.A.

I wanted to come speak at tonight's meeting but I have a Community Council meeting this evening followed by another engagement that I am unable to reschedule. Since I cannot be there tonight I wanted to write a letter to share my feelings about the E.R.A. I am proud that the city that I call home is considering making this move. Utah was the first state to ratify the right to vote for women. It seems fitting that our state be among those to help to finally obtain equal rights for women as well. I think having Murray officially support the move to ratify the amendment makes a wonderful statement.

I remember last summer I was talking to my two young boys about the E.R.A. and they were both shocked and outraged to hear that under the Constitution of our nation, I did not have the same legal protections as they did simply based on my gender. They asked how this was possible. I explained that when I was a child there was a move in our country to amend the Nation's Constitution but that a lot of mis-information was spread around out of fear and lack of understanding of exactly what the amendment would do to our laws. This mis-information scared people and continues to scare people today because once an incorrect idea is out there, it is hard to convince people of the truth.

I urge you not to allow the fear that is generated by this mis-information to dissuade you from taking this wonderful stance in favor of the E.R.A. The E.R.A. does not make separate bathrooms illegal, it does not automatically make women eligible for the military draft, it does not disallow shelters to be separated by gender and it does not impact divorce law or custodial law in a negative way. The E.R.A. does make sure that a woman received fair pay for the work she does. It makes sure that a father does not automatically lose his custodial rights based on his gender. All the E.R.A. does is guarantee that all members of the United States receive equal treatment under the law regardless of gender.

The E.R.A. protects both men and women. I sincerely hope that the City Council of Murray will vote in favor of voicing their support for our State to make the historic, and long

overdue action, of ratifying the E.R.A.”

Councilmember Turner said those comments sum it up for her as well. She feels the E.R.A. is important although it's not perfect.

Councilmember Dominguez said the Council is a united front. She represents a community that is not heard and although a lot of them are not at this meeting, she has heard from them through calls, texts, and emails. She noted that her and Councilmember Martinez bring a different view to Murray. It's a view and voice that hasn't been heard for a long time. Bringing this resolution forward was very important to Councilmember Dominguez. The Council works with the state legislators and the legislators represent the city. She read a statement from Lee Brinton.

“I'm here to express opposition to turning the Murray City Council into a venue for national issues. Murray City Council's responsibility lie with local issues including placing and then enforcing appropriate land use and zoning policies, health and safety issues related to police and fire, water and sewage treatment, and the power company. Council members were elected to address these issues. If council people are more interested in these state and national issues, I suggest they run for Mark Wheatley's House District 35 seat, Kathleen Reibe's Senate District 10 seat, or Ben McAdams, Mitt Romney, or Mike Lee's Congressional or Senate seats.

I strongly object to any attempt to bring the national contention to Murray. We have plenty of issues to occupy your attention.”

Councilmember Dominguez said she is part of a younger generation. She has to consider the youth, her kids and their voice when making decisions.

Councilmember Hales stated he looked at the Facebook poll that Councilmember Martinez referred to and only 107 people have voted and he doesn't know if they live in Murray. For him, he can't make a decision using that poll with that amount of people. He believes in equal rights, but for this resolution, he is listening to his constituents. He reiterated he would like to table the decision.

Councilmember Cox said he has listened to both sides of this issue. Throughout his whole life, he has been an advocate of equal rights. It never mattered to him whether you were a man or woman, what your race was or what your sexual orientation was. What mattered was if you could do the job. If you could, you should get equal pay and equal protection.

It's hard to get into state and national issues. Councilmember Cox said he has constituents on both sides of this issue. He believes in equal rights and he believes if the Council is able to do something to move something along in the proper direction, they should. There has been a lot of information given tonight. He noted that Councilmember Martinez gave a

great presentation in getting rid of some of the myths of the E.R.A. If the City moves this forward, it makes a statement and it lets people know that this issue isn't dead. Are there things we don't like about it, yes. It's an emotional and hard decision, but he thinks it's the right decision.

MOTION: Councilmember Turner moved to adopt the resolution with the amendments made by Councilmember Dominguez. The motion was SECONDED by Councilmember Dominguez.

