

MURRAY MUNICIPAL COUNCIL

City Council Initiatives Workshop

Meeting Minutes

Wednesday February 15, 2023

Murray City Center - 5025 South State Street, Council Chambers, Murray, Utah 84107

Attendance:

Council Members and others:

- Garry Hrechkosy – Chair District #5
- Phil Markham – Vice Chair District #1
- Pam Cotter District #2
- Rosalba Dominguez District #3
- Diane Turner District #4

Brett Hales	Mayor	Jennifer Kennedy	City Council Executive Director
Doug Hill	Chief Administrative Officer	Pattie Johnson	Council Administration
Tammy Kikuchi	Chief Communications Officer	Blaine Haacke	Power Department Manager
G.L. Critchfield	City Attorney	Brenda Moore	Finance Director

Welcome/Introductions – Council Chair Hrechkosy began the workshop at 12:01 p.m.

Initiative Items:

- **City donations to private and civic groups** – Mr. Markham wanted to ensure that all Council Members were in agreement with how the City would give financial donations. Because an official process for making donations was currently non-existent, he proposed that all contributions begin with a request by application, with the exception of in-kind donations. He felt accountability was vital, applicants should be better organized in asking, budgetary plans for spending should be provided and an explanation about how donations benefit the City overall should be required. To be more transparent, follow up reporting should occur more often to show that the intention was actually met.

Mr. Hrechkosy agreed the process should be reviewed. Mr. Critchfield confirmed the City had not discussed the matter at great length if ever. State law allows the City to waive fees for non-profit organizations, but cash donations required a public hearing process that involves having criteria from the applicant.

He said the ordinance was designed more for incentivizing than it was for giving to non-profit agencies. The conversation nationwide has always been that cash donations should not be given to non-profits, which was why the Council would need to find a public purpose for a donation. He stressed that they would need to identify the specific authority that allowed a city to give cash, which he has never found nationwide. One proper way the City contributed by donation was to NeighborWorks because statutory authority was given to address homelessness and housing provisions. He clarified that once public purpose was confirmed for donating and the authority given was established the Council could then request budget information from an applicant prior to a final donation. Mr. Critchfield would provide a memo at the February 21, 2023 Committee of the Whole meeting to explain parameters for appropriating donations to private entities within Utah Code.

- **Changes to the MCCD (Murray City Center District) Code** – Ms. Cotter wanted to confirm that decisions made by the Council from the MCCD Zone Workshop held August 10, 2022 were

recognized in the coming zone changes. Mr. Hrechkosy said specific direction was given that day to CED (Community and Economic Development) Director, Mr. Hall who was finalizing the requested changes and will be presenting them soon.

- **Council Travel Policy** – Ms. Cotter said she studied the City Council Travel Policy in order to discuss what meetings and conferences Council Members could attend and to confirm how often travel was allowed. Her hope was to find out how others felt about the current policy. She noted that according to the travel policy, not all Council Members should attend all conferences within the same fiscal year. Ms. Kennedy confirmed. Ms. Cotter compared conferences related to energy legislation and national legislative issues and clarified going to both power meetings was not an option according to policy and they must choose between the two. Ms. Kennedy agreed.

Ms. Turner thought the policy should be changed regarding power related conferences. Ms. Cotter agreed that Council Members should be in compliance with the travel policy and compared travel expenditures allocated from the power department budget with those in the council budget. She felt all Council Members should have the option to attend all meetings if future budgets allowed. Ms. Dominguez agreed learning was valuable to all of them whether it be a local, federal, or power related conference. Ms. Kennedy explained that historically travel to power related conferences did not include the entire City Council and initially the Council Chair and Vice-Chair were the only two invited by the power department.

