

# Murray City Municipal Council Chambers Murray City, Utah

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**T**he Municipal Council of Murray City, Utah, met on Tuesday, the 14<sup>th</sup> day of December, 2010 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Jeff Dredge,	Council Chair - Conducted
Krista Dunn,	Council Member
Darren Stam,	Council Member
Jared Shaver,	Council Member
Jim Brass,	Council Member

Others who attended:

Dan Snarr,	Mayor
Jan Wells,	Chief of Staff
Brent Davidson,	Deputy City Recorder
G.L. Critchfield,	Deputy City Attorney
Gil Rodriguez,	Fire Chief
Doug Hill,	Public Works Director
Tim Tingey,	Community & Economic Development Director
Patricia Wilson,	Finance Director
Scouts	
Citizens	

## A. OPENING CEREMONIES

1. Pledge of Allegiance - Doug Hill, Public Services Director
2. Approval of Minutes of November 09, 2010

Mr. Brass made a motion to approve the minutes.  
Ms. Dunn 2<sup>nd</sup> the motion.

Call vote taken, all Ayes.

3. Approval of Minutes of November 16, 2010

Mr. Stam made a motion to approve the minutes.  
Mr. Brass 2<sup>nd</sup> the motion.

Call vote taken, all Ayes.

**B. CITIZEN COMMENTS (Comments are limited to 3 minutes unless otherwise approved by the Council.)**

None given

**Public comment closed**

**C. CONSENT AGENDA**

Mr. Dredge asked that the following confirmations be taken together. No objections noted.

1. Consider confirmation of the Mayor's reappointment of Elaine Judd to the Arts Advisory Board, in an At-Large position for a three-year term to expire January 15, 2014.
2. Consider confirmation of the Mayor's reappointment of Sharon Whitney to the Arts Advisory Board in an At-Large position for a two-year term to expire January 15, 2013.
3. Consider confirmation of the Mayor's appointment of David Christensen to the Arts Advisory Board in an At-Large position for a three-year term to expire January 15, 2014.
4. Consider confirmation of the Mayor's appointment of Scott Mooy to the Arts Advisory Board in an At-Large position for a three-year term to expire January 15, 2014.
5. Consider confirmation of the Mayor's appointment of Jenny Simmons to the Arts Advisory Board in an At-Large position for a two-year term to expire January 15, 2013.
6. Consider confirmation of the Mayor's reappointment of Lee Brinton to the History Advisory Board in an At-Large position for a three-year term to expire August 1, 2013.
7. Consider confirmation of the Mayor's reappointment of David Homer Adams to the History Advisory Board in an At-Large position for a three-year term to expire August 1, 2013.
8. Consider confirmation of the Mayor's appointment of Peter Steele to the History Advisory Board in an At-Large position for a three-year term to expire August 1, 2013.

Those in attendance introduced themselves.

Mr. Brass made a motion to approve the confirmations.  
Mr. Shaver 2<sup>nd</sup> the motion.

Call vote recorded by Brent Davidson.

  A   Mr. Stam  
  A   Mr. Brass  
  A   Mr. Shaver  
  A   Ms. Dunn  
  A   Mr. Dredge

Motion passed 5-0

Mr. Dredge thanked everyone for their willingness to serve and said that this is a great opportunity to serve and to get to know more about the community. He truly believes that it is these great people who serve, who make Murray such a great place to live.

Mr. Dredge noted that the following item be taken care of prior to the Public Hearing, as it requires the amendments prior to a Public Hearing.

Mr. Shaver made a motion to move agenda item 6, New Business as the next item on the agenda.  
Ms. Dunn 2<sup>nd</sup> the motion.

Call vote recorded by Brent Davidson.

