



MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met on Tuesday, April 7, 2020 for a meeting held electronically in accordance with Executive Order 2020-5 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020 and Murray City Council Resolution #R20-13 adopted on March 17, 2020.

Council Members in Attendance:

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

Others in Attendance online:

Blair Camp	Mayor	Janet Lopez	City Council Director
Jennifer Heaps	Chief Communications Officer	Pattie Johnson	City Council Office Admin.
Melinda Greenwood	CED Director	Joseph Silverzweig	CED
G.L. Critchfield	City Attorney	Kory Wells	Public Works
Jennifer Kennedy	City Recorder	Ben Ford	Public Works
Danny Astill	Public Works Director	Danny Hansen	IT
Matt Erklelens	City Forrester	Bill Francis	Imagination Company

Mr. Cox called the Committee of the Whole meeting to order at 6:15 p.m. and made the following announcement:

Welcome to the Murray City Council Meeting. We are glad you are viewing our proceedings.

Because of the current health pandemic, and in order to comply with the Governor’s Directive to “Stay Safe, Stay Home,” and the Public Health Order issued by the County Health Department and County Mayor, we have determined that an in person meeting, including attendance by the public and the Council is not practical or prudent. Therefore, this meeting will be held remotely through electronic means.

This is the first entirely remote electronic meeting we have held. Each person is participating from a separate location. We are totally dependent upon the internet and technology to broadcast this meeting and it is

important for us to ensure that the public has an opportunity to view the proceedings, however, there could be a malfunction that is totally out of our control. We don't expect any issues but want you to be aware of the possibility.

If you would like to submit citizen comments or public hearing comments please email to city.council@murray.utah.gov they should be less than 3 minutes, include your name and contact information and they will be read into the record.

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

- Committee of the Whole – February 4, 2020
- Committee of the Whole – February 18, 2020

Ms. Turner moved approval on both sets of minutes. Mr. Hales seconded the motion. (Approved 5-0)

Discussion Items

Proposed BOA (Board of Appeals) Revisions, Murray Code Section 2.36 – Ms. Greenwood reported CED (Community Economic and Development) staff worked with Mayor Camp's office, City attorneys, and Murray Building Official, Steve Reid to amend City Code that would reduce the number of BOA board members from five people – to three.

She explained finding people with expertise in construction and building code knowledge who are available to attend board meetings, and willing to serve had been difficult in the past, so this would make it easier to find those individuals – because the BOA does not have a need to meet frequently. She added this confirms the city building inspector is doing a good job in making judgment calls. She said maintaining a functioning BOA is important, because when the decision of Mr. Reid is challenged, it is important that a BOA Committee is available. She noted terms would remain the same, and appointed board members would be chosen by Mayor Camp, with advice and consent of the City Council.

Ms. Turner asked how solicitations were made, and if appointees are chosen by City districts. Ms. Greenwood explained memberships are not tied to any district, people are chosen specifically on the basis of expertise and knowledge. Mr. Reid would contact Murray residents he knows personally, to look for people who are either contractors, construction workers or retired building inspectors. Suggested board appointments are sent to Mayor Camp's office for interviews like any other potential committee board member; selected individuals are then brought to the Council for final approval.

Ms. Turner stated since Council Members are familiar with many constituents, they might be of help in finding qualified people, and it would be nice for the Council to be used as a resource for suggesting people. Ms. Greenwood expressed appreciation.

Ms. Dominguez asked who was currently on the board. Ms. Greenwood confirmed there is no functioning BOA board at this time; the last board members either expired, or made the choice to stop participating. Ms. Dominguez asked for other reasons to reduce the number of members Ms. Greenwood reiterated difficulty creating a board for a situation that did not happen often, and confirmed there had not been a committee in several years, due to lack of required involvement. She said participants become

disillusioned when they are not able to be productive with an appointed role, so, a fewer number of board members would eliminate some of those previous challenges.

Mr. Hales favored the idea of reducing the number to three people. He confirmed when the BOA changed to a committee group - instead of using individual volunteers, people became easily bored with serving. He agreed there was not much for BOA board members to do in past years, and said people lost interest when they could not serve in a full capacity.

Ms. Martinez noted some boards require members to live within City boundaries, but also includes a few living outside the City. She asked whether this was considered to help locate qualified BOA candidates. Ms. Greenwood confirmed the discussion occurred internally, and the consensus was to refrain from using outside individuals, and to keep the investment of Murray residents by reducing the number of board members. Ms. Martinez asked about concerns in achieving a quorum for board meetings with just three people. Ms. Greenwood said there is no set time or date required to have three people assemble, so it would be easier to organize meetings with three board members on the as needed basis.

Ms. Turner asked what best practices are in terms of what other cities do and how many board members they have. Ms. Greenwood reported cities often use hearing officers for planning and zoning appeals and variances. However, after presenting the idea to Mr. Reid, his preference was to go forward with a BOA, where expertise in code knowledge and construction is found. She confirmed he was comfortable with that since it would be his judgment and interpretation of code that would be appealed.

Ms. Greenwood said another option is to utilize the State BOA, as a default; however, the State even prefers cities establish their own method. She noted other cities have the same struggle, due to the lack of appeals that occur. For example one city had one appeal in eight years, and Mr. Reid confirmed there were only two appeals in Murray within 13 years. She said it is something that happens very infrequently, and Mr. Reid would prefer that board members speak the same language code with a particular set of knowledge base. She did not sample the number of board members of other cities in her research.

Mr. Hales favored board members be kept to Murray residents only. Ms. Turner agreed. Mr. Cox thought it was best for Murray to act independently- from the State BOA. The Council would consider the revision during the council meeting.

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

Adjournment: 6:30 p.m.

**Pattie Johnson
Council Office Administrator II**