There was a discussion about how travel budgets were changed prior to and during the pandemic and how both power department and City Council budgets could be readjusted if more travel was necessary. Ms. Turner said as the City's Power Board, Council Members had responsibility for understanding national energy legislation. Mr. Hrechkosy suggested Council Members report back all that was learned from any conference to the others who did not attend a meeting. There was consensus to revise the policy to reflect that all Council Members have the option to attend all conferences if they chose to.

- **Loans to Businesses** – Ms. Dominguez hoped to move a proposed loan program forward that was devised by CED staff. Loans would help incentivize existing Murray businesses and entice new businesses to move to downtown Murray. The pilot program would be organized for the downtown and Cherry Street areas only and act in conjunction with the Murray RDA (Redevelopment Agency). Ms. Moore clarified the City cannot give out business loans, but proposed loan funding could possibly come through the RDA.

Mr. Critchfield stated he was not aware that RDA funds could be utilized this way. He said RDA money could be used for infrastructure and housing elements but not for incentive loans, or forgivable loans as indicated by CED staff. He advised the Council, as the Trustees of the City's money, they had no authority to provide loans through the RDA since that money was collected from other entities to begin with. He stressed the difference between planning and economic development, was about who is initiating it. The issue with the proposed loan program was that the City would essentially be providing income to businesses, which was not the same thing as giving a donation. He clarified one RDA area may loan funds to another RDA area but there was no statute about giving loans to businesses through the RDA as a stimulant for growth. He explained two requirements where first there must be statutory authority, which is what allows a city to give

financial donations, and second a determined corporate public purpose for the money, before any donation occurs to individuals or an individual entity. He said the City simply cannot give money if these two requirements are not met; when both requirements are met, a donation can move forward. He would continue to research the matter.

- **City Council Calendar** – Ms. Cotter said the issue was resolved.
- **Two-year appointments for Chairs, Vice-Chairs and Committees** – Ms. Cotter proposed that all council, committee, and board representative positions be changed to a solid two-year commitment from the existing one-year amount of time. She felt one year within the four-year term was not enough time for understanding functions, learning responsibilities, and knowing the procedures of those positions and entities. She suggested the new two-year limit start next year. Mr. Hrechkosy agreed it was best to make that change in January of 2024. Ms. Turner said in the past, council members could hold a position or represent an entity as long as desired, then it changed to the one-year policy which included a two-year limit. Discussion ensued about whether to change the policy or leave it as it was. Mr. Markham agreed a two-year commitment for representation made sense. Ms. Dominguez disagreed and said the current policy worked effectively and favored the changing of responsibilities each year. Mr. Hrechkosy said more discussion was needed to make the best decision. A final determination was not made.
- **MYCC (Murray Youth City Council)** – Ms. Cotter said this item should be moved to a Committee of the Whole meeting for better discussion. She said hearing from Ms. Van Bibber would be important because she spent years organizing the existing MYCC, and Ms. Van Bibber had a vision for the MYCC different from a proposed City run program. More input and information could be shared between all to determine who should oversee the MYCC in a work session. All agreed to hear from Ms. Van Bibber.

Mr. Hill confirmed the MYCC began in 1990 and was overseen by the mayor's office, it moved to the Murray Parks and Recreation department for many years, then Ms. Van Bibber took control in 2008 when she began making annual financial requests to support her program. Since then the City has donated \$2,500 each year to help run it. He reported Mayor Hales met with Ms. Cotter and Ms. Van Bibber to discuss moving the program back to the care of the City which would be proposed at the next fiscal year tentative budget meeting. This was the direction they were moving so Council Members would learn more when the new budget was presented to them. It would include a new line item in the Murray Parks and Rec budget to hire part-time staff and show associated costs to run the MYCC under the City.

Ms. Dominguez noted a Salt Lake City program involving a smaller number of students that was focused on learning functions of governmental municipalities and the MYCC only does service projects. Ms. Cotter said the MYCC involves 67 students. Mayor Hales said if Ms. Van Bibber wanted to continue running the program herself, the City would continue to support her with an annual \$2,500 donation, but if it returned to city control the City would have a new way of running it. Ms. Dominguez felt the City could still devise its own youth city council program regardless. Ms. Turner said there was no accountability with the current program which would be more apparent under the City. Mr. Hrechkosy tabled the item until the last part of the meeting and moved to the next item.