  A   Mr. Stam  
  A   Mr. Brass  
  A   Mr. Shaver  
  A   Ms. Dunn  
  A   Mr. Dredge

Motion passed 5-0

**D. NEW BUSINESS**

**Consider an Ordinance amending Sections 7.04.030, 7.08.020, and 7.12.020 of the Murray City Municipal Code relating to Solid Waste and Recycling Management.**

Staff presentation: Doug Hill, Public Works Director

Mr. Hill stated that this item was discussed last month; the City contract for solid waste pickup of residential waste, expires on December 31, 2010. The City solicited bids, and the bid was awarded to Ace Disposal who is currently picking up the garbage for the City, so

there will be no change in service providers. The bid resulted in an increased price in the fees that we are currently paying, so this ordinance amends the rate of what will be charged to the citizens of Murray for the residential pickup of garbage. The current rate is \$6.50 per month, which includes the black can and one green can; that rate is proposed to increase \$1.50, bringing it to \$8.00 per month. For any additional can, whether it be black or green, the current fee is \$4.00 per month, and that rate will also increase by \$1.50 per month, to \$5.50 per month. In summary, it is a \$1.50 per month increase, regardless of which program you want, per month, per residential household.

There are also two other minor changes in this ordinance: the second change requires people to bring their garbage cans off the curb. Currently, there are no restrictions so if someone wants to leave their can out there all the time, they can; this would require them to bring it in after their garbage is picked up, within a certain time frame. The third change is a minor changes to what you can recycle; there are no changes to what is being currently collected- but the list that is currently in our Ordinance, which was last modified five years ago has changed a little bit and it has been updated. That is what is being proposed that you approve, and if approved, these new rates would go into effect on January 01, 2011.

Mayor Snarr asked if a fuel surcharge has been put into the contract? Based upon the cost of fuel, they can raise the price to reflect passing those costs on to us. That is why he felt that \$1.50 would help address that potential for uptake in the cost of fuel.

Mr. Hill said that was correct, and that is what they will talk about in the Public Hearing; they are going to need to amend the budget to reflect the new rates and new costs, and as the Mayor indicated, they have tried to put in enough cushion so that over the next five years, if the fuel does increase in costs, they will be able to cover those costs with the rate increase.

Mr. Brass asked: when they had the big snowstorm a couple of weeks ago, and everyone starts dragging their garbage cans out-and typically he would pull them out that night, what do you do? You know that the plows are going to come out when there is 5-8" of snow, and the ordinance says get them out of there as quickly as you can on a snow day, but what do you do before that? We have people putting them out in the driveway apron, but they were set in enough that he was concerned that after the plows came, the trucks might not be able to reach them.

Mr. Hill said that he does not have a great answer to that, other than he thinks that everybody tries to do the best they can do; the plows do the best that they can to plow around the cans, but at the same time Ace Disposal has to get close enough to them to pick them up which can be difficult. They have always managed to get through that without a lot of problems.

Ms. Dunn: As the owner, you have to look at putting them out at the most reasonable time.

Mr. Hill: This ordinance is not meant for the City to go out and look for people who leave their cans out there, but we will occasionally get a complaint from somebody who says that their neighbor leaves their can out there all the time, and wants to have the ability to enforce that if we can't get somebody to cooperate with them.

Mr. Stam: With the clause that they have in there for the fuel surcharge, are they charging a fuel surcharge right now? It could possibly go down a little bit too, if the fuel charges go down.

Ms. Von Weller said that currently, we have a chart-and it was included in their RFP- that the current contract starts as a base fuel charge of \$2.00, which is based on the Western United States average price of diesel fuel, and that is updated every month. They would look at it and see how much more it would be over the \$2.00, and there is a charge added on to that, but she doesn't think we have ever paid more than a 5% surcharge on everything. In the current contract that begins January 1, 2011, we actually raised that to \$3.00 so that your base wholesale price in fuel, if it goes over \$3.00, then they do the surcharge; we did that so that it could be as competitive as possible and keep the playing field as level as possible. We were around \$3.00 last summer, so that is where we wanted to start.

The numbers that you have, we included about a 50% increase in the price of fuel to where we thought we would be able to recover costs; we have built a little bit of cushion in there, but not a whole lot and if we are lucky and don't have to use that, it would be great to build up a slight reserve but it is going to be pretty close to our actual increase.