Council roll call vote:

Ayes: Councilmember Martinez, Councilmember Cox, Councilmember Dominguez and Councilmember Turner

Nays: None

Abstentions: Councilmember Hales

Motion passed 4-0-1

1. Consider a resolution approving an Interlocal Cooperation Agreement between the City and Utah Department of Transportation ("UDOT") for Transportation Alternative Program ("TAP") Funds to install sidewalk along Cedar Street from 6100 to 6200 South.

Staff Presentation: Danny Astill, Public Works Director

Mr. Astill said this resolution will allow the city to enter into an agreement to receive funds from UDOT to create better sidewalks for a school path to Liberty Elementary.

Councilmember Martinez thanked Mr. Astill for getting these funds because sidewalks are so important for public safety and the safety of kids walking to and from school.

MOTION: Councilmember Martinez moved to adopt the resolution. The motion was SECONDED by Councilmember Cox.

Council roll call vote:

Ayes: Councilmember Martinez, Councilmember Cox, Councilmember Dominguez Councilmember Turner and Councilmember Hales

Nays: None

Abstentions: None

Motion passed 5-0

2. Consider a resolution approving an Interlocal Cooperation Agreement between the City and the Utah Department of Transportation to receive financing from the Federal-Aid Highway Funds for the roadway project at Vine Street; 1300 East to Van Winkle.

Staff Presentation: Danny Astill, Public Works Director

Mr. Astill said this is a resolution to enter into an agreement with UDOT who administers the Federal Highway Funds. The City was awarded these funds several years ago. We are now ready to receive them to finish paying for the first section of the Vine Street project and get moving on the second section.

Councilmember Turner asked how much money the city has been awarded for these projects.

Mr. Astill replied close to \$10,000,000 between the two portions of the project.

MOTION: Councilmember Turner moved to adopt the resolution. The motion was SECONDED by Councilmember Dominguez.

Council roll call vote:

Ayes: Councilmember Martinez, Councilmember Cox, Councilmember Dominguez
Councilmember Turner and Councilmember Hales

Nays: None

Abstentions: None

Motion passed 5-0

3. Consider an ordinance amending Section 15.08.030 of the Murray City Municipal Code relating to waiving construction related fees for General Fund projects.

Staff Presentation: Melinda Greenwood, CED Director

Ms. Greenwood said this is a request from staff. This portion of the City Code states that the City will charge fees for all commercial and residential development building permits that are issued. Staff is requesting the Council amend that to add a paragraph that says building permit fees would be waived for all General Fund City projects. That would essentially keep the City from charging itself building permit fees on items that come forward out of the General Fund.

Ms. Greenwood said there are a number of projects coming forward in the next few months, such as the pavilions for the park, the new City Hall, and the Murray Theater, that would fit into this category. In instances like these, the building permit fees would be waived. Ms. Greenwood noted that this would not apply to impact fees, only building permit fees. The requirement for building inspection would not be waived either. This also does not apply to any Enterprise Fund projects, only General Fund projects.

MOTION: Councilmember Dominguez moved to adopt the ordinance. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

Ayes: Councilmember Martinez, Councilmember Cox, Councilmember Dominguez

Councilmember Turner and Councilmember Hales
Nays: None
Abstentions: None

Motion passed 5-0

Mayor's Report and Questions

Mayor Camp reported on the following items:

- The Chamber of Commerce is partnering with Intermountain Healthcare to host a Legislative Breakfast on Saturday, January 25, 2020 at the Intermountain Medical Center's Doty Education Center, Building 6. It's a great opportunity and is only one hour, from 9:00 a.m. to 10:00 a.m. It's a great opportunity for citizens to interact with the Murray Legislators.
- The Parks and Recreation Master Plan will be posted on the City's website by the end of the week. Mayor Camp invited the public to review it and give staff any additional feedback they have. It is scheduled to be presented to the Council for approval on March 17, 2020.
- The issue of short-term rentals has been a topic of discussion recently with the Mayor and his staff. The City's Prosecutor is not able to prosecute these cases for various reasons under the City's current ordinance. Mayor Camp noted he has instructed the Community and Economic Development department to come up with some options to fix the City's ordinance.

Adjournment

The meeting was adjourned at 8:53 p.m.

Jennifer Kennedy, City Recorder