- **MCCD Guidelines** – Ms. Dominguez wanted to ensure that changes to the MCCD were implemented, particularly for the current City Hall property. Mr. Hill confirmed next steps would be presented at the March 7, 2023 council meeting by Mr. Hall who would review all the recommendations of the Murray City Planning Commission and City staff related to updating the MCCD Zone. Changes related to the current City hall site are for height, open space, and parking.

Then Mr. Hall would discuss areas north of Vine Street on both east and west sides of State Street where he wants to hire a consultant to help with historic downtown planning. He also hoped to organize a citizen committee to help design downtown and develop architectural standards like building materials and features for the City. Based on recommendations from that committee, a draft ordinance would be presented to the City Council in the future. If approved, plans to re-market Block One would start all over again according to the new ordinance.

Mr. Markham stated it was maddening that the City must start from square-one all over again. He felt that year after year, for many years, plans for developing downtown Murray would stall and become nothing. He said although he understood the process of development, it was frustrating that a decision could not be made by now, by past council members. Ms. Dominguez agreed the City was now moving in the right direction.

- **Adding additional charging stations to public areas and new developments** – Ms. Turner proposed a requirement that EVCs (electric vehicle charging stations) be part of any new building construction in the City. Mr. Haacke said Mr. Hall must be included in that process as part of building inspections and the power department should be involved due to the heavy load of energy required by EVCs. He explained that if 24 Tesla EVCs were all operating at once, the energy requirement of 500 to 600 kilowatts would immediately be added to the system, which was equal to enough energy to power Costco. Mr. Haacke confirmed last year Murray Power had to increase their energy needs when two EVCs were installed in Murray Park, a new transformer station was constructed just for six chargers. This was why the power department must be involved in the formulation of any new policy.

Ms. Moore reported the total cost was \$143,000 for three high-speed EVCs or six chargers in Murray Park that included construction of a new transformer station. In one year, so far six chargers collected \$3,000. At the new city hall site, two level-two EVCs were installed where units would charge a car for 4 hours and utilize the new building's transformer system. Based on what the city would charge for using those EVCs, it would take 50 years to pay back that cost which was \$24,000.

Ms. Turner said not everything the City did was to make money. Ms. Cotter noted taxpayers and developers would fund much of those costs. Mr. Haacke agreed the power department pays for upgrades to the system for EVCs. He explained that if five cars in a cul-de-sac used high-speed EVCs all at once, a shared transformer would melt.

Mr. Markham said developers should specify planning information to the power department ahead of time to see if energy requirements could be met or not. Ms. Turner thought a ten-dollar fee could be charged to homeowners who already have them. Ms. Moore thought that would help track EVCs throughout the City. Mr. Haacke shared recently that in Fillmore, 20 EVCs along

Interstate 15 were all being used at once, that required energy was equivalent to the amount needed to power the whole town of Fillmore. The initiative would need more review.

- **Further Discussion - Council Travel Policy** – Ms. Cotter reviewed policy again pertaining to the power department paying for two council members to attend one power conference and the council budget would cover three members to attend the other power conference. She noted council members may not attend both conferences in the same year. Ms. Turner felt that was wrong. Ms. Kennedy clarified the City's travel policy was different from the City Council's travel policy.

Mr. Hill said there was always question about who would pay for the Council to travel to legislative power conferences. He confirmed that different mayors in the past have handled the situation differently and thought moving forward the Council should travel according to their own travel allowance and not rely on the power department any more. Ms. Cotter suggested the Council travel budget be reanalyzed. Mayor Hales supported either decision but communication with the power department should continue if power funds would be utilized for council travel to power related travel.

