



**MURRAY CITY MUNICIPAL COUNCIL
COMMITTEE OF THE WHOLE**

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, August 3, 2010, in the Murray City Center, Conference Room #107, 5025 South State Street, Murray, Utah.

Members in Attendance:

Jeff Dredge	Council Chairman
Darren V. Stam	Council Vice Chairman
Jim Brass	Council Member
Jared A. Shaver	Council Member
Krista Dunn	Council Member

Others in Attendance:

Daniel Snarr	Mayor
Jan Wells	Mayor's Chief of Staff
Frank Nakamura	City Attorney
Janet M. Lopez	Council Office
Peri Kinder	Valley Journals
Pete Fondaco	Police Chief
Craig Burnett	Police
Tim Tingey	Comm & Econ Dev Director
Pat Wilson	Finance Director
Robert D. Robertson	Citizen
Marci Williams	Park Center Director
Cory Plant	Recreation Director
Doug Hill	Public Services Director
Juliette Dorsett	Police

Chairman Dredge called the meeting to order at 5:02 p.m. and welcomed those in attendance.

Mr. Dredge called for a motion on the minutes from the Council Initiative Workshops held on June 24, 2010, and July 20, 2010, and for the Committee of the Whole meeting held on July 6, 2010. Mr. Shaver moved approval as written. Mr. Stam seconded the motion. The motion carried 5-0.

Business Items

#1 2010 Flood Briefing - Randy Willden

Mr. Willden introduced himself to the new Council members as a Battalion Chief for the Fire Department and the City Emergency Manager. Mr. Willden was present to update the Council on the water event that occurred in Murray June 5 to 11, 2010. A slide presentation showed the flooding in the area of Myrtle Avenue.

Mr. Willden was first told of the emergency from dispatch when he was informed that Murray had units at a flooding event in Cottonwood Heights. It was then that he realized Murray had flooding, as well. Public Services had been present doing sand bagging the previous day, prior to fire being notified. They did a wonderful job and residents had nothing but compliments on the work that was done.

The footbridge across the park was underwater, and gave a feel for how much elevation the water reached. The flow had increased from a babbling brook to a small river. The park retained the majority of the water, however, some percentage did overflow the berm wall and ran onto Myrtle Avenue.

Sandbagging efforts included the following:

- Spontaneous volunteers were so great in number that they could not be tracked. They would be given an address, take care of that, and return for another assignment.
- Sunday the Fire Marshall, Phil Roberts, established a command center for CERT volunteers. As many as 265 people were registered as volunteers and given assignments for sandbagging.
- July 10 was the de sandbagging effort from 7:00 a.m. to 10:00 a.m. with about 100 registered volunteers. The bags were returned to the park, cut open, and sand piled for removal.
- Some sand bags are still being returned.
- Public service employees helped with that effort, as well.

Damage assessment:

- The footbridge was removed, being determined unstable and unsafe.
- One casualty was a single family dwelling at 166 Myrtle Avenue. In an hours time, two inches of water, which was sandbagged back, had risen to the point that the family had to move out completely. The fire department helped with that effort. The owner was thrilled with the help from Murray City.
- The street at 5300 South was closed with about two feet of water flowing over the street near the amphitheater parking lot. Salt Lake County brought in a backhoe, which was left on the site to remove debris.
- At the Boys and Girls Club the playground was under water, and had hit the bridge at State Street. When that occurs, water backs up over the berm and runs back into the park.
- A slide showed a map created by GIS to indicate the damage in

- particular areas.
- Vine Street, west of State Street, was closed off and on for three days.
- Significant damage was experienced at the rail road tracks on the UTA right of way.
- There was some damage to the amphitheater area in the park where some of the blacktop lifted and fell into the river way. A large eddy developed near the fence and the riverbank was eaten away.
- A pump was lost in the park behind Key Bank. Two pumps were actually flooded, damaging the controllers and added to the flow problem.
- Landscape and asphalt problems occurred near the outdoor pool, which had to be closed, along with the parking lot, for a couple of days.
- A condominium complex off of 5300 South was a problem in 1983 and the riverbanks are still above the level of basement windows.