Mr. Brass said that he felt that would probably be correct; he was in a meeting yesterday and the speculation is that oil is going to go up, because of the demands from China and India.

Mr. Shaver made a motion to adopt the Ordinance.

Mr. Brass 2<sup>nd</sup> the motion.

Call vote recorded by Brent Davidson.

  A   Mr. Stam  
  A   Mr. Brass  
  A   Mr. Shaver  
  A   Ms. Dunn  
  A   Mr. Dredge

Motion passed 5-0

## **E. PUBLIC HEARINGS**

Staff and sponsor presentations, and public comment prior to Council action on the following matter:

1. **Consider an Ordinance amending the budget of the Solid Waste Fund for Fiscal Year 2010-2011.**

Staff presentation: Patricia Wilson, Finance Director

Ms. Wilson stated that as Mr. Hill suggested, passing the new contract, she would suggest making some adjustments to the budget since they have to pay more to the contractor. You have been given a list of five line items that they would like to adjust appropriately for the cost of the new contract. The funding of that will come from new revenues due to the increases to the residents on their bills; they are estimating the new revenues to be roughly \$105,000. There was also an increase to the containers, and that will be funded by reserves from the fund. That totals \$125,000 in budget revisions, and she is recommending this change to the budget to be able to stay within the budget.

**Public Hearing opened for public comment**

None given.

**Public comment closed**

Council consideration of the above matter to follow Public Hearing.

Ms. Dunn made a motion to adopt the Ordinance.  
Mr. Shaver 2<sup>nd</sup> the motion.

Call vote recorded by Brent Davidson.

  A   Mr. Stam  
  A   Mr. Brass  
  A   Mr. Shaver  
  A   Ms. Dunn  
  A   Mr. Dredge

Motion passed 5-0

**F. UNFINISHED BUSINESS**

None scheduled

**G. MAYOR'S REPORT**

Mayor Snarr said that Judge Paul Thompson will be sworn in again as the Murray City Municipal Justice Court Judge on Friday, December 17, 2010 at the Justice Court Building at

1:00 p.m., and that all are invited to attend.

NeighborWorks is holding an open house for the holidays at their Murray location between 4:00 and 6:00 p.m. and all are invited to participate and attend.

As most are aware, Chief Fondaco's mother passed away in New Jersey; her funeral is tomorrow, and the Chief will be out until next week. The department is in the capable hands of Assistant Chief Burnett.

Mayor Snarr wanted to thank the Council and the department heads-as they have been working through the budgets and the process, it is going to be extensive, but he believes it is going to be a cooperative budget process for 2011-2012 Fiscal Year.

The Mayor also had an opportunity to stop by and speak to the Freezes regarding the status of their property, and working with the owners on the property and the possibility of expansion of the Best Buy to the north. He indicated that he was informed that Best Buy is committed to stay in Murray; their corporate offices are trying to negotiate whether or not it makes sense for them to downsize the store from 45,000 to 36,000 square feet, and move it to the north. The ramifications, as far as the lease, would go down and the owner feels that he has a tenant lined up to take the current Best Buy building, but nobody really knows what is going to happen, other than the fact that they have committed to stay in Murray. The real issue is that if it doesn't happen, which the Freezes say they want to go back and negotiate the ability to access that parking lot, which is critical for their development of the two parcels.

There is also a Mini project that Mr. Tingey is working on, which is a new separate Mini dealership and trying to come up with an Ordinance. He is sure that between the departments, there will be a brand new, beautiful Mini dealership, and if you want to see a rendition of it, there is a rendition of it in the BMW dealership. It may change a little bit with what Mr. Tingey is trying to do; Mayor Snarr had a meeting with them, and they were very willing to sit down and work something out that makes sense. It is exciting, it is a several million dollar project and it is very attractive. They are committed to staying here, they have bought all the land in order to expand the dealership.

#### **H. QUESTIONS OF THE MAYOR**

None

**ADJOURNMENT**