Mr. Hrechkosy expressed concern about transparency and thought the City Council Travel Policy should be accurate and reflect exactly what travel was occurring. Ms. Kennedy asked for direction in updating the policy. After further discussion, Council Members favored the option of being able to travel to whatever conferences they wanted to without limit. It was agreed to let the power department handle power related travel details and Ms. Kennedy would increase travel cost estimates in the next proposed council budget.

Council Compensation – Ms. Turner initiated again that Council Members needed a raise. She said good pay was how people knew they were valued, the Council was not paid well, and never would be, and as a five-member city council, the increase was overdue. She stated that the proposed increase was not intended for her, but for future council members who may need childcare, or pay for campaigning costs and to make a living wage. Ms. Turner suggested the base pay be increased to \$20,000 and said if there was no support, she would drop the matter again. She asked each member for a verbal vote.

Ms. Kennedy reported that the last time the Council approved their own wage increase was in a public hearing in 1995; and each council member also received the annual COLA (Cost-of-Living Adjustment) increase when implemented. She confirmed, including last year's COLA, the current base salary was now \$17,079. She conducted a survey to compare salaries with other city councils and noted that Bountiful City comparative in size was paid less than the Murray City Council.

Mr. Hrechkosy pointed out that their total compensation should be considered. The Council receives an allowance piece that is separate from their base pay, so really their total monthly wage was \$24,000. Ms. Kennedy confirmed that was correct. He noted that Council Members also receive an iPad and maybe instead of that, a stipend be given to future members which would increase income if they chose not to spend it. He strongly felt that since council members are elected officials and not city employees, the COLA given to them should be considered a raise.

Ms. Turner said a COLA is not always given each year. Mr. Hrechkosy said council members are not hired city employees who preform daily services in keeping the city in operation. Council Members were responsible to citizens and not to the Mayor's directors or staff for meeting city needs like providing power, repairing streets or any other function of running the city. Ms. Turner disagreed and asked for support. Mr. Hrechkosy tabled the item until later in the meeting.

- Mr. Markham said he would not support the increase.
 - Ms. Cotter did not favor the increase and noted benefits the council received like retirement, health insurance, and money for travel expenses that she considered an increase.
 - Ms. Dominguez favored the raise. She thought the increase would help motivate others to run for office, that normally would not.
- **Single use plastic bags** – Ms. Turner discussed her proposal to ban plastic bags in Murray that she first initiated in 2019 when the draft ordinance was created. She said the initiative died when the pandemic occurred, because plastic bags were the only preferred option in stores for safety reasons.

Mr. Markham suggested the item be discussed in a work session to learn the details. Ms. Turner shared that a public open house was held on May 14, 2019 to bring awareness about the plastic bag ban she proposed. Ms. Kennedy shared about what States successfully banned plastic bags, and what States could not ban them due to legislation. Mr. Hrechkosy noted Logan, Moab, and Park City as three Utah cities that banned plastic bags by ordinance; however, Logan has rescinded their ordinance. Ms. Turner confirmed Utah State Legislation does not allow a charge for using plastic bags, so this proposal would be a complete ban in opposition to Utah legislation and the City would be required to present the proposal in a public hearing.

Mr. Hrechkosy suggested another open house be held since four new current Council Members were not familiar with past details. Ms. Dominguez and Ms. Cotter agreed. Ms. Kennedy would provide the minutes from the May 14, 2019 open house. Ms. Turner said the plastic bag ban was important to residents in her district, but she did not know how others felt about it. Mr. Hrechkosy suggested Ms. Turner bring the proposal forward at her next Association of Municipal Councils board meeting to lead the way for other cities to join the effort.

Ms. Cotter would not support the proposal and shared about a Utah organization called Stitching Hearts that makes mattresses for the homeless from plastic bags collected from stores that recycle them. She said the City Council should not be telling citizens what they can and cannot do and the item should be handled at the State level. There was consensus to discuss it in a work session to ensure new council members understood the proposal.