Long term issues include:

- The footbridge replacement is a concern because the pedestrian traffic from the parking lot behind the Snack Shack to the swimming pool is very high this time of year. This is a long term issue, and will remain a problem until it is elevated and ADA compliant.
- The west footbridge had some mooring and bolts loose, although, it has been repaired.
- The riverbank restoration will continue for some time by Salt Lake County flood control.

The Federal Emergency Management Agency (FEMA) did come to Salt Lake to assess the flooding damage. The preliminary damage assessment fell under the cap to received assistance. The damage must reach \$2.6 million to qualify, and county wide the assessment was about \$1.3 million. Therefore, no reimbursement will be received. A good rapport developed among all the communities, and knowledge of the FEMA process will be useful in the future.

Costs incurred:

- Uncertain at this point.
- Fire had a small amount of involvement, except for sandbagging.
- Police were involved in traffic control most of the night, but few overtime officers were used after the first night.
- Public services and parks' staff played the biggest role in the emergency management. Russ Kakala took care of many needs and in a pleasant manner. Impact was felt by the recreation department when baseball tournaments had to be postponed. The pool was closed with a fiscal impact, and pavilion rentals were lost.

It is difficult to assess the fiscal impact of these items. Significant overtime hours were used in public services.

Mr. Willden expressed his pride in the way that Murray City employees and residents went to work together in this huge effort. People pitched in and did a great job.

Mr. Shaver asked how the City could better facilitate and coordinate the efforts of volunteers during an emergency. Mr. Willden explained that lengthy discussions were held with Salt Lake County and metro fire agencies. A call center was set up and everyone reported to the Cottonwood Heights school. The problem was that everyone was on the east side of town when there were lots of other needs. A system was set up there with registration and badging of volunteers. Unified fire thought they could complete background checks for everyone helping.

Mr. Willden indicated his lack of concern for that in Murray City, and it was finally decided to have everyone show up in Murray Park. It is difficult to get the information out, however, initially, the CERT program volunteers were used. Many team leaders were gone, however, Fire Marshall Roberts will work on reorganizing the teams and captains. The LDS church was contacted for volunteers, and Christ Lutheran School sent volunteers. Many people did not know what to do to help.

The City has an AM radio network that can be broadcast from, however, most people do not listen to that. Several LDS Stakes have been visited and current lists have been acquired. The website will be reworked to give updates on where to meet, and that sort of information in the future. Keeping up to date contacts is a big job.

#2 *Park Center Fee Discussion - Doug Hill*

Mr. Hill commented that during the budget process the Council had a lot of great suggestions about the Park Center. Mr. Hill had been working with Cory Plant and Marci Williams, who were in attendance, to put together some ways to implement the suggestions. Additionally, they have developed a draft ordinance to address some fee increases, which will come before the Council at a future meeting. Any feedback regarding the ordinance would be appreciated. This ordinance was presented to the Parks and Recreation Advisory Board the previous month, and they gave the document their unanimous recommendation for the proposed changes.

From a historical perspective, the Park Center opened in December of 2002. Since that time, there has been one fee adjustment, which was in 2006 when the sales tax was removed from the fee and added separately, resulting in a very minor fee increase.

Mr. Hill expressed his sense that there was some concern about the amount of subsidy that the City contributes to the Park Center. This can be addressed from two

vantage points: reduce expenses, or increase revenue through fees or marketing efforts. The management has been trying to work in all those areas. The presentation that evening would explain the fee increases planned.

A chart showing revenue growth since 2004 was distributed to the Council members. There has been a trend of steady revenue increases, due to the efforts of Ms. Williams and her staff in marketing. More people are purchasing memberships.