- **Alternative Fuel Vehicles for the City** – Ms. Turner discussed a savings account she initiated in the General Fund to save for purchasing EV (electric vehicles) and electric machinery. Ms. Moore confirmed the City contributes \$30,000 each budget cycle, which was now \$85,000 after some purchases were made. Ms. Turner hoped the savings contribution would continue to support future purchases. Mr. Hrechkosy suggested an inventory be taken of what city vehicles and machinery could be transitioned to electric or hybrid in the future, since it was determined that electric options were not conducive to all city production. All council members were in favor of continuing the savings plan.

- **Water Ordinance** – Mr. Hrechkosy proposed measures continue for conserving water. He had concern that citizens might assume the long drought was over and increased consumption would occur due to the record snowfall this year. He proposed what could be done to keep drought awareness in the forefront.

Mr. Markham said the City took a good step to implement the tiered water rate system which caused many to monitor water waste more carefully and watch water bills closely. Mr. Hrechkosy wondered if the tier-rate was steep enough to make a difference. Ms. Turner said the current ordinance was effective that restricts watering to two or three times per week during certain hours of the day. Mr. Hales shared how the education piece was most effective in getting citizens to understand on their own the importance of reducing water use. Ms. Dominguez agreed but felt some Murray businesses do not comply well.

Mr. Hill said citizens can report water wasters to the City and agreed the five-tiered rate system was most effective in getting the attention of residents to improve water conservation. He said a great deal of information was shared on the City's website, in their monthly newsletter, in mass email, on all social media, and in the Murray Journal in order to reach all citizens about issues including water conservation. There was consensus to continue with the current ordinance that would become standard practice of all Murray citizens regardless of snowfall.

- **Residential turf requirements** – Mr. Hrechkosy discussed City landscape requirements for parking strips and the City's Flip Your Strip program to remove grass from parking strips. He said regulations were not followed properly like having separate sprinkler systems or drip systems and the requirement to have 60% live plant material. If the idea was to save water, he suggested City Code be revised because many parking strips contain crushed rock or cement.

Mr. Hill discussed why no resolution had ever come about regarding what citizens do with parking strips; he confirmed the ordinance required live plant material and trees in parking strips. He said Murray prides itself on being Tree City USA for the last 40 years, promoted by Murray's Shade Tree Commission who require that street trees be required in parking strips of all new construction. The question still remains whether the City should enforce the Code or not because the biggest problem is that citizens replaced turf with concrete or boulders which is not in compliance. With so many citizens in violation it would be overwhelming for the City's legal team to handle all violation cases, so the order has become an unenforceable ordinance. Mayor Hales agreed the same situation occurred with the City's Idle Free ordinance, which was never enforced, and never would be, but signage provides a clear message that the City cares about air quality.

Mr. Hrechkosy favored concrete and boulders in parking strips and said many xeriscapes areas are not well maintain and have become weed beds. His initiative is to get rid of the live plant requirement to promote better water conservation. Ms. Cotter said utility easements exist in many parking strips so those areas should not be covered in concrete. Ms. Dominguez agreed other utility lines for water and gas also run beneath parking strips that are often replace or repaired. Mr. Hill agreed the City would need to know when residents plan to use cement in parking strip areas and suggested Mr. Hrechkosy communicate with the Shade Tree Commission who handled this issue.

- **Splashpad/ice rink restoration** – Mr. Hrechkosy proposed that the old outdoor ice-skating rink in

Murray Park become a splash pad area in summer and restored to an outdoor ice-skating rink in winter. He felt it was a great way to provide an open area to bring people together, increase walkability and create a new community feel. He knew the City discussed plans for a splashpad in the past, however it was not in combination with an ice-rink. He suggested refreshing the bid and begin new research to accomplish the potential project.