Salt Lake County gives the Park Center \$40,000 per year toward life guard payments. This agreement goes back to 1983 when the old swimming pool at the high school was used. At that time, the county was building and operating pools in other cities, and Murray was about the only municipality to have its own pool. To help offset the expense, the county agreed to give Murray these funds. There were 20 years remaining on the agreement when the Park Center was built, so after the expiration of that time, the county will be under no obligation to subsidize the lifeguards. That revenue of \$40,000 is included in the numbers on the chart.

Currently, Mr. Hill remarked that the Park Center operates at about a 57% self sufficiency, without inclusion of the annual bond payment. That is the operation and maintenance of the facility. To put that into perspective, Mr. Hill distributed a chart produced by Salt Lake County to show the operational subsidy of both city and county facilities. Murray City subsidizes more than most, however, the county revenue includes the community recreational programs in the rec center. Dimple Dell and Sandy have staff that runs the t-ball, soccer, and other sport programs out of the center. These programs are big revenue generators. Murray does not run its programs through the Park Center. Dimple Dell self sufficiency is very high, due to that recreation revenue. Murray is not out of line, although, the City is on the low end, and has traditionally charged lower fees than the county.

Mr. Hill noted that based on these numbers, they have looked at how much room there is to raise fees. Working with Ms. Williams, Mr. Plant, and center staff, comparing fee structures with other centers, the group felt that it would be feasible to raise fees about 15%. For an annual adult single membership the current price is \$200, and the increase would be to \$230 plus tax, if the proposed ordinance is adopted. A family membership would increase from \$400 to \$460 plus tax. Almost all members pay on a monthly electronic transfer fee.

It is difficult to compare prices with the private sector. They do not wish to share information, and there are always specials being offered. The Park Center has not tried to keep its fees in market with the private sector. It is felt that the City serves a different customer. There are full service type facilities that are twice as much as the Park Center, then there are those where one can join for half the cost. In reality, most people do not shop for facilities, they usually go to the one closest to their home. The staff has discussed: the Center's purpose, what is affordable, and what is not affordable. This ordinance encompasses what the staff feels comfortable with. The Parks and Recreation Advisory Board has approved the proposed increase.

The staff understands that there may be a small percentage, about 4%, who may not renew based on the fee increase. If this goes into effect, and the center loses about 4%, it is calculated that the City will realize about \$100,000 in new revenue. At that point the Park Center would be 65% self sufficient, which is in line with other county facilities.

Ms. Dunn asked if the membership numbers are continually going up or if they remain the same. Ms. Williams responded that current figures show that the center retains 59.3% of family memberships from year to year, 73% of staff is retained, and 83% of the senior population is retained. The total memberships are at fifty-six hundred, however, that does include families with multiple members. She prefers to compare revenue instead. The current year has been a banner year, with people signing up for multiple programs, fitness classes, child care, etc. She said that it will be difficult to beat these numbers in the coming year. There is no budget for marketing. Mr. Hill explained that he receives a membership sales report from Mr. Plant each month. Generally, it is remaining level.

Mr. Dredge asked if the \$100,000 is net, after the 4% loss. Mr. Hill responded that the gross revenue would be about \$124,000 before taking off the 4% loss.

Another change Mr. Hill communicated, that was suggested by the Advisory Board and staff, is inclusion of group fitness classes in the membership, which is a trend other facilities are going to. After discussion, implementation of this would increase fees across the board, and many people are not exercisers. The feeling is that this would not be equitable for those who do not exercise. This ordinance does not address that option. There is an extra fee for classes, and the county has this in what they call their "gold" membership level. Murray does include an annual pass to the outdoor pool with all memberships, which many facilities do not include, and is a great benefit.

Murray has decided to expand a monthly unlimited class pass for one month, three months, or on an annual basis. Additionally, the Park Center is defining a family as six children. Previously, an unlimited number of people could be included on a family pass, however, no other facilities allow this. An additional fee will be collected for additional children.

Mr. Dredge asked how the facility itself compares to others in terms of the offerings, and the quality of the equipment. Mr. Hill stated that the county has four tiers or levels of classifications. Tier three and four are the top end, and Murray, in his opinion, is between these levels. The four would have what Murray has, but also maybe an ice rink or climbing wall or something additional. The tier three is a little below Murray and its amenities.

Mr. Shaver asked if many people do only exercise. Ms. Williams said that many people do bring friends to classes, therefore, staff will try to get them involved in other areas to purchase a membership. This does give an option to get people in the door.

Mr. Shaver asked if an exit survey is ever done with people. Ms. Williams stated that they have done a "report card" instead. This asks what people participate in, how the center rates, and what they would like to recommend. These are completed about every other year.

Mr. Shaver asked if a comparison between costs and revenue has been done. He wondered if it has remained constant or is increasing along with the revenue numbers. Mr. Hill related that this is tracked, and he can provide that information. He stated that when cost of living increases are given by the City, then expenses increase faster than revenue. Most of the costs are employee related. The last two years, with no pay increases, and no budget increases, then the level of revenue has increased rather than expenses. That is consistent throughout other departments.

Ms. Dunn expressed that as a member she hears requests and complaints from many people. The annual fee that includes everything is one request she has had from many residents. She wondered if there is something in that direction that can be done. Many private facilities have included this and the prices are very competitive. Another issue is the length of time for equipment repairs. She hears these comments on a daily basis.

Mr. Hill would like to know if the staff should go back and look at that all-inclusive membership fee now. Mr. Stam clarified that a family pass can be purchased, and additionally the unlimited fitness pass for classes can be added. These two items make up the all-inclusive membership. Ms. Dunn pointed out that the \$150 is per person. Mr. Shaver proposed that those private facilities have a commission-based sales staff that really helps to solicit new revenue. Ms. Dunn agreed that the City is apples to oranges with a private facility.

Mr. Plant commented that in response to the equipment repairs, these machines are now eight years old, and the center has a superb maintenance technician, however, some of the parts are hard to get. He and Ms. Williams will be putting out an RFP soon for new equipment, which is in the budget. The City may need an improvement fund to keep the equipment top notch, if the all-inclusive membership plan is offered. Equipment must be modernized and updated annually, if that becomes the philosophy of the City. Ms. Dunn admitted that the City is more family oriented rather than elite fitness, such as private entities.

Mr. Plant complimented the Council, and administration that Murray's facilities, pools, and gymnasium are the best in the region. Separation of the leisure pool and competitive pool is the ideal situation. Everything was done right. Equipment needs to be worked on, however, everything else is number one. Fitness was not a primary focus when the design was done.

Mr. Hill emphasized that the Council and Park Board was intentional in its design, not trying to compete with the private sector, and allowing ample space for the pool and gym as primary concerns. Fitness is the revenue generating portion of a

facility. Private centers can be more profitable due to the focus on fitness. It is important to remember that this was intentionally developed as a community center for basketball and swimming.

Mr. Shaver mentioned that the Council is interested in looking down the line for five years. He asked the staff to consider what they want to be in five years, what will the center look like, and what will it do to the bottom line?

Mr. Stam asked about the additional fees for classes. He wondered if it will be less for additional members of the same family or if it is the same across the board. He also asked if it is a new offering or something that has been available in the past. Mr. Hill replied that it began two years prior for adults, and as an annual fee only. The one month, and three month passes are new. Mr. Stam inquired if it would be better to offer a lower price for other family members. Ms. Williams said that when she has sold it to husbands and wives who join together, they have commented as to what a great deal it is.

Mr. Dredge explained that the Sports Mall has some classes included with membership fees, however, specialty classes cost an extra fee.

#3 *Police Statistical Report - Juliette Dorsett*

Ms. Dorsett explained that she has developed some graphs to give the Council members more police information than they already receive. She displayed a slide showing the weekly report that they currently receive, and that will not change.

The graphs that she will prepare for the Council will be sent to them on a monthly basis, and they will receive them about the 15th of each month, which will give the secretaries time to compile the information.

The first report gives the ***calls for service*** by source. There will be 911 calls, non view (called in by an officer who is at the scene), and 840-4000 telephone calls. The graph will show calls from January through the current month.