Mr. Markham thought input from the Parks and Recreation Advisory board was needed first and the Council should review the City's Parks and Recreation Master Plan, because facilities are programed in specific priority. He said this was a wonderful idea, but the outdoor pool leak was greater and should be resolved first. With two new parks just adopted by the City significant improvements and ongoing maintenance needed to be addressed also. Mr. Hrechkosy agreed.

- **Unnecessary ordinances/regulations assessment** – Mr. Hrechkosy proposed that outdated ordinances be researched to find out how many are unenforceable. He thought if the City was not going to enforce an ordinance, laws should be removed from Code even if messaging was effective. He asked if more enforcement officers and legal staff were needed to uphold these enforcements or should old ordinances or relics not applicable to the City be completely removed.

Mr. Markham noted approximately 340 pages of zoning codes alone, which would be a larger task to review all of Murray Code. Mr. Hrechkosy said the task would be ongoing. Mr. Markham suggested each department examine ordinances that apply to them, to find outdated items. Mr. Hrechkosy favored the idea. Ms. Dominguez said police officers and code enforcement officers would know best what ordinances are not commonly applicable. Mr. Hrechkosy agreed.

- **Continued discussion: MYCC** – Council members recapped about whether the City should operate the MYCC with less students, or if Ms. Van Bibber should continue overseeing the MYCC. There was discussion about combining the MYCC between the administration and the City Council because there was value to learning both sides of government. Mr. Critchfield advised the decision to be made after Mr. Sorenson devised a potential budget for operating MYCC under the Murray Parks and Recreation department. All were in agreement that Ms. Van Bibber would also need to decide how she would like to move forward. Mr. Hill said Mr. Sorensen and staff would continue planning their proposed vision and speak to Ms. Van Bibber. The administration would present to the Council in a Committee of the Whole with Ms. Van Bibber to brain storm and share ideas. This would happen after the new fiscal year, after the new budget was approved, after the city program was developed, and after staff understands the direction of the MYCC. All agreed.
- **Continued discussion - Council Compensation:** Mr. Hrechkosy learned from Ms. Moore that the reason Council Members did not always receive the COLA was that the City did not even implement a COLA to the City employees in those years. Ms. Moore confirmed. He went on to suggest that because the Council serves on other boards with other responsibilities perhaps a wage appropriation could come from the RDA or the MBA budgets.

Ms. Turner said that was too complicated and thought it was important to pay qualified citizens well. She stated if there was no support for the raise, she would drop the matter again. She reiterated that the salary increase was not for her but for future individuals to make a living wage and noted that Council Members could opt out from taking the increase if they did not want it. Mr.

Markham wanted to be completely transparent about how Council Members were paid and thought the matter should be continued in a Committee of the Whole. He did not favor people running for Council just to get good pay.

Mr. Hrechkosy asked why the \$375 council allowance was not considered part of the Council salary. Ms. Moore said it was meant to supplement the cost of purchasing City supplies without taxation. Ms. Kennedy explained initially it was intended for a car allowance. Ms. Turner said it helped to pay various expenses. Ms. Cotter said the allowance came automatically without having to turn in receipts, so she considered it part of the salary. Mr. Hrechkosy agreed. He said with a proposed increase of \$3,000, not including the insurance provision, the salary would become \$27,000 which would put them third highest from top paid council members in the valley.

There was consensus that the allowance was part of their compensation and should be recognized that way. More discussion occurred about health insurance benefits in comparison to other cities with strong mayor forms of government. Ms. Turner reiterated that Council Members did not have to take the raise if they did not want it. There was no final decision about moving the initiative forward

Ms. Turner requested reinstating the council initiative worksheet that was used in the past to move items forward immediately if an item was found to have the support of two other council members. Ms. Kennedy would locate the worksheet for the future.

Adjournment: Mr. Hrechkosy closed the workshop at 3:02 p.m.

**Pattie Johnson
Council Office Administrator III**