The next graph will be to show ***priority calls***, and how many are received. The priorities are numbered one to four. Priority one is an in-progress call; priority two has just occurred; priority three is not in progress; priority four is also not in progress. The bottom of the page has further explanation of the priorities.

Call for service travel time is the third graph the Council will receive. There are two travel times: when the call comes in to how long it takes the dispatcher to dispatch, and how long it takes the officer to arrive at the scene. This shows travel time by priority.

There are two **types of crimes** that the police work on: personal and property. Person crimes consist of homicide, rape, robbery, and assault. Property crimes are burglary, theft, and vehicle theft. Again, all of these graphs will show activity from January to the current month.

Ms. Dorsett explained that there are crimes referred to as Part 1 and then others called Group B crimes. The next slide will break down these sorts of **crimes by district**. A percentage will be shown by district. Next, Part 1 and Group B are broken down within each district. The description of Part 1 and Group B are given at the bottom of each page.

A **two-year comparison** was graphed by percentage to give the actual crime rate. Ms. Dorsett remarked that she can add other information, if there is something more the Council would like to see.

Traffic citations, DUIs, and warnings are shown on the next report. There is a percentage breakdown between citations and warnings. The department writes about 5% warnings.

On **traffic crashes** there is a report graphing the property damage versus injury crashes.

This concludes the new reports that will be prepared for the Council.

Mr. Stam asked if it will always show January through the current month. Ms. Dorsett stated that it would, and at year end an annual report would be prepared.

Ms. Dunn asked if code violations would be shown, as well. She would like it separately, as it has always been reported. Ms. Dorsett said that would be completed, too.

Mr. Dredge thought a year to year comparison might be valuable.

There is also an **investigation graph** that Ms. Dorsett explained. The graph shows new cases, cases cleared, arrests made. It is important to understand that there are many older cases from previous months that are still being worked. The cleared cases are probably from earlier months, too. Cleared cases can mean many things: prosecution declined, lack of evidence, victims refused to cooperate, or inactive due to lack of evidence.

Ms. Dunn asked if an average caseload by detective could be reported. She responded positively. Additionally, Ms. Dorsett encouraged the Council members to let her know if there were questions or more information requested.

Mr. Tingey stated that his presentation was to highlight progress on the Murray City Center draft zoning ordinance. The department focus over the next few months will be to get everything in place to facilitate redevelopment in that area. He is working with the RDA, and the TEC committee on the expansion of the Central Business District, and once the ordinance is completed then work to market the area can really begin.

Related to the ordinance, the process will be taken very slowly, working with the public right up front. In the fall and winter several open houses will take place prior to taking the ordinance to the Planning Commission. He will have a brief discussion next month with the Planning Commission. Once the open houses are held and input from citizens is on hand, then study sessions with the Planning Commission will take place until they are ready to make a recommendation. He has flexible deadlines.

The big issues relating to the ordinance and proposed changes were being presented that evening.

Now there is a core area and a transition area, which is the Downtown Historic Overlay District (DHOD). This overlays the commercial development conditional (CDC) zoning. The community and economic development department is proposing to eliminate these zones and create the Murray City Center District (MCCD). This will be its own zoning district within the community. It is a little larger than the original zones, moving west to the railroad tracks, which is an important element of this ordinance and area.

The issues in the new proposed ordinance include:

Historic Preservation - The staff will define the significant buildings, and work toward preserving them. There are contributing and non contributing buildings. Planning commission approval is required for changes to exterior, relocation, and demolition. The certificate of appropriateness review process, design review committee, and Planning Commission oversight will continue. This is an important process to continue because the staff wants this area to be differentiated from the rest of the community. The design standards will be very important, and the additional review process will be essential. Mr. Tingey does not think this is over burdensome.

Mr. Tingey showed a slide of the significant buildings that will be proposed as part of the zone. He has worked with the History Advisory Board and Ms. Kirk to designate these structures as important to preserve.

Very special circumstances must be met in order to demolish a significant building. The ordinance will detail an exception process, which the Planning Commission may consider. Criteria are as follows:

- It must be impracticable to incorporate the building into the proposed project, such as, a large development that enhances prosperity and development. Something like the Intermountain Medical Center might be a

reason to go through this exception process.

- A development agreement must be entered into to provide security that they will complete the project. A developer will not be able to demolish a property and subsequently have the development die. A building permit must be issued for the new project before demolition.
- The value of the new project must be five times the value of the current assessed value.
- The project has to be 100% commercial, or commercial on the ground level with a mix of residential and commercial.
- There must be a public benefit element.
- Demolition will require that a monument be in place recognizing the former historic building.

Sustainability - Some communities have gone into full-scale sustainability, however, Murray has studied this and wants the sustainability to be feasible, but not over burdensome.

- Leadership in Energy and Environmental Design (LEED) standards can be adopted with certification in some areas. Murray would like to have a LEED neighborhood design area, which means that the design components are LEED certified related to site standards. Certification for the LEED ND is something that is applied for after development, however, one building does need to be fully LEED certified.
- All public buildings will be required to meet LEED Silver standards. Parking structures or other buildings will set the standards.
- There will be standards for all other buildings related to energy efficiency of appliances, exterior and site standards, which will include set backs, storm water run off and pre treatment of that.

Design Standards - It is hoped that the design standards will promote high density, pedestrian, and transit oriented design (TOD). The buildings will need to be placed close to the street. There must be walkable pedestrian ways, and architectural features that are attractive to pedestrian travel.

One aspect that may create a lot of input is the fact that no maximum will be set on height of structures, except for the maximum of 50 feet within 150 feet of a residential zoning district. A minimum height of 40 feet for new buildings will promote density, however, this is very atypical for zoning ordinances.

Mr. Brass commented that the Council has made a concerted effort to protect residential neighborhoods. The RNB was created to prevent large commercial buildings from abutting neighborhoods, and preserve the residential areas. It is used along 900 East, and on 5400 South. In this City Center area, Center Street has some nice older homes, and he would hate to see the west side of the street become blank cinder block walls, like what is on the west side of Brown Street. If the height could be less than 50 feet, he feels that might mitigate the problem. The RNB is for that very purpose.

Mr. Tingey stated his appreciation for the input, and that is something that will take a lot of discussion. He mentioned two reasons behind this proposal. The requirements on the design standards will make a pedestrian oriented area, with lots of windows, so it will be different from Brown Street. Other places in the valley have areas with buildings with heights of 40 feet or greater beside neighborhoods. Some modifications can be considered, however, he would like to have that aspect discussed and evaluated.

Mr. Shaver added that the design standards must fit in with the specific forum, and a junk yard covered up with walls will not work. He feels Mr. Brass' comments are well taken. Mr. Tingey confirmed that the design standards will prevent that from happening.

Mr. Brass stated that the standards apply to the frontage on State Street, however, he wonders what the back side of the buildings will look like, unless it is assumed that the homes on Center Street will be taken down. His concern is the back of the buildings. Mr. Tingey agreed that was a good point, and it will be addressed further.

The design standards include pedestrian entrances, close to the street, with parking lots located to the side or rear of buildings. Blank walls are limited to 50% of street frontages, and required parking is reduced. This is due to the pedestrian focus for the area. It has close proximity to FrontRunner and TRAX and the City would like to capitalize on those opportunities.

Another big issue that Mr. Tingey explained was the appeal process on decisions by the Planning Commission. Currently, appeals go to the Board of Adjustment, however, for this district, it is proposed that the City Council would be the appeal body.

Mr. Tingey stated that the Council has a copy of the ordinance as currently proposed, and he encouraged Council input on any aspect.

Staff Report

Ms. Lopez mentioned that she would like to get input from each Council Member on registration for the ULCT Annual Conference in September.

Mr. Dredge adjourned the meeting at 6:25 p.m.

Janet M. Lopez
Council Office Administrator